

§ 51.22 Criterion for categorical exclusion; identification of licensing and regulatory actions eligible for categorical exclusion or otherwise not requiring environmental review.

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(C) The following categories of actions are categorical exclusions:

- (1) Amendments to parts 1, 2, 4, 7, 8, 9, 10, 11, 14, 19, 21, 25, 55, 75, 95, 110, 140, 150, 170, or 171 of this chapter, and actions on petitions for rulemaking relating to parts 2, 4, 7, 9, 10, 11, 14, 19, 21, 25, 55, 75, 95, 110, 140, 150, 170, or 171.

December 8, 1999

Note to file:

The above change to Part 51 needs to be included in the next final ^{administrative} rule, ~~affected by Part 51~~. Include in the Statements of Consideration that "Other minor administrative changes are made to conform Part 51 to other parts of this Chapter..." or words to that effect. This change is need because (1) Part 0 has been eliminated; (2) the categorical exclusion as it is currently ~~worded~~ ^{codified} implies that NRC would entertain a petition for rulemaking for Part 1, which we will not (Note on response to Mike Stein, NTEU, stating that his PRM addresses "a matter that is within the agency's sole discretion.")

DL Meyer
12/8/99