

May 26, 2005

MEMORANDUM TO: Jesse L. Funches
Chief Financial Officer

Brenda J. Shelton, Chief
Records and FOIA/Privacy Services Branch
Division of Information and
Records Services
Office of Information Services

Stuart Treby, Assistant General Counsel
for Rulemaking and Fuel Cycle
Office of the General Counsel

Frank J. Congel, Director
Office of Enforcement

Carl J. Paperiello, Director
Office of Nuclear Regulatory Research

Paul H. Lohaus, Director
Office of State and Tribal Programs

Michael T. Lesar, Chief
Rules and Directives Branch
Division of Administrative Services
Office of Administration

FROM: Patricia K. Holahan, Acting Director
Division of Industrial and **/RA/**
Medical Nuclear Safety, NMSS

SUBJECT: REVIEW AND CONCURRENCE: PROPOSED RULE: 10 CFR PARTS
30, 31, 32, AND 150 – EXEMPTIONS FROM LICENSING; GENERAL
LICENSES; AND DISTRIBUTION OF BYPRODUCT MATERIAL:
LICENSING AND REPORTING REQUIREMENTS

Your concurrence is requested on the attached proposed rule. The proposed rule would amend the regulations governing the use of byproduct material to revise requirements for reporting transfers to persons exempt from licensing, simplify the licensing of smoke detector distribution, remove obsolete provisions, and clarify certain regulatory provisions.

CONTACT: Catherine R. Mattsen, NMSS/IMNS
(301) 415-6264

The following is a summary of this request:

1. Title: Proposed Rule: 10 CFR Parts 30, 31, 32, and 150 – Exemptions from Licensing; General Licenses; and Distribution of Byproduct Material: Licensing and Reporting Requirements
2. Task Leader: Catherine R. Mattsen, NMSS/IMNS/RGB 415-6264
3. Working Group:

Gary Comfort, NMSS/IMNS/RGB	415-8106
Andy Imboden, NMSS/IMNS/RGB	415-6128
Tony Kirkwood, NMSS/IMNS/MSIB	415-6140
Dennis Damon, NMSS/SFPO/TRD	415-8481
Susan Chidakel, OGC	415-1535
Steve Salomon, OSTP	415-2368
Sally Merchant, OE	415-2747
Sheryl Burrows, RES/DRAA	415-6086
Kimberly Ferrell, OCFO/DPBA/PATII	415-6257
Betty Golden, ADM/DAS/RDB	415-6863
Ken Weaver, OAS & CRCPD (Colorado)	303-692-3431
4. Steering Group: No
5. Enhanced Public Participation: No
6. Compatibility for Agreement States: Yes
7. Requested Action: Office Concurrence
8. Requested Completion Date: Twenty calendar days after date of this memorandum. To meet the due date, a meeting will be tentatively scheduled for July 12. This meeting will be to discuss and resolve any issues and concerns that are delaying concurrence or any significant comment received from the Agreement States that need resolution. Please plan to have an official who can concur for your Office available for this meeting.

9. Resources and Coordination: The total cost to develop this rulemaking is estimated at 1.3 full-time equivalent positions (1.1 NMSS, and 0.2 all other) and approximately \$50,000 in contractor support costs. The resources to complete the action are within the approved budget for FY 2005 and FY 2006. Copies of this concurrence package have been forwarded to ACNW and IG for information. Time to review this package should be charged to TAC # L20995.

Please notify the contact listed for your organization. It is hoped that this step will further facilitate concurrence. Concurrence may be by email or phone.

Attachment: Commission Paper w/att.

cc w/att.: H. T. Bell, OIG
J. Larkins, ACNW
G. Pangburn, Region I/DNMS
M. Dapas, Region III/DNMS
L. Wert, Region IV/DNMS
J. Strosnider, NMSS
M. Federline, NMSS
E. Brenner, OPA
J. Gray, OGC

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DISTRIBUTION: NMSS Ticket No. 200400071/WITS 199000208
 DCollins, RII/DFFI RGordon R/F

ML051440670

*See previous concurrence

OFFICE	RGB:IMNS	RGB:IMNS	RGB:IMNS	MSIB:IMNS	D:IMNS:NMSS
NAME:	CMattsen*	CAbrams*	SMoore*	RCorreia*	PHolahan
DATE:	4/27/05	5/09/05	5/18/05	5 /16/05	5/26/05

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