

Environmental Statement of September 16, 1975. 44 FR 42801. In that notice, the Commission stated that it had "also given careful consideration to the question whether licensing actions intended to ameliorate a possible shortage of spent fuel storage capacity * * * should be deferred pending completion of the generic environmental impact statement." The Commission stated that it had "concluded that there should be no such general deferral, and that these related licensing actions may continue during the period required for preparation of the generic statement, subject to certain conditions." The Commission's notice went on to set forth a five-factor test against which proposed interim actions were to be evaluated.

Relying in part on the GEIS, the Commission finds that providing greater capacity for spent fuel storage is in the public interest. The safety of individual proposals must, of course, be determined case by case. The completion and publication of the Final Generic Environmental Statement means that the five-factor test set out in the 1975 Federal Register notice is no longer applicable to proposed licensing actions relating to spent fuel handling and storage. This action does not affect any other requirements which may exist to address specific environmental and safety issues for individual licensing action.

Copies of the Final Statement may be purchased from the National Technical Information Service, Springfield, Virginia 22161, as follows: Volume 1—\$7.25 — Executive Summary and Text; Volume 2 — \$11.75 — Appendices; Volume 3 — \$12.00 — Comments on the Draft Statement and Staff Responses; microfiche — \$3.00 per volume.

Dated at Washington, D.C., this 23rd day of February, 1981.

For the Nuclear Regulatory Commission,
Samuel J. Chilk,
Secretary of the Commission.

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Regulatory Guide; Withdrawal

The Nuclear Regulatory Commission has withdrawn Regulatory Guide 3.24, "Guidance on the License Application, Siting, Design, and Plant Protection for an Independent Spent Fuel Storage Installation," which was issued in December 1974. The guidance it provided was based on 10 CFR Part 70, "Domestic Licensing of Special Nuclear Material." On November 12, 1980, the Commission published 10 CFR Part 72 (45 FR 74693), "Licensing Requirements

for the Storage of Spent Fuel in an Independent Spent Fuel Storage Installation," which specifically covers independent spent fuel storage installations. The guidance contained in Regulatory Guide 3.24 is no longer appropriate, and the guide is hereby withdrawn.

Revised and updated guidance covering the various subjects addressed in Regulatory Guide 3.24 is being developed. Regulatory Guide 3.44, "Standard Format and Content for the Safety Analysis Report for an Independent Spent Fuel Storage Installation (Water Basin Type)," was issued in November 1980. Draft regulatory guides containing guidance in other areas are being issued for public comment as they are completed.

Regulatory guides are developed to describe and make available to the public methods acceptable to the NRC staff for implementing specific parts of the Commission's regulations and, in some cases, to delineate techniques used by the staff in evaluating specific problems. Guides may be withdrawn when they are superseded by the Commission's regulations, when equivalent recommendations have been incorporated in applicable approved codes and standards, or when changes in methods and techniques or in the need for specific guidance have made them obsolete.

(5 U.S.C. 552(a))

Dated at Rockville, Maryland this 18th day of February 1981.

For the Nuclear Regulatory Commission,
Ray G. Smith,
Acting Director, Office of Standards
Development.

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ENVIRONMENTAL PROTECTION AGENCY

NUCLEAR SAFETY OVERSIGHT COMMITTEE

Memorandum of Understanding Between the Nuclear Safety Oversight Committee and the Environmental Protection Agency With Respect to the Acquisition of Information and the Monitoring Activities

1. The Nuclear Safety Oversight Committee (NSOC) was established pursuant to Executive Order 12202 (March 18, 1980) to advise "on the progress of Federal and State authorities and the nuclear power industry in improving the safety of nuclear power and in implementing the approved recommendations of the President's

Commission on the accident at Three Mile Island (Kemeny Commission)" set forth in the President's announcement and White House Fact Sheet of December 7, 1979 (copy attached to this memorandum). The NSOC is responsible for the preparation and periodic submission of the reports to the President, the Secretary of Energy, and the Secretary of Health and Human Services on the progress being made in each area. In addition, NSOC is specifically responsible to advise the President, the Secretary of Energy and the Secretary of Health and Human Services on the progress and activities of the various Federal agencies, including the Environmental Protection Agency, in a number of substantive and procedural areas identified in the Executive Order, Sec. 1-2. These include, but are not limited to, the following:

- Evaluating the Federal program in power reactor and human factor safety research (Sec. 1-204);
- Advising the President, the Secretary of Energy and the Secretary of Health and Human Services on progress in developing a coordinated program to improve worker and public health safety (Sec. 1-207); and
- Evaluating progress being made in improving public information on nuclear safety (Sec. 1-207); and
- Evaluating progress of Federal Emergency Management Agency in coordinating the Federal response to nuclear emergencies (Sec. 1-207).

The NSOC also has advisory and evaluative responsibilities in substantive and procedural areas related to specific statutory or regulatory duties of the Federal Emergency Management Agency (see Sec. 1-205, 1-206 and 1-207), the Nuclear Regulatory Commission (see Sec. 1-202, 1-203 and 1-211), the Department of Energy and the Department of Health and Human Services. These responsibilities are to be implemented by, among other things, monitoring the activities of these and other agencies. Moreover, the President has directed NSOC to "include in its reports the Committee's advice as to the adequacy of the information it has received from Federal agencies * * *; and, its assessment of the cooperation it has received from them": (Sec. 1-210).

NSOC's obligation to meet these responsibilities may result in a need for information concerning research on health effects of radiation, information distribution, emissions and effluent standards relating to the nuclear fuel cycle and the health emergency response capability and authority of the