

**From:** [Patton, Tera E](#)  
**To:** [Jeffery Lynch](#)  
**Subject:** [External\_Sender] Re: 2023 Annual Audit - NRC's Advance Notification of Radioactive Material and Nuclear Material Shipments Designee List  
**Date:** Thursday, June 22, 2023 11:38:49 AM

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West Virginia information is correct.

Thank you,

*Tera E. Patton B. S. R. J. (R)*

**Director**

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On Wed, Jun 21, 2023 at 1:14 PM Jeffery Lynch <[Jeffery.Lynch@nrc.gov](mailto:Jeffery.Lynch@nrc.gov)> wrote:

Dear Advanced Notification Designees:

I am conducting the annual audit of NRC's [Advance Notification of Radioactive Material and Nuclear Material Shipments Designee List](#).

You are currently listed on our website (<https://scp.nrc.gov/special/designee.pdf>) as the State official designated by your Governor to receive advance notification of radioactive material and nuclear material shipments through your State, as required by Public Law 96-295 (Section 301) and implemented in Title 10 of the Code of Federal Regulations, Parts 37, 71, and 73.

**Specific advance notifications** are as follows:

- **10 CFR 37.77**, “Advance Notification of Shipment of Category 1 Quantities of Radioactive Material,” requires advance written notification be provided to the licensing agency (i.e., the NRC or an Agreement State) and to affected States for shipment of licensed material in a Category 1 quantity, as established in Appendix A to 10 CFR Part 37, “Category 1 and Category 2 Radioactive Materials,” before transport of the material outside the confines of the licensee’s facility or other place of use or storage.
- **10 CFR 71.97**, “Advance Notification of Shipment of Irradiated Reactor Fuel and Nuclear Waste,” requires advance written notification be provided to States, participating Federally recognized Tribes, and the NRC for irradiated reactor fuel and for large quantity shipments of radioactive waste outside the confines of the licensee’s facility or other place of use or storage.
- **10 CFR 73.35**, “Requirements for Physical Protection of Irradiated Reactor Fuel (100 grams or less) in Transit,” requires that small shipments of irradiated reactor fuel (100 grams or less) be subject to the physical protection requirements in 10 CFR Part 37. Accordingly, per 10 CFR 37.77, advanced written notification must be provided to States and the NRC for these shipments before transport outside the confines of the licensee’s facility or other place of use or storage.
- **10 CFR 73.37**, “Requirements for Physical Protection of Irradiated Reactor Fuel in Transit,” requires advance written notification be provided to States, participating Federally recognized Tribes, and the NRC for larger shipments of irradiated reactor fuel (greater than 100 grams) outside the confines of the licensee’s facility or other place of use or storage.

Please verify that your state’s designee information (such as, name, phone, fax, address, and email) is still correct. The current contact information on file can be found at: <https://scp.nrc.gov/special/designee.pdf>.

**If changes should be made, please let me know.**

Thanks.

Jeff

# **Jeffery A. Lynch**

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