UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

OFFICE OF THE
SECRETARY

September 23, 2019

MEMORANDUM TO: Parties
DOE Export License Application
License No. XSNM3810
Docket No. 11006361

FROM: Russell E. Chazell
Assistant for Rulemakings and Adjudications

SUBJECT: SERVICE REQUIREMENTS OF 10 C.F.R. § 110.89(b)

The Code of Federal Regulations, 10 C.F.R. § 110.89(b), requires that all filings and Commission notices and orders related to import or export license be served upon, among others, the Executive Secretary, Department of State. To ensure that this has been accomplished, the NRC Office of the Secretary has provided the Executive Secretary, Department of State, with copies of all submissions made to date. A copy of that transmitting email is attached.

Going forward each party must perform such service for their own filings and document such filings in their certificates of service. Currently, the Executive Secretary, Department of State, is not receiving submissions that are made via Electronic Information Exchange (EIE) thus requiring alternative means of service. The e-mail address for the Executive Secretary, Department of State is kennald@state.gov. If the Department of State becomes able to receive service by EIE in the future, the parties to this proceeding will be notified.

Attachment: As stated

Docket, Hearing

From: Docket, Hearing
Sent: Monday, September 23, 2019 9:09 AM
To: kennald@state.gov
Cc: filippdl@state.gov; Docket, Hearing
Subject: Adjudication of Export License Application (Docket No. DOE/NNSA 11006361)
Attachments: Export License Application from DOE NNSA, XSNM3810, Dated July 31, 2019.pdf; Amended Export License Application from DOE NNSA, XSNM3810, Dated Sept 3, 2019.pdf; Notice of Appearance of Amy Roma and Sachin Desai.pdf; Curium Request for Extension of Time to File Hearing Request.pdf; NorthStar Medical Radioisotopes Request for Hearing.pdf; Certificate of Service for NorthStar Request for Hearing.pdf; Order of the Acting Secretary re Extension Request.pdf; Nuclear Threat Initiative Petition to Intervene and Request for Hearing.pdf; Declaration of Laura Holgate of NTI.pdf; Curium US LLC Petition to Intervene and Req for Hrg.pdf; Letter from Alan Kuperman Providing Hearing Request.pdf; Alan Kuperman Petition to Intervene and Req for Hrg.pdf; Letter from the NRC Acting Secretary, Denise McGovern, to Mary Anne Heino, Lantheus Medical Imaging.pdf

Ms. Kenna,

The Nuclear Regulatory Commission (NRC) received an application from the Department of Energy (DOE) / National Nuclear Security Administration (NNSA) for the export of nuclear materials. Subsequently, the NRC was contacted by several public parties requesting a hearing on this application. DOE/NNSA submitted an amended version of the application, and we have received hearing requests on that version as well. The original and amended applications are attached for reference.

The Code of Federal Regulations, 10 C.F.R. § 110.89(b), requires that all filings and Commission notices and orders related to the adjudication of an import or export license be served upon, among others, the Executive Secretary, Department of State. To that end, please find attached the following documents, which have been received or issued by the NRC to date:

- Notice of Appearance of Amy Roma and Sachin Desai on behalf of Curium US LLC
- Curium US LLC Request for Extension of time to File Hearing Request
- NorthStar Medical Radioisotopes, LLC Request for Hearing
- Certificate of Service for NorthStar Request for Hearing
- Order of the Acting Secretary (Granting Request for Extension of Time)
- Nuclear Threat Initiative Petition to Intervene and Request for Hearing
- Declaration of Laura Holgate in support of Nuclear Threat Initiative's Petition
- Curium US LLC Petition to Intervene and Request for Hearing
- Letter from Alan Kuperman
- Alan Kuperman Petition to Intervene and Request for Hearing
- Letter from NRC Acting Secretary to Mary Anne Heino of Lantheus Medical Imaging

The parties to this proceeding will be reminded of their responsibility to provide you will their own filings directly.

The NRC does have an electronic portal called the Electronic Information Exchange (EIE), to which a member of your staff could become connected in order to receive automated notices of all submissions on this docket. If you would prefer to proceed that way, please have someone contact us and we would be happy to work with them on getting set up. Otherwise we will continue to keep you up to date via email.

We look forward to hearing from you should you require additional information.

Thank you.

Herald Speiser

****
Herald M. Speiser
Rulemakings and Adjudications Staff
Office of the Secretary
U. S. Nuclear Regulatory Commission
(301) 415-1358
****

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of	)	
	)	
	)	
U.S. DEPARTMENT OF ENERGY	)	Docket No. 11006361
	)	
	)	License No. XSNM3810
(Export of 93.35% Enriched Uranium)	)	
	)	

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **Memorandum from Russell E. Chazell Regarding Service Requirements of 10 C.F.R. § 110.89(b)** have been served upon the following persons by Electronic Information Exchange or, as indicated by an asterisk, by electronic mail.

U.S. Nuclear Regulatory Commission
Office of Commission Appellate Adjudication
Mail Stop: O-16B33
Washington, DC 20555-0001
E-mail: ocaamail@nrc.gov

U.S. Nuclear Regulatory Commission
Office of the Secretary of the Commission
Mail Stop: O-16B33
Washington, DC 20555-0001
E-mail: hearingdocket@nrc.gov

U.S. Nuclear Regulatory Commission
Office of the General Counsel
Mail Stop O-14A44
Washington, DC 20555-0001
Grace Kim, Esq.
Nicolas Mertz, Esq.
E-mail: grace.kim@nrc.gov
nicolas.mertz@nrc.gov

Lisa D. Kenna*, Executive Secretary
Debra L. Filipp*
Office of the Secretary
Department of State
2201 C Street, NW
Washington, DC 20520
E-mail: kennald@state.gov
filippdl@state.gov

Becky Eddy
Department of Energy
301 Bear Creek Road, JCC N3.168
Oak Ridge, TN 37831
E-mail: becky.eddy@npo.doe.gov

Counsel for Curium US LLC
Sachin Desai, Esq.
Amy C. Roma, Esq.
Hogan Lovells US LLP
555 13th Street NW
Washington D.C., 20004
E-mail: sachin.desai@hoganlovells.com
amy.roma@hoganlovells.com

Counsel for NorthStar Medical Radioisotopes, LLC
Samantha Dorsey, Esq.
Broydrick and Associates
1150 Connecticut Ave, NW, Ste. 615
Washington, DC 20036
E-mail: samantha@broydrick.com

Laura S. H. Holgate
Nuclear Threat Initiative
1776 Eye Street, NW
Washington D.C. 20004
E-mail: holgate@nti.org

Alan Kuperman, Ph.D.
University of Texas at Austin
PO Box Y
Austin, TX 78713
E-mail: akuperman@mail.utexas.edu

[Original signed by Herald M. Speiser]
Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 23rd day of September 2019