

August 10, 2015

The Honorable Terry McAuliffe  
Governor of Virginia  
Richmond, VA 23219

Dear Governor McAuliffe:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am writing to inform you that the Commission is granting the BWXT Nuclear Operations Group-Lynchburg (BWXT), an NRC-licensed facility located within the Commonwealth of Virginia, permission to use the preemption authority granted to the Commission under Section 161A of the Atomic Energy Act of 1954, as amended. That authority permits the licensee to transfer, receive, possess, transport, import, and use certain weapons, ammunition and other devices notwithstanding State, local, and certain Federal firearms laws that would otherwise prohibit such actions.

A letter dated May 31, 2013, informed your office of the Commission's intent to implement its authority under Section 161A, through the issuance of orders in advance of a final rulemaking on this matter. Subsequently, on June 5, 2013, the Commission issued an order designating BWXT as eligible to apply to the Commission for authorization to use Section 161A preemption authority. In response to the Order, on April 24, 2014, BWXT submitted an application to the Commission requesting that it authorize the use of Section 161A preemption authority at the BWXT facility in Lynchburg, Virginia. The Commission has reviewed the BWXT application and approved its request to use Section 161A preemption authority at this facility.

The granted authority will be documented in a confirmatory order in accordance with established NRC processes.

If you have any questions on this matter, please contact me or Christiana Lui, Director of the NRC's Division of Security Policy, Office of Nuclear Security and Incident Response at (301) 415-1750.

Sincerely,

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Stephen G. Burns