

## **REGULATIONS AND AMENDMENTS PUT INTO EFFECT - FY 2002**

### **Interim Storage for Greater Than Class C Waste - Parts 30, 70, 72, and 150**

On October 11, 2001 (66 FR 51823), the NRC published an amendment to its regulations, effective November 13, 2001, to allow licensing for the interim storage of Greater than Class C (GTCC) waste in a manner that is consistent with current licensing for the interim storage of spent fuel and to maintain Federal jurisdiction for storage of reactor-related GTCC waste. The final rule only applies to the interim storage of GTCC waste generated or used by commercial nuclear power plants. This amendment also simplifies and clarifies the licensing process.

### **List of Approved Spent Fuel Storage Casks: NAC-UMS Revision - Part 72**

On October 16, 2001 (66 FR 52486), the NRC published an amendment to its regulations, effective December 31, 2001, revising the NAC-UMS Universal Storage System listing within the list of approved spent fuel storage casks to include Amendment No. 2 to Certificate of Compliance No. 1015. The companion proposed rule was published in the Federal Register on October 16, 2001 (66 FR 52554).

### **Operator License Eligibility and Use of Simulation Facilities in Operator Licensing - Part 55**

On October 17, 2001 (66 FR 52657), the NRC published an amendment to its regulations, effective November 16, 2001, to permit applicants for operator and senior operator licenses to fulfill a portion of the required experience prerequisites by manipulating a plant-referenced simulator as an alternative to manipulation of the controls of the actual nuclear power plant.

### **Disposal of High-Level Radioactive Wastes in a Proposed Geologic Repository at Yucca Mountain, NV - Parts 2, 19, 20, 21, 30, 40, 51, 60, 61, 63, 70, 72, 73, and 75**

On November 2, 2001 (66 FR 55732), the NRC published licensing criteria for disposal of spent nuclear fuel and high-level radioactive wastes in the proposed geologic repository at Yucca Mountain, Nevada. As mandated by law, this amendment, effective December 3, 2001, changes the Commission's technical requirements and criteria, as necessary, to be consistent with final environmental standards for Yucca Mountain issued by the U.S. Environmental Protection Agency. The criteria address how a repository system at Yucca Mountain must perform and specify that the system must comprise both natural and engineered barriers. The Commission is also changing its generic criteria for disposal of spent nuclear fuel and high-level radioactive wastes in geologic repositories. These changes make clear that the generic criteria do not apply, nor may they be the subject of litigation, in any NRC licensing proceeding for a repository at Yucca Mountain.

## **List of Approved Spent Fuel Storage Casks: FuelSolutions Cask System Revision - Part 72**

On November 14, 2001 (66 FR 56982), the NRC published an amendment to its regulations, effective January 28, 2002, revising the BNFL FuelSolutions cask system listing within the list of approved spent fuel storage casks to include Amendment No. 2 to Certificate of Compliance No. 1026. The companion proposed rule was published in the Federal Register on November 14, 2001 (66 FR 57002).

## **List of Approved Spent Fuel Storage Casks: Standardized NUHOMS-24P, -52B, and -61BT Revision - Part 72**

On November 29, 2001 (66 FR 59531), the NRC published an amendment to its regulations, effective February 12, 2002, revising the Transnuclear West, Inc., Standardized NUHOMS-24P, -52B, and -61BT cask system listing within the list of approved spent fuel storage casks to include Amendment No. 4 to Certificate of Compliance No. 1004. The companion proposed rule was published in the Federal Register on November 29, 2001 (66 FR 59547).

## **Minor Errors in Regulatory Text; Correction - Parts 20, 30, 32, 34, 40, 50, and 51**

On December 14, 2001 (66 FR 64737), the NRC published an amendment to its regulations, effective immediately, to correct omissions, typographical errors, and erroneous citations and references that appear in Title 10, Chapter I, of the Code of Federal Regulations. This rule also corrects an omission of text in a final rulemaking that was originally published on April 12, 1999 (64 FR 17506) (Radiological Criteria for License Termination of Uranium Recovery Facilities).

## **Revised Filing Requirements - Parts 1, 20, 34, 70, 71, 72, and 73**

On January 25, 2002 (67 FR 3584), the NRC published an amendment to its regulations to revise filing and advance notification requirements to reflect organizational changes within the NRC. This amendment, effective immediately, is necessary to correct telephone numbers, eliminate duplicative filings, and inform the public of administrative changes within the NRC.

## **List of Approved Spent Fuel Storage Casks: NAC-MPC Revision - Part 72**

On March 15, 2002 (67 FR 11566), the NRC published an amendment to its regulations, effective May 29, 2002, revising the NAC International Multi-Purpose Canister cask system listing within the list of approved spent fuel storage casks to include Amendment No. 2 to Certificate of Compliance No. 1025. The companion proposed rule was published in the Federal Register on March 15, 2002 (67 FR 11629).

## **List of Approved Spent Fuel Storage Casks: HI-STORM 100 Revision - Part 72**

On March 27, 2002 (67 FR 14627), the NRC published an amendment to its regulations revising the Holtec International HI-STORM 100 cask system listing within the list of approved spent fuel storage casks to include Amendment No. 1 to Certificate of Compliance No. 1014.

The companion proposed rule was published in the Federal Register on March 27, 2002 (67 FR 14662). This direct final rule was withdrawn on June 7, 2002 (67 FR 39260).

#### **Revision of the Skin Dose Limit - Part 20**

On April 5, 2002 (67 FR 16298), the NRC published an amendment to its regulations, effective June 4, 2002, changing the definition and method of calculating Shallow-dose equivalents (SDEs) by specifying that the assigned SDE must be the dose averaged over the 10 square centimeters of skin receiving the highest exposure.

#### **Medical Use of Byproduct Material - Parts 20, 32, and 35**

On April 24, 2002 (67 FR 20250), the NRC published an amendment to its regulations, effective October 24, 2002, regarding the medical use of byproduct material. This amendment is one component of the Commission's overall program for revising its regulatory framework for medical use. The overall goals of this program are to focus NRC's regulations on those medical procedures that pose the highest risk to workers, patients, and the public and to structure its regulations to be more risk-informed and more performance-based, consistent with the NRC's "Strategic Plan for Fiscal Year 1997-Fiscal Year 2002."

#### **Debt Collection Procedures - Part 15**

On May 6, 2002 (67 FR 30315), the NRC published an amendment to its regulations concerning the procedures used to collect debts that are owed to the NRC. These amendments, effective June 5, 2002, conform NRC regulations to the legislative changes enacted in the Debt Collection Improvement Act of 1996, and the amended procedures presented in the Federal Claims Collection Standards issued by the Department of the Treasury and the Department of Justice.

#### **Revision of Fee Schedules; Fee Recovery for FY 2002 - Parts 170 and 171**

On June 24, 2002 (67 FR 42612), the NRC published an amendment to its regulations, effective August 23, 2002, to implement the Omnibus Budget Reconciliation Act of 1990 (OBRA-90), as amended, which requires that the NRC recover approximately 96 percent of its budget authority in FY 2002, less the amounts appropriated from the Nuclear Waste Fund and the General Fund. The amount to be recovered for FY 2002 is approximately \$479.5 million.

#### **List of Approved Spent Fuel Storage Casks: HI-STORM 100 Revision - Part 72**

On July 15, 2002 (67 FR 46369), the NRC published an amendment to its regulations, effective July 15, 2002, revising the Holtec International HI-STORM 100 cask system listing within the list of approved spent fuel storage casks to include Amendment No. 1 to Certificate of Compliance No. 1014.

#### **Electronic Maintenance and Submission of Information - 10 CFR Chapter 1**

On September 6, 2002 (67 FR 57084), the NRC published an amendment to its regulations to clarify when and how licensees and other members of the public may use

electronic means such as CD-ROM and e-mail to communicate with the NRC. These amendments, effective December 5, 2002, are necessary to implement the Government Paperwork Elimination Act. The companion proposed rule was published in the Federal Register on September 6, 2002 (67 FR 57120).

### **Salary Offset Procedures for Collecting Debts Owed by Federal Employees to the Federal Government - Part 16**

On September 11, 2002 (67 FR 57506), the NRC published an amendment to its regulations, effective October 11, 2002, concerning the procedures used to collect debts that are owed to NRC by Federal employees. These amendments conform NRC regulations to the legislative changes enacted in the Debt Collection Improvement Act of 1996 and the amended procedures presented in the Federal Claims Collection Standards issued by the Department of the Treasury and the Department of Justice.

### **Industry Codes and Standards; Amended Requirements - Part 50**

On September 26, 2002 (67 FR 60520), the NRC published an amendment to its regulations, effective October 28, 2002, to incorporate a later edition and addenda of the American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code and the ASME Code for Operation and Maintenance of Nuclear Power Plants to provide updated rules for construction, inservice inspections, and inservice testing of components in light-water cooled nuclear power plants. This amendment incorporates by reference the latest edition and addenda of the ASME BPV and OM Codes that have been approved for use by the NRC subject to certain limitations and modifications.

## **REGULATIONS AND AMENDMENTS PROPOSED**

### **Debt Collection Procedures - Part 15**

On October 5, 2001 (66 FR 50860), the NRC published an amendment to its regulations that would conform NRC regulations to the legislative changes enacted in the Debt Collection Improvement Act of 1996 and the amended procedures presented in the Federal Claims Collection Standards issued by the Department of the Treasury and the Department of Justice. The proposed action would allow the NRC to improve its collection of debts due the United States.

### **List of Approved Spent Fuel Storage Casks: NAC-UMS Revision - Part 72**

On October 16, 2001 (66 FR 52554), the NRC published an amendment to its regulations that would revise the NAC-UMS Universal Storage System listing within the list of approved spent fuel storage casks to include Amendment No. 2 to Certificate of Compliance No. 1015. Amendment No. 2 would 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. The companion direct final rule was published in the Federal Register on October 16, 2001 (66 FR 52486).

## **Availability of Official Records - Part 2**

On October 17, 2001 (66 FR 52721), the NRC published an amendment to its regulations that would require those who submit documents claimed to contain proprietary or other confidential information to mark the information as specified to decrease the chances of inadvertent public release of the information by the NRC, codify NRC's current practices delineating the circumstances under which the NRC will not return confidential documents that have been submitted to the NRC, and clarify that the NRC will make as many copies of copyrighted material submitted to the NRC as it needs to perform its mission. The proposed rule is necessary to conform the NRC's regulations regarding the availability of official records to existing case law and NRC practice.

## **List of Approved Spent Fuel Storage Casks: FuelSolutions Revision - Part 72**

On November 14, 2001 (66 FR 57002), the NRC published an amendment to its regulations that would revise the BNFL FuelSolutions cask system listing within the list of approved spent fuel storage casks to include Amendment No. 2 to Certificate of Compliance No. 1026. The companion direct final rule was published in the Federal Register on November 14, 2001 (66 FR 56982).

## **List of Approved Spent Fuel Storage Casks: Standardized NUHOM-24P, -52B, and -61BT Revision - Part 72**

On November 29, 2001 (66 FR 59547), the NRC published an amendment to its regulations that would revise the Transnuclear West, Inc., Standardized NUHOMS-24P, -52B, and -61BT cask system listing within the list of approved spent fuel storage casks to include Amendment No. 4 to Certificate of Compliance No. 1004. The companion direct final rule was published in the Federal Register on November 29, 2001 (66 FR 59531).

## **Specification of a Probability for Unlikely Features, Events, and Processes - Part 63**

On January 25, 2002 (67 FR 3628), the NRC published an amendment to its regulations governing the disposal of high-level radioactive wastes in a potential geologic repository at Yucca Mountain, Nevada, that would define the term "unlikely" in quantitative terms. It would be defined as a range of numerical values for use in determining whether a feature, event, or process or sequence of events and processes should be excluded from certain required assessments. This amendment would clarify how NRC plans to implement two of the final environmental standards for Yucca Mountain issued by the U.S. Environmental Protection Agency.

## **List of Approved Spent Fuel Storage Casks: Standardized Advanced NUHOMS-24PT1 Addition - Part 72**

On February 11, 2002 (67 FR 6203), the NRC published an amendment to its regulations that would add the Standardized Advanced NUHOMS-24PT1 Storage System to the list of approved spent fuel storage casks. This amendment would allow the holders of power reactor operating licenses to store spent fuel in the Standardized Advanced NUHOMS-24PT1 Storage System under a general license.

### **List of Approved Spent Fuel Storage Casks: NAC-MPC Revision - Part 72**

On March 15, 2002 (67 FR 11629), the NRC published an amendment to its regulations that would revise the NAC International Multi-Purpose Canister (NAC-MPC) cask system listing within the list of approved spent fuel storage casks to include Amendment No. 2 to Certificate of Compliance No. 1025. The companion direct final rule was published in the Federal Register on March 15, 2002 (67 FR 11566).

### **Incorporation by Reference of ASME BPV and OM Code Cases - Part 50**

On March 19, 2002 (67 FR 12488), the NRC published an amendment to its regulations that would incorporate by reference certain American Society of Mechanical Engineers (ASME) Code Cases that the NRC has reviewed and found acceptable for use.

### **List of Approved Spent Fuel Storage Casks: HI-STORM 100 Revision - Part 72**

On March 27, 2002 (67 FR 14662), the NRC published an amendment to its regulations that would revise the Holtec International HI-STORM 100 cask system listing within the list of approved spent fuel storage casks to include Amendment No. 1 to Certificate of Compliance No. 1014. The companion direct final rule was published in the Federal Register on March 27, 2002 (67 FR 14627).

### **Revision of Fee Schedules; Fee Recovery for FY 2002 - Parts 170 and 171**

On March 27, 2002 (67 FR 14818), the NRC published an amendment to its regulations that would implement the Omnibus Budget Reconciliation Act of 1990 (OBRA-90), as amended, which requires that the NRC recover approximately 96 percent of its budget authority in FY 2002, less the amounts appropriated from the Nuclear Waste Fund and the General Fund. The amount to be recovered for FY 2002 is approximately \$479.5 million.

### **Salary Offset Procedures for Collecting Debts Owed by Federal Employees to the Federal Government - Part 16**

On April 24, 2002 (67 FR 20059), the NRC published an amendment to its regulations that would conform NRC regulations to the legislative changes enacted in the Debt Collection Improvement Act of 1996 and the amended procedures presented in the Federal Claims Collection Standards issued by the Department of the Treasury and the Department of Justice. The proposed action is intended to improve NRC's collection of debts due the United States from Federal employees.

### **Compatibility With IAEA Transportation Safety Standards (TS-R-1) and Other Transportation Safety Amendments - Part 71**

On April 30, 2002 (67 FR 21390), the NRC published an amendment to its regulations that would make NRC's regulations compatible with the International Atomic Energy Agency (IAEA) standards (ST-1(TS-R-1)) and codify other applicable requirements. This amendment also would 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).

### **Financial Information Requirements for Applications To Renew or Extend the Term of an Operating License for a Power Reactor - Part 50**

On June 4, 2002 (67 FR 38427), the NRC published an amendment to its regulations that would remove the requirement that non-electric-utility power reactor licensees submit financial qualifications information in their license renewal applications and that would add a new requirement that licensees of nuclear power reactors that are electric utilities reorganizing as non-electric-utility entities without a license transfer must notify the NRC and submit information on their financial qualifications.

### **Geological and Seismological Characteristics for Siting and Design of Dry Cask Independent Spent Fuel Storage Installations and Monitored Retrievable Storage Installations - Part 72**

On July 22, 2002 (67 FR 47745), the NRC published an amendment to its regulations that would update the seismic siting and design criteria, including geologic, seismic, and earthquake engineering considerations. The amendment would allow NRC and its licensees to benefit from experience gained in the licensing of existing facilities and to incorporate the rapid advancements in the earth sciences and earthquake engineering. The amendment also would make the Part 72 regulations compatible with the 1996 revision to Part 100 that addressed uncertainties in seismic hazard analysis and commensurate with the risk associated with an independent spent fuel storage installation or a monitored retrievable storage installation.

### **Cost Recovery for Contested Hearings Involving U.S. National Security Initiatives - Part 170**

On July 31, 2002 (67 FR 49623), the NRC published an amendment to its regulations that would allow the NRC to recover its costs associated with contested hearings involving U.S. Government national security related proceedings through licensing or other regulatory service fees assessed to the affected applicant or licensee.

### **Combustible Gas Control in Containment - Parts 50 and 52**

On August 2, 2002 (67 FR 50374), the NRC published an amendment to its regulations that would set and consolidate combustible gas control regulations for future applicants and licensees. The amendment would eliminate the requirements for hydrogen recombiners and hydrogen purge systems and relax the requirements for hydrogen and oxygen monitoring equipment to make them commensurate with their risk significance.

### **Federal Advisory Committee Act Regulations - Part 7**

On August 8, 2002 (67 FR 51501), the NRC published an amendment to its regulations on the Federal Advisory Committee Act to conform with newly issued General Services Administration regulations.

### **Event Notification Requirements - Parts 72 and 73**

On August 22, 2002 (67 FR 54360), the NRC published an amendment to its event notification regulations that would apply to an independent spent fuel storage installation and to a monitored retrievable storage installation. The amendment would revise safeguards event notification requirements that apply to facilities subject to Part 73. With respect to both the event notification requirements and the safeguards event notification requirements, the changes are intended to align these requirements with recent changes to the power reactor event notification requirements. These changes would reduce licensee burden through the consolidation of some notifications and lengthening the reporting period for other notifications.

### **Transfers of Certain Source Materials by Specific Licensees - Part 40**

On August 28, 2002 (67 FR 55175), the NRC published an amendment to its regulations that would require NRC approval for transfers from licensees of low concentrations of source material (less than 0.05 percent by weight) to persons exempt from licensing. This amendment would ensure that the regulations regarding transfers of materials containing low concentrations of source material are adequate to protect public health and safety.

### **Electronic Maintenance and Submission of Information - 10 CFR Chapter 1**

On September 6, 2002 (67 FR 57120), the NRC published an amendment to its regulations that would clarify when and how licensees and other members of the public may use electronic means such as CD-ROM and e-mail to communicate with the NRC. These amendments are necessary to implement the Government Paperwork Elimination Act. The companion direct final rule was published in the Federal Register on September 6, 2002 (67 FR 57084).

## **ADVANCE NOTICES OF PROPOSED RULEMAKING**

### **Entombment Options for Power Reactors - Parts 20 and 50**

On October 16, 2001 (66 FR 52551), the NRC published an ANPRM that requested comments on issuance of new regulations that would clarify the use of entombment for power reactors. This ANPRM invited early input from affected parties and the public on the issues surrounding the feasibility of entombment.