

NOTICE OF PETITION CLOSURE SIGNED BY EDO

OFFICE OF FEDERAL AND STATE MATERIALS  
AND ENVIRONMENTAL MANAGEMENT PROGRAMS

On November 10, 2009, the Executive Director for Operations signed a Federal Register notice (FRN) denying, in part the petition for rulemaking, PRM-73-10. The State of Nevada requested in PRM-73-10 that the NRC initiate rulemaking to strengthen its regulations governing safeguards for shipments of spent nuclear fuel against sabotage and terrorism. The State of Nevada also requested that the U.S. Nuclear Regulatory Commission (NRC) conduct a comprehensive assessment of the consequences of terrorist attacks.

The denied portions involve the petitioner's request for clarification of the definition of hand-carried equipment in 10 CFR 73.1(a)(1)(i)(D), and the petitioner's request for amendment of the design basis threat in 10 CFR 73.1 (a)(i). The NRC is also denying the portion of PRM-73-10 that requested NRC complete a comprehensive security assessment. This request, as submitted under 10 CFR 2.208 as a petition for rulemaking, would not be granted because it is a request for a study by the NRC and not a request to amend the NRC regulations. The State of Nevada is aware that the NRC conducted security assessments; however, the results of these assessments have not been conveyed to the State of Nevada.

This notice informs the Commission that, under the rulemaking authority delegated to the EDO, the EDO has signed this petition decision FRN and proposes to forward it on November 19, 2009, to the Office of the Federal Register for publication, unless otherwise directed by the Commission.

This FRN does not constitute a significant question of policy, nor does it amend regulations contained in 10 CFR Parts 7, 8, or 9, Subpart C, concerning matters of policy.

The FRN can be found in ADAMS at ML092580028.