



Federal Register

**Monday,
December 9, 2002**

Part LXI

Nuclear Regulatory Commission

Semiannual Regulatory Agenda

NUCLEAR REGULATORY COMMISSION (NRC)

NUCLEAR REGULATORY COMMISSION

10 CFR Ch. I

Unified Agenda of Federal Regulatory and Deregulatory Actions

AGENCY: Nuclear Regulatory Commission.

ACTION: Semiannual regulatory agenda.

SUMMARY: The Nuclear Regulatory Commission (NRC) is publishing its semiannual regulatory agenda in accordance with Public Law 96-354, “The Regulatory Flexibility Act,” and Executive Order 12866, “Regulatory Planning and Review.” The agenda is a compilation of all rules on which the NRC has recently completed action or has proposed or is considering action. This issuance updates any action occurring on rules since publication of the last semiannual agenda on May 13, 2002 (67 FR 34212).

ADDRESSES: Comments on any rule in the agenda may be sent to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemakings and Adjudications Staff. Comments may also be hand delivered to the One White Flint North Building, 11555 Rockville Pike, Rockville, Maryland, between 7:30 a.m. and 4:15 p.m., Federal workdays.

Comments received on rules for which the comment period has closed will be considered if it is practical to do so, but assurance of consideration cannot be given except as to comments received on or before the closure dates specified in the agenda.

The agenda and any comments received on any rule listed in the agenda are available for public inspection and copying for a fee at the Nuclear Regulatory Commission’s Public Document Room, One White Flint North, 11555 Rockville Pike, Room O-1F21, Rockville, Maryland.

FOR FURTHER INFORMATION CONTACT: For further information concerning NRC rulemaking procedures or the status of any rule listed in this agenda, contact Michael T. Lesar, Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone 301-415-7163 (e-mail: mtl@nrc.gov). Persons outside the Washington, DC, metropolitan area may call, toll-free: 1-800-368-5642. For further information on the substantive content of any rule listed in the agenda, contact the individual listed under the heading “Agency Contact” for that rule.

SUPPLEMENTARY INFORMATION: The information contained in this semiannual publication is updated to

reflect any action that has occurred on rules since publication of the last NRC semiannual agenda on May 13, 2002 (67 FR 34212). Within each group, the rules are ordered according to the Regulation Identifier Number (RIN).

The information in this agenda has been updated through September 13, 2002. The date for the next scheduled action under the heading “Timetable” is the date the rule is scheduled to be published in the **Federal Register**. The date is considered tentative and is not binding on the Commission or its staff. The agenda is intended to provide the public early notice and opportunity to participate in the NRC rulemaking process. However, the NRC may consider or act on any rulemaking even though it is not included in the agenda.

The NRC agenda lists all open rulemaking actions. Five rules affect small entities, one of which may potentially have a “significant economic impact on a substantial number of small entities” as defined in the Regulatory Flexibility Act.

Dated at Rockville, Maryland, this 13th day of September 2002.

For the Nuclear Regulatory Commission.

Michael T. Lesar,
*Chief, Rules and Directives Branch,
Division of Administrative Services
Office of Administration.*

Nuclear Regulatory Commission—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
4239	Fitness for Duty Programs	3150-AF12
4240	Lessons Learned From Design Certification	3150-AG24
4241	Performance-Based, Risk-Informed Fire Protection	3150-AG48
4242	Transfers of Certain Source Materials by Specific Licensees	3150-AG64
4243	Financial Assurance Amendments for Materials Licenses	3150-AG85
4244	Event Notification Requirements	3150-AG90
4245	Nuclear Power Plant Worker Fatigue	3150-AG99
4246	Changes to Emergency Action Plan — Appendix E	3150-AH00

Nuclear Regulatory Commission—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
4247	Decommissioning Trust Provisions	3150-AG52
4248	Releasing Part of a Power Reactor Site or Facility for Unrestricted Use	3150-AG56
4249	Nondiscrimination on the Basis of Race, Color, National Origin; Basis of Handicap; Basis of Age in Programs or Activities Receiving Federal Financial Assistance	3150-AG65
4250	Material Control and Accounting	3150-AG69
4251	Compatibility With IAEA Transportation Safety Standards	3150-AG71

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Nuclear Regulatory Commission—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
4252	List of Approved Spent Fuel Storage Casks: Standardized Advanced NUHOMS-24PT1 Addition	3150-AG74
4253	Financial Information Requirements for Applications To Renew or Extend the Term of an Operating License for a Power Reactor	3150-AG84
4254	Incorporation by Reference of ASME BPV and OM Code Cases	3150-AG86
4255	Geological and Seismological Characteristics of Spent Fuel Storage Systems	3150-AG93
4256	NRC Public Document Room Address Change and Corrections to Information Collection Provisions	3150-AH01

Nuclear Regulatory Commission—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
4257	Update Fuel Performance Considerations and Other Fuel Cycle Issues	3150-AA31
4258	Availability of Official Records	3150-AC07
4259	Disposal by Release Into Sanitary Sewerage	3150-AE90
4260	Advance Notification to Native American Tribes of Transportation of Certain Types of Nuclear Waste	3150-AG41
4261	Risk-Informing Special Treatment Requirements	3150-AG42
4262	Integrated Rulemaking for Decommissioning Nuclear Power Reactors	3150-AG47
4263	Changes to Adjudicatory Process	3150-AG49
4264	Reevaluation of Power Reactor Physical Protection Regulations and Position on a Definition of Radiological Sabotage	3150-AG63
4265	Standards for Combustible Gas Control System in Light-Water-Cooled Power Reactors	3150-AG76
4266	Notification Requirement	3150-AG81
4267	Entombment Options for Power Reactors	3150-AG89
4268	Modifications to Pressure-Temperature Limits	3150-AG98
4269	Federal Advisory Committee Act Regulations	3150-AH02

Nuclear Regulatory Commission—Completed Actions

Sequence Number	Title	Regulation Identification Number
4270	Electronic Maintenance and Submission of Information	3150-AF61
4271	Industry Codes and Standards	3150-AG61
4272	Debt Collection Procedures	3150-AG80
4273	Specification of a Probability for Unlikely Features, Events and Processes	3150-AG91
4274	Revision of Fee Schedules; Fee Recovery, FY 2002	3150-AG95
4275	Revision to Salary Offset Procedures	3150-AG96
4276	Cost Recovery for Contested Hearing Involving U.S. National Security Initiatives	3150-AH03
4277	List of Approved Spent Fuel Storage Casks: HI-STORM 100 Revision	3150-AH04

Nuclear Regulatory Commission (NRC)

Proposed Rule Stage

4239. FITNESS FOR DUTY PROGRAMS**Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 2201; 42 USC 5841**CFR Citation:** 10 CFR 26**Legal Deadline:** None

Abstract: The proposed rule would amend the Commission's regulations to ensure compatibility with the Department of Health and Human Services guidelines, reduce unnecessary regulatory burden in some areas, clarify the Commission's original intent of the rule, and improve overall program effectiveness and efficiency. These revised requirements would reduce the

industrywide annual cost for all licensees to comply with part 26 by approximately \$15 million. The rulemaking will address the Regulatory Review Group items on audit frequency and annual submittal of data. This rulemaking would also address the petition for rulemaking submitted by the Virginia Electric and Power Company (VEPCO) (PRM-26-1). In

NRC

Proposed Rule Stage

addition, this rulemaking subsumes a previously separate rulemaking, Reduction in the Scope of Random Fitness-For-Duty Testing Requirements for Nuclear Power Reactor Licensees (part 26)(RIN 3150-AG62). Because of the subsumption of this rulemaking and other issues raised in response to the earlier proposed rule, a new proposed rule will be published.

Timetable:

Action	Date	FR Cite
NPRM	05/09/96	61 FR 21105
NPRM Comment Period End	08/07/96	
Second NPRM	11/00/02	
Final Rule	11/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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Related RIN: Merged With 3150-AG62

RIN: 3150-AF12

4240. LESSONS LEARNED FROM DESIGN CERTIFICATION

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 52

Legal Deadline: None

Abstract: The proposed rule would amend the Commission's requirements for early site permits, standard design certifications, combined licensees for nuclear power plants, and for other licensing processes. The amendments are based on the NRC staff's experience with the previous design certification reviews and on discussions with stakeholders about the early site permit (ESP), design certification, and combined license (COL) processes. This action is expected to improve the effectiveness of the licensing processes for future applicants. The rulemaking

also would make conforming clarifications and corrections to the NRC's regulations.

The NRC is proposing to reorganize 10 CFR part 52 to establish a separate section for each of the seven licensing processes currently described in 10 CFR part 52 (early site permits, early site reviews, standard design certification, standard design approvals, combined licenses, manufacturing licenses, and duplicate design licenses). The purpose of this reorganization is to clarify that each licensing process has equal standing. In addition, several subparts would be reserved for future licensing processes. No substantive changes are intended by the incorporation of current appendices M, N, O, and Q into the new subparts in 10 CFR part 52.

The NRC is also proposing to retitle 10 CFR part 52 as Additional Licensing Processes for Nuclear Power Plants to clarify that the licensing processes in 10 CFR part 52 are in addition to and supplement the two-step licensing process in 10 CFR part 50 and the license renewal process in 10 CFR part 54, and are not limited to the early site permit, standard design certification, and combined license processes as the current title implies.

The proposed rule would amend section 52.1 to clarify that all seven licensing processes are within the scope of 10 CFR part 52. Sections within current appendices M, N, O, and Q would also become new sections of the revised part. In addition, the proposed rule would reserve sections for future licensing processes. In doing so, the NRC hopes to convey that 10 CFR part 52 is the preferred location in 10 CFR for nuclear power plant licensing processes. The proposed rule subsumed the rulemaking, Standardized Plant Designs, Early Review of Sites Suitability Issues; Clarifying Amendments (RIN 3150-AE25), that would remove redundant appendices M, N, O, and Q from part 50. The part 52 rulemaking plan (SECY-98-282) was approved by the Commission on January 14, 1999.

Timetable:

Action	Date	FR Cite
NPRM	11/00/02	
Final Action	05/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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Related RIN: Merged With 3150-AE25

RIN: 3150-AG24

4241. PERFORMANCE-BASED, RISK-INFORMED FIRE PROTECTION

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 50

Legal Deadline: None

Abstract: The proposed rule would address the Commission's direction provided in the staff requirements memorandum dated April 1, 1999, to establish a performance-based, risk-informed alternative to the NRC's existing reactor fire protection requirements through the adoption of an industry consensus standard: NFPA 805, Performance-Based Standard for Fire Protection for Light Water Reactor Electric Generating Plants. The rulemaking plan had been on hold until fall 2001, at which time the Nuclear Energy Institute endorsed the rulemaking effort. The schedule was reinitiated through an EDO memorandum to the Commission dated October 9, 2001. Draft rule language was posted for public comment on the NRC Rulemaking Forum Web site on December 20, 2001. Draft proposed rule language was posted on the NRC Rulemaking Forum Web site on April 2, 2002, and again on May 30, 2002, for public information. The proposed rule package was provided provided to the Commission on July 15, 2002 (SECY-02-132).

Timetable:

Action	Date	FR Cite
NPRM	11/00/02	

Regulatory Flexibility Analysis

Required: No

NRC

Proposed Rule Stage

Small Entities Affected: No

Government Levels Affected: None

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RIN: 3150-AG48

4242. TRANSFERS OF CERTAIN SOURCE MATERIALS BY SPECIFIC LICENSEES

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 2201; 42 USC
5841

CFR Citation: 10 CFR 40

Legal Deadline: None

Abstract: The proposed rule would amend the Commission's regulations to require NRC approval for transfers from licensees of unimportant quantities of source material (less than 0.05 percent by weight) to persons exempt from licensing requirements. The objective of this proposed action is to ensure that the regulations regarding transfers of materials containing low concentrations of source material are adequate to protect public health and safety.

Timetable:

Action	Date	FR Cite
NPRM	08/28/02	67 FR 55175
NPRM Comment Period End	11/12/02	
Final Action	03/00/03	

**Regulatory Flexibility Analysis
Required:** No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 3150-AG64

4243. FINANCIAL ASSURANCE AMENDMENTS FOR MATERIALS LICENSES

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 2201; 42 USC
5841

CFR Citation: 10 CFR 30; 10 CFR 40;
10 CFR 70

Legal Deadline: None

Abstract: The proposed rule would amend the Commission's financial assurance regulations for materials licenses. The amendment would maintain adequate assurance of decommissioning funding.

Timetable:

Action	Date	FR Cite
NPRM	10/07/02	67 FR 62403
NPRM Comment Period End	12/23/02	
Final Rule	08/00/03	

**Regulatory Flexibility Analysis
Required:** Yes

Small Entities Affected: Businesses,
Organizations

Government Levels Affected: None

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RIN: 3150-AG85

4244. EVENT NOTIFICATION REQUIREMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 2201; 42 USC
5841

CFR Citation: 10 CFR 72; 10 CFR 73

Legal Deadline: None

Abstract: The proposed rule would revise the Commission's notification and reporting requirement for security and other events involving licensed nuclear facilities and the transportation of certain types of nuclear material. The proposed revisions would change several event notification and security reporting requirements to conform, where appropriate, to the event reporting requirements in part 50 for independent spent fuel storage installation (ISFSI) and monitored retrievable storage (MRS) facility licenses to more closely align them with those of nuclear reactor facilities. In addition, the proposed revisions would change the requirements for when written follow-up reports on safeguards events must be submitted. This change would affect power reactors, ISFSI's and several other categories of facilities that produce, possess, or transport spent fuel or special nuclear material. The changes

would reduce, consolidate, and remove some licensee reporting notifications and lengthen the reporting period for other notifications. Some new requirements would also be added to permit NRC to effectively carry out its regulatory responsibilities and respond to public and media inquiries during emergencies. Overall, the proposed changes would help the NRC and its licensees to better focus their efforts on the most safety-significant issues and to communicate timely information on recent and ongoing events.

Timetable:

Action	Date	FR Cite
NPRM	08/22/02	67 FR 54360
NPRM Comment Period End	11/05/02	
Final Action	06/00/03	

**Regulatory Flexibility Analysis
Required:** No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 3150-AG90

4245. NUCLEAR POWER PLANT WORKER FATIGUE

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 2201; 42 USC
5841

CFR Citation: 10 CFR 26

Legal Deadline: None

Abstract: The proposed rule would amend the Commission's regulations to establish thresholds for the control of working hours to ensure that working hours in excess of the thresholds are controlled through a risk-informed deviation process. This rule would provide significantly greater assurance that worker fatigue does not adversely affect the operational safety of nuclear power plants. This rulemaking would also address a petition for rulemaking submitted by Barry Quigley (PRM-26-02).

Timetable:

Action	Date	FR Cite
NPRM	11/00/02	

NRC

Proposed Rule Stage

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No**Government Levels Affected:** None

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RIN: 3150-AG99**4246. CHANGES TO EMERGENCY ACTION PLAN — APPENDIX E****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 2201; 42 USC 5841**CFR Citation:** 10 CFR 50**Legal Deadline:** None

Abstract: The proposed rule would resolve an ambiguity in the Commission's regulations regarding NRC approval of nuclear power plant licensee-initiated changes to emergency action levels (EALs). The proposed rule would allow licensees to make minor changes in EALs without prior NRC approval.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	
Final Rule	07/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No**Government Levels Affected:** None

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RIN: 3150-AH00

Nuclear Regulatory Commission (NRC)

Final Rule Stage

4247. DECOMMISSIONING TRUST PROVISIONS**Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 2201; 42 USC 5841**CFR Citation:** 10 CFR 50; 10 CFR 72**Legal Deadline:** None

Abstract: The proposed rule would amend the Commission's regulations to ensure that decommissioning trust agreements are in a form acceptable to the NRC to increase assurance that decommissioning funds will be available for their intended purpose, especially in light of economic deregulation and restructuring of the electric utility industry. Based on past experience with the NRC approval of the transfer of the operating licenses of the Three Mile Island Unit 1 and Pilgrim Nuclear Power Stations, the staff believes that this rulemaking would expedite similar transfers in the future. The staff also intends to develop guidance by revising Regulatory Guide 1.159, Assuring the Availability of Funds for Decommissioning Nuclear Reactors, that will specify more fully the provisions of the decommissioning trust agreements. The final rule was submitted to the Commission on May 5, 2002.

Timetable:

Action	Date	FR Cite
NPRM	05/30/01	66 FR 29244
NPRM Comment Period End	08/13/01	
Final Rule	11/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No**Government Levels Affected:** None

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RIN: 3150-AG52**4248. RELEASING PART OF A POWER REACTOR SITE OR FACILITY FOR UNRESTRICTED USE****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 2201; 42 USC 5841**CFR Citation:** 10 CFR 2; 10 CFR 20; 10 CFR 50**Legal Deadline:** None

Abstract: The proposed rule would amend the Commission's regulations by adding a new section that would identify the criteria and regulatory framework that a licensee would use to request NRC approval for a partial site release. The rulemaking would provide additional assurance that residual radioactivity would meet the radiological criteria for license termination, even if parts of the site were released before a licensee submits its license termination plans. The rulemaking would clarify that the radiological criteria for unrestricted use apply to a partial site release. The

rulemaking would not provide for a partial site release under restricted conditions. Also, the rulemaking would provide for a Subpart 2 hearing if a license amendment involving a partial site release is challenged.

The rulemaking would fill a gap identified during the NRC's consideration of a technical specification amendment request for the Oyster Creek Nuclear Generating Station to remove a restriction on the sale or lease of property within the exclusion area. During the Oyster Creek review, the NRC staff concluded that it is possible for a reactor licensee to sell land that would reduce the size of its site before the license termination criteria would specifically apply to the release of the property. If the sale does not involve the transfer of licensed material, it would not require NRC approval under current regulations. Currently, the NRC must consider changes to the site boundary of a reactor site on a case-by-case basis to ensure adequate protection of the public and the environment. Because several reactor licensees have expressed interest in selling parts of the sites before they receive approval of their license termination plans, the NRC staff believes the issues should be resolved generically by rulemaking.

Timetable:

Action	Date	FR Cite
NPRM	09/04/01	66 FR 46230

NRC

Final Rule Stage

Action	Date	FR Cite
NPRM Comment Period End	11/19/01	
Final Rule	11/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

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RIN: 3150-AG56**4249. NONDISCRIMINATION ON THE BASIS OF RACE, COLOR, NATIONAL ORIGIN; BASIS OF HANDICAP; BASIS OF AGE IN PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 2201; 42 USC 5841**CFR Citation:** 10 CFR 4**Legal Deadline:** None

Abstract: The rule would incorporate the Civil Rights Restoration Act's definitions of "program or activity" and "program" into Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1972, and the Age Discrimination Act of 1975, and would promote consistent and adequate enforcement of these statutes.

Timetable:

Action	Date	FR Cite
NPRM	12/06/00	65 FR 76460
NPRM Comment Period End	01/05/01	
Final Action	12/00/02	
Final Action Effective	01/00/03	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Marva C. Gary,
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RIN: 3150-AG65**4250. MATERIAL CONTROL AND ACCOUNTING****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 2201; 42 USC 5841**CFR Citation:** 10 CFR 51; 10 CFR 61; 10 CFR 70; 10 CFR 72; 10 CFR 73; 10 CFR 74; 10 CFR 75; 10 CFR 76; 10 CFR 150**Legal Deadline:** None

Abstract: The proposed rule would amend the reporting requirements for submitting Material Balance Reports and Inventory Composition Reports to provide more flexibility and to reduce the reporting frequency for most licensees. The proposed amendments would also revise the categorical exclusion for approving safeguards plans, relocate the remaining material control and accounting requirements in parts 70 through 74, make the material control and accounting requirements for Category II facilities more risk informed, and make other miscellaneous changes.

Timetable:

Action	Date	FR Cite
NPRM	05/30/01	66 FR 29251
NPRM Comment Period End	08/13/01	
Final Rule	12/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Merri Horn, Nuclear
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RIN: 3150-AG69**4251. COMPATIBILITY WITH IAEA TRANSPORTATION SAFETY STANDARDS****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 2201; 42 USC 5841**CFR Citation:** 10 CFR 71**Legal Deadline:** None

Abstract: The proposed rule would amend the Commission's regulations on packaging and transporting radioactive material to make them compatible with the International Atomic Energy

Agency (IAEA) standards and to codify other applicable requirements. These changes would be compatible with TS-R-1, the latest revision of the IAEA transportation standards. This rulemaking would also address the unintended economic impact of NRC's emergency final rule entitled Fissile Material Shipments and Exemptions (February 10, 1997; 62 FR 5907) and a petition for rulemaking submitted by International Energy Consultants, Inc. (PRM-71-12)(February 19, 1998; 63 FR 8362). This proposed rule is closely related to a corresponding Department of Transportation proposed rule to amend transportation regulations (April 30, 2002; 67 FR 21328).

Timetable:

Action	Date	FR Cite
NPRM	04/30/02	67 FR 21390
NPRM Comment Period End	07/29/02	
Final Action	07/00/03	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

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RIN: 3150-AG71**4252. LIST OF APPROVED SPENT FUEL STORAGE CASKS: STANDARDIZED ADVANCED NUHOMS-24PT1 ADDITION****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 2201; 42 USC 5841**CFR Citation:** 10 CFR 72**Legal Deadline:** None

Abstract: The proposed rule would amend the Commission's regulations by adding the Standardized Advanced NUHOMS Storage System cask design to the list of approved spent fuel storage casks. The proposed rule would add a cask system that has improved shielding and the ability to withstand higher seismic response spectra than the Standardized NUHOMS Storage System which is already on the list of approved casks.

NRC

Final Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	02/11/02	67 FR 6203
NPRM Comment Period End	04/29/02	
Final Rule	11/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

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RIN: 3150-AG74

4253. FINANCIAL INFORMATION REQUIREMENTS FOR APPLICATIONS TO RENEW OR EXTEND THE TERM OF AN OPERATING LICENSE FOR A POWER REACTOR**Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 2201; 42 USC 5841**CFR Citation:** 10 CFR 50**Legal Deadline:** None

Abstract: The proposed rule would amend the Commission's regulations to remove the requirement that non-electric utility power reactor licensees submit financial qualifications information as part of the license renewal process. The proposed rule would recognize the need for a reduced level of regulatory burden for licensees falling in this category because the NRC has alternative means to ensure that these licensees are financially viable to operate their facilities and maintain public health and safety. Non-power reactor licensees would continue to submit the financial qualifications information as part of the license renewal process and are not affected by this proposed rule change.

Timetable:

Action	Date	FR Cite
NPRM	06/04/02	67 FR 38427
NPRM Comment Period End	08/19/02	
Final Action	06/00/03	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

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RIN: 3150-AG84**4254. INCORPORATION BY REFERENCE OF ASME BPV AND OM CODE CASES****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 2201; 42 USC 5841**CFR Citation:** 10 CFR 50**Legal Deadline:** None

Abstract: New editions of the ASME BPV and OM Codes are issued every three years and addenda to the editions are issued annually. It has been the Commission's policy to update 10 CFR 50.55a to incorporate by reference the ASME Code editions and addenda. The ASME publishes code cases for Section III and Section XI quarterly, and code cases for the OM Code annually. Code cases are generally alternatives to the requirements of the ASME BPV Code and the OM Code. It has been the NRC staff's practice to review these code cases and find them either acceptable, conditionally acceptable, or unacceptable for use by NRC licensees. These code cases are then listed in periodically revised regulatory guides (RGs), together with information on their acceptability. Footnote 6 to 10 CFR 50.55a refers to the RGs listing code cases determined by the NRC staff to be "suitable for use." No specific data or revision of the RGs is indicated in footnote 6 to 10 CFR 50.55a. In the past, these RGs have not been approved by the Office of the Federal Register for incorporation by reference in the Code of Federal Regulations. To address this matter, the staff is proposing that the use of ASME Code Cases be approved through a rulemaking incorporating by reference the applicable RGs. Thus, NRC-approved code cases would be accorded the same legal status as the corresponding requirements in the ASME BPV Code and OM Code which are already incorporated by reference in the NRC's regulations.

Timetable:

Action	Date	FR Cite
NPRM	03/19/02	67 FR 12488
NPRM Comment Period End	06/03/02	
Final Action	05/00/03	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

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Phone: 301 415-3092
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RIN: 3150-AG86

4255. GEOLOGICAL AND SEISMOLOGICAL CHARACTERISTICS OF SPENT FUEL STORAGE SYSTEMS**Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 2201; 42 USC 5841**CFR Citation:** 10 CFR 72**Legal Deadline:** None

Abstract: The proposed rule would amend the Commission's regulations concerning geological and seismological criteria to require the use of a risk-informed, performance-based regulatory approach. This revision would use a methodology that is consistent with the approach taken in 10 CFR part 50 and the recent revision to part 100. The proposed rule would also clarify the need for a general licensee to design cask storage pads and areas to adequately support both static and dynamic loads of the stored casks.

Timetable:

Action	Date	FR Cite
NPRM	07/22/02	67 FR 47745
NPRM Comment Period End	10/22/02	67 FR 56876
Final Action	04/00/03	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Keith McDaniel, Nuclear Regulatory Commission, Office of Nuclear Material Safety and Safeguards, Washington, DC 20555-0001
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NRC

Final Rule Stage

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Related RIN: Duplicate of 3150-AG16

RIN: 3150-AG93

4256. • NRC PUBLIC DOCUMENT ROOM ADDRESS CHANGE AND CORRECTIONS TO INFORMATION COLLECTION PROVISIONS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 1; 10 CFR 2; 10 CFR 7; 10 CFR 9;; 10 CFR 19; 10 CFR 20; 10 CFR 26; 10 CFR 30;; 10 CFR

31; 10 CFR 33; 10 CFR 39; 10 CFR 50;; 10 CFR 51; 10 CFR 52; 10 CFR 54; 10 CFR 55;; 10 CFR 71; 10 CFR 75; 10 CFR 100; 10 CFR 110

Legal Deadline: None

Abstract: The final rule amends the Commission's regulations to reflect the new address for the NRC's Public Document Room and to correct information collection sections in the Code of Federal Regulations. These amendments are necessary to inform the public of these administrative changes to the NRC regulations.

Timetable:

Action	Date	FR Cite
Final Action	11/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 3150-AH01

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4257. UPDATE FUEL PERFORMANCE CONSIDERATIONS AND OTHER FUEL CYCLE ISSUES

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 2011; 42 USC 2201; 42 USC 4321; 42 USC 5841; 42 USC 5842

CFR Citation: 10 CFR 51

Legal Deadline: None

Abstract: The proposed rule would amend the Commission's regulations by addressing uranium fuel cycle environmental data (Table S-3) and the environmental effects of transportation of fuel and waste data (Table S-4). In section 51.51, the environmental data would be reestimated and reflect changes in the structure and activities of the fuel cycle and the availability of better data. Estimates of releases of Radon-222 and Technetium-99 would be added to Table S-3. The addition of a specific value for Radon-222 would address the outstanding portion of petition for rulemaking PRM-51-1, submitted by the New England Coalition on Nuclear Pollution. To provide immediate relief to the petitioner's request, the Commission published a final rule on March 14, 1997 (42 FR 13803), that removed the original value for Radon-222 from Table S-3 so that it then became subject to case-specific litigation. It was anticipated that the Commission would add a specific value for Radon-222, but the Commission deferred action until a general updating of Table S-3 is undertaken. For section 51.52, the environmental impact estimates would

be reestimated to reflect the use of more highly enriched fuel and discharge of more highly irradiated fuel from a reactor; longer onsite storage; and changes in transportation modes, transport to retrievable storage sites and a permanent repository rather than reprocessing facilities, packaging technology, and regulatory standards. The reestimates would incorporate current research information and computer codes.

This rulemaking would result in current and more accurate estimates of the environmental impact of licensing a new plant, and would eliminate the requirement to review the contribution to environmental impacts from Radon-222 and Technetium-99 in individual plant reviews. This rule is being reissued as a proposed rule and would update the initial rulemaking effort to address newly emerging issues and research.

Timetable:

Action	Date	FR Cite
NPRM	03/04/81	46 FR 15154
NPRM Comment Period End	05/04/81	
Second NPRM	To Be Determined	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 3150-AA31

4258. AVAILABILITY OF OFFICIAL RECORDS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 2

Legal Deadline: None

Abstract: The proposed rule would conform the Commission's regulations pertaining to the availability of official records to existing case law and agency practice. The amendment would address the circumstances under which proprietary, personal privacy or other confidential information submitted to the NRC by applicants, licensees, or others may be returned upon request. The rule would reaffirm that 10 CFR 2.790(c) provides submitters of information a qualified right to have their information returned upon request. This rule would inform the public of four additional circumstances where information would not be returned to the applicant, that is, (1) when submitted to an advisory committee governed by the Federal Advisory Committee Act; (2) when captured by a Freedom of Information Act request; (3) when publicly relied upon or revealed by the Commission in an open Commission meeting under the Government in the Sunshine Act; and (4) when obtained during the course of an investigation conducted by the NRC Office of Investigations. The

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proposed rule would also clarify requirements on submittals to the NRC for identification of confidential information sought to be withheld from public disclosure. Further, the proposed amendment would address the NRC's procedures for handling copyrighted information, including reproduction and distribution according to normal agency practice.

Timetable:

Action	Date	FR Cite
NPRM	12/23/92	57 FR 61013
NPRM Comment Period End	03/08/93	
NPRM	10/17/01	66 FR 52721
NPRM Comment Period End	12/31/01	
Final Action	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 3150-AC07

4259. DISPOSAL BY RELEASE INTO SANITARY SEWERAGE

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 20

Legal Deadline: None

Abstract: The advance notice of proposed rulemaking (ANPRM) was published to request public comment, information, and recommendations on contemplated amendments to the Commission's regulations governing the release of radionuclides from licensed nuclear facilities into sanitary sewer systems. The Commission believes that by incorporating current sewer treatment technologies the contemplated rulemaking would improve the control of radioactive materials released to sanitary sewer systems by licensed nuclear facilities. The NRC and the Environmental Protection Agency are conducting a joint survey of sewage treatment plants to evaluate the extent of reconcentration due to release of radioactive material into sewage

systems. The need for and the extent of a rulemaking will be evaluated pending the result of the survey and the associated dose assessment. This rulemaking would also address a petition for rulemaking submitted by the Northeast Ohio Sewer District (PRM-20-22).

Timetable:

Action	Date	FR Cite
ANPRM	02/25/94	59 FR 9146
ANPRM Comment Period End	05/26/94	
NPRM	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 3150-AE90

4260. ADVANCE NOTIFICATION TO NATIVE AMERICAN TRIBES OF TRANSPORTATION OF CERTAIN TYPES OF NUCLEAR WASTE

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 71; 10 CFR 73

Legal Deadline: None

Abstract: The NRC has issued an advance notice of proposed rulemaking (ANPRM) to invite early input from affected parties and the public on the issues associated with the advance notification of Indian tribes of spent fuel shipments. The Department of Energy (DOE) has indicated that it intends to comply with NRC's physical protection requirements for shipments under the Nuclear Waste Policy Act; however, its current practices conflict with NRC regulations. For example, DOE already has asked for and will continue to ask for exemptions from the shipment itinerary information requirements of foreign research reactor fuel. DOE, as a courtesy, provides Indian tribes with notification of spent fuel shipments. NRC's current regulations do not address notification of Indian tribes. Further, DOE has developed a satellite tracking system to monitor the status of spent fuel

shipments at all times. Distribution of this status information to parties other than governors' designees is not compatible with NRC regulations. A rulemaking plan was approved by the Commission on February 2, 2001.

Timetable:

Action	Date	FR Cite
ANPRM	12/21/99	64 FR 71331
ANPRM Comment Period End	07/05/00	65 FR 18010
NPRM	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 3150-AG41

4261. RISK-INFORMING SPECIAL TREATMENT REQUIREMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 21; 10 CFR 50; 10 CFR 54; 10 CFR 100

Legal Deadline: None

Abstract: The advance notice of proposed rulemaking (ANPRM) invited comments, advice, and recommendations from interested parties on the contemplated rulemaking that would provide an alternative, risk-informed approach for special treatment requirements in the current regulations. Special treatment requirements are requirements imposed on structures, systems, and components (SSCs) that provide additional confidence that these SSCs are capable of meeting design basis functional requirements. The contemplated risk-informed approach would categorize SSCs and vary the associated regulatory treatment based on the SSC's safety significance. This action is a result of the Commission's continuing efforts to risk-inform its regulations. The staff plans to provide the Commission with a proposed rule package in September 2002.

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Timetable:

Action	Date	FR Cite
ANPRM	03/03/00	65 FR 11488
ANPRM Comment Period End	05/17/00	
NPRM	To Be	Determined

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Tim Reed, Nuclear Regulatory Commission, Office of Nuclear Reactor Regulation, Washington, DC 20555-0001
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RIN: 3150-AG42**4262. INTEGRATED RULEMAKING FOR DECOMMISSIONING NUCLEAR POWER REACTORS****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 2201; 42 USC 5841**CFR Citation:** 10 CFR 50**Legal Deadline:** None

Abstract: A staff requirements memorandum dated June 23, 1999, directed the NRC staff to consider an integrated, risk-informed decommissioning rule rather than individual rulemakings to address emergency preparedness, insurance, safeguards, operator staffing, and backfit for nuclear power plants that are being decommissioned. SECY-99-168 dated June 30, 1999, recommended that the integrated approach be approved and outlined staff plans for pursuing such a rulemaking. Accordingly, the staff has subsumed previous rulemaking activities in the areas of emergency planning, insurance, safeguards, operator staffing, and backfit into one integrated rulemaking effort. This rulemaking would apply to licensees who certified, pursuant to 10 CFR 50.82(a), that they have permanently ceased facility operation(s) and have permanently removed fuel from the reactor vessel. The Commission approved this approach in an SRM dated December 21, 1999. This rulemaking would also address a petition for rulemaking submitted by the North Carolina Public Utility Commission (PRM-50-57).

In SECY-00-145, dated June 28, 2000, the NRC staff recommended a

decommissioning rulemaking plan in the areas of emergency planning, insurance, safeguards, operator staffing, and backfit (the integrated decommissioning rulemaking plan). The rulemaking plan relied on a draft decommissioning risk study as a basis for its recommendations. The Commission returned the rulemaking plan to the staff for rework in September 2000, based on changes to the decommissioning risk study findings. The decommissioning risk study, NUREG-1738, was issued in January 2001. After assessing the findings in the risk study, the staff presented a policy options paper to the Commission, SECY-01-0100, dated June 4, 2001, that provided options and made recommendations on issues to be addressed in the integrated rulemaking. Following the terrorist events of September 11, 2001, the NRC staff recommended and the Commission approved the withdrawal of SECY-01-0101 because of the likely changes in the staff's position on decommissioning plant safeguards. The decommissioning policy position will be revisited when a broad-scope NRC safeguards policy is developed in response to potential terrorist acts at nuclear facilities. The schedule for the integrated rulemaking cannot be determined at this time.

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: William Huffman, Nuclear Regulatory Commission, Office of Nuclear Reactor Regulation, Washington, DC 20555-0001
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RIN: 3150-AG47**4263. CHANGES TO ADJUDICATORY PROCESS****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 1; 10 CFR 2; 10 CFR 50; 10 CFR 51; 10 CFR 52; 10 CFR 54; 10 CFR 60; 10 CFR 70; 10 CFR 73; 10 CFR 75; 10 CFR 76; 10 CFR 110

Legal Deadline: None

Abstract: The proposed rule would amend the Commission's regulations concerning its rules of practice to make the NRC's hearing process more efficient and effective. The proposed amendments would fashion hearing procedures that are tailored to the different types of licensing and regulatory activities the NRC conducts and would better focus and use the limited resources available to involved parties. The final rule was submitted to the Commission on April 26, 2002.

Timetable:

Action	Date	FR Cite
NPRM	04/16/01	66 FR 19610
NPRM Comment Period End	09/14/01	66 FR 27045
Final Rule	To Be	Determined

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

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RIN: 3150-AG49**4264. REEVALUATION OF POWER REACTOR PHYSICAL PROTECTION REGULATIONS AND POSITION ON A DEFINITION OF RADIOLOGICAL SABOTAGE****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 2201; 42 USC 5841**CFR Citation:** 10 CFR 73**Legal Deadline:** None

Abstract: The proposed rule would amend the Commission's regulations to require power reactor licensees to conduct drills and exercises to evaluate their protective strategy against a simulated design basis threat (DBT) of radiological sabotage. The proposed rulemaking would also include risk insights, supporting guidance documents and be more performance-based. Following the events of September 11, 2001, the staff recommended and the Commission approved the withdrawal of SECY-01-0101, Proposed Rule Changes to 10 CFR 73.55, which contained the staff's recommendations in the subject rulemaking. This withdrawal was

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requested to allow the staff to incorporate its post-September 11, 2001, considerations in a revised recommended rule revision, then later resubmit 10 CFR 73.55 to the Commission for its consideration.

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected:

Undetermined

Agency Contact: Mark C. Nolan, Nuclear Regulatory Commission, Office of Nuclear Security and Incident Response, Washington, DC 20555-0001
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RIN: 3150-AG63

4265. STANDARDS FOR COMBUSTIBLE GAS CONTROL SYSTEM IN LIGHT-WATER-COOLED POWER REACTORS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 50

Legal Deadline: None

Abstract: The proposed rule would amend the Commission's regulations to improve safety by better focusing on the risk-significant challenges from combustible gases; ensure combustible gas control during all risk-significant events; and eliminate those aspects of current requirements that provide no safety benefit. A staff requirement memorandum dated January 19, 2001, directed the staff to proceed expeditiously with rulemakings on the risk-informed alternative of section 50.44, including completion of outstanding technical work (e.g., development of combustible gas source terms) and necessary regulatory analyses. Also, this rulemaking addresses the petition for rulemaking submitted by Bob Christie (PRM-50-68), and partially addresses the petition for rulemaking submitted by the Nuclear Energy Institute (PRM-50-71). Draft rule language was posted for public comment on the NRC Ruleforum website on November 14, 2001. The proposed rule was submitted to the Commission on May 13, 2002.

Timetable:

Action	Date	FR Cite
NPRM	08/02/02	67 FR 50374
NPRM Comment	10/16/02	
Period End		
Final Action	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 3150-AG76

4266. NOTIFICATION REQUIREMENT

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 2111; 42 USC 2201; 42 USC 2232; 42 USC 2233; 42 USC 5841

CFR Citation: 10 CFR 35

Legal Deadline: None

Abstract: The proposed rule would amend the Commission's regulations by requiring a licensee to notify the NRC and an identified exposed individual after the licensee becomes aware that the individual received or is estimated to have received a dose exceeding 50mSv (5 rem) from a released patient who had been administered radioactive material.

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: None

Agency Contact: Betty Ann Torres, Nuclear Regulatory Commission, Office of Nuclear Material Safety and Safeguards, Washington, DC 20555-0001
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RIN: 3150-AG81

4267. ENTOMBMENT OPTIONS FOR POWER REACTORS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 20; 10 CFR 50

Legal Deadline: None

Abstract: The advance notice of proposed rulemaking (ANPRM) was published to request public comment, information, and recommendations on contemplated amendments to the Commission's regulations that would clarify the use of entombment for power reactors. The amendments would establish dose criteria for license termination that includes a provision that permits license termination under restricted and unrestricted release conditions. Analysis of comments on the ANPRM and recommendations are being developed.

Timetable:

Action	Date	FR Cite
ANPRM	10/16/01	66 FR 52551
ANPRM Comment	12/31/01	
Period End		
NPRM	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Patricia Eng, Nuclear Regulatory Commission, Office of Nuclear Material Safety and Safeguards, Washington, DC 20555-0001
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RIN: 3150-AG89

4268. MODIFICATIONS TO PRESSURE-TEMPERATURE LIMITS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 50

Legal Deadline: None

Abstract: The proposed rule would amend the Commission's regulations to eliminate those requirements for pressure-temperature limits that are related to the metal temperature of the reactor pressure vessel closure head flange and vessel flange areas. The proposed rule would amend footnotes 2 and 6 to table 1 of appendix G, and simplify restructuring of the table. Also,

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this rulemaking would address the petition for rulemaking submitted by Westinghouse Electric Company (PRM-50-69).

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Matthew Mitchell, Nuclear Regulatory Commission, Office of Nuclear Reactor Regulation, Washington, DC 20555-0001
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RIN: 3150-AG98

4269. • FEDERAL ADVISORY COMMITTEE ACT REGULATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 7

Legal Deadline: None

Abstract: The proposed rule would amend the Commission's regulations on the Federal Advisory Committee Act to conform with newly issued General Services Administration regulations.

Timetable:

Action	Date	FR Cite
NPRM	08/08/02	67 FR 51501
NPRM Comment Period End	10/07/02	

Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 3150-AH02

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4270. ELECTRONIC MAINTENANCE AND SUBMISSION OF INFORMATION

Priority: Substantive, Nonsignificant

CFR Citation: 10 CFR 2; 10 CFR 61; 10 CFR 62; 10 CFR 70; 10 CFR 71; 10 CFR 72; 10 CFR 73; 10 CFR 32; 10 CFR 34; 10 CFR 40; 10 CFR 50; 10 CFR 51; 10 CFR 52; 10 CFR 55; 10 CFR 60; 10 CFR 4; 10 CFR 9; 10 CFR 21; 10 CFR 20; 10 CFR 15; 10 CFR 19; 10 CFR 25; 10 CFR 30; 10 CFR 26; 10 CFR 31; 10 CFR 74; 10 CFR 75; 10 CFR 76; 10 CFR 81; 10 CFR 95; 10 CFR 110; 10 CFR 140; 10 CFR 150

Completed:

Reason	Date	FR Cite
Direct Final Rule	09/06/02	67 FR 57084
Direct Final Rule Effective	12/05/02	

Regulatory Flexibility Analysis

Required: Yes

Government Levels Affected: None

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RIN: 3150-AF61

4271. INDUSTRY CODES AND STANDARDS

Priority: Substantive, Nonsignificant

CFR Citation: 10 CFR 50

Completed:

Reason	Date	FR Cite
Final Rule	09/26/02	67 FR 60520
Final Rule Effective	10/02/02	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Stephen A. Tingen
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RIN: 3150-AG61

4272. DEBT COLLECTION PROCEDURES

Priority: Substantive, Nonsignificant

CFR Citation: 10 CFR 15

Completed:

Reason	Date	FR Cite
Final Rule	05/06/02	67 FR 30315
Final Rule Effective	06/05/02	

Regulatory Flexibility Analysis

Required: Yes

Government Levels Affected: None

Agency Contact: Leah Tremper
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RIN: 3150-AG80

4273. SPECIFICATION OF A PROBABILITY FOR UNLIKELY FEATURES, EVENTS AND PROCESSES

Priority: Substantive, Nonsignificant

CFR Citation: 10 CFR 63

Completed:

Reason	Date	FR Cite
Final Action	10/08/02	67 FR 62628
Final Action Effective	11/07/02	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Tim McCartin
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RIN: 3150-AG91

4274. REVISION OF FEE SCHEDULES; FEE RECOVERY, FY 2002

Priority: Economically Significant

CFR Citation: 10 CFR 170; 10 CFR 171

Completed:

Reason	Date	FR Cite
Final Rule	06/24/02	67 FR 42612
Final Rule Effective	08/23/02	

Regulatory Flexibility Analysis

Required: Yes

Government Levels Affected: State, Local

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RIN: 3150-AG95

4275. REVISION TO SALARY OFFSET PROCEDURES

Priority: Substantive, Nonsignificant

CFR Citation: 10 CFR 16

Completed:

Reason	Date	FR Cite
Final Rule	09/11/02	67 FR 57506
Final Rule Effective	10/11/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Leah Tremper
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RIN: 3150-AG96

4276. • COST RECOVERY FOR CONTESTED HEARING INVOLVING U.S. NATIONAL SECURITY INITIATIVES

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 170

Legal Deadline: None

Abstract: The final rule amends the Commission's regulations to allow recovery of costs associated with contested hearings involving U.S. Government national security-related proceedings through licensing or other regulatory service fees assessed to the affected applicant or licensee. The

amendment is a special exemption to the Commission's longstanding policy of not charging this type of fee for contested hearings and instead recovering the costs through the annual fees assessed to licensees within the affected class.

Timetable:

Action	Date	FR Cite
NPRM	07/31/02	67 FR 49623
NPRM Comment Period End	08/30/02	
Final Rule	10/17/02	67 FR 64033
Final Rule Effective	11/18/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

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RIN: 3150-AH03

4277. • LIST OF APPROVED SPENT FUEL STORAGE CASKS: HI-STORM 100 REVISION

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 2201; 42 USC 5802

CFR Citation: 10 CFR 72

Legal Deadline: None

Abstract: The NRC is amending its regulations revising the Holtec International HI-STORM 100 cask system listing within the list of approved spent fuel storage casks to include Amendment 1 to Certificate of Compliance Number 1014. This rule was originally published as a direct final rule (under RIN 3150-AG97), on March 27, 2002 (67 FR 14627). Because the NRC received a significant adverse comment on the direct final rule, the rule was withdrawn (June 7, 2002; 67 FR 39260). The significant adverse comment related to concern with (1) interactions between the non-fuel hardware and the fuel, and (2) the absence of documentation of NRC's analysis to accept the storage of the non-fuel hardware. The NRC addressed these comments in a final rule published on July 15, 2002 (67 FR 46369).

Timetable:

Action	Date	FR Cite
Final Rule	07/15/02	67 FR 46369
Final Rule Effective	07/15/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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Related RIN: Previously reported as 3150-AG97

RIN: 3150-AH04

[FR Doc. 02-24259 Filed 12-06-02; 8:45 am]

BILLING CODE 7590-01-S