

July 23, 2007

MEMORANDUM TO: Luis A. Reyes  
Executive Director for Operations

FROM: Charles L. Miller, Director  
Office of Federal and State Materials **/RA/**  
and Environmental Management Programs

SUBJECT: DIRECT FINAL RULE TO AMEND 10 CFR PARTS 32 AND 35,  
"MEDICAL USE OF BYPRODUCT MATERIAL - MINOR  
CORRECTIONS AND CLARIFICATIONS"

Enclosed for your signature is a direct final rule with the companion proposed rule (Enclosures 1 and 2) amending U.S. Nuclear Regulatory Commission (NRC) regulations to 10 CFR Part 32, "Specific Domestic License to Manufacture or Transfer Certain Items Containing Byproduct Material" and Part 35, "Medical Use of Byproduct Material." This amendment allows correction or clarification of the rule language in several sections that govern specific domestic licenses to manufacture or transfer certain items containing byproduct material and medical use of byproduct material.

The direct final rule approach was used because the corrections and clarifications to the rules are minor and noncontroversial.

The direct final rule will contribute to NRC performance goals to ensure that NRC actions are effective, efficient, realistic, and timely. The corrections and clarifications will reduce possible confusion of rule language to the public and the NRC field staff.

Notices: Enclosure 3 (EDO Daily Note) documents that the Executive Director for Operations (EDO) intends to sign the *Federal Register* Notice. Enclosure 4 ("Notice of Final Rule Signed by the EDO") and Enclosure 5 ("Weekly Report to the Commission") each document that the EDO has signed the two *Federal Register* Notices. The Approved for Publication can be found in Enclosure 6 of this paper. The appropriate Congressional committees will be notified.

Resources: No additional resources will be needed to implement this rule.

CONTACT: Edward Lohr, FSME/DILR  
(301) 415-0253

Coordination: The Offices of Administration, Enforcement, and Information Services concur with these amendments. The Office of the General Counsel has no legal objection. The Office of the Chief Financial Officer has reviewed the proposed rule for resource implications and has no objection. The Office of Public Affairs is not issuing a press release.

Enclosures:

1. *Federal Register* Notice of Direct Final Rule
2. *Federal Register* Notice of Proposed Rule
3. EDO Daily Note
4. Notice of Final Rule Signed by EDO
5. Weekly Report
6. Approved for Publication
7. CRA Forms

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