

June 5, 2003

ALL AGREEMENT STATES, MINNESOTA, PENNSYLVANIA, WISCONSIN

NRC RULEMAKING FOR REPORTING OF SOURCE MATERIAL TRANSFERS (STP-03-041)

The U.S. Nuclear Regulatory Commission (NRC) has amended its regulations which require both NRC and Agreement State licensees to report some of their holdings of source material (depleted uranium, natural uranium, and thorium) to the NRC. The changes will become effective on October 1, 2003. The changes to the regulations that will affect Agreement State licensees are:

In 10 CFR 150.17, the reporting of source material "of foreign origin" is being changed to source material "with foreign obligations." The amended regulations require licensees to report the receipt or transfer of source material controlled under any of the various international Agreements for Peaceful Nuclear Cooperation. This includes an annual statement of the licensees inventory of source material with foreign obligations. Agreement State licensees will be notified by NRC if they have any obligation under this provision.

Additional changes in 10 CFR 150.17 require the reporting of the import or export of 1 kg or more of source material. This is in addition to the above requirement for source material with foreign obligations. This change makes the reporting requirement for Agreement State licensees the same as for NRC licensees in 10 CFR 40.64. The information is needed to meet the U.S. obligations to International Atomic Energy Agency.

Certain source material is exempt from being reported under these requirements (see 10 CFR 150.17(d)).

The direct final rule was published in the Federal Register on March 5, 2003 (68 FR 10362) and the confirming notice was published May 12, 2003 (68 FR 25281). Both notices are available on the Rulemaking Forum section of the NRC web site at:

http://ruleforum.llnl.gov/cgi-bin/library?source=*&library=source_dfr_lib&file=*&st=directfr

Please provide this information to your source material licensees so that they are aware of these changes and report their source material and source material transfers, as appropriate.

Thank you for your attention to this matter. If you have questions regarding the information provided in this correspondence, please contact the individual named below.

POINT OF CONTACT: Merri Horn, NMSS/IMNS/RGB
TELEPHONE: (301) 415-8126

INTERNET: MLH1@NRC.GOV
FAX: (301) 415-5385

/RA/

Paul H. Lohaus, Director
Office of State and Tribal Programs

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STP Staff

MHorn, NMSS/IMNS/RGB

(Coordinated W/NMSS, M. Horn, 6/3/03)

Agreement State File

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