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NRC Regulatory Agenda

Semiannual Report
January - June 2001

U.S. Nuclear Regulatory Commission
Office of Administration
Washington, DC 20555-0001

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The NRC Technical Library
Two White Flint North
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Preface

The Regulatory Agenda is a semiannual compilation of all rules on which the NRC has recently completed action, or has proposed action, or is considering action, and of all petitions for rulemaking that the NRC has received that are pending disposition.

Organization of the Agenda

The agenda consists of two sections that have been updated through June 30, 2001. Section I, "Rules," includes (A) rules on which final action has been taken since December 31, 2000, the closing date of the last NRC Regulatory Agenda; (B) rules published previously as proposed rules on which the Commission has not taken final action; (C) rules published as advance notices of proposed rulemaking for which neither a proposed nor final rule has been issued; and (D) unpublished rules on which the NRC expects to take action.

Section II, "Petitions for Rulemaking," includes (A) petitions denied or incorporated into final rules since December 31, 2000; (B) petitions incorporated into published proposed rules; (C) petitions incorporated into unpublished rules; and (D) petitions pending staff review.

In Section I of the agenda, the rules are aligned numerically with the parts of Title 10, Chapter I, of the Code of Federal Regulations (CFR)(Title 10). If more than one rule appears under the same part, the rules are arranged within that part by date of most recent publication. If a rule amends multiple parts, the rule is listed under the lowest numbered affected part. In Section II of the agenda, the petitions are aligned numerically with the parts of Title 10 and are identified with a petition for rulemaking (PRM) number. If more than one petition appears under the same CFR part, the petitions are arranged by PRM numbers in consecutive order within that part of Title 10.

A Regulation Identifier Number (RIN) has been added to each rulemaking agenda entry to make it easier for the public and agency officials to track the publication history of regulatory actions. The dates listed under the heading "Timetable" for scheduled action by the Commission, the Executive Director for Operations (EDO), or the Chief Financial Officer (CFO) on particular rules or petitions are considered tentative and are not binding on the Commission or its staff. They are included for planning purposes only. This Regulatory Agenda is published to provide the public early notice and opportunity to participate in the rulemaking process. However, the NRC may consider or act on any rulemaking proceeding even if it is not included in this Regulatory Agenda. Conversely, the inclusion in this Regulatory Agenda of unpublished rules on which the NRC is considering action does not commit the NRC to publishing the rule for public comment in the Federal Register.

Rulemakings Approved by the Executive Director for Operations

The EDO initiated a procedure for the review of the regulations being prepared by staff offices that report to him to ensure that staff resources were being allocated to achieve NRC's regulatory priorities most effectively. This procedure requires EDO approval before staff resources may be expended on the development of any new rulemaking.

Those unpublished rules whose further development has been terminated will be noted in this edition of the agenda and deleted from subsequent editions. Rules whose termination was directed subsequent to publication of a notice of proposed rulemaking or an advance notice of proposed rulemaking will be removed from the agenda after publication of a notice of withdrawal in the Federal Register. Rules and PRMs that appear in the agenda for the first time are identified by an asterisk (*).

Public Participation in Rulemaking

Comments on any rule in the agenda may be sent to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Attention: Rulemakings and Adjudications Staff, Washington, DC 20555-0001.

Comments may also be hand delivered to One White Flint North, 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.

You may also provide comments via the NRC's interactive rulemaking Website (http://ruleforum.llnl.gov). This site provides the capability to upload comments as files (any format), if your Web browser supports that function. For information about the interactive rulemaking Website, contact Ms. Carol Gallagher, 301-415-5905 (e-mail: cag@nrc.gov).

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 01-F15, Rockville, MD, between 7:45 a.m. and 4:15 p.m, Federal workdays.

Additional Rulemaking Information

For further information concerning NRC rulemaking procedures or the status of any rule listed in this agenda, contact Betty K. Golden, Regulations Specialist, Rules and Directives Branch, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001,

telephone 301-415-6863 (persons outside the Washington, DC, metropolitan area may call toll-free: 800-368-5642), or e-mail bkg2@nrc.gov. 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.

CONTENTS

Page

Preface iii

I. Rules

(A) Final Rules

1. Licensing Proceedings for the Receipt of High-Level Radioactive Waste at a Geologic Repository: Licensing Support Network, Design Standards for Participating Websites (Part 2). 1

2. Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance (Part 5) 1

3. Charges for Reproducing Records* (Part 9) 2

4. Use of Potassium Iodide (KI) by the General Public After a Severe Accident at a Nuclear Power Plant (Part 50). 2

5. List of Approved Spent Fuel Storage Casks: Addition of the FuelSolutions Cask (Part 72). 3

6. List of Approved Spent Fuel Storage Casks: VSC-24 Storage Casks, Amendment 3 (Part 72) 3

7. List of Approved Spent Fuel Storage Casks: FuelSolutions Revision (Part 72) 4

8. List of Approved Spent Fuel Storage Casks: HI-STAR 100 Cask System, Amendment 2 (Part 72) 4

9. List of Approved Spent Fuel Storage Casks: Standardized NUHOMS-24P and -52B Revision, Amendment 3* (Part 72) 5

10. Termination of Section 274i Agreement Between the State of Louisiana and the NRC (Part 150) 5

11. Revision of Fee Schedules; Fee Recovery, FY 2001 (Parts 150, 170, and 171). 6

CONTENTS

(B) Proposed Rules

12. Changes to Adjudicatory Process (Parts 1, 2, 50, 51, 52, 54, 60, 70, 73, 75, 76, and 110) 7

13. Availability of Official Records (Part 2). 7

14. Nondiscrimination on the Basis of Race, Color, or National Origin in Programs or Activities Receiving Federal Financial Assistance; Nondiscrimination on the Basis of Handicap in Programs or Activities Receiving Federal Final Assistance; Nondiscrimination on the Basis of Age in Programs or Activities Receiving Federal Financial Assistance (Part 4) 8

15. Revision of the Skin Dose Limit (Part 20) 8

16. Fitness-for-Duty Programs (Part 26) 9

17. Medical Uses of Byproduct Material (Part 35) 9

18. 120-Month ISI/IST Update Requirement (Part 50) 10

19. Decommissioning Trust Provisions (Part 50) 10

20. Update Fuel Performance Considerations and Other Fuel Cycle Issues (Part 51). 11

21. Material Control and Accounting (Parts 51, 61, 70, 72, 73, 74, 75, 76, and 150). 11

22. Use of Simulators in Operator Licensing and Conforming Changes (Part 55) 12

23. Disposal of High-Level Radioactive Waste in a Proposed Geologic Repository at Yucca Mountain, Nevada (Part 63) 12

24. Storage of Greater Than Class C Waste (Part 72). 13

(C) Advance Notices of Proposed Rulemaking

25. Disposal by Release Into Sanitary Sewerage (Part 20) 15

26. Risk-Informing Special Treatment Requirements (Parts 21, 50, 54, and 100) 15

CONTENTS

(C) Advance Notices of Proposed Rulemaking (con't)

27. Advance Notification to Native American Tribes of Transportation of Certain Types of Nuclear Waste (Parts 71 and 73) 16

(D) Unpublished Rules

28. Organization Change and Transfer of Function* (Parts 1, 34, and 73) 17

29. Submission of Documents Electronically; Minor Corrections (Parts 2, 4, 9, 15, 19 - 21, 25, 26, 30 - 32, 34, 40, 50, 51, 55, 60 - 62, 70 - 76, 81, 95, 110, 140, and 150) 17

30. Release of Part of a Reactor Facility or Site for Unrestricted Use Before Receiving Approval of the License Termination Plan (Parts 2 , 20, and 50) . . 18

31. Debt Collection Procedures* (Part 15) 19

32. Reduction in the Scope of Random Fitness-for-Duty Testing Requirements for Nuclear Power Reactor Licensees (Part 26) 19

33. Financial Assurance Amendments for Materials Licenses* (Parts 30, 40, and 70) 20

34. Notification Requirement* (Part 35) 20

35. Transfers of Source Material From Licensees To Exempt Persons (Part 40) 21

36. Codes and Standards (Part 50) 21

37. Integrated Rulemaking for Decommissioning Nuclear Power Reactors (Part 50) 22

38. Performance-Based, Risk-Informed Fire Protection (Part 50) 22

39. Submission of Financial Information for Applications to Renew or Extend the Term of an Operating License for Power Reactors* (Part 50) 23

40. Standards for Combustible Gas Control System in Light-Water-Cooled Power Reactors* (Part 50) 24

41. Lessons Learned From Design Certification (Part 52) 25

42. Compatibility With IAEA Transportation Safety Standards (Part 71) 25

CONTENTS

(D) Unpublished Rules (con't)

43. Geological and Seismological Characteristics of Spent Fuel Storage Systems (Part 72) 26

44. List of Approved Spent Fuel Storage Casks: Standardized Advanced NUHOMS-24PT1 Addition* (Part 72) 26

45. List of Approved Spent Fuel Storage Casks: Westinghouse MC-10 Termination* (Part 72) 27

46. List of Approved Spent Fuel Storage Casks: NAC-MPC Revision, Amendment 1* (Part 72) 27

47. List of Approved Spent Fuel Storage Casks: NAC-UMS Universal Storage System, Amendment 2* (Part 72) 28

48. Re-evaluation of Power Reactor Physical Protection Regulations and Position on a Definition of Radiological Sabotage (Part 73) 28

II. Petitions for Rulemaking

(A) Petitions Incorporated Into Final Rules or Denied

1. Michael Stein (PRM-2-12) 31

2. Natural Resources Defense Council (PRM-30-63) 31

3. Charles T. Gallagher, Gammatron (PRM-30-64) 32

4. American College of Nuclear Physicians and the Society of Nuclear Medicine (PRM-35-16) 32

5. Peter G. Crane (PRM-50-63 and PRM-50-63A) 33

6. Nuclear Energy Institute (PRM-51-7) 33

7. Prairie Island Coalition (PRM-72-4) 33

8. United Plant Guard Workers of America (PRM-76-1) 34

CONTENTS

(B) Petitions Incorporated Into Published Proposed Rules

9. Northeast Ohio Regional Sewer District (PRM-20-22) 35
10. University of Cincinnati (PRM-20-24) 35
11. Virginia Electric and Power Company (PRM-26-1) 36
12. States of Nevada and Minnesota (PRM-60-2/2A) 36
13. Portland General Electric Company (PRM-72-2) 37

(C) Petitions Incorporated Into Unpublished Rules

14. Amersham Corporation (PRM-34-5) 39
15. State of Colorado and Organization of Agreement States (PRM-40-27) 39
16. Donald A. Barbour, Philotechnics (PRM-40-28) 40
17. North Carolina Public Staff Utility Commission (PRM-50-57) 40
18. Bob Christie (PRM-50-68) 41
19. New England Coalition on Nuclear Pollution (PRM-51-1) 41
20. International Energy Consultants (PRM-71-12) 42

(D) Petitions Pending Staff Review

21. Ohio Citizens for Responsible Energy, Inc. (PRM-9-2) 43
22. Barry Quigley (PRM-26-2) 43
23. Union of Concerned Scientists (PRM-30-62) 44
24. National Registry of Radiation Protection Technologists (NRRPT) (PRM-35-13) 44
25. Jeffery C. Angel (PRM-35-15) 45
26. American National Standards Institute N43.10 Committee (PRM-36-1) 45
27. Westinghouse Electric Company (PRM-50-69) 45

CONTENTS

(D) Petitions Pending Staff Review (con't)

28. Joseph Epstein (PRM-50-70) 46

29. Nuclear Energy Institute (PRM-50-71) 46

30. Union of Concerned Scientists* (PRM-50-72) 47

31. Union of Concerned Scientists (PRM-54-1) 47

32. Nuclear Energy Institute (PRM-72-5) 48

33. State of Nevada (PRM-73-10) 48

(A) Final Rules

I-RULES

A

1. Licensing Proceedings for the Receipt of High-Level Radioactive Waste at a Geologic Repository: Licensing Support Network, Design Standards for Participating Websites (Part 2)

RIN: 3150-AG44

Abstract: The final rule amends the Commission's Rules of Practice applicable to the use of the Licensing Support Network (LSN) for the licensing proceeding on the disposal of high-level waste at a geologic repository. The final rule establishes the basic data structure and transfer standards (design standards) that LSN participant Websites must use to make documentary material available. The final rule also clarifies the authority of the LSN Administrator to establish guidance for LSN participants on how best to meet the design standards and to review participant designs for compliance with the standards. Finally, the final rule clarifies the timing of participant compliance certifications.

Timetable:	Final Rule Published	05/31/01	66 FR 29453
	Final Rule Effective	07/02/01	

Legal Authority: 42 USC 2201; 42 USC 5841

Effects on Small Business and Other Entities: None

Agency Contact: Francis X. Cameron, Office of the General Counsel, (301) 415-1642, e-mail fxc@nrc.gov

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2. Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance (Part 5)

RIN: 3150-AG68

Abstract: The final rule amends the Commission's regulations to include a list of the types of Federal financial assistance activities administered by the NRC under Title IX of the Education Amendments of 1972, as amended (Title IX). Title IX prohibits recipients of Federal financial assistance from discriminating on the basis of sex in education programs or activities. Subpart F of the Title IX common rule (August 30, 2000; 65 FR 52858) requires each Federal agency that awards Federal financial assistance to publish in the Federal Register a list of Federal financial assistance administered by that agency.

Timetable:	Final Rule Published	01/04/01	66 FR 708
	Final Rule Effective	02/05/01	

Legal Authority: 42 USC 2201; 42 USC 5841

Effects on Small Business and Other Entities: None

Agency Contact: Marva C. Gary, Office of Small Business and Civil Rights, (301) 415-7382, e-mail mcg@nrc.gov

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3. Charges for Reproducing Records* (Part 9)

RIN: 3150-AG78

Abstract: The final rule amends the Commission's regulations to permit NRC's contractor to increase the charges for copying publicly available documents at the NRC's Public Document Room. In addition, the amendments provide for electronic copying to CD-ROM.

Timetable:			
	Final Rule Published	05/07/01	66 FR 22907
	Final Rule Effective	06/06/01	

Legal Authority: 42 USC 2201; 42 USC 5841

Effects on Small Business and Other Entities: None

Agency Contact: Thomas E. Smith, Office of the Chief Information Officer, (301) 415-7204, e-mail tes@nrc.gov

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4. Use of Potassium Iodide (KI) by the General Public After a Severe Accident at a Nuclear Power Plant (Part 50)

RIN: 3150-AG11

Abstract: The final rule amends the Commission's emergency planning regulations governing the domestic licensing of production and utilization facilities. The final rule requires that consideration be given to including potassium iodide (KI) as a protective measure for the general public that would supplement sheltering and evacuation. The final rule responds to petitions for rulemaking PRM-50-63 and PRM-50-63A, submitted by Mr. Peter G. Crane concerning the use of KI in emergency plans.

Timetable:			
	Final Rule Published	01/19/01	66 FR 5427
	Final Rule Effective	04/19/01	

Legal Authority: 42 USC 2201; 42 USC 5841

Effects on Small Business and Other Entities: None

Agency Contact: Michael Jamgochian, Office of Nuclear Reactor Regulation, (301) 415-3224, e-mail mtj1@nrc.gov

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5. List of Approved Spent Fuel Storage Casks: Addition of the FuelSolutions Cask (Part 72)

RIN: 3150-AG54

Abstract: The final rule amends the Commission's regulations to add the FuelSolutions cask system to the list of approved spent fuel storage casks so that holders of operating power reactor licenses can use this cask under a general license. Otherwise, holders of power reactor operating licenses would have to obtain a specific license to use these casks.

Timetable:			
	Final Rule Published	01/16/01	66 FR 3444
	Final Rule Effective	02/15/01	

Legal Authority: 42 USC 2201; 42 USC 5841

Effects on Small Business and Other Entities: None

Agency Contact: Stanley Turel, Office of Nuclear Material Safety and Safeguards, (301) 415-6234, e-mail spt@nrc.gov

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6. List of Approved Spent Fuel Storage Casks: VSC-24 Storage Casks, Amendment 3 (Part 72)

RIN: 3150-AG70

Abstract: The direct final rule amends the Commission's regulations to revise the Certificate of Compliance No. 1007 for the VSC-24 cask system. This rule modifies the fuel specifications for Combustion Engineering 16 x 16 spent fuel stored in the VSC-24 cask system.

Timetable:			
	Direct Final Rule Published	03/06/01	66 FR 13407
	Direct Final Rule Effective	05/21/01	

Legal Authority: 42 USC 2201; 42 USC 5841

Effects on Small Business and Other Entities: None

Agency Contact: Stanley Turel, Office of Nuclear Material Safety and Safeguards, (301) 415-6234, e-mail spt@nrc.gov

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7. List of Approved Spent Fuel Storage Casks: FuelSolutions Revision (Part 72)

RIN: 3150-AG72

Abstract: The direct final rule amends the Commission's regulations to revise the Certificate of Compliance No. 1026 for the FuelSolutions cask system. This rule modifies the present cask system design to allow the Big Rock Point nuclear reactor facility to store mixed-oxide fuel assemblies, partial fuel assemblies, and damaged fuel assemblies (in a can) under a general license.

Timetable:	Direct Final Rule Published	02/27/01	66 FR 12435
	Direct Final Rule Effective	05/14/01	

Legal Authority: 42 USC 2201; 42 USC 5841

Effects on Small Business and Other Entities: None

Agency Contact: Gordon Gundersen, Office of Nuclear Material Safety and Safeguards, (301) 415-6195, e-mail geg1@nrc.gov

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8. List of Approved Spent Fuel Storage Casks: HI-STAR 100 Cask System, Amendment 2 (Part 72)

RIN: 3150-AG67

Abstract: The direct final rule amends the Commission's regulations to revise the Certificate of Compliance No. 1008 for the HI-STAR 100 cask system. This rule modifies the specifications for the cask pad and foundation. The changes give individual cask users more flexibility in designing the site-specific cask pads.

Timetable:	Direct Final Rule Published	03/13/01	66 FR 14483
	Direct Final Rule Effective	05/29/01	

Legal Authority: 42 USC 2201; 42 USC 5841

Effects on Small Business and Other Entities: None

Agency Contact: Stanley Turel, Office of Nuclear Material Safety and Safeguards, (301) 415-6234, e-mail spt@nrc.gov

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9. List of Approved Spent Fuel Storage Casks: Standardized NUHOMS-24P and -52B Revision, Amendment 3* (Part 72)

RIN: 3150-AG75

Abstract: The final rule amends the Commission's regulations to revise the Certificate of Compliance No. 1004 for the Standardized NUHOMS-24P and -52B cask system. This rule modifies the Standardized NUHOMS-24P and - 52B cask system to add the -61BT dry storage canister which is the storage portion of a dual purpose cask design intended to both store and transport spent fuel.

Timetable:	Direct Final Rule Published	06/29/01	66 FR 34523
	Direct Final Rule Effective	09/12/01	

Legal Authority: 42 USC 2201; 42 USC 5841

Effects on Small Business and Other Entities: None

Agency Contact: Gordon Gundersen, Office of Nuclear Material Safety and Safeguards, (301) 415-6195, e-mail geg1@nrc.gov

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10. Termination of Section 274i Agreement Between the State of Louisiana and the NRC (Part 150)

RIN: 3150-AG60

Abstract: The final rule amends the Commission's regulations by removing the specific reference to the inspection agreement, referred to as the 274i Agreement, with the State of Louisiana. This agreement allowed the State of Louisiana to perform inspections or other functions in offshore waters adjacent to Louisiana on behalf of the NRC. This action is necessary as a result of a letter from the Governor of Louisiana requesting termination of the agreement.

Timetable:	Final Rule Published	01/19/01	66 FR 5441
	Final Rule Effective	01/19/01	

Legal Authority: 42 USC 2201; 42 USC 5841

Effects on Small Business and Other Entities: None

Agency Contact: Stephanie P. Bush-Goddard, Office of Nuclear Material Safety and Safeguards, (301) 415-6257, e-mail spb@nrc.gov

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11. Revision of Fee Schedules; Fee Recovery, FY 2001 (Parts 150, 170, and 171)

RIN: 3150-AG73

Abstract: The final rule amends the licensing, inspection, and annual fees charged to NRC licensees and applicants for an NRC license. The amendments are necessary to recover 98 percent of the NRC's budget authority for Fiscal Year 2001, less the amount appropriated from the Nuclear Waste Fund and the General Fund. The Omnibus Budget Reconciliation Act of 1990, as amended, requires that the NRC accomplish the 98-percent recovery for FY 2001 through the assessment of fees. The dollar amount to be recovered for FY 2001 is approximately $453.3 million. The act requires that the fees for FY 2001 must be collected by September 30, 2001.

Timetable:	Final Rule Published	06/14/01	66 FR 32452
	Final Rule Effective	08/13/01	

Legal Authority: 42 USC 2201; 42 USC 5841

Effects on Small Business and Other Entities: None

Agency Contact: Glenda C. Jackson, Office of the Chief Financial Officer,
(301) 415-6057, e-mail gcj@nrc.gov

(B) Proposed Rules

B

12. Changes to Adjudicatory Process (Parts 1, 2, 50, 51, 52, 54, 60, 70, 73, 75, 76, and 110)

RIN: 3150-AG49

Abstract: The proposed rule would amend the Commission's regulations concerning its rules of practice to make the agency'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.

Timetable:	Proposed Rule Published	04/16/01	66 FR 19610
	Comment Period Closes	09/14/01	66 FR 27045
	Final Rule Published	Undetermined	

Legal Authority: 42 USC 2201; 42 USC 5841

Effects on Small Business and Other Entities: None

Agency Contact: Geary Mizuno, Office of the General Counsel, (301) 415-1639, e-mail gsm@nrc.gov

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13. Availability of Official Records (Part 2)

RIN: 3150-AC07

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 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:	Proposed Rule Published	12/23/92	57 FR 61013
	Comment Period Closed	03/08/93	
	Proposed Rule Published	10/00/01	

Legal Authority: 42 USC 2201; 42 USC 5841

Effects on Small Business and Other Entities: None

Agency Contact: Catherine M. Holzle, Office of the General Counsel, (301) 415-1560, e-mail cmh@nrc.gov

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14. Nondiscrimination on the Basis of Race, Color, or National Origin in Programs or Activities Receiving Federal Financial Assistance; Nondiscrimination on the Basis of Handicap in Programs or Activities Receiving Federal Final Assistance; Nondiscrimination on the Basis of Age in Programs or Activities Receiving Federal Financial Assistance (Part 4)

RIN: 3150-AG65

Abstract: The proposed 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:			
	Proposed Rule Published	12/06/00	65 FR 76460
	Comment Period Closed	01/05/01	
	Final Rule Published	Undetermined	

Legal Authority: 42 USC 2201; 42 USC 5841

Effects on Small Business and Other Entities: None

Agency Contact: Marva C. Gary, Office of Small Business and Civil Rights, (301) 415-7382, e-mail mcg@nrc.gov

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15. Revision of the Skin Dose Limit (Part 20)

RIN: 3150-AG25

Abstract: The proposed rule would amend the Commission's regulations to establish a unified skin dose limit that would apply to all skin dose situations, including "hot particle" exposures. The amendment, based on an advisory from the National Council on Radiation Protection and Measurement, would change the method of calculating dose to the skin and the extremities by requiring that the assigned skin or extremity dose be the dose averaged over the 10 square centimeters of skin receiving the highest exposure, rather than the current requirement to average dose to the highest exposed 1 square centimeter. This rulemaking would make the skin dose limit less restrictive when small areas of skin are irradiated, and to address skin dose from all sources, including "hot particles" and small area ($<1cm^2$) contamination, under a single limit. Licensees currently monitor workers frequently to avoid reportable doses from "hot particles," at the cost of additional, unproductive whole-body dose. The rule would trade a higher risk of small, transient, acute effects to the skin, such as reddening or small breaks in the skin barrier, for a reduction in whole-body dose and its associated risk of cancer. An additional worker benefit is a reduction in the overly conservative use of protective clothing and associated industrial hazards, such as heat stress and the potential for accidents.

Timetable:			
	Proposed Rule Published	07/12/01	66 FR 36502
	Comment Period Closed	09/25/01	
	Final Rule Published	Undetermined	

Legal Authority: 42 USC 2201; 42 USC 5841

Effects on Small Business and Other Entities: None

Agency Contact: Alan Roecklein, Office of Nuclear Reactor Regulation, (301) 415-3883, e-mail akr@nrc.gov

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16. Fitness-for-Duty Programs (Part 26)

RIN: 3150-AF12

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

Timetable:			
	Proposed Rule Published	05/09/96	61 FR 21105
	Comment Period Closed	08/07/96	
	Final Rule Published	11/00/01	

Legal Authority: 42 USC 2201; 42 USC 5841

Effects on Small Business and Other Entities: None

Agency Contact: Garmon West, Jr., Office of Nuclear Reactor Regulation, (301) 415-1044, e-mail fitnessforduty@nrc.gov
Vonna L. Ordaz, Office of Nuclear Reactor Regulation, (301) 415-2147, e-mail vld@nrc.gov

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17. Medical Uses of Byproduct Material (Part 35)

RIN: 3150-AF74

Abstract: The proposed rule would amend the Commission's regulations to reflect a more risk-based approach to the regulation of the medical uses of byproduct material. Performance-oriented requirements would allow licensees the flexibility to develop procedures appropriate to their uses of byproduct material. The proposed rule would address training and experience requirements for authorized users, Radiation Safety Officers, authorized nuclear pharmacists, and authorized medical physicists. This initiative would include development of associated guidance. The proposed rule would also address a petition for rulemaking submitted by the University of Cincinnati (PRM-20-24).

Timetable:			
	Proposed Rule Published	08/13/98	63 FR 43516
	Comment Period Closed	12/16/99	64 FR 64829
	Final Rule Published	10/00/01	

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

Effects on Small Business and Other Entities: None

Agency Contact: Roger W. Broseus, Office of Nuclear Material Safety and Safeguards, (301) 415-7608, e-mail rwb@nrc.gov

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18. 120-Month ISI/IST Update Requirement (Part 50)

RIN: 3150-AG39

Abstract: The proposed rule would amend the Commission's regulations to require nuclear power plant licensees to update their inservice inspection and inservice testing programs every 120 months to comply with the version of the ASME Code incorporated by reference into the regulations and in effect 12 months preceding the start of a new 120-month interval. The Commission disapproved this proposed rulemaking in a Staff Requirements Memorandum dated April 13, 2000; therefore, this rulemaking will be withdrawn during FY 2001.

Timetable:	Proposed Rule Published	04/27/99	64 FR 22580
	Comment Period Closed	06/24/99	
	Notice of Withdrawal Published	09/00/01	

Legal Authority: 42 USC 2201; 42 USC 5841

Effects on Small Business and Other Entities: None

Agency Contact: Thomas G. Scarbrough, Office of Nuclear Reactor Regulation, (301) 415-2794, e-mail tgs@nrc.gov

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19. Decommissioning Trust Provisions (Part 50)

RIN: 3150-AG52

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 transfers 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.

Timetable:	Proposed Rule Published	05/30/01	65 FR 29244
	Comment Period Closed	08/13/01	
	Final Rule Published	05/00/02	

Legal Authority: 42 USC 2201; 42 USC 5841

Effects on Small Business and Other Entities: None

Agency Contact: Brian J. Richter, Office of Nuclear Reactor Regulation, (301) 415-1978, e-mail bjr@nrc.gov

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20. Update Fuel Performance Considerations and Other Fuel Cycle Issues (Part 51)

RIN: 3150-AA31

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 § 51.51, the environmental data would be re-estimated 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 petitioners' request, the Commission published a final rule on March 14, 1977 (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 § 51.52, the environmental impact estimates would be re-estimated to reflect the use of more highly enriched fuel and discharge of more highly irradiated fuels 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 re-estimates 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:	Proposed Rule Published	03/04/81	46 FR 15154
	Comment Period Closed	05/04/81	
	Proposed Rule Published	Undetermined	

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

Effects on Small Business and Other Entities: None

Agency Contact: Donald Cleary, Office of Nuclear Reactor Regulation, (301) 415-3903, e-mail dpc@nrc.gov

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21. Material Control and Accounting (Parts 51, 61, 70, 72, 73, 74, 75, 76, and 150)

RIN: 3150-AG69

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:	Proposed Rule Published	05/30/01	66 FR 29251
	Comment Period Closed	08/13/01	
	Final Rule Published	12/00/02	

Legal Authority: 42 USC 2201; 42 USC 5841

Effects on Small Business and Other Entities: None

Agency Contact: Merri Horn, Office of Nuclear Material Safety and Safeguards, (301) 415-8126, e-mail mlh1@nrc.gov.

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22. Use of Simulators in Operator Licensing and Conforming Changes (Part 55)

RIN: 3150-AG40

Abstract: The proposed rule would amend the Commission's regulations to promote more effective plant operating experience for initial license applicants through improved on-the-job training by allowing use of the simulation facility in lieu of the actual plant to satisfy the license eligibility requirement for performance of control manipulations that affect reactivity or power level. The rulemaking would also facilitate adaption of existing simulator support and requalification training programs to the 1998 revision of the national standard (ANSI/ANS-3.5) to eliminate recurring outdated, duplicate, and inefficient simulator performance testing and reporting requirements. This rulemaking would bring the NRC's current regulations up to date with evolutionary changes in simulation technology, training, and examination programs. This rulemaking would directly reduce unnecessary regulatory burden by eliminating the current requirement for submittal of certification and performance test reports on a quadrennial basis.

Timetable:			
	Proposed Rule Published	07/03/00	65 FR 41021
	Comment Period Closed	09/18/00	
	Final Rule Published	08/00/01	

Legal Authority: 42 USC 2201; 42 USC 5841

Effects on Small Business and Other Entities: None

Agency Contact: Clare Goodman, Office of Nuclear Reactor Regulation, (301) 415-1047, e-mail cpg@nrc.gov

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23. Disposal of High-Level Radioactive Waste in a Proposed Geologic Repository at Yucca Mountain, Nevada (Part 63)

RIN: 3150-AG04

Abstract: The proposed rule would establish regulations as directed by statute (Energy Policy Act of 1992) for the disposal of high-level waste at Yucca Mountain. The proposed rule would provide specific criteria applicable to Yucca Mountain and would state that the more generic requirements in the existing Part 60 do not apply and cannot be the subject of litigation in any NRC licensing proceeding for Yucca Mountain. The proposed rule would also address a petition for rulemaking submitted by the States of Nevada and Minnesota (PRM-60-2/2A).

Timetable:			
	Proposed Rule Published	02/22/99	64 FR 8639
	Comment Period Closed	06/30/99	64 FR 24092
	Final Rule Published	09/00/01	

Legal Authority: 42 USC 2201; 42 USC 5841

Effects on Small Business and Other Entities: None

Agency Contact: Tim McCartin, Office of Nuclear Material Safety and Safeguards, (301) 415-6681, e-mail tjm3@nrc.gov
Clark Prichard, Office of Nuclear Material Safety and Safeguards, (301) 415-6203, e-mail cwp@nrc.gov

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24. Storage of Greater Than Class C Waste (Part 72)

RIN: 3150-AG33

Abstract: The proposed rule would amend the Commission's regulations to include storage of greater than Class C (GTCC) waste, that is, waste that exceeds the concentration limits of radionuclides established for Class C waste in 10 CFR 61.55(a)(2)(iv). It is anticipated that the decommissioning activities at nuclear power plants will generate relatively small volumes of GTCC waste. However, because there are currently no disposal options for GTCC waste, utilities must store these wastes under their Part 50 licenses pending development of a disposal facility. The Department of Energy has the responsibility for developing a national strategy for disposal of GTCC waste. Based on current plans, this disposal capability will not likely be available for many years. This rule would allow independent spent fuel storage installations to store GTCC waste similarly to spent fuel and facilitate the likely eventual transfer to a permanent geologic repository. This proposed rule would also respond to a petition for rulemaking submitted by the Portland General Electric Company (PRM-72-2).

Timetable:		
	Proposed Rule Published	06/16/00 65 FR 37712
	Comment Period Closed	08/30/00
	Final Rule Published	09/00/01

Legal Authority: 42 USC 2201; 42 USC 5841

Effects on Small Business and Other Entities: None

Agency Contact: Mark Haisfield, Office of Nuclear Material Safety and Safeguards, (301) 415-6196, e-mail mfh@nrc.gov

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(C) Advance Notices of Proposed Rulemaking

C

25. Disposal by Release Into Sanitary Sewerage (Part 20)

RIN: 3150-AE90

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 contamination due to release of radioactive material into sewerage 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:	ANPRM Published	02/25/94 59 FR 9146
	Comment Period Closed	05/26/94
	Proposed Rule Published	Undetermined

Legal Authority: 42 USC 2201; 42 USC 5841

Effects on Small Business and Other Entities: None

Agency Contact: Lydia Chang, Office of Nuclear Material Safety and Safeguards, (301) 415-6319, e-mail lwc1@nrc.gov

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26. Risk-Informing Special Treatment Requirements (Parts 21, 50, 54, and 100)

RIN: 3150-AG42

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 so 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 the proposed rule package in May 2002.

Timetable:	ANPRM Published	03/03/00 65 FR 11488
	Comment Period Closed	05/17/00
	Proposed Rule Published	Undetermined

Legal Authority: 42 USC 2201; 42 USC 5841

Effects on Small Business and Other Entities: None

Agency Contact: Timothy A. Reed, Office of Nuclear Reactor Regulation, (301) 415-1462, e-mail tar@nrc.gov

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27. Advance Notification to Native American Tribes of Transportation of Certain Types of Nuclear Waste (Parts 71 and 73)

RIN: 3150-AG41

Abstract: The advance notice of proposed rulemaking (ANPRM) invited 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 also not compatible with NRC regulations. A rulemaking plan was approved by the Commission on February 2, 2001.

Timetable:			
	ANPRM Published	12/21/99	64 FR 71331
	Comment Period Closed	07/05/00	65 FR 18010
	Proposed Rule Published	04/00/02	

Legal Authority: 42 USC 2201; 42 USC 5841

Effects on Small Business and Other Entities: None

Agency Contact: Roger W. Broseus, Office of Nuclear Material Safety and Safeguards, (301) 415-7608, e-mail rwb@nrc.gov

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(D) Unpublished Rules

D

28. Organization Change and Transfer of Function* (Parts 1, 34, and 73)

RIN: 3150-AG79

Abstract: The final rule will amend the Commission's regulations to reflect the abolishment of the Office for Analysis and Evaluation of Operational Data (AEOD); the transfer of certain functions from AEOD to Incident Response Operations; and a correction of the telephone number for the NRC Operations Center. In addition, several other administrative amendments will be included in this final rule.

Timetable: Final Rule Published 10/00/01

Legal Authority: 42 USC 2201; 42 USC 5841

Effects on Small Business and Other Entities: None

Agency Contact: Carrie Brown, Office of Nuclear Material Safety and Safeguards, (301) 415-8092, e-mail cxb@nrc.gov

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29. Submission of Documents Electronically; Minor Corrections (Parts 2, 4, 9, 15, 19 - 21, 25, 26, 30 - 32, 34, 40, 50, 51, 55, 60 - 62, 70 - 76, 81, 95, 110, 140, and 150)

RIN: 3150-AF61

Abstract: The direct final rule will amend the Commission's regulations to permit voluntary electronic submission of documents and provide procedures for submitting documents electronically. Amending the regulations to permit electronic submission would facilitate the electronic capture of externally generated documents into NRC's Agencywide Documents Access and Management System (ADAMS). The rulemaking will address and improve the document control and records management issues that are of concern to the NRC, its applicants, licensees, and members of the public by improving the process of communication, dissemination, and storage of records. The rule will incorporate minor corrections to the current regulations regarding the submission of documents to the NRC, for example, organizational, name, and phone number changes. This rulemaking is consistent with existing legislative and regulatory initiatives, such as the Paperwork Reduction Act of 1995, Office of Management and Budget Circular A-130 (Revised February 8, 1996), and the Government Paperwork Elimination Act of 1998, to reduce the information collection burden on the public and to make information more readily accessible to the public.

Timetable: Direct Final Rule Published 02/00/02

Legal Authority: 42 USC 2201; 42 USC 5841

Effects on Small Business and Other Entities: Yes

Agency Contact: Michael D. Collins, Office of the Chief Information Officer, (301) 415-2488, e-mail mdc1@nrc.gov

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30. Release of Part of a Reactor Facility or Site for Unrestricted Use Before Receiving Approval of the License Termination Plan (Parts 2 , 20, and 50)

RIN: 3150-AG56

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: Proposed Rule Published 09/00/01

Legal Authority: 42 USC 2201; 42 USC 5841

Effects on Small Business and Other Entities: None

Agency Contact: Mike Ripley, Office of Nuclear Reactor Regulation, (301) 415-1112, e-mail wmr@nrc.gov

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31. Debt Collection Procedures* (Part 15)

RIN: 3150-AG80

Abstract: The proposed rule would amend the Commission's regulations concerning the procedures that the NRC uses to collect its debts that are owed to it. The proposed amendment would conform NRC regulations to the amended procedures presented in the Federal Claims Collection Standards issued by the Department of the Treasury and the Department of Justice, and the legislative changes enacted in the Debt Collection Improvement Act of 1996.

Timetable: Proposed Rule Published 09/00/01

Legal Authority: 42 USC 2201; 42 USC 5841

Effects on Small Business and Other Entities: Yes

Agency Contact: Leah Tremper, Office of the Chief Financial Officer,
(301) 415-7347, e-mail lpt@nrc.gov

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32. Reduction in the Scope of Random Fitness-for-Duty Testing Requirements for Nuclear Power Reactor Licensees (Part 26)

RIN: 3150-AG62

Abstract: The proposed rule would amend the Commission's regulations to require random drug and alcohol testing of only those persons with unescorted access to vital areas, and eliminate random testing of employees who must physically report to the Technical Support Center or Emergency Operations Facility during an emergency. However, personnel with unescorted access to the protected area would continue to be covered by 10 CFR 26.24(a)(1) for pre-access fitness-for-duty testing and by 10 CFR 26.24(a)(3) for "for-cause" fitness-for-duty testing.

Timetable: Proposed Rule Published 11/00/01

Legal Authority: 42 USC 2201; 42 USC 5841

Effects on Small Business and Other Entities: None

Agency Contact: Garmon West, Jr., Office of Nuclear Reactor Regulation,
(301) 415-1044, e-mail fitnessforduty@nrc.gov
Vonna L. Ordaz, Office of Nuclear Reactor Regulation,
(301) 415-2147, e-mail vlo@nrc.gov

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33. Financial Assurance Amendments for Materials Licenses* (Parts 30, 40, and 70)

RIN: 3150-AG85

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: Proposed Rule Published 06/00/02

Final Rule Published 04/00/03

Legal Authority: 42 USC 2201; 42 USC 5841

Effects on Small Business and Other Entities: Yes

Agency Contact: Clark Prichard, Office of Nuclear Material Safety and Safeguards, (301) 415-6203, e-mail cwp@nrc.gov

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34. Notification Requirement* (Part 35)

RIN: 3150-AG81

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 50 mSv (5 rem) from a released patient who had been administered radioactive material.

Timetable: Proposed Rule Published 12/00/01

Final Rule Published 10/00/02

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

Effects on Small Business and Other Entities: Yes

Agency Contact: Betty Ann Torres, Office of Nuclear Material Safety and Safeguards, (301) 415-0191, e-mail bat@nrc.gov

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35. Transfers of Source Material From Licensees To Exempt Persons (Part 40)

RIN: 3150-AG64

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: Proposed Rule Published 10/00/01

Legal Authority: 42 USC 2201; 42 USC 5841

Effects on Small Business and Other Entities: None

Agency Contact: Clark Prichard, Office of Nuclear Material Safety and Safeguards, (301) 415-6203, e-mail cwp@nrc.gov

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36. Codes and Standards (Part 50)

RIN: 3150-AG61

Abstract: The proposed rule would amend the Commission's regulations to incorporate by reference the following: (1) The 1997 Addenda, 1998 Edition, 1999 Addenda, and 2000 Addenda of Division 1 rules of Section III, "Rules for Construction of Nuclear Power Plant Components," of the American Society of Mechanical Engineers Boiler and Pressure Vessel Code (ASME B&PV Code); (2) the 1997 Addenda, 1998 Edition, 1999 Addenda, and 2000 Addenda of Division 1 rules of Section XI, "Rules for Inservice Inspection of Nuclear Power Plant Components," of the ASME B&PV Code; and (3) the 1997 Addenda, 1998 Edition, 1999 Addenda, and 2000 Addenda of the ASME Code for Operation and Maintenance of Nuclear Power Plants.

Timetable: Proposed Rule Published 09/00/01

Final Rule Published 09/00/02

Legal Authority: 42 USC 2201; 42 USC 5841

Effects on Small Business and Other Entities: None

Agency Contact: Stephen G. Tingen, Office of Nuclear Reactor Regulation, (301) 415-1280, e-mail sgt@nrc.gov.

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37. Integrated Rulemaking for Decommissioning Nuclear Power Reactors (Part 50)

RIN: 3150-AG47

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-00-0145, 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 the 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. The staff plans to provide the Commission a schedule for the integrated rulemaking 60 days after the SRM for SECY-01-0100 is issued.

Timetable: Proposed Rule Published Undetermined

Legal Authority: 42 USC 2201; 42 USC 5841

Effects on Small Business and Other Entities: None

Agency Contact: William Huffman, Office of Nuclear Reactor Regulation, (301) 415-1141, e-mail wch@nrc.gov

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38. Performance-Based, Risk-Informed Fire Protection (Part 50)

RIN: 3150-AG48

Abstract: The proposed rule would address the Commission's direction provided in the staff requirements memorandum dated April 1, 1999, to develop 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 schedule for this rulemaking is on hold pending resolution of industry concerns regarding NFPA 805.

Timetable: Proposed Rule Published Undetermined

Legal Authority: 42 USC 2201; 42 USC 5841

Effects on Small Business and Other Entities: None

Agency Contact: Edward A. Connell, Office Nuclear Reactor Regulation, (301) 415-2838, e-mail eac@nrc.gov

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39. Submission of Financial Information for Applications to Renew or Extend the Term of an Operating License for Power Reactors* (Part 50)

RIN: 3150-AG84

Abstract: The proposed rule would amend the Commission's regulations concerning financial qualifications for entities other than electric utilities seeking renewal of nuclear power plant operating licenses. The Commission's regulations currently require the submission of financial qualifications information for applicants for initial operating licenses and renewal of operating licenses, except for applicants for and holders of operating licenses for nuclear power plants that are electric utilities. Thus, applicants for renewal of nuclear power plant operating licenses under 10 CFR Part 54 that are entities other than electric utilities must submit financial qualifications information as part of their renewal application. However, § 54.29 does not contain a requirement for an NRC finding of financial qualification for entities other than electric utilities seeking renewal of their operating license.

The NRC has received requests for license renewals and has granted two renewed licenses to electric utilities. However, because of ongoing deregulation in the electricity sector of the economy, new entities other than electric utilities are expected to be formed that will hold operating licenses for nuclear power plants. Some of these entities may decide to extend the life of their nuclear power plants through the license renewal process and, under the current regulations, would be required to submit financial qualifications information under § 50.33(f). However, a finding of financial qualification need not be made under § 54.29 to issue the renewed license. Therefore, the Commission needs to address and resolve by appropriate rulemaking the matter of financial qualifications for entities other than electric utilities seeking renewal of nuclear power plant operating licenses. The staff intends to develop a rule that would modify the requirement in the last sentence of § 50.33(f)(2) with respect to entities other than electric utilities seeking renewal of operating licenses for nuclear power plants, and provide the bases for the NRC's not making a financial qualifications finding for these entities in connection with renewal of such entities' nuclear

power plant operating licenses in the Statement of Consideration for the rule. The rule would continue the existing requirement in § 50.33(f) with respect to non-power reactors. Furthermore, the rule would not affect submission of financial qualifications information and the need for a finding of financial qualifications with respect to transfers of nuclear power plant operating licenses.

Timetable: Proposed Rule Published 02/00/02

Final Rule Published 01/00/03

Legal Authority: 42 USC 2201; 42 USC 5841

Effects on Small Business and Other Entities: None

Agency Contact: George J. Mencinsky, Office of Nuclear Reactor Regulation, (301) 415-3093, e-mail gjm@nrc.gov

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40. Standards for Combustible Gas Control System in Light-Water-Cooled Power Reactors* (Part 50)

RIN: 3150-AG76

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 requirements memorandum dated January 19, 2001, directed the staff to proceed expeditiously with rulemaking on the risk-informed alternative of § 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).

Timetable: Proposed Rule Published Undetermined

Legal Authority: 42 USC 2201; 42 USC 5841

Effects on Small Business and Other Entities: None

Agency Contact: Anthony W. Markley, Office of Nuclear Reactor Regulation, (301) 415-3165, e-mail awm@nrc.gov

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41. Lessons Learned From Design Certification (Part 52)

RIN: 3150-AG24

Abstract: The proposed rule would amend the Commission's regulations by revising the regulatory infrastructure to prepare for future applications. The proposed rule would involve changes to licensing procedures and would require combined license applicants and holders to create, maintain, update, and use a Probabilistic Risk Assessment for the life of the facility. The proposed rule would subsume 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. These appendices are being removed because they became obsolete when Part 52 was created. The Part 52 rulemaking plan (SECY-98-282) was approved by the Commission on January 14, 1999.

Timetable: Proposed Rule Published 09/00/01

Final Rule Published 05/00/02

Legal Authority: 42 USC 2201; 42 USC 5841

Effects on Small Business and Other Entities: None

Agency Contact: Jerry N. Wilson, Office of Nuclear Reactor Regulation, (301) 415-3145, e-mail jnw@nrc.gov

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42. Compatibility With IAEA Transportation Safety Standards (Part 71)

RIN: 3150-AG71

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).

Timetable: Proposed Rule Published 11/00/01

Legal Authority: 42 USC 2201; 42 USC 5841

Effects on Small Business and Other Entities: None

Agency Contact: Naiem S. Tanious, Office of Nuclear Material Safety and Safeguards, (301) 415-6103, e-mail nst@nrc.gov

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43. Geological and Seismological Characteristics of Spent Fuel Storage Systems (Part 72)

RIN: 3150-AG16

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 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: Proposed Rule Published Undetermined

Legal Authority: 42 USC 2201; 42 USC 5841

Effects on Small Business and Other Entities: Undetermined

Agency Contact: Keith McDaniel, Office of Nuclear Material Safety and Safeguards, (301) 415-5252, e-mail kkm@nrc.gov

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44. List of Approved Spent Fuel Storage Casks: Standardized Advanced NUHOMS-24PT1 Addition* (Part 72)

RIN: 3150-AG74

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 a higher seismic response spectra than the Standardized NUHOMS Storage System, which is already on the list of approved casks.

Timetable: Proposed Rule Published 11/00/01

Final Rule Published 06/00/02

Legal Authority: 42 USC 2201; 42 USC 5841

Effects on Small Business and Other Entities: None

Agency Contact: Gordon Gundersen, Office of Nuclear Material Safety and Safeguards, (301) 415-6195, e-mail geg1@nrc.gov

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45. List of Approved Spent Fuel Storage Casks: Westinghouse MC-10 Termination* (Part 72)

RIN: 3150-AG82

Abstract: The direct final rule will amend the Commission's regulations to delete Certificate of Compliance No. 1001 for the Westinghouse MC-10 cask system from the approved listing. This change was requested by the Westinghouse Government Environmental Services Company.

Timetable: Direct Final Rule Published 09/00/01

Legal Authority: 42 USC 2201; 42 USC 5841

Effects on Small Business and Other Entities: None

Agency Contact: Jayne McCausland, Office of Nuclear Material Safety and Safeguards, (301) 415-6219, e-mail jmm2@nrc.gov

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46. List of Approved Spent Fuel Storage Casks: NAC-MPC Revision, Amendment 1* (Part 72)

RIN: 3150-AG83

Abstract: The direct final rule will amend the Commission's regulations to revise the Certificate of Compliance No. 1025 for the NAC-MPC cask system. This change will modify the NAC-MPC cask system design to permit a license to use an alternate fuel basket design with enlarged fuel tubes in corner locations; increase the operational time limits provided in the Technical Specifications for canister loading, closure, and transfer when canister heat loads are lower than design basis heat loads; revise the canister surface contamination limits in Technical Specifications to maintain worker dose as low as is reasonably achievable; and revise some drawings to reflect changes identified during cask and component fabrication under a general license.

Timetable: Direct Final Rule Published 09/00/01

Legal Authority: 42 USC 2201; 42 USC 5841

Effects on Small Business and Other Entities: None

Agency Contact: Jayne McCausland, Office of Nuclear Material Safety and Safeguards, (301) 415-6219, e-mail jmm2@nrc.gov

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47. List of Approved Spent Fuel Storage Casks: NAC-UMS Universal Storage System, Amendment 2* (Part 72)

RIN: 3150-AG77

Abstract: The direct final rule will amend the Commission's regulations to revise the Certificate of Compliance No. 1015 for the NAC-UMS Universal Storage System. The change will modify the NAC-UMS Universal Storage System to add miscellaneous spent fuel related components to the approved contents list for the NAC-UMS Universal Storage System and change the required actions in response to a failure of the cask heat removal system.

Timetable: Direct Final Rule Published 11/00/01

Legal Authority: 42 USC 2201; 42 USC 5841

Effects on Small Business and Other Entities: None

Agency Contact: Jayne McCausland, Office of Nuclear Material Safety and Safeguards, (301) 415-6219, e-mail jmm2@nrc.gov

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48. Re-evaluation of Power Reactor Physical Protection Regulations and Position on a Definition of Radiological Sabotage (Part 73)

RIN: 3150-AG63

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 include risk insights, supporting guidance documents, and be more performance based.

Timetable: Proposed Rule Published 11/00/01

Final Rule Published 11/00/02

Legal Authority: 42 USC 2201; 42 USC 5841

Effects on Small Business and Other Entities: Undetermined

Agency Contact: Richard P. Rosano, Office of Nuclear Reactor Regulation, (301) 415-3282, e-mail rpr@nrc.gov

(A) Petitions Incorporated Into Final Rules or Denied

II
PETITIONS

A

1. **Petitioner/Petition Docket Number:** Michael Stein (PRM-2-12)

Federal Register Citation: November 3, 1999; 64 FR 59669

Subject: Deliberate misconduct and employee protection

Summary: The petitioner requested that the Commission amend its regulations pertaining to deliberate misconduct and employee protection to ensure that all individuals are afforded the right to respond to an NRC determination that the individual has violated NRC regulations. The petitioner believes that the NRC regulations pertaining to deliberate misconduct and employee protection are missing certain needed safeguards.

Timetable: A notice withdrawing this petition was published in the Federal Register on June 1, 2001 (66 FR 29741).

Agency Contact: Barry Westreich, Office of Enforcement
(301) 415-3456, e-mail bcw@nrc.gov

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2. **Petitioner/Petition Docket Number:** Natural Resources Defense Council (PRM-30-63)

Federal Register Citation: June 30, 2000 (65 FR 40548)

Subject: Requirement for individuals to report illegal payments to regulators

Summary: The petitioner requested that the Commission amend its regulations to require that an individual report illegal payments to regulators if the individual has knowledge or evidence of the illegal payments. The petitioner requests that an individual who fails to make such a report not be issued a license or be allowed to retain a license.

Timetable: A notice denying this petition was published in the Federal Register on May 30, 2001 (66 FR 29243).

Agency Contact: John Lubinski, Office of Enforcement,
(301) 415-2740, e-mail jwl@nrc.gov

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3. **Petitioner/Petition Docket Number:** Charles T. Gallagher, Gammatron (PRM-30-64)

Federal Register Citation: August 11, 2000 (65 FR 49207)

Subject: Financial assurance for decommissioning funding

Summary: The petitioner requested that the Commission modify its financial assurance and recordkeeping requirements for decommissioning to require financial assurance for all licensees; expand the method for payment of decommissioning for small business operators; and exempt licensees whose radioactive materials are categorized as greater than Class C waste.

Timetable: A notice denying this petition was published in the Federal Register on April 19, 2001 (66 FR 20099).

Agency Contact: Clark Prichard, Office of Nuclear Material Safety and Safeguards, (301) 415-6203, e-mail cwp@nrc.gov

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4. **Petitioner/Petition Docket Number:** American College of Nuclear Physicians and the Society of Nuclear Medicine (PRM-35-16)

Federal Register Citation: N/A

Subject: Rescind NRC approval of draft final revision of the regulations at 10 CFR Part 35

Summary: The petitioners requested that the Commission rescind its approval of the NRC staff's draft final revision of the regulations at 10 CFR Part 35, "Medical use of Byproduct Material," which was approved by the Commission in a staff requirements memorandum dated October 23, 2000; revoke all of Part 35, except for specifically identified requirements; and institute a new rulemaking proceeding to adopt a regulatory scheme for the use of byproduct material in diagnostic nuclear medicine that reflects the discipline's safety record.

Timetable: A notice denying this petition was published in the Federal Register on April 20, 2001 (66 FR 20214).

Agency Contact: Samuel Jones, Office of Nuclear Material Safety and Safeguards, (301) 415-6198, e-mail szj@nrc.gov

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5. **Petitioner/Petition Docket Number:** Peter G. Crane (PRM-50-63 and PRM-50-63A)

Federal Register Citation: November 27, 1995 (60 FR 58256)
December 17, 1997 (62 FR 66038)

Subject: Emergency Planning

Summary: The petitioner requested that the Commission amend its regulations concerning emergency planning to include a requirement that emergency planning protective actions include the prophylactic use of potassium iodide, which may prevent thyroid cancer after nuclear accidents. The petitioner's suggested amendment would specifically require the prophylactic use of potassium iodide. In the amendment to the petition (PRM-50-63A), the petitioner requested that the regulations be amended to recommend that the prophylactic use of potassium iodide be considered in developing a range of protective actions for emergency workers and the public.

Timetable: The final rule addressing this petition was published in the Federal Register on January 19, 2001 (66 FR 5427).

Agency Contact: Michael Jamgochian, Office of Nuclear Reactor Regulation,
(301) 415-3224, e-mail mtj1@nrc.gov

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6. **Petitioner/Petition Docket Number:** Nuclear Energy Institute (PRM-51-7)

Federal Register Citation: September 2, 1999 (64 FR 48117)

Subject: Severe accident mitigation alternatives (SAMAs)

Summary: The petitioner requested that the Commission amend its regulations to eliminate the requirement that the NRC evaluate SAMAs as part of its review of a nuclear power plant's application for renewal of its operating license.

Timetable: A notice denying this petition was published in the Federal Register on February 20, 2001 (66 FR 10834).

Agency Contact: Donald P. Cleary, Office of Nuclear Reactor Regulation,
(301) 415-3903, e-mail dpc@nrc.gov

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7. **Petitioner/Petition Docket Number:** Prairie Island Coalition (PRM-72-4)

Federal Register Citation: March 12, 1998 (63 FR 12040)

Subject: Independent storage of spent nuclear fuel

Summary: The petitioner requested that the Commission amend its regulations that govern independent storage of spent nuclear fuel to examine certain issues. These issues include thermal shock and corrosion inherent in dry cask storage of spent nuclear fuel, definitions for degraded spent nuclear fuel, and definitions for retrievability of spent nuclear fuel from dry storage casks.

Timetable: A notice of denial of this petition was published in the Federal Register on February 6, 2001 (66 FR 9055)

Agency Contact: Gordon Gundersen, Office of Nuclear Material Safety and Safeguards, (301) 415-6195, e-mail geg1@nrc.gov

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8. Petitioner/Petition Docket Number: United Plant Guard Workers of America (PRM-76-1)

Federal Register Citation: May 10, 2000 (65 FR 30018)

Subject: Security at gaseous diffusion plants

Summary: The petitioner requested that the Commission amend its regulations concerning security at gaseous diffusion plants to address sites that have both special nuclear material security concerns and protection of classified matter concerns; to require that these facilities be able to detect, respond to, and mitigate threats of a sabotage event; and to require that the security force be armed and empowered to make arrests in limited situations. The petitioner believes that these amendments are necessary to address the protection of classified information, equipment and materials, and special nuclear material at the gaseous diffusion plants.

Timetable: A notice of denial of this petition was published in the Federal Register on February 20, 2001 (66 FR 10839).

Agency Contact: Merri Horn, Office of Nuclear Material Safety and Safeguards, (301) 415-8126, e-mail mlh1@nrc.gov

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(B) Petitions Incorporated Into Published Proposed Rules

B

9. Petitioner/Petition Docket Number: Northeast Ohio Regional Sewer District (PRM-20-22)

Federal Register Citation: October 20, 1993 (58 FR 54071)

Subject: Release of radioactive material to the sanitary sewer system

Summary: The petitioner requested that the Commission amend its regulations to require that licensees provide at least 24 hours' advance notice to the appropriate sewage treatment plant before releasing radioactive material to the sanitary sewer system. The petitioner also requested that the NRC exempt materials that enter the sanitary waste stream from the requirements regarding Commission approval for incineration under the NRC's current regulations.

Timetable: A notice of receipt for this petition was published in the Federal Register on October 20, 1993 (58 FR 54071). The public comment period closed on January 3, 1994. The petition is scheduled to be addressed by rulemaking, "Disposal by Release Into Sanitary Sewerage" (RIN AE90). The advance notice of proposed rulemaking was published in the Federal Register on February 25, 1994 (59 FR 9146). Publication of the proposed rule is undetermined.

Agency Contact: Lydia Chang, Office of Nuclear Material Safety and Safeguards, (301) 415-6319, e-mail lwc1@nrc.gov

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10. Petitioner/Petition Docket Number: University of Cincinnati (PRM-20-24)

Federal Register Citation: June 21, 1996 (61 FR 31874)

Subject: Visitors of radiation patients, as members of the public, to receive up to 500 mrem per year

Summary: The petitioner requested that the Commission amend its regulations to authorize specified visitors of radiation patients, as members of the public, to receive up to 500 mrem per year. The petitioner believes that the proposed amendment would permit a small population of the general public to be infrequently exposed to an annual exposure limit of 500 mrem total effective dose equivalent.

Timetable: A notice of receipt for this petition was published in the Federal Register on June 21, 1996 (61 FR 31874). The public comment period closed on September 4, 1996. This petition is being addressed by a proposed rule "Medical Uses of Byproduct Material" (RIN AF74). The proposed rule was published in the Federal Register on August 13, 1998 (63 FR 43516). The final rule is scheduled to be published in October 2001.

Agency Contact: Roger W. Broseus, Office of Nuclear Material Safety and Safeguards, (301) 415-7608, e-mail rwb@nrc.gov

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11. Petitioner/Petition Docket Number: Virginia Electric and Power Company (PRM-26-1)

Federal Register Citation: N/A

Subject: Fitness-for-Duty Programs

Summary: The petitioner requested that the Commission amend its regulations to change the frequency that licensees are required to audit their fitness-for-duty programs from annually to biennially.

Timetable: A notice of receipt was not published for this petition. This petition qualified for special fast-track handling, as specified in 10 CFR 2.802(e); publication of the docketing of PRM-26-1 was not required. This petition was addressed in a proposed rulemaking, "Fitness-for-Duty Program" (RIN AF12). The proposed rule was published in the Federal Register on May 9, 1996 (61 FR 21105). The final rule is scheduled to be published in November 2001.

Agency Contact: Garmon West, Jr., Office of Nuclear Reactor Regulation,
(301) 415-1044, e-mail fitnessforduty@nrc.gov
Vonna L. Ordaz, Office of Nuclear Reactor Regulation,
(301) 415-2147, e-mail vlo@nrc.gov

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12. Petitioner/Petition Docket Number: States of Nevada and Minnesota (PRM-60-2/2A)

Federal Register Citation: April 30,1985 (50 FR 18267)

Subject: Implementation of environmental standards proposed by the Environmental Protection Agency (EPA)

Summary: The petitioner requested that the Commission amend its regulations to (1) adopt a regulation governing the implementation of certain environmental standards that have been proposed by the EPA and (2) amend its repository licensing regulations to incorporate the equivalent substance of the assurance requirements as issued in the final EPA standards.

Timetable: A notice of receipt for this petition was published in the Federal Register on April 30, 1985 (50 FR 18267). The public comment period closed on July 30, 1985. Portions of the petition have been denied and were addressed in the final rule, "NEPA Review Procedures for Geologic Repositories for High-Level Waste," published on July 3, 1989 (54 FR 27864). The remaining portions of the petition will be addressed through a separate rulemaking "Disposal of High-Level Wastes in a proposed Geologic Repository at Yucca Mountain, Nevada" (RIN AG04). The proposed rule was published on February 22, 1999 (64 FR 8640). The final rule is scheduled to be published in September 2001.

Agency Contact: Tim McCartin, Office of Nuclear Material Safety and Safeguards, (301) 415-6681, e-mail tjm3@nrc.gov

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13. Petitioner/Petition Docket Number: Portland General Electric Company (PRM-72-2)

Federal Register Citation: February 1, 1996 (61 FR 3619)

Subject: Disposal of radioactive waste (greater than Class C)

Summary: The petitioner requested that the Commission amend its regulations that govern independent storage of spent nuclear fuel and high-level radioactive waste to specifically include greater than Class C radioactive waste produced from reactor operations pending its transfer to a permanent disposal facility.

Timetable: A notice of receipt for this petition was published in the Federal Register on February 1, 1996 (61 FR 3619). The public comment period closed on April 16, 1996. The petition will be addressed by rulemaking, "Storage for Greater Than Class C Waste" (RIN AG33). The proposed rule was published on June 16, 2000 (65 FR 37712). The final rule is scheduled to be published in September 2001.

Agency Contact: Mark Haisfield, Office of Nuclear Material Safety and Safeguards, (301) 415-6196, e-mail mfh@nrc.gov

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(C) Petitions Incorporated Into Unpublished Rules

C

14. Petitioner/Petition Docket Number: Amersham Corporation (PRM-34-5)

Federal Register Citation: June 18, 1996 (61 FR 30837)

Subject: Radiographic equipment regulations

Summary: The petitioner requested that the Commission amend its regulations by removing the reference to "associated equipment" from the radiography equipment regulations. The petitioner believes that this amendment would clarify the licensing reviews of sealed sources and radiographic exposure devices to meet the applicable requirements.

Timetable: A notice of receipt for this petition was published in the Federal Register on June 18, 1996 (61 FR 30837). The comment period closed on September 3, 1996. This petition is scheduled to be addressed by rulemaking. The completion of the rulemaking plan is scheduled for May 2002.

Agency Contact: Thomas Young, Office of Nuclear Material Safety and Safeguards, (301) 415-5795, e-mail tfy@nrc.gov

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15. Petitioner/Petition Docket Number: State of Colorado and Organization of Agreement States (PRM-40-27)

Federal Register Citation: July 7, 1999 (64 FR 36615)

Subject: Exemption for source material general licensees

Summary: The petitioner requested that the Commission amend its regulations to restrict the exemption in § 40.22(b) for source material general licensees from the radiation protection and worker notification requirements in 10 CFR Parts 19 and 20. Current NRC regulations exempt source material general licensees from the requirements that specify standards of protection against radiation and notification of individuals who participate in licensed activities. The petitioner believes that no basis exists for exempting these licensees from compliance with radiation safety standards if a licensee can exceed currently specified dose limits, create areas where individuals may be exposed to radiation, or dispose of radioactive waste in a manner that is not permitted for other licensees.

Timetable: A notice of receipt for this petition was published in the Federal Register on July 7, 1999 (64 FR 36615). The public comment period closed on September 20, 1999. The petition is scheduled to be addressed by rulemaking. Publication of the proposed rule is undetermined.

Agency Contact: Gary Comfort, Office of Nuclear Material Safety and Safeguards, (301) 415-8106, e-mail gcc1@nrc.gov

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16. Petitioner/Petition Docket Number: Donald A. Barbour, Philotechnics (PRM-40-28)

Federal Register Citation: January 21, 2000 (65 FR 3394)

Subject: Effective control of depleted uranium aircraft counterweights

Summary: The petitioner requested that the Commission amend its regulations governing the domestic licensing of source material to provide additional rules for the effective control of depleted uranium aircraft counterweights. The petitioner believes that this regulatory clarification should address a number of issues concerning the exemption, storage, and disposal of these devices.

Timetable: A notice of receipt for this petition was published in the Federal Register on January 21, 2000 (65 FR 3394). The comment period closed on April 5, 2000. This petition is scheduled to be addressed by rulemaking. Publication of the proposed rule is undetermined.

Agency Contact: Catherine Mattsen, Office of Nuclear Material Safety and Safeguards, (301) 415-6264, e-mail crm@nrc.gov

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17. Petitioner/Petition Docket Number: North Carolina Public Staff Utility Commission (PRM-50-57)

Federal Register Citation: January 17, 1992 (57 FR 2059)

Subject: Reducing or eliminating insurance requirements at decommissioned nuclear power plants

Summary: The petitioner requested that the Commission amend its regulations to substantially reduce or eliminate insurance requirements for nuclear power reactors when all the nuclear reactors on a reactor station site have been shut down and are awaiting decommissioning and all the nuclear fuel has been removed from the reactor site.

Timetable: A notice of receipt for this petition was published in the Federal Register on January 17, 1992 (57 FR 2059). The public comment period closed on March 17, 1992. The petition is scheduled to be addressed by rulemaking. Completion of the rulemaking plan is undetermined.

Agency Contact: William Huffman, Office of Nuclear Reactor Regulation, (301) 415-1141, e-mail wch@nrc.gov

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18. Petitioner/Petition Docket Number: Bob Christie (PRM-50-68)

Federal Register Citation: January 12, 2000 (65 FR 1829)

Subject: Hydrogen control systems

Summary: The petitioner requested that the Commission amend its regulations concerning hydrogen control systems at nuclear power plants. The petitioner believes that the current regulations on hydrogen control systems at some nuclear power plants are detrimental and present a health risk to the public. The petitioner believes that similar detrimental situations may apply to other systems as well. The petitioner believes the proposed amendments would eliminate those situations that present adverse conditions at nuclear power plants.

Timetable: A notice of receipt for this petition was published in the Federal Register on January 12, 2000 (65 FR 1829). The public comment period closed on March 27, 2000. This petition is scheduled to be addressed by rulemaking (Standards for Combustible Gas Control System in Light-Water-Cooled Power Reactors (RIN AG76)). Publication of the proposed rule is undetermined.

Agency Contact: Anthony W. Markley, Office of Nuclear Reactor Regulation, (301) 415-3165, e-mail awm@nrc.gov

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19. Petitioner/Petition Docket Number: New England Coalition on Nuclear Pollution (PRM-51-1)

Federal Register Citation: January 16, 1976 (41 FR 2448)

Subject: Amendments to Table S-3 in 10 CFR Part 51

Summary: The petitioner requested that the Commission amend its regulations to "Table S-3 - Summary of Environmental Considerations for Uranium Fuel Cycle" [Uranium Fuel Cycle Environmental Data -Table S-3].

Timetable: A notice of receipt for this petition was published in the Federal Register on January 16, 1976 (41 FR 2448). The public comment period closed on March 16, 1976. The Commission closed three issues by denial in a Federal Register notice published on April 14, 1978 (43 FR 15613). Action on the remaining issue will be addressed by rulemaking, "Update Fuel Performance Considerations and Other Fuel Cycle Issues (RIN AA31). Publication of the proposed rule is undetermined.

Agency Contact: Dennis Allison, Office of Nuclear Reactor Regulation, (301) 415-1178, e-mail dpa@nrc.gov

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20. Petitioner/Petition Docket Number: International Energy Consultants (PRM-71-12)

Federal Register Citation: February 19, 1998 (63 FR 8362)

Subject: Packaging and transportation of radioactive material

Summary: The petitioner requested that the Commission amend its regulations governing special requirements for the transportation of plutonium under Part 71. The petitioner requested that § 71.63 be removed.

Timetable: A notice of receipt for this petition was published in the Federal Register on February 19, 1998 (63 FR 8362). The public comment period closed on July 31, 1998 (63 FR 34335). The petition is scheduled to be addressed by a rulemaking that would revise Part 71 (Compatibility With the International Atomic Energy Agency Transportation Safety Standards (AG71)), as well as making other changes. Publication of the proposed rule is scheduled for November 2001.

Agency Contact: Naiem Tanious, Office of Nuclear Material Safety and Safeguards, (301) 415-6103, e-mail nst@nrc.gov

(D) Petitions Pending Staff Review

D

21. Petitioner/Petition Docket Number: Ohio Citizens for Responsible Energy, Inc. (PRM-9-2)

Federal Register Citation: June 13, 1994 (59 FR 30308)

Subject: Public access to licensee-held information

Summary: The petitioner requested that the Commission amend its regulations to establish public right-to-know provisions that would ensure public access to licensee-held information.

Timetable: A notice of receipt for this petition was published in the Federal Register on June 13, 1994 (59 FR 30308). The comment period closed on August 29, 1994. The staff is working to complete action documenting the resolution of the petition.

Agency Contact: Maria Schwartz, Office of the General Counsel,
(301) 415-1888, e-mail mes@nrc.gov

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22. Petitioner/Petition Docket Number: Barry Quigley (PRM-26-2)

Federal Register Citation: December 1, 1999 (64 FR 67202)

Subject: Fitness-for-duty

Summary: The petitioner requested that the Commission amend its regulations to (1) add enforceable working hour limits to 10 CFR Part 26; (2) add a criterion to 10 CFR Part 55 to require evaluation of known sleeping disorders; (3) revise the Enforcement Policy to include examples of working hour violations warranting various NRC sanctions; and (4) revise NRC Form 396 to include self-disclosure of sleeping disorders by licensed operators. The petitioner also requested changes to NRC Inspection Procedure 81502, Fitness-for-Duty Program. The petitioner believes that clear and enforceable working hour limits are required to ensure that the impact of personal fatigue is minimized.

Timetable: A notice of receipt for this petition was published in the Federal Register on December 1, 1999 (65 FR 67202). The comment period closed on February 14, 2000. The staff is working to complete action documenting the resolution of the petition.

Agency Contact: David Desaulniers, Office of Nuclear Reactor Regulation,
(301) 415-1043, e-mail drd@nrc.gov

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23. Petitioner/Petition Docket Number: Union of Concerned Scientists (PRM-30-62)

Federal Register Citation: October 27, 1999 (64 FR 57785)

Subject: Provide specific training to management on their obligations under the employee protection regulations

Summary: The petitioner requested that the Commission amend its regulations to require licensees to provide specific training to its management (i.e., first-line supervisors, managers, directors, and officers) on their obligations under the employee protection regulations. The petitioner believes that the amendment would prevent nuclear energy management from using "ignorance of the law" as an excuse for a violation and allow the NRC to take enforcement actions against individuals who violate the employee protection regulation.

Timetable: A notice of receipt for this petition was published in the Federal Register on October 27, 1999 (64 FR 57785). The comment period closed on January 10, 2000. The NRC staff has incorporated the concerns of this petition into the scope of an NRC Task Force to investigate handling of discrimination allegation matters. Resolution of this petition is scheduled for December 2001, following Commission review of the Task Force recommendations.

Agency Contact: Anthony DiPalo, Office of Nuclear Material Safety and Safeguards, (301) 415-6191, e-mail ajd@nrc.gov

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24. Petitioner/Petition Docket Number: National Registry of Radiation Protection Technologists (NRRPT) (PRM-35-13)

Federal Register Citation: February 8, 1996 (61 FR 4754)

Subject: Training requirements for a radiation safety officer

Summary: The petitioner requested that the Commission amend its regulations by including acceptance of NRRPT registration as fulfilling some of the training requirements for a radiation safety officer.

Timetable: A notice of receipt for this petition was published in the Federal Register on February 8, 1996 (61 FR 4754). The comment period closed on April 23, 1996. The staff is working to complete NRC action documenting the resolution of the petition.

Agency Contact: Roger W. Broseus, Office of Nuclear Material Safety and Safeguards, (301) 415-7608, e-mail rwb@nrc.gov

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25. Petitioner/Petition Docket Number: Jeffery C. Angel (PRM-35-15)

Federal Register Citation: August 23, 1999 (64 FR 45907)

Subject: Hand-held administration of radiopharmaceuticals by injection

Summary: The petitioner requested that the Commission amend its regulations to prohibit the hand-held administration of radiopharmaceuticals by injection and to require the use of the Angel Shield. The petitioner believes that this action would make the administration of radiopharmaceuticals by injection safer.

Timetable: A notice of receipt for this petition was published in the Federal Register on August 23, 1999 (64 FR 45907). The comment period closed on November 8, 1999. The staff is working to complete NRC action documenting the resolution of the petition.

Agency Contact: Gary Comfort, Office of Nuclear Material Safety and Safeguards, (301) 415-8106, e-mail gcc1@nrc.gov

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26. Petitioner/Petition Docket Number: American National Standards Institute N43.10 Committee (PRM-36-1)

Federal Register Citation: September 15, 1998 (63 FR 49298)

Subject: Radiation safety requirements

Summary: The petitioner requested that the Commission amend its radiation safety requirements for irradiators to allow the operation of panoramic irradiator facilities without continuous onsite attendance.

Timetable: A notice of receipt for this petition was published in the Federal Register on September 15, 1998 (63 FR 49298). The comment period closed on November 30, 1998. The staff is working to complete NRC action documenting the resolution of the petition.

Agency Contact: Lydia Chang, Office of Nuclear Material Safety and Safeguards, (301) 415-6319, e-mail lwc1@nrc.gov

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27. Petitioner/Petition Docket Number: Westinghouse Electric Company (PRM-50-69)

Federal Register Citation: February 8, 2000 (65 FR 6044)

Subject: Reactor vessel head closure flange requirements

Summary: The petitioner requested that the Commission amend its regulations governing pressure and temperature limits for the reactor pressure vessel to eliminate requirements for the metal temperature of the closure head flange and vessel flange regions. The petitioner believes the elimination of the flange requirement has no impact on boiling-water reactors and could improve plant safety in pressurized-water reactors.

Timetable: A notice of receipt for this petition was published in the Federal Register on February 8, 2000 (65 FR 6044). The public comment period closed on April 24, 2000. The staff is working to complete action documenting the resolution of the petition.

Agency Contact: Allen L. Hiser, Jr., Office of Nuclear Reactor Regulation, (301) 415-1034, e-mail alh1@nrc.gov

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28. Petitioner/Petition Docket Number: Joseph Epstein (PRM-50-70)

Federal Register Citation: May 12, 2000 (65 FR 30550)

Subject: Financial assurance requirements for decommissioning nuclear power reactors

Summary: The petitioner requested that the Commission amend its financial assurance requirements for decommissioning nuclear power reactors to (1) require uniform reporting and recordkeeping for all "proportional owners"of nuclear generating stations (defined by the petitioner as partial owners of nuclear generating stations who are not licensees); (2) modify and strengthen current nuclear decommissioning accounting requirements for proportional owners; and (3) require proportional owners to conduct a prudency review to determine a balanced formula for decommissioning funding that includes not only ratepayers and taxpayers but shareholders and board members of rural electric cooperatives as well. The petitioner believes that the proposed amendments would eliminate the funding gap for decommissioning between nuclear power licensees and proportional owners of nuclear generating stations.

Timetable: A notice of receipt for this petition was published in the Federal Register on May 12, 2000 (65 FR 30550). The public comment period closed on July 26, 2000. The staff is working to complete NRC action documenting the resolution of the petition.

Agency Contact: Brian J. Richter, Office of Nuclear Reactor Regulation, (301) 415-1978, e-mail bjr@nrc.gov

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29. Petitioner/Petition Docket Number: Nuclear Energy Institute (PRM-50-71)

Federal Register Citation: May 31, 2000 (65 FR 34599)

Subject: Alternate cladding material

Summary: The petitioner requested that the Commission amend its regulations to allow nuclear power plant licensees to use zirconium-based cladding materials other than Zircaloy or ZIRLO, provided the cladding materials meet the requirements for fuel cladding performance and have received approval by the NRC staff. The petitioner believes the proposed amendment would improve the efficiency of the regulatory process by eliminating the need for individual licensees to obtain exemptions to use advanced cladding materials that have already been approved by the NRC.

Timetable: A notice of receipt for this petition was published in the Federal Register on May 31, 2000 (65 FR 34599). The public comment period closed on August 14, 2000. The staff is working to complete NRC action documenting the resolution of the petition.

Agency Contact: Sandra D. Frattali, Office of Nuclear Reactor Regulation,
(301) 415-3703, e-mail sdf@nrc.gov

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30. Petitioner/Petition Docket Number: Union of Concerned Scientists* (PRM-50-72)

Federal Register Citation: March 5, 2001 (66 FR 13267)

Subject: Performance Indicator Information

Summary: The petitioner requested that the Commission amend its regulations to require nuclear power plant owners to submit the performance indicator information needed for the NRC's revised reactor oversight program.

Timetable: A notice of receipt for this petition was published in the Federal Register on March 5, 2001 (66 FR 13267). The comment period closed on May 21, 2001. Resolution of the petition is scheduled for March 2002.

Agency Contact: Paul Harris, Office of Nuclear Reactor Regulation,
(301) 415-1169, e-mail pwh1@nrc.gov

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31. Petitioner/Petition Docket Number: Union of Concerned Scientists (PRM-54-1)

Federal Register Citation: July 10, 2000 (65 FR 42305)

Subject: Aging degradation of liquid and gaseous radioactive waste systems

Summary: The petitioner requested that the Commission amend its regulations to address potential concerns about aging degradation of liquid and gaseous radioactive waste systems. The petitioner believes the degradation from aging of piping and components of liquid and gaseous radioactive waste systems at nuclear power plants may result in an increased probability and/or consequences from design and licensing bases events.

Timetable: A notice of receipt for this petition was published in the Federal Register on July 10, 2000 (65 FR 42305). The public comment period closed on September 25, 2000. The staff is working to complete action documenting the resolution of the petition.

Agency Contact: Stephen S. Koenick, Office of Nuclear Reactor Regulation, (301) 415-1239, e-mail ssk2@nrc.gov

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32. Petitioner/Petition Docket Number: Nuclear Energy Institute (PRM-72-5)

Federal Register Citation: June 9, 2000 (65 FR 36647)

Subject: Establishing a more efficient process for issuing and amending certificates of compliance (CoC)

Summary: The petitioner requested that the Commission amend its regulations to establish a more efficient process for issuing and amending CoCs for dry cask storage of spent nuclear fuel under a general license. The petitioner believes the current NRC process of traditional notice and comment rulemaking is not appropriate for the routine risk of maintaining a list of certified casks and that the burden of maintaining this listing in the regulations outweighs any benefit. The petitioner proposes that the list of CoCs be deleted from the regulations and that the NRC notice applications for new CoCs and amendments in the Federal Register for a 60-day comment period. The petitioner also proposes that amendments for existing CoCs that do not have the potential to have a significant impact on public health and safety be immediately effective upon publication of the amendment in the Federal Register.

Timetable: A notice of receipt for this petition was published in the Federal Register on June 9, 2000 (65 FR 36647). The comment period closed on August 23, 2000. The staff is working to complete action documenting the resolution for the petition.

Agency Contact: Merri Horn, Office of Nuclear Material Safety and Safeguards, (301) 415-8126, e-mail mlh1@nrc.gov

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33. Petitioner/Petition Docket Number: State of Nevada (PRM-73-10)

Federal Register Citation: September 13, 1999 (64 FR 49410)

Subject: Safeguards for shipments of spent nuclear fuel against sabotage and terrorism

Summary: The petitioner requested that the Commission conduct a comprehensive assessment of the consequences of terrorist attacks that have the capability of radiological sabotage, including attacks against transportation infrastructure used during nuclear waste shipments, attacks involving capture of nuclear waste shipments and use of high-energy explosives against a cask or casks, and direct attacks upon a nuclear waste shipping cask or casks using antitank missiles or other military weapons.

Timetable: A notice of receipt for this petition was published in the Federal Register on September 13, 1999 (64 FR 49410). The public comment period closed on January 28, 2000. Resolution of the petition is scheduled for October 2001.

Agency Contact: John Telford, Office of Nuclear Material Safety and Safeguards, (301) 415-6229, e-mail jlt@nrc.gov

NRC FORM 335
(2-89)
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I-RULES Section 1 - Rules

A Action Completed Rules

B Proposed Rules

C Advance Notice - Proposed Rulemaking

D Unpublished Rules

II PETITIONS Section II - Petitions for Rulemaking

A Petitions - Final or Denied

B Petitions- Incorporated into Published Proposed Rules

C Petitions - Incorporated into Unpublished Rules

D Petitions - Pending