

March 26, 2008

MEMORANDUM TO: Luis A. Reyes
Executive Director for Operations

FROM: Andrew L. Bates, Acting Secretary **/RA/**

SUBJECT: STAFF REQUIREMENTS – SECY-08-0031 – PROPOSED RULE:
EXPANSION OF NATIONAL SOURCE TRACKING SYSTEM
(RIN 3150-AI29)

The Commission has approved the staff's recommendation to publish the proposed rule in the *Federal Register* that would amend 10 CFR Parts 20 and 32 to expand the National Source Tracking System (NSTS) reporting requirements, subject to the comments and changes noted below.

The staff should continue to coordinate and interact with the Agreement States to reduce the burden of this decision on Agreement State resources to the maximum extent practical.

The staff should continue its efforts to evaluate technological solutions to incorporate a more definitive means of source tracking into the NSTS in the future. The staff, in its evaluation of potential tagging and tracking technologies, should evaluate potential interim solutions such as the use of radio-frequency identification (RFID) or the use of global positioning system (GPS) until a more permanent solution can be developed. The staff, in its evaluation of potential solutions, should consider efforts underway within the Department of Defense and the Environmental Protection Agency to track shipments of concern to them as a potential interim solution for tracking sources.

In the *Federal Register* Notice, page 4, paragraph 1, 2nd sentence, either delete the "(Ir-192)" or add the abbreviations for the other radionuclides listed in the sentence. Also, the staff should include in the *Federal Register* a question that will allow it to determine if these new requirements should also be included in 10 CFR Part 110, given that many of these sources will be imported under the provisions of 10 CFR Part 110.

In the Draft Regulatory Analysis, page 19, the analysis for follow-up by fax or mail after a phone confirmation should be completed prior to publication of the draft analysis.

cc: Chairman Klein
Commissioner Jaczko
Commissioner Lyons
OGC
OIP
CFO
OCA
OPA
Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)
PDR