UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

June 25, 2007

ALL AGREEMENT AND NON-AGREEMENT STATES
STATE LIAISON OFFICERS

**OPPORTUNITY TO COMMENT ON DRAFT NRC GUIDANCE ON NARM (FSME-07-061)**

**Purpose**: To inform States of the availability of a draft NUREG for review and comment: NUREG-1556, Volume 13, Revision 1, "Consolidated Guidance About Materials Licenses, Program-Specific Guidance About Possession Licenses for Commercial Radiopharmacy." Comments are requested by July 30, 2007.[1]

**Background**: As described in previous communications, the U.S. Nuclear Regulatory Commission (NRC) is amending its regulations to include jurisdiction over certain radium sources, accelerator-produced radioactive materials, and certain naturally occurring radioactive material (collectively known as NARM), as required by the Energy Policy Act of 2005 (EPAct), which was signed into law on August 8, 2005. The rulemaking for this activity will be noticed in the *Federal Register* in the summer of 2007. See SECY-07-0062, "Final Rule: Requirements for Expanded Definition of Byproduct Material," dated April 3, 2007, for information on that rulemaking. The associated Staff Requirements Memorandum, dated May 14, 2007, is publically available on NRC's website.

The NRC establishes licensing and inspection guidance for new and amended regulations if necessary. Licensing guidance for materials licenses is provided in the NUREG-1556 series, "Consolidated Guidance About Materials Licenses." The new regulations for the expanded definition of byproduct material requires new guidance and resulted in a revision to: (1) NUREG-1556, Volume 13, "Program-Specific Guidance About Commercial Radiopharmacy Licenses," and (2) NUREG-1556, Volume 9, Revision 2, "Program Specific Guidance About Medical Use Licenses." Additionally, a new NUREG-1556 volume was created, NUREG-1556, Volume 21, "Program-Specific Guidance About Possession Licenses for Production of Radioactive Material Using an Accelerator." Volume 21 provides guidance about possession licenses for production of radioactive material using an accelerator. These guidance documents were developed with State input and takes advantage of State expertise in the licensing of NARM and Ra-226.

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[1]This information request has been approved by OMB 3150-0029, expiration 06/30/2007; OMB-3150-0200, expiration 06/30/2009. The estimated burden per response to comply with this voluntary collection is approximately 8 hours. Send comments regarding the burden estimate to the Records and FOIA/Privacy Services Branch (T-5F52), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by Internet e-mail to infocollects@nrc.gov, and to the Desk Officer of Information and Regulatory Affairs, NEOB-10202 (3150-0029), Office of Management and Budget, Washington, DC 20503. If a means used to impose an information collection does not display a currently valid OMB control number, the NRC may not conduct a or sponsor, and a person is not required to response to, the information collection.

The availability of NUREG-1556, Volume 13, Revision 1, for public comment will be noticed in the *Federal Register* for a 30-day public comment in late June 2007. NUREG-1556, Volume 13, Revision 1, can be found at the following locations:

- ADAMS: ML071581047
- NARM Toolbox: http://nrc-stp.ornl.gov/narmtoolbox/narmguidance.html
- NRC website: http://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1556/

NUREG-1556, Volume 21, was previously noticed in the *Federal Register* (72 FR 29555). NUREG-1556, Volume 9, will be noticed in the near future.

**Discussion**: The guidance volumes were developed by a joint NRC - State working group. After receiving comments from the States and the general public, NRC will prepare a final version of NUREG-1556, Volume 13, Revision 1. The Agreement States may use these NUREG volumes as a basis for their regulatory guidance, as desired.

**Action**: Please review and comment on the draft guidance document by July 30, 2007. Comments received after that will be considered if possible.

If you have any questions on this correspondence, please contact me at 301-415-2325 or the individual named below.

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