

**Email from Richard P. Theroux, OMB
Regarding Status of Final Rule on 10 CFR 50.48 Not a Major Rule**

From: <Richard_P._Theroux@omb.eop.gov>
To: Alzonia Shepard <AWS1@nrc.gov>
Date: 1/14/04 12:45PM
Subject: Re: Request for review and approval of two final rules pursuant to 5USC 804

I agree that neither of these rules is major. Let me know if you need anything else.

DATE: December 2003

AGENCY: Nuclear Regulatory Commission

TITLE OF ACTION: Fire Protection

LEVEL OF SIGNIFICANCE: Non-major rule

UPCOMING ACTION: Publication of final rule in the Federal Register

AGENCY IDENTIFICATION: 3150-AG48

DATE OF ISSUANCE: Estimated June 2004

STATUTORY OR JUDICIAL DEADLINE: N/A

DESCRIPTION OF ACTION: This final rule amends NRC regulations to allow holders of operating licenses for nuclear power plants to voluntarily comply with the fire protection requirements in National Fire Protection Association (NFPA) Standard 805, "Performance-Based Standard for Fire Protection for Light Water Reactor Electric Generating Plants, 2001 Edition," as an alternative to fire protection requirements currently mandated in the regulations. This rule allows interested licensees to use risk-information and engineering analyses to develop performance-based approaches to meet fire protection requirements. This rule allows licensees to better implement fire fighting resources and reduces unnecessary regulatory burden without compromising safety margins at nuclear power plants. (NRR03-1Dec.)

AGENCY CONTACT: Joseph Birmingham, Office of Nuclear Reactor Regulation