



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

REGION III
2443 WARRENVILLE RD. SUITE 210
LISLE, IL 60532-4352

April 9, 2015

J. Toby Williams, Manager
Global Security Analysis & Training
Consolidated Nuclear Security, LLC.
Pantex Plant/Y-12 National Security Complex
301 Bear Creek Road
P.O. Box 2009
Oak Ridge, TN 37831-8112

SUBJECT: U.S. DEPARTMENT OF ENERGY PRIME CONTRACTOR EXEMPTION UNDER
TITLE 10 *CODE OF THE FEDERAL REGULATIONS* PART 30.12

Dear Mr. Williams:

The U.S. Nuclear Regulatory Commission (NRC) received an electronic communication dated March 25, 2015, from you on behalf of Consolidated Nuclear Security, LLC (CNS), the prime contractor for the U.S. Department of Energy (DOE) – National Nuclear Security Administration (NNSA), to conduct Federal Bureau of Investigation (FBI) sponsored “Curious Disintegration” training in Detroit, Michigan on April 13 through 16, 2015, using sealed sources that are owned and controlled by CNS. The training and field exercises will include the FBI Detroit Field Office, Detroit Police Department, Flint Police Department, Grosse Pointe Woods Police Department, Michigan State Police, Wayne County Airport Authority Police, Wayne County Sheriff Office, Detroit Fire Department, 51st Civil Support Team, FBI Detroit Hazardous Response Team and St. John Hospital & Medical Center (NRC Material License No. 24-03210-01).

The NRC regulations provide an exemption in Title 10 *Code of the Federal Regulations* (CFR) Part 30.12 to any prime contractor of DOE, such as CNS, at a government owned or controlled site. However, if the prime contractor or subcontractor is performing work for DOE at another location, which is not a government owned or controlled site, then the NRC needs to determine whether the exemption is authorized by law, and that, under the terms of the contract there is adequate assurance that the work thereunder can be accomplished without undue risk to the public health and safety.

The NRC has reviewed the relevant sections of CNS’ prime management and operating contract with DOE and the Project Team Agreement between DOE-CNS and St. John Hospital & Medical Center. The review of these documents determined that the exemption under 10 CFR 30.12 is authorized by law. Additionally, the procedures and commitments made by DOE-CNS for conducting work activities in Detroit, Michigan were reviewed. Based on this review, the NRC has determined that there is adequate assurance that the activity can be accomplished without undue risk to public health and safety. Therefore the exemption under 10 CFR 30.12 is authorized by law.

J. Williams

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If there are any questions or comments concerning this review, please contact Cassandra Frazier, Senior Health Physicist at 630-829-9830 or Patricia Pelke, Chief, Materials Licensing Branch at 630-829-9868.

Sincerely,

/RA/

Julio F. Lara, Acting Director
Division Nuclear Materials Safety

J. Williams

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If there are any questions or comments concerning this review, please contact Cassandra Frazier, Senior Health Physicist at 630-829-9830 or Patricia Pelke, Chief, Materials Licensing Branch at 630-829-9868.

Sincerely,

/RA/

Julio F. Lara, Acting Director
Division Nuclear Materials Safety

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