

QUESTION:

What changes to NRC's export/import regulations are being considered with respect to exports and imports of large sources?

ANSWER:

NRC is considering a range of more restrictive controls to improve the security and accounting of U.S. sources under 10 CFR Part 110, Export and Import of Nuclear Equipment and Material. Options under consideration include amendments to require specific licenses for exports of risk-significant sources (e.g., cesium-137, cobalt-60 and iridium-192); programmatic restrictions that limit exports to countries that have source security, control, and accountability requirements; adding reporting requirements or some combination of the above.

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BACKGROUND

With respect to NRC's export/import regulations at 10 CFR Part 110, most exports of byproduct material are regulated currently under the general license at 10 CFR 110.23. More stringent control requirements apply to transuranics which have amount limits and must be contained in industrial products or devices. Reporting requirements are already in place for americium and neptunium to satisfy a U.S. Government commitment to the International Atomic Energy Agency (IAEA). The NRC currently receives only a few applications per year for specific byproduct material licenses for export.

The NRC is not aware of any malicious use abroad of exported radioactive material pursuant to NRC's general export licenses. However, among the thousands of such exports, there have been a few cases over the years where the material involved was eventually lost or improperly disposed of, resulting in harmful exposure to several individuals.

In response to SRM MO20115, dated February 12, 2002, the NRC staff has drafted a paper to the Commission on policy issues, possible alternatives related to the control of sources, and recommended future actions. NMSS is the lead program office. Options for more restrictive controls for Part 110 discussed in that paper include requiring specific licenses for exports of risk-significant byproduct material; programmatic restrictions that limit source exports to countries that have source security, control, and accountability requirements; increasing reporting requirements for risk-significant or all byproduct material; or some combination of the above.

If specific licenses are required, licensees would likely request broad, generic four to five year terms as a cost-effective measure of doing business. Thus far the staff believes that the approach most favorable for licensees is to require additional reporting requirements for either risk-significant or all byproduct material rather than a specific license for all byproduct material.

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