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

January 9, 2006

ALL AGREEMENT STATES, MINNESOTA, PENNSYLVANIA, VIRGINIA

**TECHNICAL CONFERENCE FORUM: DRAFT PROPOSED RULE: PROTECTION OF SAFEGUARDS INFORMATION (STP-06-004)**

The United States Nuclear Regulatory Commission plans to publish a proposed rule to amend its regulations for the protection of Safeguards Information (SGI). This rule was originally published as a proposed rule on February 11, 2005 (70 FR 7196). The NRC intends to re-publish it as a proposed rule to allow comment on proposed changes to rule text in response to public and Commission comment and on expanded fingerprinting requirements in the Energy Policy Act of 2005 amendments to the Atomic Energy Act of 1954, as amended. The proposed rule would also reflect Orders to certain materials licensees authorized to possess and transfer items containing certain quantities of radioactive material. Because the proposed rule would be a republication, the Commission has directed that a 30-day comment period will be sufficient for public comment on the new proposed rule and comments should focus on changes and additions to the original proposed rule.

A draft of proposed rule text in redline strikeout (for ease of identifying changes made to the original proposed rule, which was provided for your review and comment at an earlier time) is posted for your advance notice and review at the Agreement State area of the NRC's Technical Conference Forum: <http://techconf.llnl.gov/cgi-states/topics>. Because the Commission has directed that the proposed rulemaking be conducted on an extremely expedited schedule, the staff is not soliciting at this time Agreement State comment on the draft rule text. However, Agreement States as well as other stakeholders will have the opportunity to comment on the proposed rule once it is published in the Federal Register. **Please note that this is predecisional information provided for your review, and should not be released to the public.**

Due to its predecisional nature, the draft is exempt from public disclosure under NRC rules. Therefore, we request that you limit distribution to your staff and not release the draft publicly. Please see the Office of State and Tribal Programs web page at <http://www.hsr.doe.gov/nrc/procedures/sa800.pdf> for additional information about the distribution and use of predecisional information. If the draft is released, please inform me or the contact named below within 24 hours.

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Office of State and Tribal Programs

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