



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

(STP-06-088, September, Program, Regulatory Improvements)

September 19, 2006

ALL AGREEMENT STATES-NEW JERSEY, PENNSYLVANIA, VIRGINIA

**OPPORTUNITY TO COMMENT ON THE PROPOSED RULE FOR REGULATORY IMPROVEMENTS TO THE NUCLEAR MATERIALS MANAGEMENT AND SAFEGUARDS SYSTEM - TECHNICAL CONFERENCE FORUM (STP-06-088)**

**Purpose:** To inform you of an opportunity to comment on a proposed rule to amend 10 CFR Parts 40, 72, 74 and 150 related to certain source material and special nuclear materials (SNM) reporting requirements to the Nuclear Materials Management and Safeguards System (NMMSS). Any comments should be submitted to the contact listed below, within 30 days\* of the date of this letter.

**Background:** The U.S. Nuclear Regulatory Commission (NRC) is proposing this amendment which will reduce the quantities of SNM and certain source materials requiring the submission of both status and transaction reports to the NMMSS. This amendment would also require licensees to reconcile any material inventory discrepancies identified by the NRC in the NMMSS database. The proposed amendment would reduce unnecessary regulatory burden by reducing the current reporting requirements related to the export of certain source and SNM. This amendment is needed to improve the accuracy of material inventory information maintained in the NMMSS. The proposed changes would reduce some reporting burden on licensees subject to current reporting requirements. However, the annual reporting requirements would be new requirements for licensees that possess 350 grams or less, of SNM.

This proposed rule has been assigned Compatibility Category "NRC." Compatibility Category "NRC" is assigned to NRC program elements that address areas of regulation that cannot be relinquished to the Agreement States under the Atomic Energy Act or provisions of Title 10 of the Code of Federal Regulations. Agreement States are not required to inform their licensees of the NMMSS reporting requirements. Licensees subject to NMMSS reporting requirements will communicate directly with the NRC, as in the past.

**Contents:** This draft rulemaking package including the proposed rule is available at Agreement State area of NRC's Technical Conference Forum: <http://techconf.inl.gov/cgi-states/topics>. (Non-Agreement States may obtain passwords for the Technical Conference Forum from the Conference of Radiation Control Program Directors.) The draft is marked: "OFFICIAL USE ONLY - SENSITIVE INTERNAL INFORMATION - NOT FOR PUBLIC DISCLOSURE."

---

\* This information request has been approved by OMB 3150-0029, expiration 06/30/07. The estimated burden per response to comply with this voluntary collection is approximately 8 hours. Send comments regarding the burden estimate to the Records and FOIA/Privacy Services Branch (T-5F52), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by Internet e-mail to [infocollects@nrc.gov](mailto:infocollects@nrc.gov), and to the Desk Officer, Office of Information and Regulatory Affairs, NEOB-10202 (3150-0029), Office of Management and Budget, Washington, DC 20503. If a means used to impose an information collection does not display a currently valid OMB control number, the NRC may not conduct or sponsor, and a person is not required to respond to, the information collection.

STP-06-088

Due to its predecisional nature, the draft is exempt from public disclosure under NRC rules. Therefore, we request that you limit distribution to your staff and not release the draft publicly. Please see the Office of State and Tribal Programs web page at: <http://www.hsrcd.ornl.gov/nrc/procedures/sa800.pdf> for additional information about the distribution and use of predecisional information. If the draft is released, please inform me or the contact named below within 24 hours.

**NRC Point of Contact:** If you have any questions on this correspondence, please contact the individual listed below.

POINT OF CONTACT: Lloyd Bolling  
TELEPHONE: (301) 415-2327

INTERNET: LAB@NRC.GOV  
FAX: (301) 415-3502

*/RA/*

Dennis K. Rathbun, Deputy Director  
Office of State and Tribal Programs