

September 7, 2010

MEMORANDUM TO: Daniel H. Dorman, Director
Division of Fuel Cycle Safety
and Safeguards,
Office of Nuclear Material Safety
and Safeguards

FROM: Josephine M. Piccone, Director */RA/*
Division of Intergovernmental Liaison
and Rulemaking
Office of Federal and State Materials
and Environmental Management Programs

SUBJECT: ACCEPTANCE OF USER NEED MEMORANDUM –
AMENDMENTS TO PART 40 TO IMPLEMENT NEW
AGREEMENT WITH GOVERNMENT OF AUSTRALIA

We have reviewed the user need memorandum dated July 27, 2010, for revising title 10 of the *Code of Federal Regulations* Part 40, and SECY-10-0048, "Proposed Agreement Between the United States and Australia for Peaceful Nuclear Cooperation", April 14, 2010. This Agreement prohibits the use of depleted uranium, derived from Australian natural uranium, in any non-peaceful activity. Therefore, we need to revise 10 CFR Part 40, as you recommended, through a final rule since it will be implementing a Government Agreement.

The project manager for this rulemaking is Naiem S. Tanious. A detailed schedule will be developed after the first meeting of the working group.

CONTACT: Naiem S. Tanious, FSME/DILR
(301) 415-6103

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