

December 21, 2007

ALL AGREEMENT STATES AND NON-AGREEMENT STATES

OPPORTUNITY TO COMMENT ON A PRE-DECISIONAL DRAFT PROPOSED RULE FOR THE EXPANSION OF THE NATIONAL SOURCE TRACKING SYSTEM TO INCLUDE CATEGORY 3 AND 3.5 SOURCES (FSME-07-113)

Purpose: To provide the Agreement States and non-Agreement States with the opportunity to comment on the draft Proposed Rule for the Expansion of the National Source Tracking System (NSTS) to Include Category 3 and 3.5 Sources.

Background: The Nuclear Regulatory Commission (NRC) is proposing to amend its regulations to expand the current NSTS to include certain additional sealed sources. The proposed amendments would require licensees to report certain transactions involving these sealed sources to the NSTS. These transactions would include the manufacture, transfer, receipt, disassembly, or disposal of the nationally tracked source. The proposed amendment would also require each licensee to provide its initial inventory of nationally tracked sources to the NSTS and annually verify and reconcile the information in the system with the licensee's actual inventory.

As discussed in All States Letter (FSME-07-112), the Technical Conference Forum website is no longer available as a method of providing pre-decisional information to the States. Since the issuance of the FSME-07-112 letter, the pre-decisional rulemaking documents have been shared with States as enclosures to the Radiation Control Program Directors (RCPD) Letter, sent electronically via list server. The subject pre-decisional draft proposed rule is enclosed with the RCPD-07-010 letter issued on December 20, 2007. Due to its pre-decisional nature, this document is exempt from public disclosure under NRC rules. We request that you limit distribution to your staff and not release the document publicly. If the document is released, please inform me or the individual named below within 24 hours.

NRC Point of Contact: Please provide your written comments on the draft proposed rule to the point of contact below. We would appreciate receiving your comments within 30 days from the date of this letter. If you have any questions regarding this correspondence, please contact me at 301-415-7278 or the individual named below:

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FSME-07-113

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