

February 27, 2006

MEMORANDUM TO: Janice Dunn Lee, Director
Office of International Programs

FROM: Jack R. Strosnider, Director
Office of Nuclear Material Safety
and Safeguards **/RA/**

SUBJECT: CONCURRENCE ON FINAL RULE, "IMPLEMENTATION OF
THE NUCLEAR EXPORT AND IMPORT PROVISIONS OF THE
ENERGY POLICY ACT OF 2005 (10 CFR PART 110, RIN 3150-
AH88)

NMSS concurs on the rulemaking to revise 10 CFR Part 110, through a final rule that implements the Energy Policy Act of 2005, with respect to 10 CFR Part 110, subject to the following changes to definitions in Section 110.2 Definitions.

Medical isotope, for the purposes of § 110.42(a)(10), ~~means~~ **includes** Molybdenum 99, Iodine 131, Xenon 133, and other radioactive materials used to produce a radiopharmaceutical for diagnostic, therapeutic procedures or for research and development.

Radiopharmaceutical, for the purposes of § 110.42(a)(10), means a radioactive isotope that—

We are also enclosing additional comments for your consideration.

Enclosure:
"NMSS Comments on Final Rule Package"

CONTACT: Keith McDaniel, NMSS/IMNS
(301) 415-5252

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