



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

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

April 17, 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 OF THE *CODE OF THE FEDERAL REGULATIONS* PART 30.12

Dear Mr. Williams:

The U.S. Nuclear Regulatory Commission (NRC) received an electronic communication dated April 8, 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 the U.S. Department of Homeland Security Domestic Nuclear Detection Office sponsored “Radiological/Nuclear Concepts Tactics and Integration” training course in Indianapolis, Indiana on April 20 through 23, 2015, using sealed sources that are owned and controlled by CNS. The training and field exercises will include the Federal Bureau of Investigation (FBI), Indianapolis Police Department, Indiana State Police and Department of Homeland Security.

The NRC regulations provide an exemption in Title 10 of the *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 approval letter between DOE/NNSA-CNS and Indianapolis Motor Speedway. 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 Indianapolis, Indiana 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.

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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