

February 27, 2006

MEMORANDUM TO: Janice Dunn Lee, Director  
Office of International Programs

FROM: Jack R. Strosnider, Director  
Office of Nuclear Material Safety  
and Safeguards **/RA/**

SUBJECT: CONCURRENCE ON FINAL RULE, "IMPLEMENTATION OF  
THE NUCLEAR EXPORT AND IMPORT PROVISIONS OF THE  
ENERGY POLICY ACT OF 2005 (10 CFR PART 110, RIN 3150-  
AH88)

NMSS concurs on the rulemaking to revise 10 CFR Part 110, through a final rule that implements the Energy Policy Act of 2005, with respect to 10 CFR Part 110, subject to the following changes to definitions in Section 110.2 Definitions.

*Medical isotope*, for the purposes of § 110.42(a)(10), ~~means~~ includes Molybdenum 99, Iodine 131, Xenon 133, and other radioactive materials used to produce a radiopharmaceutical for diagnostic, therapeutic procedures or for research and development.

*Radiopharmaceutical*, for the purposes of § 110.42(a)(10), means a radioactive isotope that—

We are also enclosing additional comments for your consideration.

Enclosure:  
"NMSS Comments on Final Rule Package"

CONTACT: Keith McDaniel, NMSS/IMNS  
(301) 415-5252

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