

November 19, 2010

Gwen Nalls, Vice President  
Project Legal Liaison, Business Systems  
MOX Services, LLC  
P.O. Box 7097  
Aiken, SC 29804

SUBJECT: U.S. NUCLEAR REGULATORY COMMISSION IMPORT LICENSING  
REQUIREMENTS IN SUPPORT OF EQUIPMENT FOR USE AT THE MIXED  
OXIDE FUEL FABRICATION FACILITY

Dear Ms. Nalls:

I am writing in response to your letter DCS-NRC-000269, dated 1 March 2010, seeking confirmation of the U.S. Nuclear Regulatory Commission's (NRC) regulatory requirements related to imports of equipment and components for use at the Mixed Oxide Fuel Fabrication Facility (MFFF).

Please first note that, as of August 27, 2010, a rulemaking concerning 10 CFR Part 110 went into effect that changed the language and structure of parts of the regulation, some of which affect the citations provided in your March 2010 letter.

That being said, the conclusion of your letter is valid. NRC does not have jurisdiction over Department of Energy (DOE) import activities. As such, an NRC import license is not required to import equipment and components for use at the DOE owned MFFF to be constructed at DOE's Savannah River Site.

If you have additional questions please contact Brian Wittick at 301-415-2496.

Sincerely,

**R/A**

Janice Owens, Branch Chief  
Export Controls and International Organizations Branch

cc: Dealis Gwyn, MOX Services  
Douglas Yates, MOX Services  
Sean Oehlbert, DOE/NNSA  
Robin DeLaBarre, DOS

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