



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

June 2, 1994

The Honorable John W. Warner  
United States Senate  
Washington, DC 20510

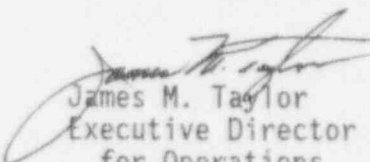
Dear Senator Warner:

I am responding to your letter, dated May 10, 1994, in which you requested information relating to your constituent's concern about no advance notification, to communities, of U.S. Navy and U.S. Department of Energy (DOE) shipments of radioactive materials. Specifically, your constituent referred to a January 25, 1994, shipment from the Naval Shipyard in Newport News, Virginia, to the Idaho National Engineering Laboratory, Idaho, and to Navy and DOE exemptions from U.S. Nuclear Regulatory Commission regulations.

It appears that your constituent is referring to our requirement that NRC licensees notify governors, in advance, of irradiated reactor fuel shipments within or through a State (10 CFR 73.37(f)). This requirement is applicable only to persons licensed pursuant to our regulations. NRC was established to regulate the commercial use of radioactive materials; it does not have regulatory authority over the military activities of the Navy nor DOE (such as the January 25, 1994, shipment). Navy and DOE military activities are not subject to NRC regulations; Navy and DOE military shipments of radioactive materials are subject to the Hazardous Material Regulations of the U.S. Department of Transportation.

I trust this reply responds to your concerns.

Sincerely,

  
James M. Taylor  
Executive Director  
for Operations

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