

September 26, 2000

MEMORANDUM TO: Doris Mendiola, RDB/DAS/ADM

FROM: Alan K. Roecklein, RGEB/DRIP/NRR */RA/*

SUBJECT: REGULATORY HISTORY FOR PROPOSED AND FINAL RULE
(10 CFR PART 20, SUBPART H) RIN 3150 - AF81, "RESPIRATORY
PROTECTION AND CONTROLS TO RESTRICT INTERNAL
EXPOSURES"

Attached is an index of regulatory documents considered to be of central relevance to the subject proposed and final rulemaking. These documents were scanned into Adams and the Adams Accession Number is appended to each item in the index. The designator assigned by the Rules and Directives Branch is AF81-1.

Thank you for your assistance, and please call me at 415-3883 if you have any questions.

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DATE	09/25/00		09/26/00				

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REGULATORY HISTORY INDEX FOR PROPOSED AND FINAL RULE: RESPIRATORY
PROTECTION AND CONTROLS TO RESTRICT INTERNAL EXPOSURES

Public Document Room

1. 01/02/92 Beckjord to Taylor Initiation of Rulemaking. (Unsigned) **(ML003750824)**
2. 01/02/92 Comments from K. Paul Steinmeyer, Consultant RSA to C. Raddatz on draft proposed rule. **(ML003750818)**
3. 01/20/95 RSA proposed changes to 10 CFR Part 20, Subpart H and technical discussion. **(ML003750830)**
4. 06/14/96 Morrison Office Concurrence Request on Ruleplan. **(ML003750840)**
5. 04/20/96 Draft Office Concurrence package - Proposed Rule and Supporting Documents. **(ML003750833)**
6. 12/19/96 Trip Report - A. Roecklein met with Respiratory Protection Staff at Oyster Creek NPP to discuss impact of changes under consideration to Subpart H of 10 CFR Part 20, includes summary table of proposed changes to Subpart H. **(ML003750841)**
7. 12/20/96 Briefing points - Background and history of withdrawing proposed rule and initiating Ruleplan. Subsequent nonconcurrence of NRR and NMSS on Ruleplan approach. **(ML003750846)**
8. 11/20/96 Paperiello to Morrison. NMSS does not concur with ruleplan. Urges proceeding with proposed rule (item #5). **(ML003750854)**
9. 01/21/97 Miraglia to Morrison. NRR does not concur with ruleplan. Urges proceeding with proposed rule (item #5). **(ML003750856)**
10. 12/31/96 Roecklein to Morris. Answers questions raised by Morris regarding authorization to work on rule, frequency of changes to respiratory standards, and OGC view on use of disposable respirators under current rule. Attached are: Initiation of Rulemaking; Regulatory Agenda; Justification for rulemaking; Rulemaking Activity Plan dated August 8, 1996; SECY-96-176; Memo Treby to Morris states OGC view that disposable respirators are not permitted under current rules. **(ML003750865)**

11. 04/28/97 E-mail A. Tse to A. Roecklein. Re meeting with H. Thompson DEDO and E. Jordan, EDO, advising that RES was directed to resubmit the proposed rule package to offices for concurrence, and that the development of a ruleplan for this rule was not necessary. Includes e-mail note from A. Roecklein to Offices noting no further action needed on ruleplan, and e-mail from A. Roecklein to working groups noting OGC and OE view that APFs would not be enforceable in a Regulatory Guide. **(ML003750848)**
12. 04/30/97 Draft Regulatory Agenda entry. **(ML003750855)**
13. 04/23/98 Memo B. Shelton (OCIO) to A. Roecklein requesting completion of Form 670, "Information Required for Making an Insignificant Burden Determination." Completed form is attached. **(ML003750860)**
14. 03-31-98 SECY-98-077, S. Collins to L. Callan transmitting Proposed Rule to Commission with all offices concurring. Attached is Commission Paper with attachments: Federal Register Notice; Regulatory Guide 8.15; Regulatory Analysis; Environmental Assessment; Congressional Letters; Public Announcement. **(ML003750877)**
15. 11/21/97-02/12/98 Office Concurrences on proposed rule from OGC, NMSS, ADM (OMB), NRR, OCIO, OE, OSP, OCFO, ADM, AEOD. **(ML003750868)**
16. 06/18/98 SRM on SECY-98-077, directs some minor text changes and approves publication of the proposed rule for public comment. **(ML003750874)**
17. 06/18/98 Commission vote sheets with comments on proposed rule. **(ML003750879)**
18. 06/28/98 Memo T. Essig to D. Meyer, requesting publication of the attached proposed rule in the Federal Register. Attached are the SRM, the FR notice, Press Release and Congressional letters, showing changes directed by the Commission. **(ML003750900)**
19. 07/15/98 Copies of Congressional Letters signed by D. Rathburn including concurrences. **(ML003750908)**
20. 07/16/98 Notice of Issuance of Draft Regulatory Guide DG-8022, a proposed revision to Regulatory Guide 8.15, "Acceptable Programs for Respiratory Protection," for public comment. **(ML003750916)**
21. 08/19/98-01/29/99 Public Comment Letters received on the proposed rule. **(ML003750969)**
22. 09/11/98-10/07/98 Public Comment Letters received on the draft revision to Regulatory Guide 8.15. **(ML003750967)**

23. 03/16/99 Office Concurrence request from D. Matthews to other offices on final rule and Rev. 1 of Reg Guide 8.15. Attached are: draft Commission paper; Federal Register notice; Regulatory Guide 8.15; Regulatory Analysis; Environmental Assessment; Congressional Letters; Press Release. **(ML003750979)**
24. 03/16/99 Memo F. Akstulewicz to J. Larkins (ACRS) providing copies of Commission Paper and Federal Register Notice of final rulemaking. The memo recommends that this rulemaking does not merit a briefing. **(ML003750985)**
25. 03/30/99-04/02/99 Office Concurrence memos and comments on final rule from ADM, OSP, OCFO, NMSS, OGC, OE. **(ML003750978)**
26. 04/14/99 J. Larkins (ACRS) to W. Travers (EDO), noting that the ACRS considered the final rule and decided not to review it. The Committee has no objection to issuing the final rule. **(ML003750996)**
27. 06/30/99 Memo R. Zimmerman to J. Murphy (CRGR), requesting CRGR review and endorsement of the final rule and Rev. 1 to Reg Guide 8.15. Includes Commission Paper; FR Notice; Reg Guide; Regulatory Analysis; Congressional Letters; Public Notices. **(ML003751026)**
28. 07/19/99 Memo S. Collins (NRR) to J. Murphy (CRGR) providing determination that the changes made to the rules continue to maintain an adequate level of public health and safety. **(ML003750997)**
29. 07/28/99 E-mail R. Tripathi (CRGR) to D. Matthews and S. Newberry providing CRGR comments and endorsement on the Part 20 amendments. **(ML003751002)**
30. 08/13/99 Memo D. Matthews (NRR) to J. Murphy (CRGR), closeout memo notifying CRGR that their requested changes had been made. **(ML003751010)**
31. 08/03/99 Memo A. Roecklein to J. Larkins (ACRS) providing copy of Rev.1 of Reg Guide 8.15, to request approval of issuance of the revised guide. **(ML003751031)**
32. 09/14/99 Memo J. Larkins (ACRS) to W. Travers (EDO), noting that ACRS had considered the Rev.1 to Reg Guide 8.15 and decided not to review it. The Committee has no objection to issuing the final revision to the Reg Guide. **(ML003751046)**
33. 07/27/99 Memo C. Carpenter to D. Meyer (ADM) providing NRR input for complying with Small Business Regulatory Enforcement Fairness Act. **(ML003751050)**

34. 08/05/99 SECY-99-207, Memo W. Travers (EDO) to Commission Transmitting Final Rule. Attached are: Federal Register Notice; Regulatory Analysis; Environmental Assessment; Congressional Letters; Congressional Review Act Forms; Press Release. **(ML003751044)**
35. 09/10/99 Staff Requirements Memo, in which the Commission approved publication of the final rule with comments and directed changes. Also directs that revised RG 8.15 should be issued concurrent with the rule. Included are individual vote sheets with comments from the Commissioners. **(ML003751061)**
36. 09/16/99 Memo C. Carpenter to T. Essig requesting that the NRC staff representative to the ANSI Subcommittee notify the Committee that the Commission suggests permitting health care professionals, as well as physicians, to make medical fitness determinations. This would be consistent with OSHA. **(ML003751070)**
37. 9/22/99 Memo C. Carpenter to D. Meyer (ADM) noting that the Commission had approved the final rule and requesting that ADMIN arrange for publication in the Federal Register. **(ML003751065)**
38. 9/13/99 Congressional Letters including Form 24722, Submission of Federal Rules under the Congressional Review Act, and concurrences. **(ML003751073)**
39. 9-29-99 Memo C. Carpenter to S. Collins (NRR-OD) requesting concurrence on issuing Rev. 1 to Regulatory Guide 8.15. Attached are Authorization for Regulatory Guide signed by A. Thadani (RES) 09-3-99, and a Federal Register Notice of issuance and availability of the Guide. **(ML003751095)**
40. 10/99 Revision 1, Regulatory Guide 8.15, Acceptable Programs for Respiratory Protection, published October 1999. **(ML003751108)**
41. 10/7/99 Federal Register Notice (64 FR 54543) of Final Rulemaking, Respiratory Protection and Controls to Restrict Internal Exposure. **(ML003751112)**
42. 10/13/99 Federal Register Notice (64 FR 55524) correcting error introduced into Appendix A to Subpart H by Federal Register. **(ML003751117)**
43. 10/22/99 Letter sent from A. Roecklein to public commenters, transmitting two Federal Register Notices and a copy of Reg Guide 8.15, expressing agency appreciation for their contribution. **(ML003751122)**