

officer has been appointed, the Chief Administrative Judge, or if he or she is unavailable, another administrative judge, or an Administrative Law Judge with jurisdiction pursuant to 10 CFR 2.318(a); or (c) if another officer has been designated to rule on information access issues, with that officer.

If challenges to the NRC staff determinations are filed, these procedures give way to the normal process for litigating disputes concerning access to information. The

availability of interlocutory review by the Commission of orders ruling on such NRC staff determinations (whether granting or denying access) is governed by 10 CFR 2.311.<sup>3</sup>

I. The Commission expects that the NRC staff and presiding officers (and any other reviewing officers) will consider and resolve requests for access to SUNSI, and motions for protective orders, in a timely fashion in order to minimize any unnecessary delays in identifying those petitioners who have

standing and who have propounded contentions meeting the specificity and basis requirements in 10 CFR part 2. The attachment to this Order summarizes the general target schedule for processing and resolving requests under these procedures.

*It is so ordered.*

Dated: June 6, 2020.

For the Nuclear Regulatory Commission.

**Annette L. Vietti-Cook,**

*Secretary of the Commission.*

**ATTACHMENT 1—GENERAL TARGET SCHEDULE FOR PROCESSING AND RESOLVING REQUESTS FOR ACCESS TO SENSITIVE UNCLASSIFIED NON-SAFEGUARDS INFORMATION IN THIS PROCEEDING**

Day	Event/activity
0	Publication of <b>Federal Register</b> notice of hearing and opportunity to petition for leave to intervene, including order with instructions for access requests.
10	Deadline for submitting requests for access to Sensitive Unclassified Non-Safeguards Information (SUNSI) with information: Supporting the standing of a potential party identified by name and address; describing the need for the information in order for the potential party to participate meaningfully in an adjudicatory proceeding.
60	Deadline for submitting petition for intervention containing: (i) Demonstration of standing; and (ii) all contentions whose formulation does not require access to SUNSI (+25 Answers to petition for intervention; +7 petitioner/requestor reply).
20	U.S. Nuclear Regulatory Commission (NRC) staff informs the requestor of the staff's determination whether the request for access provides a reasonable basis to believe standing can be established and shows need for SUNSI. (NRC staff also informs any party to the proceeding whose interest independent of the proceeding would be harmed by the release of the information.) If NRC staff makes the finding of need for SUNSI and likelihood of standing, NRC staff begins document processing (preparation of redactions or review of redacted documents).
25	If NRC staff finds no "need" or no likelihood of standing, the deadline for petitioner/requestor to file a motion seeking a ruling to reverse the NRC staff's denial of access; NRC staff files copy of access determination with the presiding officer (or Chief Administrative Judge or other designated officer, as appropriate). If NRC staff finds "need" for SUNSI, the deadline for any party to the proceeding whose interest independent of the proceeding would be harmed by the release of the information to file a motion seeking a ruling to reverse the NRC staff's grant of access.
30	Deadline for NRC staff reply to motions to reverse NRC staff determination(s).
40	(Receipt +30) If NRC staff finds standing and need for SUNSI, deadline for NRC staff to complete information processing and file motion for Protective Order and draft Non-Disclosure Affidavit. Deadline for applicant/licensee to file Non-Disclosure Agreement for SUNSI.
A	If access granted: Issuance of presiding officer or other designated officer decision on motion for protective order for access to sensitive information (including schedule for providing access and submission of contentions) or decision reversing a final adverse determination by the NRC staff.
A + 3	Deadline for filing executed Non-Disclosure Affidavits. Access provided to SUNSI consistent with decision issuing the protective order.
A + 28	Deadline for submission of contentions whose development depends upon access to SUNSI. However, if more than 25 days remain between the petitioner's receipt of (or access to) the information and the deadline for filing all other contentions (as established in the notice of opportunity to request a hearing and petition for leave to intervene), the petitioner may file its SUNSI contentions by that later deadline.
A + 53	(Contention receipt +25) Answers to contentions whose development depends upon access to SUNSI.
A + 60	(Answer receipt +7) Petitioner/Intervenor reply to answers.
>A + 60	Decision on contention admission.

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**NUCLEAR REGULATORY COMMISSION**

[NRC-2020-0001]

**Sunshine Act Meetings**

**TIME AND DATE:** Weeks of July 6, 13, 20, 27, August 3, 10, 2020.

**PLACE:** Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland.

**STATUS:** Public.

**Week of July 6, 2020**

There are no meetings scheduled for the week of July 6, 2020.

**Week of July 13, 2020—Tentative**

There are no meetings scheduled for the week of July 13, 2020.

**Week of July 20, 2020—Tentative**

There are no meetings scheduled for the week of July 20, 2020.

**Week of July 27, 2020—Tentative**

There are no meetings scheduled for the week of July 27, 2020.

**Week of August 3, 2020—Tentative**

There are no meetings scheduled for the week of August 3, 2020.

<sup>3</sup> Requestors should note that the filing requirements of the NRC's E-Filing Rule (72 FR 49139; August 28, 2007, as amended at 77 FR

46562; August 3, 2012) apply to appeals of NRC staff determinations (because they must be served on a presiding officer or the Commission, as

applicable), but not to the initial SUNSI request submitted to the NRC staff under these procedures.

**Week of August 10, 2020—Tentative**

There are no meetings scheduled for the week of August 10, 2020.

**CONTACT PERSON FOR MORE INFORMATION:**

For more information or to verify the status of meetings, contact Denise McGovern at 301-415-0681 or via email at [Denise.McGovern@nrc.gov](mailto:Denise.McGovern@nrc.gov). The schedule for Commission meetings is subject to change on short notice.

The NRC Commission Meeting Schedule can be found on the internet at: <https://www.nrc.gov/public-involve/public-meetings/schedule.html>.

The NRC provides reasonable accommodation to individuals with disabilities where appropriate. If you need a reasonable accommodation to participate in these public meetings or need this meeting notice or the transcript or other information from the public meetings in another format (e.g., braille, large print), please notify Anne Silk, NRC Disability Program Specialist, at 301-287-0745, by videophone at 240-428-3217, or by email at [Anne.Silk@nrc.gov](mailto:Anne.Silk@nrc.gov). Determinations on requests for reasonable accommodation will be made on a case-by-case basis.

Members of the public may request to receive this information electronically. If you would like to be added to the distribution, please contact the Nuclear Regulatory Commission, Office of the Secretary, Washington, DC 20555 (301-415-1969), or by email at [Wendy.Moore@nrc.gov](mailto:Wendy.Moore@nrc.gov) or [Tyesha.Bush@nrc.gov](mailto:Tyesha.Bush@nrc.gov).

The NRC is holding the meetings under the authority of the Government in the Sunshine Act, 5 U.S.C. 552b.

Dated: July 2, 2020.

For the Nuclear Regulatory Commission.

**Denise L. McGovern**

*Policy Coordinator, Office of the Secretary.*

[FR Doc. 2020-14659 Filed 7-2-20; 11:15 am]

**BILLING CODE 7590-01-P**

**NUCLEAR REGULATORY COMMISSION**

[Docket No. 70-7022; NRC-2020-0116]

**Passport Systems, Inc.; North Billerica, MA**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** License termination; issuance.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) is providing public notice of the termination of Special

Nuclear Materials (SNM) License No. SNM-2016. The NRC has terminated the license held by Passport Systems, Inc. (Passport), to possess and use SNM for developing new technologies to detect special nuclear materials in cargo containers for the U.S. Department of Homeland Security (DHS), Domestic Nuclear Detection Office. The license was terminated at Passport's request since it no longer needed the sources for development of their cargo inspection system.

**DATES:** The license termination for SNM-2016 was issued on May 4, 2020.

**ADDRESSES:** Please refer to Docket ID NRC-2020-0116 when contacting the NRC about the availability of information regarding this document. You may obtain publicly-available information related to this document using any of the following methods:

- **Federal Rulemaking Website:** Go to <https://www.regulations.gov> and search for Docket ID NRC-2020-0116. Address questions about NRC docket IDs in *Regulations.gov* to Jennifer Borges; telephone: 301-287-9127; email: [Jennifer.Borges@nrc.gov](mailto:Jennifer.Borges@nrc.gov). For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- **NRC's Agencywide Documents Access and Management System (ADAMS):** You may obtain publicly-available documents online in the ADAMS Public Documents collection at <https://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "Begin Web-based ADAMS Search." For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1-800-397-4209, 301-415-4737, or by email to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov). For the convenience of the reader, the ADAMS accession numbers are provided in a table in the "Availability of Documents" section of this document.

**FOR FURTHER INFORMATION CONTACT:** Osiris Siurano-Perez, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-7827, email: [Osiris.Siurano-Perez@nrc.gov](mailto:Osiris.Siurano-Perez@nrc.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Discussion**

The NRC has terminated License No. SNM-2016, held by Passport Systems, Inc., for possession and use of SNM at its facilities at 76 Treble Cove Road, in

North Billerica, and at 700 Summer St., Conley Terminal in the Port of Boston. Passport was contracted by the DHS to develop new technologies to detect special nuclear materials in cargo containers. The program included utilizing SNM placed inside fully loaded cargo containers and other concealments during testing of proprietary equipment to determine if it can locate SNM sources placed inside containers when surrounded by the cargo. The materials used consisted of Low Enriched Uranium and High Enriched Uranium constructed for DHS. The SNM consisted of SNM produced by Pacific Northwest National Laboratory, a highly enriched uranium metal source, low enriched uranium metal sources, and uranium oxides (UO2 and U3O8). The sources used under this license were constructed by and owned by the Department of Energy, who retains ownership.

The initial application for this license was received on November 5, 2010. The NRC issued Passport's SNM license on December 12, 2011. Prior to submitting its request for license termination on October 16, 2019, during NRC staff inspections of Passport's main office in North Billerica, MA, and its field office in the Port of Boston on August 29-30, 2018, and March 19, 2019, respectively, Passport stated that it had discussed its intention to terminate their SNM-2016 license since it no longer needed the sources for development of their cargo inspection system. Passport's use of the licensed materials was for testing newly developed detection equipment. Therefore, consistent section 51.22(c)(14)(v) of title 10 of the *Code of Federal Regulations* (10 CFR), the initial licensing action was categorically excluded from the need to prepare an Environmental Assessment or an Environmental Impact Statement. The NRC staff prepared a safety evaluation report for the termination of SNM-2018. This license termination complies with 10 CFR 70.38, the standards and requirements of the Atomic Energy Act of 1954, as amended, and the NRC's rules and regulations as set forth in 10 CFR Chapter I. Accordingly, this license termination was issued on May 4, 2020.

**II. Availability of Documents**

The documents identified in the following table are available to interested persons through ADAMS, as indicated.

Document	ADAMS Accession No.
Passport Systems, Inc. License Application .....	ML110110650.
Letter to Paul H. Johnson, Passport Systems, Inc., Issuance of Special Nuclear Material License SNM-2016 .....	ML112760702 (package).