



**UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
611 RYAN PLAZA DRIVE, SUITE 400
ARLINGTON, TEXAS 76011-4005**

December 13, 2005

Lt. Col. Mark Wrobel
Department of the Air Force
USAF Radioisotope Committee
HQ AFMOA/SGZR
110 Luke Ave., Suite 405
Bolling AFB, DC 20322-7050

**SUBJECT: RESPONSE TO NOTIFICATION OF INTENDED TRANSFER OF SOURCE
MATERIAL TO THE DEPARTMENT OF ENERGY**

The U.S. Nuclear Regulatory Commission (NRC) received a notification of intended transfer of classified military tanks by the Department of the Air Force to the Department of Energy's (DOE's) Nevada Test Site facility by letter dated December 1, 2005. The military tanks have classified markings because of the penetration signatures that resulted from depleted uranium sabot impacts. As a result of the classified markings, you intend to transfer the classified source material to DOE. DOE allows burial of Department of Defense classified material at its Nevada Test Site.

The regulation under 10 CFR 40.51(b)(1) states in part, that subject to the provisions of paragraphs (c) and (d) of the respective section, then any licensee may transfer source or byproduct material to the DOE. Therefore, the NRC staff has reviewed your notification and concluded that the Commission does not have any comments regarding your transfer of classified source material to the DOE.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at:
<http://www.nrc.gov/reading-rm/adams.html>.

If you have any questions, please contact me at (817) 276-6552.

Sincerely,

/RA/

Rachel S. Browder, Health Physicist
Nuclear Materials Licensing Branch

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