

January 5, 2006

STATE LIAISON OFFICERS

SUBJECT: PROPOSED RULE: PARTS 30, 31, 32, AND 150 - EXEMPTIONS FROM LICENSING, GENERAL LICENSES, AND DISTRIBUTION OF BYPRODUCT MATERIAL: LICENSING AND REPORTING REQUIREMENTS

The United States Nuclear Regulatory Commission (NRC) published January 4, 2006, in the *Federal Register* (71 FR 275) the enclosed proposed amendment to the Commission's rules in 10 CFR Parts 30, 31, 32, and 150. These amendments resulted from a systematic assessment of the NRC's regulatory program concerning exemptions from licensing and an initiative to make NRC's regulatory program more risk-informed.

These amendments concern regulations governing the use of byproduct material and would revise requirements for reporting transfers to persons exempt from licensing, simplify the licensing of smoke detector distribution, remove obsolete provisions, and clarify certain regulatory provisions. This proposed rulemaking is intended to better ensure the protection of public health and safety in the future, make the licensing of distribution to exempt persons more effective and efficient, and reduce unnecessary regulatory burden to certain general licensees. These changes would affect licensees who distribute byproduct material to exempt persons, users of some generally licensed devices, and some exempt persons. This change will have no adverse impact on the health and safety of workers or the public and is not expected to impose a significant burden on licensees.

Also enclosed is an Environmental Assessment (EA) that has been prepared in support of the proposed rule. The conclusion of the EA is the Commission's finding that no significant environmental impact will result from the proposed rule. As stated in the *Federal Register*, the EA and *Federal Register* notice are provided for your review and comment. If you have any comments on the rule and its environmental impact, please send them by **March 20, 2006**. Comments received after this date will be considered if it is practical to do so, but the Commission is able to assure consideration only for comments received on or before this date.

You can use the following methods to transmit your comments: (1) you can mail your written comments to: Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemakings and Adjudications Staff; (2) you can fax your comments to (301) 415-1672; or (3) you can also provide comments via the NRC's interactive rulemaking web site at <http://ruleforum.llnl.gov>. This site provides capability to upload comments as files (any format), if your web browser supports that function. For information about the interactive rulemaking web site, contact Ms. Carol Gallagher, (301) 415-5905 (e-mail: CAG@nrc.gov).

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For additional information on this action, contact Catherine R. Mattsen, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555, telephone (301) 415-6264, e-mail CRM@nrc.gov.

Sincerely,

/RA/

Janet R. Schlueter, Director
Office of State and Tribal Programs

Enclosures:
As stated

For additional information on this action, contact Catherine R. Mattsen, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555, telephone (301) 415-6264, e-mail CRM@nrc.gov.

Sincerely,

/RA/
 Janet R. Schlueter, Director
 Office of State and Tribal Programs

Enclosures:
 As stated

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