

**From:** Robin Baum  
**To:** Leah Tremper  
**Date:** 1/18/02 12:10PM  
**Subject:** Re: Proposed Rulemaking, 10 CFR Part 16

Good afternoon - I have the remaining OGC comments for you, in addition to the first 7 comments.

8. On page 5, what the first sentence under Section 16.1 proposes, does not carry over to the rule language on page 11, where presently, the rule language on page 11 only provides for deletion of (b)(2), with a renumbering of the current (b)(3) and (b)(4).

(a) If you intended to amend as indicated by making a statement about NRC not being limited to collection remedies specified in the FCCS, that thought should carry over to the rule language on page 11.

(b) If that is not the intention, then delete the words on page 5: "state the NRC is not limited to collection remedies contained in the revised FCCS" and retain the rest of the language.

9. On page 6, under Section 16.3, after the word "amended," insert "in its entirety" to be consistent with the rule language on the very bottom of page 18.

10. First paragraph on page 8 discusses a Finding of no Significant Impact (FONSI). Will the FONSI be published in the Federal Register per 10 CFR 51.35 and 51.119? PDR availability does not satisfy the FR publication requirement. Please have the appropriate folks ensure that we comply with this publication requirement.

11. On page 9, under Backfit Analysis, delete the citation to 10 CFR 50.109 and retain the rest. NRC Rulemaking attorneys have advised that we no longer cite this section, because the Backfit Analysis authority is cited in several different CFR sections.

12. On page 15, Section 16.9, "901.3" should be "901.3 (e)" to be consistent with that cited on page 6.

13. On page 18, Item 8, do you intend to replace 16.15 with the numbers 16.25? If there is a number change, also make the change on page 6. If not, and a typo, please correct.

Thanks for your patience. Robin Baum, OGC

**CC:** DFH; Diane Dandois