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APPENDIX H

STATUTES AND REGULATIONS

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selection process; and increase opportunities for public participation in the decision-making process and incorporate environmental justice concerns within the

CERCLA process. This list is not exhaustive; however, it gives a general overview of the scope of CERCLA reform.

**APPENDIX I**

**NRC PROCEDURES FOR THE SUBMISSION OF  
PETITIONS FOR RULEMAKING**



# NRC PROCEDURES FOR THE SUBMISSION OF PETITIONS FOR RULEMAKING

This appendix contains NRC's procedural requirements for the submission of petitions for rulemaking. Individuals seeking a change to the findings in Appendix B (Table B-1) of Subpart A of 10 CFR Part 51 should follow these procedures. Petitions for rulemaking may be filed at any time.

## 10 CFR § 2.802 Petition for Rulemaking

(a) Any interested person may petition the Commission to issue, amend or rescind any regulation. The petition should be addressed to the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Chief, Docketing and Service Branch.

(b) A prospective petitioner may consult with the NRC before filing a petition for rulemaking by writing the Director, Freedom of Information and Publications Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Chief, Rules Review and Directives Branch. A prospective petitioner may also telephone the Rules Review and Directives Branch on (301)415-7158 or toll free on (800) 368-5642.

(1) In any consultation prior to the filing of a petition for rulemaking, the assistance that may be provided by the NRC staff is limited to-

(i) Describing the procedure and process for filing and

responding to a petition for rulemaking;

(ii) Clarifying an existing NRC regulation and the basis for the regulation; and

(iii) Assisting the prospective petitioner to clarify a potential petition so that the Commission is able to understand the nature of the issues of concern to the petitioner.

(2) In any consultation prior to the filing of a petition for rulemaking, in providing the assistance permitted in paragraph (b)(1) of this section, the NRC staff will not draft or develop text or alternative approaches to address matters in the prospective petition for rulemaking.

(c) Each petition filed under this section shall:

(1) Set forth a general solution to the problem or the substance or text of any proposed regulation or amendment, or specify the regulation which is to be revoked or amended;

(2) State clearly and concisely the petitioner's grounds for and interest in the action requested;

(3) Include a statement in support of the petition which shall set forth the specific issues involved, the petitioner's views or arguments with respect to those issues, relevant technical, scientific or other data involved which is reasonably available

- to the petitioner, and such other pertinent information as the petitioner deems necessary to support the action sought. In support of its petition, petitioner should note any specific cases of which petitioner is aware where the current rule is unduly burdensome, deficient, or needs to be strengthened.
- (d) The petitioner may request the Commission to suspend all or any part of any licensing proceeding to which the petitioner is a party pending disposition of the petition for rulemaking.
- (e) If it is determined that the petition includes the information required by paragraph (c) of this section and is complete, the Director, Division of Freedom of Information and Publications Services, or designee, will assign a docket number to the petition, will cause the petition to be formally docketed, and will deposit a copy of the docketed petition in the Commission's Public Document Room. Public comment may be requested by publication of a notice of the docketing of the petition in the FEDERAL REGISTER, or, in appropriate cases, may be invited for the first time upon publication in the FEDERAL REGISTER of a proposed rule developed in response to the petition. Publication will be limited by the requirements of section 181 of the Atomic Energy Act of 1954, as amended, and may be limited by order of the Commission.
- (f) If it is determined by the Executive Director for Operations that the petition does not include the information required by paragraph (c) of this section and is incomplete, the petitioner will be notified of that determination and the respects in which the petition is deficient and will be accorded an opportunity to submit additional data. Ordinarily this determination will be made within 30 days from the date of receipt of the petition by the Office of the Secretary of the Commission. If the petitioner does not submit additional data to correct the deficiency within 90 days from the date of notification to the petitioner that the petition is incomplete, the petition may be returned to the petitioner without prejudice to the right of the petitioner to file a new petition.
- (g) The Director, Division of Freedom of Information and Publications Services, Office of Administration, will prepare on a semiannual basis a summary of petitions for rulemaking before the Commission, including the status of each petition. A copy of the report will be available for public inspection and copying for a fee in the Commission's Public Document Room, 2120 L Street, NW., Washington, DC.

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11 ABSTRACT (200 words or less)

THE GENERIC ENVIRONMENTAL IMPACT STATEMENT (GEIS) EXAMINES THE POSSIBLE ENVIRONMENTAL IMPACTS THAT COULD OCCUR AS A RESULT OF RENEWING LICENSES OF INDIVIDUAL NUCLEAR POWER PLANTS UNDER 10 CFR PART 54. THE GEIS, TO THE EXTENT POSSIBLE, ESTABLISHES THE BOUNDS AND SIGNIFICANCE OF THESE POTENTIAL IMPACTS. THE ANALYSES IN THE GEIS ENCOMPASS ALL OPERATING LIGHT-WATER POWER REACTORS FOR EACH TYPE OF ENVIRONMENTAL IMPACT THE GEIS ATTEMPTS TO ESTABLISH GENERIC FINDINGS COVERING AS MANY PLANTS AS POSSIBLE. THIS GEIS HAS THREE PRINCIPAL OBJECTIVES (1) TO PROVIDE AN UNDERSTANDING OF THE TYPES AND SEVERITY OF ENVIRONMENTAL IMPACTS THAT MAY OCCUR AS A RESULT OF LICENSE RENEWAL OF NUCLEAR POWER PLANTS UNDER 10 CFR PART 54, (2) TO IDENTIFY AND ASSESS THOSE IMPACTS THAT ARE EXPECTED TO BE GENERIC TO LICENSE RENEWAL, AND (3) TO SUPPORT A RULEMAKING (10 CFR PART 51) TO DEFINE THE NUMBER AND SCOPE OF ISSUES THAT NEED TO BE ADDRESSED BY THE APPLICANTS IN PLANT-BY-PLANT LICENSE RENEWAL PROCEEDINGS. TO ACCOMPLISH THESE OBJECTIVES, THE GEIS MAKES MAXIMUM USE OF ENVIRONMENTAL AND SAFETY DOCUMENTATION FROM ORIGINAL LICENSING PROCEEDINGS AND INFORMATION FROM STATE AND FEDERAL REGULATORY AGENCIES, THE NUCLEAR UTILITY INDUSTRY, THE OPEN LITERATURE, AND PROFESSIONAL CONTACTS

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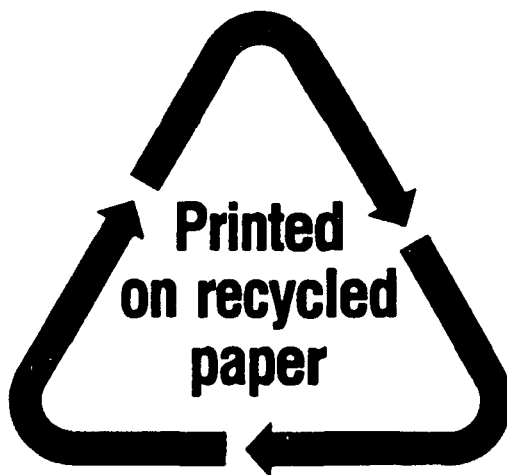
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