

May 28, 2009

MEMORANDUM TO: R. W. Borchardt  
Executive Director for Operations

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

SUBJECT: STAFF REQUIREMENTS – SECY-09-0011 – DEFERRAL OF  
RULEMAKING: EXPANSION OF NATIONAL SOURCE  
TRACKING SYSTEM (RIN 3150-A129)

The Commission was unable to reach a decision on the staff's recommendation to defer rulemaking on expanding the National Source Tracking System (NSTS) to include licensees who possess sealed sources whose radioactivity is greater than, or equal to, 1/10<sup>th</sup> of International Atomic Energy Agency (IAEA) Category 3 threshold levels. Therefore, the proposed action is not approved. The Commission was unable to reach a decision on the staff's recommendation to evaluate the data received from the Radiation Sources Subgroup report and from the Sandia National Laboratory Study on Material Attractiveness on source risks to better risk inform the rulemaking. Therefore, the proposed action is not approved.

The staff should conduct a data and system operations and performance analysis of the NSTS based on system operation with Category 1 and 2 sources and report back to the Commission. The staff should use this analysis to inform the development of the License Verification System and the Web-Based Licensing.

cc: Chairman Jaczko  
Commissioner Lyons  
Commissioner Klein  
Commissioner Svinicki  
OGC  
CFO  
OCA  
OPA  
Office Directors, Regions, ACRS, ASLBP (via E-Mail)  
PDR