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October 13, 1993

MEMORANDUM FOR: David L. Meyer, Chief
 Rules Review & Directives Branch
 Division of Freedom of Information
 & Publications Services
 Office of Administration

FROM: Carlton R. Stoiber, Director *Original signed by Carlton R. Stoiber*
 Office of International Programs

SUBJECT: PUBLICATION OF FINAL RULE: 10 CFR PART 110
 EXPORT OF HIGH-ENRICHED URANIUM

The Executive Director for Operations (EDO) has approved the attached final rule amending NRC's export regulations to implement Section 903 of the Energy Policy Act of 1992 regarding the Commission's licensing requirements for the export of high-enriched uranium. Please implement the EDO's action by arranging for publication of the rule in the Federal Register, effective thirty (30) days from date of publication. The Commission has invited the public to submit comments within 75 days of the date of publication of this rule.

I am attaching, for transmittal to the Office of Congressional Affairs, letters notifying the appropriate Congressional Committees of this rule. A diskette containing a copy of the Federal Register Notice is included.

Attachments:

- 1) Federal Register Notice
 (five copies and diskette)
- 2) Congressional letter package

bcc: IP r/f
 EOHemby/file
 JBecker/OGC
 TSherr/NMSS
 OIP Dir's r/f

 RHauber

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OFFICE CONCURRENCES -----
 OIP/ESSC AD:OIP/ESSC DIR:OIP *WA*
 EOHemby *EH* RDHauber CRStoiber
 10/14/93 10/ /93 10/13/93
 OFFICIAL RECORD COPY -----G:ADMMEMO.EOH-----

The Honorable Philip R. Sharp, Chairman
Subcommittee on Energy and Power
Committee on Energy and Commerce
United States House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

The U.S. Nuclear Regulatory Commission (NRC) has sent to the Office of the Federal Register for publication the enclosed final rule which amends the Commission's regulations in 10 CFR Part 110 pertaining to the export and import of nuclear equipment and material. The amendments implement Section 903 of the Energy Policy Act of 1992, Public Law 102-496. Section 903 adds a new Section 134 to the Atomic Energy Act of 1954, as amended, regarding the Commission's licensing requirements for the export of highly enriched uranium.

The amendments are not inimical to the common defense and security of the United States, do not constitute an unreasonable risk to the public health and safety, and are consistent with the provisions of the Atomic Energy Act of 1954, as amended by the Nuclear Non-Proliferation Act of 1978 and the Energy Policy Act of 1992. Further, the amendments are not inconsistent with the obligations of the United States under any treaty or international arrangement.

Sincerely,

Dennis K. Rathbun, Director
Office of Congressional Affairs

Enclosure:
As stated

cc: Representative Michael Bilirakis

Record Note: Identical letters have been sent to the six addressees on the attached page.

OFFICE CONCURRENCES:

OFF: ESSC:OIP	AD/ESSC:OIP	DIR:OIP	OCA
NME: EOHemby	RHauber	CRStoiber	DKRathbun
DTE: 10/14/93	10/14/93	10/13/93	10/ /93
OFFICIAL RECORD COPY			G:CONG.EOH

1. The Honorable Joseph I. Lieberman, Chairman
Subcommittee on Clean Air and Nuclear Regulation
Committee on Environment and Public Works
United States Senate
Washington, DC 20510

cc: Senator Alan K. Simpson

2. The Honorable Richard H. Lehman, Chairman
Subcommittee on Energy and Mineral Resources
Committee on Natural Resources
United States House of Representatives
Washington, DC 20515

cc: Representative Barbara Vucanovich

3. The Honorable Lee H. Hamilton, Chairman
Committee on Foreign Affairs
United States House of Representatives
Washington, DC 20515

cc: Representative Benjamin A. Gilman

4. The Honorable Claiborne Pell, Chairman
Committee on Foreign Relations
United States Senate
Washington, DC 20510

cc: Senator Jesse Helms

5. The Honorable John Glenn, Chairman
Committee on Governmental Affairs
United States Senate
Washington, DC 20510

cc: Senator William V. Roth, Jr.

6. The Honorable Mike Synar, Chairman
Subcommittee on Environment, Energy and Natural Resources
Committee on Government Operations
United States House of Representatives
Washington, DC 20515

cc: Representative J. Dennis Hastert

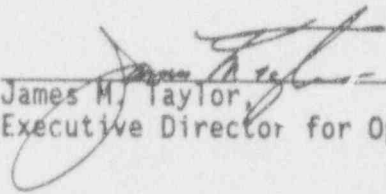
Approved for Publication

The Commission has delegated to the Executive Director for Operations (10 CFR 1.31(c)) the authority to develop and promulgate rules as defined in the Administrative Procedure Act (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 attached final rule entitled "Export and Import of Nuclear Equipment and Material; Export of High-Enriched Uranium," implements Section 903 of the Energy Policy Act of 1992, Public Law 102-496. Section 903 of that Act adds a new Section 134 to the Atomic Energy Act of 1954, as amended, regarding the Commission's licensing requirements for the export of high-enriched uranium.

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

10/13/93
Date


James M. Taylor
Executive Director for Operations.