

September 15, 2005

TO: Licensees Potentially Impacted by Export/Import Security Rule

SUBJECT: FINAL RULE ON EXPORT AND IMPORT OF RADIOACTIVE MATERIALS:
SECURITY POLICIES

On July 1, 2005, the NRC published the final rule "*Export and Import of Radioactive Materials: Security Policies*" in the Federal Register (70 FR 37985). The final rule amends 10 CFR Part 110 to increase controls on imports and exports of sources of radioactive material that could be used by a terrorist in a radiological dispersal device (RDD) or so-called "dirty bomb."

The new regulations become effective December 28, 2005, and require specific licenses for the export or import of radioactive materials (in sealed sources or in bulk) at Category 2 level and above. NRC's new regulations, in particular the radioactive material threshold limits found in Appendix P to Part 110, are based in part on the export-import provisions of the "Code of Conduct on the Safety and Security of Radioactive Sources," adopted in September 2003 by the International Atomic Energy Agency (IAEA). The United States is the first country to implement international export controls on these materials.

The new rule affects applicants and licensees by requiring:

- Specific NRC licenses for exports and imports of Appendix P materials
- Additional information to be submitted with an application for an import or export license
- Notification to the NRC prior to shipping Appendix P materials

NRC's Office of International Programs' licensing staff will work with licensees and applicants to make use of a new combined export/import license and can assist licensees with applications for broad licenses covering multiple shipments over several years.

The new rule also requires NRC staff to review applications for Category 1 imports to determine if the recipient is authorized to receive and possess Appendix P radioactive materials.

The NRC staff will be relying on the information in the interim database, until the National Source Tracking system is in place, to perform application reviews.

If you have any questions about this letter, please contact me or Stephen Dembek of my staff at (301) 415-2342 (sxd@nrc.gov) or look for periodic updates on NRC's website <http://www.nrc.gov/what-we-do/international.html>.

Sincerely,

/RA/

Margaret M. Doane, Deputy Director
Office of International Programs

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