



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

September 19, 2005

ALL AGREEMENT STATES  
ALL AGREEMENT STATE LIAISON OFFICERS

**FINAL RULE - PUBLICATION OF 10 CFR PART 110 "EXPORT AND IMPORT OF  
RADIOACTIVE MATERIALS: SECURITY POLICIES"**

On July 1, 2005, the U.S. Nuclear Regulatory Commission (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 implement recent changes to the nuclear and radioactive material security policies of both the Commission and the Executive Branch, and to take into account the import/export provisions of the International Atomic Energy Agency (IAEA) Code of Conduct. The final rule is compatibility category "NRC."

Among other things, the final rule requires a specific NRC license to export or import Category 1 or Category 2 materials (in sealed sources or bulk). The rule will also require licensees to notify the NRC prior to shipment of radioactive material exports or imports at the Category 2 level and above. To allow a period of six months for exporters and importers to apply for and receive required specific export and import licenses, the final rule becomes effective on December 28, 2005.

The Code of Conduct requires, in certain cases, that the NRC verify a particular company is authorized to receive a proposed import. The NRC intends to use the licensee information in the interim database to make this verification. For some Agreement State licensees, (e.g., licensees who may import that are not listed in the interim database) the NRC may call upon the Agreement States to help make this verification.

The NRC is sending the enclosed letter to all licensees in the interim database notifying them of the rule change. It will note that NRC will rely on information in the interim database until the National Source Tracking System is in place. Periodically, the NRC may request assistance of the Agreement States to verify that the information for their licensees in the interim database is correct.

If you have any questions about this letter, please contact me at 301-415-3340 or Ms. Sandra Lai of my staff at 301-415-4012 or Email: [SXL5@nrc.gov](mailto:SXL5@nrc.gov).

***/RA by Dennis K. Rathbun for/***

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

Enclosure: As stated

All Agreement States  
 All Agreement State Liaison Officers

Distribution:  
 DIR RF  
 CCoates, OIP  
 JOwens, OIP  
 RBlanton, STP

DCD (SP03)    **SISP Review Complete**  
                   : Publicly Available     Non-Publicly Available  
                   : Non-Sensitive         Sensitive

**DOCUMENT NAME: E:\Filenet\ML052620583.wpd**

To receive a copy of this document, indicate in the box: "C" = Copy without attachment/enclosure "E" = Copy with attachment/enclosure "N" = No copy

OFFICE	STP		STP:DD		OIP:		STP:D	
NAME	SHLai:gd		DKRathbun (PHLohaus for)		SDembek		PHLohaus (DKRathbun for)	
DATE	9/19/05		9/15/05		9/16/05		9/19/05	

**OFFICIAL RECORD COPY**