



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

(FSME-07-051, May, Program, NARM)

May 25, 2007

ALL AGREEMENT AND NON-AGREEMENT STATES
STATE LIAISON OFFICERS

OPPORTUNITY TO COMMENT ON NRC DRAFT GUIDANCE ON NARM (FSME-07-051)

Purpose: To provide States an opportunity to comment on a new volume of NUREG-1556, Volume 21, *Consolidated Guidance About Materials Licenses, Program-Specific Guidance About Possession Licenses for Production of Radioactive Material Using an Accelerator*, for review and comment. Volume 21 (enclosed) provides guidance about possession licenses for production of radioactive material using an accelerator. **Comments are requested by July 5, 2007.**

Background: As described in previous communications, the U.S. Nuclear Regulatory Commission (NRC) is amending its regulations to include jurisdiction over certain radium sources, accelerator-produced radioactive materials, and certain naturally-occurring radioactive material (collectively known as NARM), as required by the Energy Policy Act of 2005 (EPA), which was signed into law on August 8, 2005. The rulemaking for this activity will be noticed in the *Federal Register* in the summer of 2007. See [SECY-07-0062, Final Rule: Requirements for Expanded Definition of Byproduct Material](#), dated April 3, 2007, for information on that rulemaking. The associated [Staff Requirements Memorandum](#), dated May 14, 2007, is publically available on NRC's website.

The new regulations for the expanded definition of byproduct material requires new guidance and resulted in a revision to: (1) NUREG-1556, Volume 13, *Program-Specific Guidance About Commercial Radiopharmacy Licenses*, and (2) NUREG-1556, Volume 9, Revision 2, *Program Specific Guidance About Medical Use Licenses*. These guidance documents were developed with State input and takes advantage of State expertise in the licensing of NARM and Ra-226.

NUREG-1556, Volume 21, was noticed in the *Federal Register* on May 29, 2007 (72 FR 29555) for a 30-day public comment period which ends June 28, 2007. Volume 21 may be found in NRC's website at <http://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1556> or the "NARM Toolbox" at <http://nrc-stp.ornl.gov/narmtoolbox.html>. NUREG-1556, Volume 13 and Volume 9, will be noticed for public comment in the near future.

¹ This information request has been approved by OMB 3150-0029, expiration 06/30/2007; OMB-3150-3150-0200, expiration 06/30/2009, 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, and to the Desk Officer of Information and Regulatory Affairs, NEOB-1 0202 (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

Discussion: The guidance volumes were developed by a joint NRC - State working group. After receiving comments from the States and the general public, NRC will prepare a final version of NUREG-1556 Volume 21. The Agreement States may use these NUREG volumes as a basis for their regulatory guidance, as desired.

If you have any questions on this correspondence, please contact me at 301-415-2325 or the individual named below.

POINT OF CONTACT: Torre Taylor
TELEPHONE: (301) 415-7900

INTERNET: TMT@NRC.GOV
FAX: (301) 415-5369

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Dennis K. Rathbun, Director
Division of Intergovernmental Liaison
and Rulemaking
Office of Federal and State Materials
and Environmental Management Programs