

November 27, 2001

MEMORANDUM TO: Those on the Attached List

FROM: Michael L. Springer, Director **T. Martin for**
Office of Administration / **RA**

SUBJECT: REQUEST FOR UPDATE TO THE NRC REGULATORY AGENDA
AND THE UNIFIED AGENDA OF FEDERAL REGULATORY AND
DEREGULATORY ACTIONS

The Office of Administration (ADM) is updating the NRC Regulatory Agenda for the period July through December 2001. Attached are copies of agenda entries that were included in the last published agenda for the rules and petitions for rulemaking (PRMs) for which each office is responsible. Also attached are instructions for updating and adding agenda entries. We request you provide us information on those actions for which your office has lead responsibility.

The NRC Regulatory Agenda is used to indicate those rules that have received the EDO's initial approval or annual reapproval for continued development. In offices under the EDO's purview, only those rules that have received the EDO's approval may be developed and may appear in the agenda.

Additionally, the EDO's procedures on timely resolution of PRMs require that each office under the EDO's purview report the status of each PRM to the Rules and Directives Branch, Division of Administrative Services, ADM. The EDO requires that new PRMs be resolved within 12 months from the date of publication of the notice of receipt in the Federal Register. The EDO must approve in advance any extension of a PRM resolution date. Your response must indicate any proposed extension of a PRM resolution date, the new proposed date, and the specific reason(s) for the proposed extension. You must describe the reason(s) in sufficient detail to enable the EDO to monitor the action that has been taken to date and to determine whether to grant the request for an extended resolution date.

By January 9, 2001, please provide the information requested in the attached instructions to Betty K. Golden, ADM, Mail Stop T6D59. Your staff may direct any questions concerning this agenda update to Ms. Golden on 415-6863 (BKG2).

Attachments:

1. Instructions for
Regulatory Agenda Updates
2. Regulatory Agenda Entries
for the Last Published Agenda

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ADDRESSEES FOR MEMORANDUM DATED NOVEMBER 27, 2001

SUBJECT: REQUEST FOR UPDATE TO THE NRC REGULATORY AGENDA
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DEREGULATORY ACTIONS

Mail Stop

Karen D. Cyr, General Counsel	O-15	B18
Stuart Reiter, Chief Information Officer	O-16	C1
Jesse L. Funches, Chief Financial Officer	O-17	F3
Janice Dunn Lee, Director, Office of International Programs	O-16	C1
Annette Vietti-Cook, Secretary of the Commission	O-16	C1
Frank J. Congel, Director, Office of Enforcement	O-7	H5
Irene P. Little, Director, Office of Small Business and Civil Rights	T-2	F18
Martin J. Virgilio, Director, Office of Nuclear Material Safety and Safeguards	T-8	A23
Samuel J. Collins, Director, Office of Nuclear Reactor Regulation	O-5	E7

Instructions for Regulatory Agenda Updates

Please provide the following information for each agenda entry:

1. A brief summary of the action that describes the issue to be addressed and its significance, the necessity and urgency for addressing this issue, and how the issue will be addressed through rulemaking. Also, summarize the potential effect of the rule on the public, the nuclear industry, and the NRC.
2. Each rule must be given one of the priority designations listed below. This information will be included in the Unified Agenda of Federal Regulatory and Deregulatory Actions, which should be published in the Federal Register in April 2002. The unified agenda is issued by the Regulatory Information Service Center, Office of Management and Budget.

Economically Significant -- As defined under Executive Order 12866, a rulemaking action that will have an annual effect on the economy of \$100 million or more or will adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities. These rules are included in the Regulatory Plan.

Other Significant -- A rulemaking that is not economically significant but that the agency considers significant. This category includes rules that the agency anticipates will be reviewed under Executive Order 12866 or rules that are a priority of the agency head. These rules may or may not be included in the Regulatory Plan.

Substantive, Nonsignificant -- A rulemaking that has substantive impacts but is neither significant, routine and frequent, nor informational/administrative.

Routine and Frequent -- A rulemaking that is a specific case of a multiple recurring application of a regulatory program in the CFR and that does not alter the body of the regulation.

Informational/Administrative/Other -- A rulemaking that is primarily informational or pertains to agency matters not central to accomplishing the agency's regulatory mandate but that the agency places in the agenda to inform the public of the activity.

3. The latest information regarding the development of the rule, the schedule for completing action on the rule, and the reasons for any changes to the schedule. If delays in the schedule are the result of circumstances beyond the NRC staff's control or the NRC's established priority system, this should be clearly stated.
4. If a Regulatory Flexibility Analysis is required, and whether the rule will affect small entities and, if so, whether the small entities are businesses, governmental jurisdictions, or organizations.
5. The legal authority for the action and whether the rule is subject to a legal deadline, either statutory or judicial, and whether this deadline is for a proposed rule, a final rule, or some other action.

6. The date the rulemaking was originally approved by the EDO, if applicable.
7. The latest dates for publication and for the comment period.
8. The target dates for the next scheduled action and for final action on the rule.
9. The name, telephone number, and e-mail of the NRC contact.

For each rule being developed that has been approved by the EDO but not included in the last agenda, please provide the required information as a new agenda entry in the NRC agenda format.