

STATE LIAISON OFFICERS

OPPORTUNITY TO COMMENT ON ENVIRONMENTAL ASSESSMENT AND PROPOSED RULE TO AMEND 10 CFR 30, 31, 32, 40, AND 70 – REQUIREMENTS FOR DISTRIBUTION OF BYPRODUCT MATERIAL (FSME-10-054)

Purpose: To inform you of the opportunity to comment on an environmental assessment (EA) prepared to support a proposed rule on distribution of byproduct material.

Background: The NRC is proposing to amend its regulations in 10 CFR Parts 30, 31, 32, 40, and 70 concerning distribution of byproduct material. These amendments resulted from a systematic assessment of the NRC's regulatory program concerning exemptions from licensing and an initiative to make NRC's regulatory program more risk-informed. The proposed rule was published in the *Federal Register* (75 FR 36211) on June 24, 2010. The rule is posted at <http://www.regulations.gov> under Docket ID NRC-2008-0338.

Discussion: These amendments would make the requirements for distributors of byproduct material clearer, less prescriptive, more risk-informed and up to date, redefine categories of devices to be used under exemptions from licensing, add explicit provisions regarding the sealed source and device registration process, and add flexibility to the licensing of users of sealed sources and devices. This action is primarily intended to make licensing processes more efficient and effective. These changes would affect manufacturers and distributors of sources and devices containing byproduct material and future users of some products currently used under a general or specific license.

Enclosed is an EA which has been prepared in support of the proposed rule. The conclusion of the EA is the Commission's finding that no significant environmental impact would result from the proposed rule. The EA is provided for your review and comment. If you have any comments¹ on the rule and its environmental impact, please send them by September 7, 2010. Comments received after this date will be considered if it is practical to do so, but the Commission is able to assure consideration only for comments received on or before this date. Information about methods for submitting your comments is available in the *Federal Register* notice.

¹ This information request has been approved by OMB 3150-0163, expiration 1/31/2013. 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-1 0202 (3150-0163), 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.

FSME-10-054

If you have any questions regarding this communication, please contact me at 301-415-7278 or the individual named below.

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/RA/

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Enclosure: As stated

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