

July 6, 2000

MEMORANDUM TO: Cynthia A. Carpenter, Chief
Generic Issues, Environmental, Financial
and Rulemaking Branch, DRIP:NRR

FROM: Les Barnett, Chief, Chief **/RA/**
Information Management Branch, PMAS:NRR

SUBJECT: REVISION TO OFFICE LETTER 118, RULEMAKING PROCEDURES

In reference to your memorandum dated June 6, 2000, the following comments are provided:

- * Change "OMB package" and "OMB approval package" to "OMB clearance package" throughout.
- * On page 9, C. Preparation of Rulemaking Package for a Proposed Rule, include a statement requiring the draft supporting statement to be included as part of the rulemaking package when it involves information collections as required by Section 5.1 of NUREG/BR-0058, Revision 2, "Regulatory Analysis Guidelines of the NRC."
- * On page 10, item 5, second paragraph, please change "If the OMB requirements are determined" to "If the OMB requirements are considered." NRR does not determine whether the requirements are insignificant. The OCIO, in conjunction with OMB, determines whether they are.
- * On page 11, last item 3, last sentence, change "it" to "if."
- * On page 13, item 4, we suggest you add the following sentence as the last sentence: "However, the FRN can not be published until the OMB Clearance Package is ready for submittal to OMB."
- * On page 14, first line of the second paragraph, we suggest that for clarity you delete the words "in some fashion." Also, because OMB regulations at 5 CFR 1320 require it, we suggest that you include the following sentence before the last sentence in the paragraph: "Each comment on the information collections must be addressed specifically."
- * On page 14, next to last sentence, we presume you mean..."for each action for which the anticipated issue date is within 90 days."

- * On page 16, item 8, the first sentence reads awkwardly. We suggest that you delete the words "for resubmission to OCIO" since the last sentence states that PMAS/PIMB submits it to the OCIO.
- * On page 17, E. Direct Final Rule, to make it clear that direct final rules may not delete or contain any new or revised information collections, we suggest that you add "containing no changes in information collections" to the end of the first sentence.

Your June 6, 2000, did not indicate that OCIO was given an opportunity to comment. After speaking with Beth St. Mary, OCIO she confirmed that she had commented. NRR concurs with OCIO comments. Attached are comments from PPRB:PMAS dated July 5, 2000. This note and its attachment is a complete response from PMAS:NRR.

Attachment:
As stated

cc w/attachment:
J. Silber, NRR
K. Olive, NRR
G. Suh, NRR
D. McCain, NRR
T. Dietz, NRR
S. Frattali, NRR
B. Shelton, OCIO
B. St. Mary, OCIO

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NAME	DLMcCain		LBarnett				
DATE	07/06/2000		07/06/2000				

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ATTACHMENT

July 5, 2000

NOTE TO: Cynthia A. Carpenter, Chief, RGEB, DRIP

FROM: Gene Suh, Acting Chief, PPRB, PMAS **/RA/**

SUBJECT: REVISION OF OFFICE LETTER 118, RULEMAKING PROCEDURES

In reference to your memorandum dated June 6, 2000, the following comments are provided:

a. On page 7, subpara 2, under the paragraph titled-Division Review of Draft Rulemaking Plan, add: "PMAS/PPRB is to be provided a draft package for review of resource implications." On page 7, subpara 3, under paragraph title- Office Review of Rulemaking Plan, add prior to last sentence: "PMAS/PPRB is to be on concurrence for the final package."

b. On page 8, subpara 1, under the paragraph titled-NRR Concurrence in the Rulemaking Plan, add to second sentence"... the Task Leader works with WG members and PMAS/PPRB for resource impacts."

c. On page 11, subpara 3, under the paragraph titled- Office Review of the Rulemaking Package for a Proposed Rule, add as a second sentence: "PMAS/PPRB is to be on concurrence on the final package."

d. On page 15, subpara 3, add as a second sentence: "PMAS/PPRB also receives for review a copy of the rulemaking package for the final rule."

e. On page 3. Appendix 1, suggest change of "Anticipated Effort" to "Anticipated FTE Effort" and change "Program Funds Required" to "Program Support Funds Required."

Point of contact for above information and changes is Thomas Dietz. He can be reached at 415-1225.

cc: J. Silber
K. Olive
R. Villafranco
C. Velez
T. Dietz