

July 31, 2006

MEMORANDUM TO: Chairman Klein  
Commissioner McGaffigan  
Commissioner Merrifield  
Commissioner Jaczko  
Commissioner Lyons

FROM: Luis A. Reyes */RA/*  
Executive Director for Operations

SUBJECT: PROPOSED SCHEDULE FOR DATA COLLECTION AND  
RULEMAKING ACTIVITIES RELATED TO CATEGORY 3  
SOURCES

In the Staff Requirements Memorandum dated June 9, 2006, in response to SECY-06-0094, "Tracking or Providing Enhanced Controls for Category 3 Sources," the Commission directed the staff to: (1) initiate a one-time data collection and analysis of Category 3.5 sources; (2) begin a rulemaking to expand the National Source Tracking System (NSTS) to include Category 3 data; and (3) begin a rulemaking to institute activity limits for general licensees as well as to evaluate the criteria used for registration of general licensees.

The Commission directed the staff to complete the one-time data collection within one year. In addition, the Commission directed the staff to complete the rulemaking for expansion of the NSTS within three years. The Commission also requested the staff to provide a proposed rule to amend certain general licenses and associated manufacturer requirements. The staff plans to request an extension of the date for the latter proposed rule to allow incorporation of the results of the one-time data collection into the rulemaking. The one-time data collection should be completed prior to the general license rulemaking primarily because of the need to identify categories of licensees that require enhanced controls, and also to gather information necessary to support the regulatory analysis of this rule. The staff has developed a detailed schedule (Enclosure) to meet these goals. The enclosed schedule presents the major milestones of these rulemakings, including review by Agreement States.

Enclosure: Schedules

cc: SECY  
OGC  
OCA  
OPA  
CFO

CONTACT: Andy Imboden, NMSS/IMNS  
301-415-6128

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