August 14, 2006

MEMORANDUM TO: Luis A. Reyes
Executive Director for Operations

FROM: Annette L. Vietti-Cook, Secretary /RA/

SUBJECT: STAFF REQUIREMENTS - SECY-06-0139 - SECURE TRANSFER OF NUCLEAR MATERIAL (RIN: 3150-AH90)

The Commission has approved publication of the proposed amendment to 10 CFR Part 73 to implement Section 656 of the Energy Policy Act of 2005, subject to the comments and changes noted below.

Page 13, 1st full paragraph, revise line 2 to read ' ... existing Orders (or new or amended Orders ~~that they receive upon becoming licensees~~) to comply with ....

Page 19, last full paragraph, revise to read: "Licensees are excepted from the security background check provisions in Section 170I of the AEA if they have not received Orders from the Nuclear Regulatory Commission containing requirements for background checks for trustworthiness and reliability that include fingerprinting and criminal history record checks ~~and for background checks for trustworthiness and reliability~~ as a prerequisite for unescorted access to radioactive materials."

cc: Chairman Klein
Commissioner McGaffigan
Commissioner Merrifield
Commissioner Jaczko
Commissioner Lyons
OGC
CFO
OCA
OPA
Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)
PDR