

March 3, 2006

ALL AGREEMENT STATES, MINNESOTA, PENNSYLVANIA, VIRGINIA

**TECHNICAL CONFERENCE FORUM: OPPORTUNITY TO COMMENT ON PROPOSED
RULE: SECURE TRANSPORT OF NUCLEAR MATERIAL (STP- 06-018)**

Purpose:

To request Agreement State comment on a draft Federal Register notice amending 10 CFR Parts 30, 70, 73, and 110 to implement requirements for secure transfer of nuclear materials as mandated by the Energy Policy Act of 2005 (Section 656). Comments are requested by **March 15, 2006**.*

Discussion:

The U. S. Nuclear Regulatory Commission (NRC) staff has prepared a draft Federal Register notice amending 10 CFR Parts 30, 70, 73, and 110 to implement requirements for secure transfer of nuclear materials as mandated by the Energy Policy Act of 2005 (Section 656), which was signed into law on August 8, 2005. The law requires that NRC issue regulations by August 7, 2006. The proposed amendment would require a security background check of each individual receiving or accompanying the transfer of nuclear material in the United States by any party pursuant to an import or export license. Specific requirements for the nature of the security background check are contained in the proposed amendment, including exceptions for certain types of nuclear material and certain classes of individuals.

The draft Federal Register notice is being made available for your review and comment in parallel with NRC interoffice review, before providing it to the Commission. Agreement State comments will be summarized and included in the SECY paper when the proposed rule is provided to the Commission in late March. Please note that this is predecisional information provided for your review, and is available only at the Agreement State area of the NRC's Technical Conference Forum: <http://techconf.llnl.gov/cgi-states/topics>, and should not be made publically available.

In order to meet the rulemaking schedule, we would appreciate receiving your comments not later than **March 15, 2006**. Please send any comments in writing or by e-mail to the contact identified below:

POINT OF CONTACT:	Frank Cardile	INTERNET:	fpc@nrc.gov
TELEPHONE:	(301)-415-6185	FAX:	(301) 415-5369

/RA/

Janet R. Schlueter, Director
Office of State and Tribal Programs

*This information request has been approved by OMB 3150-0029, expiration 06/30/07. The estimated burden per response to comply with this voluntary collection is approximately 8 hours. Send comments regarding the burden estimate to the Records and FOIA/Privacy Services Branch (T-5F52), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by Internet e-mail to infocollects@nrc.gov, and to the Desk Officer, Office of Information and Regulatory Affairs, NEOB-10202 (3150-0029), Office of Management and Budget, Washington, DC 20503. If a means used to impose an information collection does not display a currently valid OMB control number, the NRC may not conduct or sponsor, and a person is not required to respond to, the information collection.

STP-06-018

March 3, 2006

Distribution: DCD (SP03)

DIR RF

FCardile, NMSS/IMNS

SISP Review Complete

: Publicly Available ☐ Non-Publicly Available

: Non-Sensitive ☐ Sensitive

DOCUMENT NAME: E:\Filenet\ML060620363.wpd

To receive a copy of this document, indicate in the box: "C" = Copy without attachment/enclosure "E" = Copy with attachment/enclosure "N" = No copy

OFFICE	STP		STP:DD		STP:D				
NAME	ANMauer:kk (DMSollenberger for)		DKRathbun (DMSollenberger for)		JRSchlueter				
DATE	3/3/06		3/3/06		3/3/06				

OFFICIAL RECORD COPY