

August 18, 2010

STATE LIAISON OFFICERS

OPPORTUNITY TO COMMENT ON ENVIRONMENTAL ASSESSMENT AND PROPOSED RULE TO AMEND 10 CFR PARTS 30, 40, 70, 170 AND 171 – DISTRIBUTION OF SOURCE MATERIAL TO EXEMPT PERSONS AND TO GENERAL LICENSEES AND REVISION OF GENERAL LICENSE AND EXEMPTIONS (FSME-10-078)

Purpose: To inform you of the opportunity to comment on an Environmental Assessment (EA) prepared to support a proposed rule to amend Title 10 of the *Code of Federal Regulations* (CFR) Parts 30, 40, 70, 170, and 171.* This rule would affect manufacturers and initial distributors of certain products and materials containing source material under general license and under exemptions from licensing. The rule would also modify the general license for small quantities of source material and revise or remove certain exemptions from licensing for source material products.

Background: The U.S. Nuclear Regulatory Commission (NRC) is proposing to amend its regulations in Parts 30, 40, 70, 170, and 171 of 10 CFR, primarily to address source material. The proposed rule includes new requirements to obtain a specific license for the initial distribution of source material to certain general licensees and to persons exempt from licensing. In addition, the proposed rule revises the general license for small quantities of source material by lowering possession limits for certain types of source material and providing clarification regarding disposal and decommissioning. Finally, the proposed rule revises or removes certain exemptions for source material products. The proposed rule was published in the *Federal Register* (75 FR 43425) on July 26, 2010. The rule is posted at <http://www.regulations.gov> under Docket ID NRC-2009-0084. The public period ends November 23, 2010.

Discussion: Enclosed is the draft EA that has been prepared in support of the proposed rule. The conclusion of the EA is the Commission's finding that no significant environmental impact will result from the proposed rule. The EA is provided for your review and comment. If you have any comments on the rule and its environmental impact, please submit them by November 23, 2010. Comments received after this date will be considered if it is practical to do so, but the Commission is able to assure consideration only for comments received on or before this date. Information about methods for submitting your comments is available in the *Federal Register* notice.

*This information request has been approved by OMB 3150-0163, expiration January 31, 2013. 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, Office of Information and Regulatory Affairs, NEOB-1 0202 (3150-0163), 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 or sponsor, and a person is not required to respond to the information collection.

If you have any questions regarding this communication, please contact me at 301-415-7278 or the individuals named below.

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Sincerely,

/RA/

Josephine M. Piccone, Director
Division of Intergovernmental Liaison
and Rulemaking
Office of Federal and State Materials
and Environmental Management Programs

Enclosure:

1. *Federal Register* Notice
2. Draft Environmental Assessment

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