



DEPARTMENT OF THE ARMY
MILITARY SURFACE DEPLOYMENT AND DISTRIBUTION COMMAND
709 WARD DRIVE, BLDG 1990
SCOTT AIR FORCE BASE, IL 62225

**MEMORANDUM OF AGREEMENT
BETWEEN
MILITARY SURFACE DEPLOYMENT AND DISTRIBUTION COMMAND
AND
U. S. NUCLEAR REGULATORY COMMISSION**

SUBJECT: Motor Surveillance Tracking and Monitoring of Shipments

1. **Purpose.** Delineates the terms and conditions of this Memorandum of Agreement (MOA) between the U. S. Nuclear Regulatory Commission (NRC) and the Military Surface Deployment and Distribution Command (SDDC), as the Department of Defense (DOD) designated agent and Program Manager (PM) for the Defense Transportation Tracking System (DTTS). The DTTS Operations Center, located at Scott Air Force Base, Illinois, assumes responsibility for motor surveillance tracking and monitoring of certain shipments made by NRC licensee(s).

2. **Effective Date.**

a. This MOA shall be effective upon signing by both Parties and shall remain in effect until amended by mutual consent. This MOA supersedes previous MOA negotiated in August 2007.

b. This MOA maybe revised or amended by the mutual written consent of both Parties. Requests for revision will be forwarded by one party to the other by written notice at least 120 days prior to implementation. Administrative changes may be made at any time by correcting the existing document or by attaching an addendum to the agreement. Both Parties must initial all changes. At a minimum, a complete review of the MOA must be performed triennially or when changing conditions or circumstances require the development of a new agreement.

c. Either Party may terminate this agreement by providing written notice to the other Party at least 180 days in advance of the proposed date of termination.

3. **General.**

a. DTTS provides the capability for satellite monitoring and tracking of sensitive motor shipments of various commodities within the U. S.

b. The NRC licenses individuals, corporations, or other entities who use, possess, or transport radioactive or nuclear materials for civilian uses. NRC licensees and /or licensees' authorized agents will work directly with DTTS to meet the condition of this agreement. Hereafter, the NRC licensee and/or the licensees' authorized agents will be referred to as the licensee. Pursuant to Executive Order 12958, as amended, NRC is authorized to establish controls (for its licensees) to ensure classified material is provided adequate protection from unauthorized access or use.

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NRC has identified DTTS as an appropriate system that can be used, in conjunction with other measures, to protect classified material during transport. The classified material shipments, while regulated by the NRC, belong to the NRC licensee.

4. **NRC Licensee Responsibility.** If an NRC Licensee chooses to use the DTTS monitoring system, then the licensee must:

a. Utilize DTTS approved motor transportation carriers for the transport of designated shipments. All carriers must comply with requirements set forth by SDDC satellite monitoring rules and be equipped with DTTS-approved satellite surveillance equipment required for tracking of shipments. A potential carrier is subject to review by SDDC to determine if they are compliant with the satellite tracking requirements.

b. Place orders in the following manner:

(1) Orders for tracking services will be placed by officials of the licensee or their transportation carriers who are authorized by the licensee to place orders.

(2) Orders for tracking services will be placed by designating individual shipments to the DTTS. Each order must provide complete item identification data for the designated shipment and must make that data available in a form and manner which the DTTS can accept. To the maximum extent practicable, the data should be provided to the DTTS Program Management Office (PMO) through the DTTS II website (<https://irris.tea.army.mil>). When this is not possible, SDDC will make an alternate method available.

5. **SDDC Responsibilities.**

a. DTTS will be used to monitor designated motor shipments. DTTS personnel will possess a secret security clearance. Communications shall be strictly limited to those personnel who have a "need-to-know".

b. Currently, it is anticipated that each licensee shipment will consist of a single truck or multiple trucks with a single destination. Each truck will be identified and entered into DTTS II individually. In the event that the licensee utilizes a single truck, with multiple destinations, each destination will be tracked as an individual shipment.

c. Position updates, at 15 minutes intervals, will be automatically transmitted via satellite from equipment installed in contract carrier vehicles to the DTTS Operations Center where they will be monitored by DTTS Operations Center personnel on a 24-hour, 7-day basis. Monitoring will be performed to track location while the shipment is enroute and to ensure that shipments progress in a moving status unless otherwise indicated.

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d. DTTS Operations Center shipment oversight personnel are responsible for identification and prompt reporting of emergency and overdue situations to the designated licensee POC in accordance with the procedures established in the DTTS Standard Operating Procedures (SOP) for emergency and overdue situations.

e. DTTS PMO will provide the number of tracked shipments monthly within 15 days after the end of a month.

6. **Billing and Payment Provisions.** The NRC will be billed a minimum annual fee for service predicated upon the quantity of anticipated NRC licensee shipments in the fiscal year. The DOD and NRC fiscal year begins on October 1 and ends on September 30 of the following year. The following procedures will be utilized:

a. By 15 July of each year, the NRC will provide DTTS with a good faith estimate of anticipated NRC licensee shipments for the next fiscal year. This estimate will be expressed as a projected number of shipments. If the NRC provides no estimate of anticipated shipments to DTTS prior to the beginning of a DOD fiscal year, the DTTS will establish its own estimate of NRC licensee requirements based on a historical average.

b. Upon signature of this MOA and subject to the availability of appropriated funds, NRC will execute a DD Form 448 or NRC Form 662 obligating funds for the estimate of current fiscal year shipment expenses to include 5 percent general and administration (G&A) fee. At the beginning of each subsequent fiscal year, and subject to the availability of appropriated funds, NRC will submit a new or amended DD Form 448 or NRC Form 662 to obligate additional funding necessary for that fiscal year's expenses.

c. Upon receipt of NRC funding authority from DD Form 448 or NRC Form 662, DTTS will bill the NRC in advance for that fiscal year's estimated cost. Billing will be to NRC Agency Location Code #31000001 with payments made to DTTS in the same manner.

d. The DTTS PM will report the actual volume and associated cost of shipments to NRC at the end of each fiscal quarter. The NRC and DTTS will use this information to determine whether any funding or payment adjustments are required.

e. The annual minimum fee, beginning in FY10, will be \$5,000 (plus 5 percent G&A fee), subject to the availability of appropriated funds. DTTS will include this annual minimum fee as part of the advance billing to NRC via Intra-Governmental Payment and Collection System. The minimum fee will be in effect unless the annual shipments monitored by the DTTS exceed 100, at which time a \$75.00 charge per shipment will be assessed for those shipments exceeding 100. The minimum annual fee is derived to cover all expenses associated with DTTS monitoring NRC licensee's shipments. These costs include: actual shipment monitoring cost, annual user SOP

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NRC documentation maintenance, and DTTS/Comptroller management support.

f. The DTTS point of contact is:

Military Surface Deployment and Distribution Command (SDDC)

Mr. William Maham

709 Ward Drive

Attn: AMSSD-OPD, Bldg. 1990

SAFB, IL 62225

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g. This agreement is subject to the availability of appropriated funds and other budgetary approvals.

7. **Points of Contact.**

NRC Emergency Point of Contact

Operation Center (24 hour operations)

Phone: (301) 816-5100

DTTS Operations Center Point of Contact

Operations Center (24 hour operations)

Phone: (800) 826-0794

NRC Program Manager – Division of Fuel Cycle Safety and Safeguards

Mr. Tyrone D. Naquin

U.S. Nuclear Regulatory Commission

Office of Nuclear Materials, Safety and Safeguards

11545 Rockville Pike (EBB2-C40M)

Rockville, MD 20852

Comm: (301) 492-3187 Fax: (301) 492-3363

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NRC Financial Point of Contact – Financial Management Branch

Ms. Karen Fitch

U.S. Nuclear Regulatory Commission

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COL, GS
Chief of Staff
Military Surface Deployment and
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9 OCT 09
Date

MICHAEL F. WEBER
Director
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U. S. Nuclear Regulatory Commission

Date