

Approved For Publication

The Commission delegated to the EDO (10 CFR 1.32(c)) the authority to develop and promulgate rules as defined in the APA (5 U.S.C. 551(4)) subject to the limitations in NRC Management Directive 9.17, Organization and Functions, Office of the Executive Director for Operations, paragraphs 0213, 038, 039, and 0310.

The enclosed direct final rule entitled "Emergency Preparedness Policies Developed for Nuclear Materials Facilities" amends 10 CFR 1.46 to clarify emergency preparedness program responsibilities of the Office of Nuclear Security and Incident Response. The current limiting reference of "nuclear reactors" is being replaced with the phrase "nuclear facilities."

This direct final rule does not constitute a significant question of policy, nor does it amend regulations contained in 10 CFR Parts 7, 8, or 9, Subpart C, concerning matters of policy. I, therefore, find that this rule is within the scope of my rulemaking authority and am proceeding to issue it.

05/08/07
Date

/RA/
Martin J. Virgilio,
Acting Executive Director for Operations.