

July 29, 2004

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

FROM: Annette L. Vietti-Cook, Secretary **/RA/**

SUBJECT: STAFF REQUIREMENTS - SECY-04-0110 - HIGH-RISK
MATERIAL - PROPOSED RULE TO AMEND 10 CFR PART 110,
"EXPORT AND IMPORT OF NUCLEAR EQUIPMENT AND
MATERIAL"

The Commission has approved publication of the proposed rule in the Federal Register subject to the changes noted below.

1. On page 3, paragraph 2, line 5, replace "dispersion" with "dispersal".
2. On page 4, revise lines 4 and 5 from the top to read ' ... anticipated that these orders ~~may~~ will be further refined based on feedback from stakeholders and will eventually be reflected'
3. On page 4, 1st full paragraph, revise line 7 to read ' ... approval of the ~~current~~ Code of Conduct'
4. On page 8, last paragraph, revise the next to last line to read ' ... ~~meets~~ or ~~exceeds~~ the Category'
5. On page 10, paragraph 1, revise line 1 to read ' ... paragraph (g h) is added'
6. On page 15, revise paragraph 2. revise section 110.23(a)(3) to read as follows:

(3) For americium-241, exports to any country listed in 110.29 must not exceed one curie (308 milligrams) per shipment or 100 curies (30.8 grams) per year and must be contained in industrial process control equipment or petroleum exploration equipment. Exports to countries other than those listed in 110.28 or 110.29 must be contained in industrial process control equipment or petroleum exploration equipment and individual shipments must be less than the amounts specified in Category 2 of Appendix P to this Part.
7. On page 16, last paragraph, revise line 1 to read ' ... 110.42, ~~a new~~ paragraphs (e) ~~is~~ and (f) are added to read'
8. On page 20, insert a vertical line between the Category 1 and Category 2 columns.

cc: Chairman Diaz
Commissioner McGaffigan
Commissioner Merrifield
EDO
OGC
CFO
OCA
OPA
PDR