

August 12, 2013

Holders of Special Nuclear Material Licenses  
as Listed in Enclosure 1

SUBJECT: RESCISSION OF CERTAIN SECURITY ORDERS CONCERNING SPENT  
NUCLEAR FUEL IN TRANSIT

Following the terrorist attacks on September 11, 2001, the U.S. Nuclear Regulatory Commission (NRC) issued a series of security-related orders to specific licensees. In the area of security for spent nuclear fuel (SNF) in transit, the NRC issued orders to licensees who shipped or received, or were planning to ship or receive, spent nuclear fuel.

The NRC imposed additional security requirements on the shipment of SNF through EA-02-109, "Issuance of Order for Interim Safeguards and Security Compensatory Measures for the Transportation of Spent Nuclear Fuel Greater than 100 Grams" (67 FR 63167, October 10, 2002). Subsequently, the Commission issued similar security orders to licensees shipping SNF during the period of October 2003 through December 2010. These orders are collectively referred to as the "SNF Transportation Orders." The NRC issued these orders to certain special nuclear material licensees who shipped, received, or planned to ship or receive, spent nuclear fuel under the provisions of Part 71 of Title 10 of the *Code of Federal Regulations* (10 CFR), "Packaging and Transportation of Radioactive Material."

The NRC issued all of the orders as immediately effective under the agency's authority to protect the common defense and security pursuant to the provisions of the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR 2.202, "Orders," as well as those in 10 CFR Parts 50, 70, 71, and 72. The requirements that the NRC established through the SNF Transportation Orders supplemented the existing regulatory requirements for the shipment of SNF at that time. The NRC intended for these additional security requirements to ensure that SNF was shipped in a manner that protects the common defense and security as well as the public health and safety.

On May 20, 2013 (78 FR 29520), the NRC issued a final rule for 10 CFR Part 73.37, "Physical Protection of Irradiated Reactor Fuel in Transit," which established security requirements for SNF in transit (RIN 3150-A164; NRC-2009-0163). When the rule becomes effective on August 19, 2013, it will establish the acceptable performance standards and objectives for the protection of SNF shipments from theft, diversion, or radiological sabotage. The final rule incorporates the security requirements in the existing orders for SNF in transit as well as lessons learned from the implementation of the SNF Transportation Orders.

Therefore, the NRC staff has determined that the generically applicable security requirements set forth in the SNF Transportation Orders are now adequately captured in the NRC's regulations. In addition, the associated guidance document, NUREG-0561, Rev. 2, "Physical Protection of Shipments of Irradiated Reactor Fuel" (ADAMS Accession No. ML13221A567), provides clarifying information regarding the implementation of the requirements in the rule.

In SRM-SECY-12-0009, "Final Rule: 10 CFR 73.37, Physical Protection of Irradiated Fuel in Transit," dated June 7, 2012 (ADAMS Accession No. ML12159A260), the Commission approved rescinding the SNF Transportation Orders on the effective date of the final rule for 10 CFR 73.37, consistent with the Rescission Plan for these Orders as provided in Enclosure 2 to SECY-12-0009, "Final Rule: 10 CFR 73.37, Physical Protection of Irradiated Fuel in Transit," dated January 19, 2012 (ADAMS Accession No. ML113640156). Accordingly, effective August 19, 2013, the NRC hereby rescinds EA-02-109, "Issuance of Order for Interim Safeguards and Security Compensatory Measures for the Transportation of Spent Nuclear Fuel Greater than 100 Grams," and subsequent similar security orders issued during the period of October 2003 through December 2010, to licensees shipping SNF. Although, the information in the orders remains Safeguards Information until decontrolled by the NRC they may be destroyed in accordance with the requirements in 10 CFR 73.22(i), "Destruction of Matter Containing Safeguards Information," when licensees no longer need them.

Licensees should assess how the rescission of the SNF Transportation Orders will affect their facility licenses and security plans so that they can ensure compliance with the final rule and other associated regulatory requirements. Note that not all licensees listed in the enclosure received the subject SNF Transportation Orders.

The NRC has filed the enclosed Notice of Rescission of SNF Transportation Orders with the Office of the Federal Register for publication.

Please contact your licensing project manager for help on any issue related to the requirements in this letter or for help on any other questions.

Sincerely,

**/RA/**

Catherine Haney, Director  
Office of Nuclear Material Safety and  
Safeguards

Docket Nos.: See enclosure

Enclosures: 1. List of Special Nuclear Material Licensees  
2. Notice of Rescission of SNF Transportation Orders

cc w/encl: Distribution via Listserv

In SRM-SECY-12-0009, "Final Rule: 10 CFR 73.37, Physical Protection of Irradiated Fuel in Transit," dated June 7, 2012 (ADAMS Accession No. ML12159A260), the Commission approved rescinding the SNF Transportation Orders on the effective date of the final rule for 10 CFR 73.37, consistent with the Rescission Plan for these Orders as provided in Enclosure 2 to SECY-12-0009, "Final Rule: 10 CFR 73.37, Physical Protection of Irradiated Fuel in Transit," dated January 19, 2012 (ADAMS Accession No. ML113640156). Accordingly, effective August 19, 2013, the NRC hereby rescinds EA-02-109, "Issuance of Order for Interim Safeguards and Security Compensatory Measures for the Transportation of Spent Nuclear Fuel Greater than 100 Grams," and subsequent similar security orders issued during the period of October 2003 through December 2010, to licensees shipping SNF. Although, the information in the orders remains Safeguards Information until decontrolled by the NRC they may be destroyed in accordance with the requirements in 10 CFR 73.22(i), "Destruction of Matter Containing Safeguards Information," when licensees no longer need them.

Licensees should assess how the rescission of the SNF Transportation Orders will affect their facility licenses and security plans so that they can ensure compliance with the final rule and other associated regulatory requirements. Note that not all licensees listed in the enclosure received the subject SNF Transportation Orders.

The NRC has filed the enclosed Notice of Rescission of SNF Transportation Orders with the Office of the Federal Register for publication.

Please contact your licensing project manager for help on any issue related to the requirements in this letter or for help on any other questions.

Sincerely,  
**/RA/**  
Catherine Haney, Director  
Office of Nuclear Material Safety and  
Safeguards

Docket Nos.: See enclosure

- Enclosures: 1. List of Special Nuclear Material Licensees  
2. Notice of Rescission of SNF Transportation Orders

cc w/encl: Distribution via Listserv

**DISTRIBUTION:** CMaupin, FSME

See next page

<G:\SFST\Umana\Letter to SNM Licensees for SNF In Transit Security Order Rescission.docx>

**ADAMS Accession Nos.:** Package ML13232A016/Ltr. No. ML13232A041

ML; Incoming/ML; Response/ML

\* concurrence via email

OFFICE	NMSS/SFST/RIOB	NMSS/SFST/RIOB	Tech Editor	NMSS/SFST	NMSS/FCSS/FMB
NAME	JUmana	EBenner	QTE	THsia for MLombard	RJohnson
DATE	8/5/2013	7/30/2013	7/30/2013	8/1/2013	8/8/2013
OFFICE	NMSS/FCSS	OE	NSIR/DSP/FCTSB	NSIR/DSP/FCTSB	NSIR/DSP
NAME	JAnderson for MBailey	DFurst	GJackson	CErlanger	MThaggard for CLiu
DATE	8/8/2013	8/2/2013	8/7/2013	8/7/2013	8/8/2013
OFFICE	ADM	OGC	NMSS		
NAME	LTerry	JBielecki	CHaney		
DATE	8/9/2013	8/9/2013	8-12-13		

**OFFICIAL RECORD COPY**

SPECIAL NUCLEAR MATERIAL LICENSEES

ATTN: STEVE TOELLE  
DIRECTOR, REGULATORY AFFAIRS  
UNITED STATES ENRICHMENT  
CORPORATION  
6903 ROCKLEDGE DRIVE  
BETHESDA, MD 20817-1818  
DOCKET NOS. 70-7001, 70-7004, 70-7003

ATTN: JOHN CONANT  
ABB INC.  
CEP 880-1911  
5 WATERSIDE CROSSING  
WINDSOR, CT 06095  
DOCKET NO. 70-1100

ATTN: CYNTHIA KEZOS  
ARCO ENVIRONMENTAL REMEDIATION,  
LLC  
C/O ATLANTIC RICHFIELD COMPANY  
LA PALMA, CA 90623  
DOCKET NO. 70-3078

ATTN: SAM SHAKIR  
AREVA NC INC.  
4800 HAMPDEN LANE, SUITE 1100  
BETHESDA, MD 20814  
DOCKET NO. 70-7015, 70-1257

ATTN: ROBERT SHARKEY  
AREVA NP, INC. (LYNCHBURG)  
P.O. BOX 11646  
LYNCHBURG, VA 24506-1646  
DOCKET NO. 70-7015

ATTN: ROBERT LINK  
AREVA NP, INC. (RICHLAND)  
2101 HORN RAPIDS ROAD  
RICHLAND, WA 99354-5102  
DOCKET NO. 70-1257

ATTN: GORDON GRAHAM  
ARMY, DEPARTMENT OF THE  
U.S. COMMANDER, ABERDEEN TEST  
CTR.  
400 COLLERAN ROAD  
ABERDEEN PROV. GRD., MD 21005-5059

ATTN: JOHN RESTA  
ARMY, DEPARTMENT OF THE  
5158 BLACKHAWK ROAD  
ABERDEEN PROV. GRD., MD 21010-5403

ATTN: BARRY COLE  
B&W NOG, INC.  
P.O. BOX 785  
LYNCHBURG, VA 24505-0785  
DOCKET NO. 70-27

ATTN: JAMES BARRETT  
BWX TECHNOLOGIES, INC.  
MC 106  
2016 MOUNT ATHOS RD  
LYNCHBURG, VA 24504-5447  
DOCKET NO. 70-27

ATTN: JERRY CONRAD  
CATHOLIC UNIVERSITY OF  
AMERICA(THE)  
620 MICHIGAN AVE., NE  
WASHINGTON, DC 20064  
DOCKET NO. 70-0190

ATTN: JEFF LUX  
CIMARRON CORPORATION  
9400 WARD PARKWAY  
KANSAS CITY, MO 64114  
DOCKET NO. 70-0925

ATTN: THOMAS O'BRIAN  
COMMERCE, DEPARTMENT OF  
NATIONAL INST. OF STANDARDS &  
TECH.  
BUILDING 301, ROOM B124  
RTE I270 & QUINCE ORCHARD RD  
GAITHERSBURG, MD 20899-0001  
DOCKET NO. 70-398

ATTN: JOHN STAMM  
EVANSVILLE, UNIVERSITY OF  
1800 LINCOLN AVENUE  
EVANSVILLE, IN 47722  
DOCKET NO. 70-1045

ATTN: DAVID TURNER  
GE VALLECITOS NUCLEAR CENTER  
6705 VALLECITOS ROAD  
PLEASANTON, CA 94586  
DOCKET NO. 70-754

SPECIAL NUCLEAR MATERIAL LICENSEES

ATTN: LATONYA MAHLAHLA  
GE-HITACHI NUCLEAR ENERGY  
AMERICAS  
NUCLEAR ENERGY DIVISION  
VALLECITOS NUCLEAR CENTER  
6705 VALLECITOS ROAD  
SUNOL, CA 94586  
DOCKET NO. 70-754

ATTN: KEITH ASMUSSEN  
GENERAL ATOMICS  
P.O. BOX 85608  
SAN DIEGO, CA 92186-9784  
DOCKET NO. 70-734

ATTN: SCOTT MURRAY  
GLOBAL NUCLEAR FUEL - AMERICAS,  
LLC  
MC K-B4  
P. O. BOX 780  
WILMINGTON, NC 28402-0780  
DOCKET NO. 70-113

ATTN: JAY KUNZE  
IDAHO STATE UNIVERSITY  
P.O. BOX 8060  
POCATELLO, ID 83209-8060  
DOCKET NO. 70-1374

ATTN: CHRIS DEMARCO  
JACKSON COMMUNITY COLLEGE  
2111 EMMONS ROAD  
JACKSON, MI 49201  
DOCKET NO. 70-1228

ATTN: DAVID SEXTON  
LOUISIANA ENERGY SERVICES (LES),  
LP  
P.O. BOX 1789  
EUNICE, NM 88231  
DOCKET NO. 70-3103

ATTN: MITCHELL GALANEK  
MASSACHUSETTS INST. OF  
TECHNOLOGY  
ROOM N52-496  
77 MASSACHUSETTS AVE  
CAMBRIDGE, MA 02139-4307  
DOCKET NO. 70-938

ATTN: MARTIN MEEHAN  
MASSACHUSETTS LOWELL,  
UNIVERSITY OF  
ONE UNIVERSITY AVENUE  
LOWELL, MA 01854  
DOCKET NO.  
70-938

ATTN: JOHN MCKAY  
MCKAY, JOHN H.  
R.R. #5  
STRATFORD, ON, CN N5A 6- 6S6  
DOCKET NO. 70-3081

ATTN: DONITA FLEMING  
MEDSTAR WASHINGTON HOSPITAL  
CENTER  
ADMINISTRATION, ROOM 2A-2  
110 IRVING STREET, N.W.  
WASHINGTON, DC 20010-2975  
DOCKET NO. 70-1500

ATTN: MARK DRISCOLL  
MICHIGAN, UNIVERSITY OF  
1239 KIPKE DRIVE  
ANN ARBOR, MI 48109-1010  
ATTN: B. MOORE  
NUCLEAR FUEL SERVICES, INC.  
P. O. BOX 337, MS 123  
ERWIN, TN 37650-9718  
DOCKET NO. 70-0192

ATTN: RAINIER FARMER  
OREGON STATE UNIVERSITY  
100 OAK CREEK BUILDING  
CORVALLIS, OR 97331-7404  
DOCKET NO.70-7019

ATTN: DR. STEVE KORBLY  
PASSPORT SYSTEMS, INC.  
70 AND 76 TREBLE COVE ROAD  
NORTH BILLERICA, MA 01862  
DOCKET NO.70-7022

ATTN: HENRY FOLEY  
PENNSYLVANIA STATE UNIVERSITY  
(THE)  
304 OLD MAIN  
UNIVERSITY PARK, PA 16802  
DOCKET NO.70-113

SPECIAL NUCLEAR MATERIAL LICENSEES

ATTN: JAMES SCHWEITZER  
PURDUE UNIVERSITY  
RADIOLOGICAL AND ENVIRONMENTAL  
MGMT  
ATTN: RADIATION SAFETY OFFICER  
CIVIL ENGINEERING BLDG. B173  
WEST LAFAYETTE, IN 47907-1662  
DOCKET NO.70-152

ATTN: MERSHAD SHAHABIDIN  
RAPISCAN LABORATORIES, INC.  
520 ALMANOR AVE  
SUNNYVALE, CA 94085-3533  
DOCKET NO. 70-7021

ATTN: KIMBERLY KUHL  
REUTER-STOKES, INC.  
EDISON PARK  
8499 DARROW ROAD  
TWINSBURG, OH 44087  
DOCKET NO. 70-2872

ATTN: JAMES SPACCO  
SENSOR CONCEPTS & APPLICATIONS,  
INC  
5200 GLEN ARM ROAD, SUITE A  
GLEN ARM, MD 21057  
DOCKET NO. 70-7020

ATTN: GARY YARROW  
SOUTH DAKOTA STATE UNIVERSITY  
REGULATORY COMPLIANCE  
DEPARTMENT  
P. O. BOX 2202  
BROOKINGS, SD 57007-0896  
DOCKET NO. 70-0218

ATTN: EVAN BOOTE  
SPECTRUM HEALTH HOSPITALS  
RADIATION ONCOLOGY SERVICES  
BUTTERWORTH CAMPUS  
100 MICHIGAN STREET, N.E.  
GRAND RAPIDS, MI 49503  
DOCKET NO. 70-1486

ATTN: R. KRICH  
TENNESSEE VALLEY AUTHORITY  
1101 MARKET STREET  
CHATTANOOGA, TN 37402-2801  
DOCKET NO. 70-7018

ATTN: STEVEN BIEGALSKI  
TEXAS, UNIVERSITY OF  
NUCLEAR ENGR TEACHING LAB.  
J.J.PICKLE RES CAMPUS/BLDG 59  
10100 BURNET ROAD  
AUSTIN, TX 78758  
DOCKET NO. 70-157

ATTN: PETER MINER  
U. S. ENRICHMENT CORP. (ACP)  
AMERICAN CENTRIFUGE PLANT  
6903 ROCKLEDGE DR  
BETHESDA, MD 20817-1818  
DOCKET NO. 70-7004

ATTN: VERNON SHANKS  
U. S. ENRICHMENT CORP. - PADUCAH  
GASEOUS DIFFUSION PLANT  
ROOM C-102  
P. O. BOX 1410  
PADUCAH, KY 42001  
DOCKET NO. 70-7001

ATTN: DOUG FOGEL  
U. S. ENRICHMENT CORP. -  
PORTSMOUTH  
GASEOUS DIFFUSION PLANT  
P. O. BOX 628  
PIKETON, OH 45661  
DOCKET NO.70-7003

ATTN: TERRY SENSUE  
USEC INC.  
ADVANCED ENRICHMENT TECH  
P. O. BOX 628, MAIL STOP 7560  
PIKETON, OH 45661  
DOCKET NO. 70-7003

ATTN: GERALD COUTURE  
WESTINGHOUSE ELECTRIC COMPANY  
LLC  
5801 BLUFF ROAD  
HOPKINS, SC 29061-9121  
DOCKET NO. 70-1151

ATTN: HENRY SEPP  
WESTINGHOUSE ELECTRIC COMPANY,  
LLC  
3300 STATE ROAD P  
HEMATITE, MO 63028  
DOCKET NO. 70-1151