



MAY 24, 2011

BLOCK DESIGNATION NOTICE

The Department of Homeland Security (the "Department") has completed its review of the Domestic Nuclear Detection Office's (DNDO) GRaDER program as a Block, pursuant to the Support Anti-terrorism by Fostering Effective Technologies Act of 2002, 6 U.S.C. §§ 441–444 (the "SAFETY Act"), and the Regulations Implementing the Support Anti-terrorism by Fostering Effective Technologies Act of 2002, 6 C.F.R. Part 25, 71 Fed. Reg. 33147, 33159 (June 8, 2006) (the "Regulations"). Pursuant to Section 25.3 of the Regulations, the Secretary of the Department of Homeland Security has delegated her responsibilities, powers, and functions under the SAFETY Act, except the authority to declare that an act is an Act of Terrorism for purposes of Section 444(2) of the SAFETY Act, to the "Under Secretary for Science and Technology of the Department of Homeland Security or the Under Secretary's designees." The Under Secretary for Science and Technology has designated the Deputy Under Secretary for Science and Technology as another senior official who, in addition to the Under Secretary for Science and Technology, has authority to make SAFETY Act determinations regarding Designations, Certifications, and other matters in accordance with the SAFETY Act and the Regulations.

In accordance with Sections 25.4(b) and 25.6(h) of the Regulations, DHS has determined that instruments, which meet Level 2 and Level 3 Compliance Levels, as per DNDO specifications (Compliance Levels: http://www.dhs.gov/files/programs/gc_1249487011847.shtm) and attested to by independent laboratory and/or other testing, affirmatively satisfy the criteria for a SAFETY Act Block Designation and are therefore eligible to apply for inclusion in this Block Designation. A determination of inclusion will be made by DHS in accordance with Section 25.6(h) of the Regulations, following an expedited review of the application, subject to the terms and conditions below.

While the Department is not accepting applications for Block Developmental Testing and Evaluation Designations or Block Certifications at this time, applicants are encouraged to submit full applications. Level 0 and 1 compliant instruments may meet the criteria for protections under a SAFETY Act Developmental Testing and Evaluation Designation. Level 3 Compliant instruments may meet the criteria for protections under a SAFETY Act Certification. Full applications will not receive expedited review and a determination will be made within a 120-days time period.

TERMS AND CONDITIONS

- Block Designation of GRaDER Level 2 and Level 3 Compliant Instruments as Qualified Anti-Terrorism Technologies. By being recognized by DNDO as Level 2 and Level 3 Compliant, and placed on the appropriate listing, Applicants have affirmatively met the

technical criteria for SAFETY Act Designation with respect to the Technology. Technologies are notionally described in the context of the relevant ANSI N42 standards described by DNDO as part of the GRaDER Program (see attached Exhibit A).

- Timeline for Expedited Review. Pursuant to a complete application, the Office of SAFETY Act Implementation expects to process applications related to this Block Designation Notice within ninety (90) days of receipt of each application.

- Application Requirements.
 - Applicants under this Block Designation Notice will be required to submit a Block Designation Application via the SAFETY Act Website (www.safetyact.gov).
 - Applicants will supply copies of applicable independent test reports supporting adherence to the applicable ANSI N42 standards.
 - Pursuant to Section 443(a) of the SAFETY Act and Sections 25.5(a) and (h) of the Regulations, operators of GRaDER shall obtain or maintain liability insurance for otherwise compensable third-party claims arising out of, relating to, or resulting from an Act of Terrorism when the Technology has been deployed in defense against, response to, or recovery from such an act. To establish such a limit, the Applicant will submit answers to items BD.11 and BD.12 in the Block Designation application.

- Term of this Block Designation Notice. This Block Designation Notice will expire on June 30, 2016. The expiration of this Notice is independent from, and will have no effect on, the term of any preexisting Designation received by a vendor providing a Rad/Nuc detection equipment evaluated per the GRaDERSM Program and having passed the requirements of its respective Level.

Note: Please refer to specific GRaDER instructions posted on www.safetyact.gov for further guidance on filing an application pursuant to this Block Designation Notice.

Exhibit A

Domestic Nuclear Detection Office, GRaDER Level 2 and Level 3 Complaint Instruments

Instruments achieving Level 2 and Level 3 Compliance under the Domestic Nuclear Detection Office’s (DNDO’s) GRaDER Program are radiological detection equipment, including, but not limited to, handheld detection systems, radiation portal monitors, spectroscopic portal monitors, personal survey meters, and other such instruments that conform to the applicable finalized ANSI N42 series standards governing radiological equipment (the “Technology”). These standards will be identified and published by DNDO (http://www.dhs.gov/files/programs/gc_1218637329931.shtm). Notionally, Level 2 and Level 3 are defined as:

- Level 2: Instrument fully meets ANSI/IEEE standards, unless otherwise exempted by the instrument category criteria listed by DNDO on its Website.
- Level 3: Instrument meets Level 1 and/or Level 2 criteria per the DNDO Website, and also satisfies the requirements of the applicable published government-unique technical capability standards.

The Technology may, based on the manufacturer, include user manuals, installation manuals, and training packages.

Current instrument types/standards include:

| Instrument Type | ANSI Standard |
|---|--|
| Alarming Personal Radiation Detectors: Instruments that are pocket-sized and worn on the body for the purpose of rapid detection of photon-emitting, and optionally neutron-emitting, radioactive materials. | ANSI N42.32-2006 American National Standard Performance Criteria for Alarming Personal Radiation Detectors for Homeland Security |
| Survey Meters: Portable instruments used for detection of photon-emitting radioactive materials and quantification of photon exposure rates. | ANSI N42.33-2006 American National Standard for Portable Radiation Detection Instrumentation for Homeland Security |

| Instrument Type | ANSI Standard |
|---|---|
| <p>Radionuclide Identifiers: Hand-held instruments used to detect and identify radionuclides, as well as to measure gamma-ray exposure rate and to indicate neutron radiation.</p> | <p>ANSI N42.34 2006 American National Standard Performance Criteria for Hand-Held Instruments for the Detection and Identification of Radionuclides</p> |
| <p>Radiation Detection Portal Monitors: Portal monitors used for detection of photon- and neutron-emitting radioactive materials (without identification); portal monitors can be used in screening people, packages, containers, and vehicles.</p> | <p>ANSI N42.35 2006 American National Standard for Evaluation and Performance of Radiation Detection Portal Monitors for Use in Homeland Security</p> |
| <p>Spectroscopic Portal Monitors: Spectroscopy-based portal monitors used to detect radioactivity <i>and</i> identify the underlying source radionuclides; spectroscopy-based portal monitors can be used in screening people, containers, and vehicles.</p> | <p>ANSI N42.38 2006 American National Standard Performance Criteria for Spectroscopy-Based Portal Monitors Used for Homeland Security</p> |

| Instrument Type | ANSI Standard |
|--|--|
| <p>Mobile and Transportable Systems: Radiation monitors designed to be transported to a location and used for a specific task or for a specified period of time; these systems may be used to detect or detect and identify radioactive materials. Transportable monitors may be mounted on a vehicle, but are used only when the vehicle is stationary. Mobile monitors may be operated on a platform that is in motion and include, for example, vehicle- or crane-mounted systems, as well as monitors able to be carried in a backpack.</p> | <p>ANSI N42.43-2006 American National Standard Performance Criteria for Mobile and Transportable Radiation Monitors Used for Homeland Security</p> |
| <p>Spectroscopic Personal Radiation Detectors (SPRDs). Pocket-sized radiation detection instruments and worn on the body for the purpose of rapid detection and identification of radioactive materials.</p> | <p>ANSI/IEEE N42.48-2008 American National Standard Performance Requirements for Spectroscopic Personal Radiation Detectors (SPRDs) for Homeland Security.</p> |