

April 17, 2006

The Honorable George W. Voinovich  
Chairman, Subcommittee on Clean Air,  
Climate Change, and Nuclear Safety  
Committee on Environment and Public Works  
United States Senate  
Washington, DC 20510

Dear Mr. Chairman:

Enclosed for your information is a copy of a Federal Register document for a final rule, "Implementation of the Nuclear Export and Import Control Provisions of the Energy Policy Act of 2005" which the Nuclear Regulatory Commission (NRC) has sent to the Office of the Federal Register for publication.

The NRC is amending its regulations at 10 CFR Part 110, "Export and Import of Nuclear Equipment and Material," to implement sections 630, 651(d), and 651(e) of the Energy Policy Act of 2005 (EPAAct), which was signed into law on August 8, 2005. This amendment will facilitate exports to specified countries of high-enriched uranium for medical isotope production in reactors that are either utilizing low-enriched uranium (LEU) fuel or have agreed to convert to the use of LEU fuel (EPAAct, Sec. 630). In addition, the final rule revises the definition of byproduct material to bring radium-226, accelerator-produced, and naturally occurring radioactive material under NRC export and import controls. It will also require specific licenses for exports and imports of radium-226 that meet the threshold values of the International Atomic Energy Agency's Code of Conduct on the Safety and Security of Radioactive Sources (EPAAct, Sec. 651(d) and (e)).

The Executive Branch, including the Departments of State, Energy, Defense, and Commerce, concurs in this NRC final rule.

Sincerely,

**/RA/**

Rebecca L. Schmidt, Director  
Office of Congressional Affairs

Enclosure: Federal Register notice

cc: Senator Thomas R. Carper

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**ORIGINAL SIGNED BY:**

Rebecca L. Schmidt, Director  
Office of Congressional Affairs

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**Identical letters sent to the following addressees (see attached list).**

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## **ADDRESSEES**

The Honorable James M. Inhofe  
Chairman, Committee on Environment  
and Public Works  
United States Senate  
Washington, DC 20510  
cc: Senator James M. Jeffords

The Honorable Ralph M. Hall  
Chairman, Subcommittee on Energy and Air Quality  
Committee on Energy and Commerce  
United States House of Representatives  
Washington, DC 20515  
cc: Representative Rick Boucher

The Honorable Joe Barton  
Chairman, Committee on Energy and Commerce  
United States House of Representatives  
Washington, DC 20515  
cc: Representative John D. Dingell

The Honorable Richard G. Lugar  
Chairman, Committee on Foreign Relations  
United States Senate  
Washington, DC 20510  
cc: Senator Joseph R. Biden, Jr.

The Honorable Susan Collins  
Chairman, Committee on Government Affairs  
United States Senate  
Washington, DC 20510  
cc: Senator Joseph I. Lieberman

The Honorable Henry Hyde  
Chairman, Committee on International Relations  
United States House of Representatives  
Washington, DC 20515  
cc: Representative Tom Lantos

The Honorable Tom Davis  
Chairman, Committee on Governmental Reform  
United States House of Representatives  
Washington, DC 20515  
cc: Representative Henry Waxman

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Committee on Energy and Commerce  
United States House of Representatives  
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