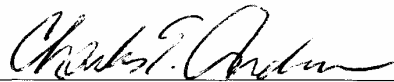


DEPARTMENT OF ENERGY
REDESIGNATION ORDER NO. ~~00-09-01-01~~ EM1-DES-DOEID-2006
TO THE MANAGER OF DEPARTMENT OF ENERGY
IDAHO OPERATIONS OFFICE

1. REDESIGNATION. Pursuant to the authority vested in me as Assistant Secretary under Redesignation Order 00-09.01, I hereby redesignate the Department of Energy (DOE) Manager of the Idaho Operations Office (“the Manager”) as my authorized representative to perform on my behalf as the Secretary’s “authorized representative,” as that term is used in the Nuclear Regulatory Commission (NRC) regulations at 10 CFR 72.16(b) (entitled “Oath or affirmation”), and as named holder of the NRC license under 10 CFR Part 72 for the Idaho Spent Fuel Facility Independent Spent Fuel Storage Installation. The Manager is designated as the Secretary’s authorized representative to apply for such license either by transfer and appropriate amendment of the existing license (Materials License SNM-2512, Docket 72-25) held by DOE’s contractor, Foster Wheeler Environmental Corporation, or by termination of the above-referenced existing license and application for a new license from the NRC under 10 CFR Part 72. The Manager shall comply with any applicable DOE policies, standards, programs, organization and budgetary limitations, DOE legal interpretations, and administrative instructions. The actions and activities by the Manager described in this paragraph shall be coordinated with and concluded in by the Office of Logistics and Waste Disposition Enhancements, Office of Environmental Management and the Office of the General Counsel.
2. RECISSION. None applicable
3. LIMITATION.
 - a. Pursuant to this Redesignation, the Manager shall be governed by the rules and regulations of DOE or the NRC (per 3.b below), and the policies and procedures prescribed by the Secretary of Energy or the Commissioners of the Nuclear Regulatory Commission (per 3.b below), or his or her delegates.
 - b. The NRC is recognized as the legal regulatory authority with respect to the Idaho Spent Fuel Facility Independent Spent Fuel Storage Installation to the extent the facility is used primarily for the receipt and storage of spent nuclear fuel resulting from activities licensed by the NRC. Therefore, the NRC requirements that are within NRC’s jurisdiction under section 202 of the Energy Reorganization Act of 1974 will apply to the licensing, design, construction, operations, and decommissioning of the Idaho Spent Fuel Facility Independent Spent Fuel Storage Installation that is used primarily for the receipt and storage of spent nuclear fuel resulting from activities licensed by the NRC. DOE orders, regulations, and/or guidelines will apply where the Nuclear Regulatory Commission defers to DOE or does not exercise

regulatory authority, or where the NRC does not have jurisdiction under section 202 of the Energy Reorganization Act of 1974.

- c. Nothing in this order shall preclude the Secretary, the Under Secretary or Assistant Secretary from exercising any of his or her authority whenever in his or her judgment his or her exercise of such authority is necessary or appropriate to administer the functions vested in him or her.
4. AUTHORITY TO REDESIGNATE. None
5. DURATION AND EFFECTIVE DATE.
- a. This Redesignation shall remain in full force and effect unless or until rescinded, amended, or superseded.
 - b. This Redesignation is effective May 12, 2006.



Charles E. Anderson (Acting for)
Assistant Secretary for
Environmental Management