



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

FOA

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MEMORANDUM FOR: Steve Scott, Chief
Document Management Branch
Division of Technical Information
and Document Control
Office of Administration

FROM: J. M. Felton, Director
Division of Rules and Records
Office of Administration

SUBJECT: TRANSMITTAL OF QUARTERLY REPORT:
PETITIONS FOR RULEMAKING



Enclosed for transmittal to the Public Document Room is the quarterly report on petitions for rulemaking as of March 31, 1981. This report has been prepared in accordance with 10 CFR 2.802, and a notice will be published in the Federal Register soon announcing its availability in the Public Document Room for inspection and copying.

J. M. Felton, Director
Division of Rules and Records
Office of Administration

Enclosure: As stated

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NRC PETITIONS FOR RULEMAKING
MARCH 31, 1981

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A. PETITIONS COMPLETED, JANUARY-MARCH 1981

<u>PRM Number</u>	<u>Petitioner (FR Citation)</u>	<u>Subject</u>	<u>Action</u>
73-5	Edlow International Co. (44 FR 47998, 8/16/79)	To amend "Domestic Licensing of Special Nuclear Material," 10 CFR Part 70, and "Physical Protection of Plants and Materials," 10 CFR Part 73, to make the new Part 73 physical security requirement during transport of spent fuel shipments consistent with the philosophical approach applied to shipment of SSNM in other forms.	Comments by 10/15/79. Only one comment, reserving the right to comment further on this subject at a later date, was received on the petition. Incorporated in proposed rule (Part 73), published 3/12/80, which would issue a general license to carriers of irradiated reactor fuel. Comments on the proposed rulemaking were analyzed by staff. The proposed response was forwarded to the Commission (11/80) for action as part of the "final" rulemaking action. Incorporated in final rule (10 CFR Part 70) published 2/18/81 (46 FR 12695).

Action
Complete

NOTE: Vertical line indicates substantive change which has occurred since the last report was issued.

Task Leader: J. Prell, RES
(301) 443-5904

<u>PRM Number</u>	<u>Petitioner (FR Citation)</u>	<u>Subject</u>	<u>Action</u>
40-22	Defense Security Assistance Agency (44 FR 57540, 10/5/79).	To add a new section 40.23 to 10 CFR Part 40 to provide a general license authorizing DOD to export to any authorized country, pursuant to the Arms Export Control Act or the Foreign Assistance Act of 1961, depleted uranium in munitions penetrators, provided DOD approves pursuant to either Act.	Comments by 12/4/79. One comment received. Further action on this petition unnecessary due to passage of legislation transferring export licensing authority for depleted uranium munitions from NRC to the Executive Branch. Task Leader: M. Peterson, IP, (301) 492-8155.

Action

Complete

<u>PRM Number</u>	<u>Petitioner (FR Citation)</u>	<u>Subject</u>	<u>Action</u>
2-10	Citizens Advisory Board of the Omaha, Nebraska-Council Bluffs, Iowa Metropolitan Area Planning Agency (45 FR 26071, 4/17/80).	To require an informal public hearing in every instance of issuance, amendment, modification, suspension, or revocation of a facility operating license.	Comments by 6/16/80. Thirteen comments have been received, all of which oppose the petition. Staff paper, with revisions suggested by Commission, sent to Commission 3/9/81. Petition denied 4/2/81. Notice to be published in FEDERAL REGISTER. Task Leader: F. Chanania, ELD, (301) 492-8689.
	<u>Action</u> <u>Complete</u>		

B. PETITIONS INCORPORATED IN PROPOSED RULES

<u>PRM Number</u>	<u>Petitioner (FR Citation)</u>	<u>Subject</u>	<u>Action</u>
30-57	General Atomic Comp (45 . . 57673 10/14/80)	To amend NRC's regulation 10 CFR Part 30 to permit persons exempt from regu- lation to receive ionizing radiation measuring instru- ments which contain more than one source of byproduct material.	Comments by 12/15/80. No comments received. Incorporated in proposed rule (10 CFR Part 30) published 2/25/81. Comments by 4/13/81. Two comments received. Staff preparing final rule. Target Date for EDO action: 5/81. Task Leader: Don Smith RES, (301) 443-5946.

<u>PRM Number</u>	<u>Petitioner (FR Citation)</u>	<u>Subject</u>	<u>Action</u>
50-10	State of New Jersey--Nuclear Energy Council (39 FR 15900, 5/6/74, and 39 FR 25525, 7/11/74).	To amend regulations in Appendix E of 10 CFR Part 50 to apply to Commission licensees who are not otherwise subject to Appendix E and who receive, store, possess, and/or distribute large quantities of radioactive materials; and to eliminate the exclusion of "Class 9 accidents" from consideration in licensing procedures involving new or novel siting or design considerations.	Comments by 7/5/74. Six comments were received. Original petition had four parts. The first part, on reactor personnel qualification, has been withdrawn by the petitioner. The second part, on health physics personnel, was satisfied by regulatory guides (petitioner agrees). An amendment to Part 70 was published on 6/27/75, which partially resolved a third part of the petition. Petitioner agreed that action on the fourth part, Class 9 accident, should await completion of the liquid pathways study. Incorporated in proposed rules (Parts 50 and 70), published 9/19/79, comments by 11/19/79. Certain elements of the petition will be incorporated into a rule-making on Emergency

<u>PRM Number</u>	<u>Petitioner (FR Citation)</u>	<u>Subject</u>	<u>Action</u>
50-10 cont.			Preparedness for Parts 30, 40, and 70 licensees. A Commission paper proposing issuance of an advance notice of proposed rule- making is in office concurrence. Target Date: 10/82. Task Leader: F. Lomax, RES, (301) 443-5966

<u>PRM Number</u>	<u>Petitioner (FR Citation)</u>	<u>Subject</u>	<u>Action</u>
50-17	Boston Edison Company, et al. (41 FR 24006, 6/14/76)	To amend Parts 2 and 50 with respect to the issuance of amendments to operating licenses for production and utilization facilities. Under requested changes criteria would be specified for determining when a pro- posed amendment to an operating license involves no "significant hazards considerations" and could thus be issued without prior public notice or hearing.	Comments by 8/13/76. Ten comments received. Incor- porated in proposed rule (Part 50) published 3/28/80. Comments by 5/27/80. Eight letters of comment were received on the proposed rule. None of these comments fully supported the proposed rule. Work on this petition has been delayed due to commitment of staff to TMI-related work. Target Date for Effective Rule: 5/1/81. Task Leader: W.E. Campbell, RES, (301) 442-5913.

PRM Number	Petitioner (FR Citation)	Subject	Action
71-1	Energy Research and Development Administration (40 FR 43517, 9/22/75). (See also 71-2, 71-3, 71-4).	To exempt "low specific activity material" from the packaging requirements of Part 71. The petition from Diagnostics Isotopes Corporation requests that the radionuclide lead-201 be included in Transport Group IV.	Comments by 11/25/75. PRMs 71-1, 71-2, 71-3 and 71-4 were consolidated into a single rulemaking action to incorporate inter- nationally developed IAEA transportation standards into the domestic regula- tions of both NRC and DOT. The rulemaking action should satisfy PRM-71-3. Five comments were received, all in support of the petitions. Incorporated in proposed rule published 8/17/79. Comments by 10/18/79, comment period extended to 12/17/79.
71-2	American National Standards Insti- tute Committee N14 (41 FR- 15920, 4/15/76).	(See 71-1)	Target Date for Final Rule: June 1981.
71-3	Diagnostics Iso- topes Corporation (41 FR 50359, 11/15/76).		Task Leader: D.R. Hopkins, RES, (301) 443-5947.
71-4	Chem-Nuclear Systems, Inc. (42 FR 51, 1/17/77).		

C. PETITIONS PENDING STAFF REVIEW

<u>PRM Number</u>	<u>Petitioner (FR Citation)</u>	<u>Subject</u>	<u>Action</u>
20-13	Victor E. Anderson (44 FR 11284, 2/28/79).	To require that radiation safety personnel be certified by the Commission.	Comments by 4/30/79, extended to 5/30/79. Fifty-eight comments received. Fifty-two com- ments oppose the petition. Analysis of comments is being prepared. Further action will consider results of an NRR contracted study, which became avail- able in December 1980, of need for licensing nuclear power plant personnel. Target Date: Staff response to petition to be final- ized 11/81. Task Leader: J. M. Bell, RES, (301) 427-4177.

<u>PRM Number</u>	<u>Petitioner (FR Citation)</u>	<u>Subject</u>	<u>Action</u>
30-55	State of New Jersey, Department of Environmental Protection (42 FR 40791, 8/11/77).	To establish, for approximately 50 large facilities using byproduct materials from man-made fission reactions, (a) criteria to quantify the ALARA emission reduction policy, (b) siting criteria, and (c) requirements for off-site environmental surveillance programs.	Comments by 10/11/77. Six comments received. All oppose petition. Staff developing final position. Task Leader assigned to higher priority task. Target Date: 10/81. Task Leader: R. Grill, RES , (301) 443-5966.

<u>PRM Number</u>	<u>Petitioner (FR Citation)</u>	<u>Subject</u>	<u>Action</u>
34-2	Non-Destructive Testing Manage- ment Association (43 FR 34563, 8/4/78).	To amend NRC regulations to provide for registration, licensing, and control of individual radiographers.	Comments by 10/3/78. Eleven comments were received, the majority of which opposed the petition. However, the staff is actively studying this con- cept. Work on an advance notice of proposed rule- making is underway, and a series of public meetings is being planned. Target Date: 2/82. Task Leader: James Jones, RES, (301) 443-5970.

<u>PRM Number</u>	<u>Petitioner (FR Citation)</u>	<u>Subject</u>	<u>Action</u>
35-1	George V. Taplin, (44 FR 26817, 5/7/79).	To amend NRC regulations to rescind the requirement that physicians must use an approved radiopharmaceutical strictly in accord with the manufacturers' package insert.	Comments by 7/6/79. Forty-five letters received, all in favor of the petition. Comments favor the use of radiopharmaceuticals for non-approved purposes. Target Date: 6/1/81 Task Leader: E. Podolak, RES, (301) 443-5860.

<u>PRM Number</u>	<u>Petitioner (FR Citation)</u>	<u>Subject</u>	<u>Action</u>
40-23	Sierra Club (46 FR 14021, 2/25/81).	To amend the Commission's regulation, 10 CFR Part 40, to license the possession of uranium mill tailings at inactive storage sites.	Comments by April 27, 1981. Task Leader: Don Harmon, RES, (301) 443-5910.

<u>PRM Number</u>	<u>Petitioner (FR Citation)</u>	<u>Subject</u>	<u>Action</u>
50-24	John F. Doherty (44 FR 47997, 8/16/79)	To establish procedures whereby the Commission would inform all holders of Class 103 licenses of any announcement by any Federal agency or department of "predicted or expected falling objects from earth orbit of that department or agency's responsibility or a foreign nation's."	Comments by 10/1/79. One comment was received, and sent to petitioner. It expressed the view that a regulation is not required inasmuch as the NRC already has the necessary authority to order shut-down, and that such events would be infrequent. Staff preparing response to petition. Target Date: 10/81. Task Leader: B. Grimes, IE , (301) 492-7415.

<u>PRM Number</u>	<u>Petitioner (FR Citation)</u>	<u>Subject</u>	<u>Action</u>
51-6	Catherine Quigg (45 FR 25557, 4/15/80).	To require preparation of a generic EIS for high burnup nuclear fuel as used in commercial nuclear reactors, stored in spent fuel pools or cooling racks, or potentially as processed in reprocessing plants or disposed of in permanent sites.	Comments by 6/16/80. Fourteen comments received, the majority of which oppose the petition. Target Date: Staff response to petition expected by 4/30/81. Delay caused by urgent response required for the Duke Power Petition on Emergency Planning. Task Leader: M. Jamgochian, RES, (301) 443-5966.

<u>PRM Number</u>	<u>Petitioner (FR Citation)</u>	<u>Subject</u>	<u>Action</u>
71-6	Critical Mass Energy Project, et al. (42 FR 61089, 12/1/77).	To impose the following conditions on licensees: (1) the use of special routes for transportation of radioactive materials; (2) adoption of emergency plans for transportation accidents; (3) assumption by licensees of financial responsibility for shipping accidents; and (4) a plan for informing drivers of the nature of their cargo and emergency actions to be taken in case of accidents.	Comments by 1/30/78. Forty comments were received, the majority of which oppose the petition. Informed petitioner on 6/7/78 that NRC staff is delaying action on petition until NRC/DOT special study on Package Requirement and Emergency Response (requested by Congressman Wirth) is completed. The final report on the study (NUREG-0535) was published in July 1980. The staff is now considering the petition and the public comments based on the con- clusions and recommenda- tions reached by the joint NRC/DOT study group. Target Date: 9/82. Task Leader: A.N. Tse, RES , (301) 443-5946.

<u>PRM Number</u>	<u>Petitioner (FR Citation)</u>	<u>Subject</u>	<u>Action</u>
71-8	Foster Wheeler Energy Corp. (45 FR 39519, 6/11/80).	To exempt persons licensed pursuant to 10 CFR 34 for Industrial Radiography from the requirement of 10 CFR 71.12(b)(1)(i) that such persons have a copy of all documents referred to in the license, certificate, or other approval in order to be able to deliver licensed material to a carrier for transport under the general licensing provisions of 10 CFR 71.12.	Comments by 8/11/80. Three letters of comment have been received, all favoring the proposal. Target Date: 6/81. Task Leader: J. Henry, RES, (301) 443-5946.

<u>PRM Number</u>	<u>Petitioner (FR Citation)</u>	<u>Subject</u>	<u>Action</u>
140-1	Public Citizen Litigation Group and Critical Mass Energy Project (44 FR 50419).	To find, pursuant to the procedures and criteria in Subpart E of 10 CFR Part 140, that the nuclear accident at the Three Mile Island, Unit 2 nuclear power plant constitutes an "extraordinary nuclear occurrence" (ENO); to amend Subpart E to make less stringent the criteria used for determining that an ENO has occurred.	Comments by 10/29/79. One comment received. Evalua- tion report and proposed rule in preparation. Target Date: 6/30/81. Task Leader: H. Peterson, RES, (301) 443-5860.

D. PETITIONS REQUIRING DEFERRED ACTION

<u>PRM Number</u>	<u>Petitioner (FR Citation)</u>	<u>Subject</u>	<u>Action</u>
20-6	Natural Resources Defense Council, Inc. (40 FR 50327, 10/29/75).	To amend radiation protec- tion standards as they apply to the maximum per- missible whole body dose equivalent for occupational exposure. Petitioner requests lower occupational dose limits.	Comments by 2/12/76. Sixty comments were received, fifty-six of which were in opposition to the petition. A supplement to the petition was submitted by NRDC on 11/4/77, prior to Commission decision, re- questing consideration of recent epidemiological studies. This issue will be included in the hearing on occupational radiation protection to be jointly sponsored by EPA, NRC, and OSHA. Proposed EPA guidance published in Federal Register 1/23/81. EPA/NRC/OSHA hearings to be held in April and May of 1981. Task Leader: J. M. Bell, RES, (301) 427-4177.

<u>PRM Number</u>	<u>Petitioner (FR Citation)</u>	<u>Subject</u>	<u>Action</u>
20-6A	Rosalie Bertell (43 FR 37018, 8/21/78).	To amend NRC standards for protection against radiation as they apply to the maximum whole body dose equivalent for occupational exposures to ionizing radiation.	Comments by 10/20/78. Four comments received, one favoring and three opposing the petition. Staff met with Dr. Bertell on 11/6/78 to discuss her views. The joint hearing referred to under PRM-20-6 will include consideration of this petition. Advance notice of hearing published by EPA on 9/17/79 (44 FR 53785). Proposed EPA guidance published in Federal Register 1/23/81. EPA/NRC/OSHA hearings to be held in April and May of 1981. Target Date: Will be established after the public hearings. Task Leader: J. M. Bell, RES, (301) 427-4177.

<u>PRM Number</u>	<u>Petitioner (FR Citation)</u>	<u>Subject</u>	<u>Action</u>
20-7	Natural Resources Defense Council, Inc. (41 FR 41759, 9/23/76).	To adopt interim regula- tions setting standards for shallow land disposal of low-level radioactive wastes.	Notice of Partial Denial published in the Federal Register on 7/25/79 (44 FR 43541). Although staff concluded that im- mediate implementation of interim regulations is not warranted, the issue and points raised in the petition and in the petitioner's proposed GEIS outline are being con- sidered by NRC staff as input to their waste man- agement regulation and EIS. Preliminary draft of regu- lation on disposal of low- level wastes (Part 61) sent to States, industry, and the public for review 11/9/79. On February 28, 1980, the staff published a notice in the FEDERAL REGI- STER (45 FR 13104) making the same draft widely avail- able to assure early,

<u>PRM Number</u>	<u>Petitioner (FR Citation)</u>	<u>Subject</u>	<u>Action</u>
20-7 (cont.)			<p>broad-based input and review. Staff expects to issue draft EIS and proposed rule by April 1981.</p> <p>Task Leader: P. Lohaus, NMSS, (301) 427-4526.</p>

<u>PRM Number</u>	<u>Petitioner (FR Citation)</u>	<u>Subject</u>	<u>Action</u>
20-10	Citizens United for Responsible Energy (43 FR 3448, 1/25/78).	To require that all abnormal incidents be reported immediately (within 1/2 hour) to the Director of the appropriate NRC Inspection and Enforcement Regional Office.	Comments by 3/27/80. Twenty-six comments were received, six comments supported the petition; nineteen were opposed; one commenter's position was unclear. Target Date: 5/81. A response to the petition had to await the final rule on emergency planning which was published 8/19/80 (45 FR 55402). Task Leader: E. Conti, RES , (301) 443-5966.

<u>PRM Number</u>	<u>Petitioner (FR Citation)</u>	<u>Subject</u>	<u>Action</u>
50-20	Free Environment, Inc., et al. (42 FR 25785, 5/19/77).	To amend 10 CFR Part 50 before proceeding with any processing of license applications for the Central Iowa Nuclear Project to require that: (1) nuclear reactors be located below ground level; (2) nuclear reactors be housed in sealed buildings, within which permanent heavy vacuums are main- tained; (3) a full-time Federal employee with full authority to order the plant to be shut down in case of any operationa? abnormality always be present in a nuclear gen- erating station; and (4) the Central Iowa Nuclear Project and other reactors be sited at least 40 miles from major population centers.	Comments by 7/18/77. Three comments were received. Items (1) through (3) were incorporated in action on PRM-50-19. Item (3) denial published 2/2/78 (43 FR 4466); Items (1) and (2) denial published 4/19/78 (43 FR 16555). Work on Item (4) will be considered in the context of the rulemaking on siting criteria. Petitioners informed of status by letter (late July 1980). Target Date: 6/82. Task Leader: W. Ott, RES, (301) 443-5966.

<u>PRM Number</u>	<u>Petitioner (FR Citation)</u>	<u>Subject</u>	<u>Action</u>
50-21	Northern States Power Company and Wisconsin Electric Power Company (42 FR 37458, 7/21/77).	To include plant security information within the definition of Restricted Data or National Security Information, so as to extend the protection of 10 CFR Part 2 to such information.	Comments by 9/19/77. Twelve comments were received, all endorsing the petition. Staff response to the petition will be sent to EDO by 6/81, which should be consistent with publica- tion of a final rule covering the protection of safeguards information. Consideration to grant petition is under review based on P. L. 96-295 (NRC FY 80 Authorization Bill) which amended the Atomic Energy Act by adding Section 147 - Safeguards Information - which directs the Commis- sion to prescribe regula- tions or issue orders to prohibit the unauthorized disclosure of safeguards information which speci- fically identifies the licensees' or applicants' detailed security measures.

<u>PRM Number</u>	<u>Petitioner (FR Citation)</u>	<u>Subject</u>	<u>Action</u>
50-21 (cont.)			etc. NMSS has lead for development of final rule. Target Date: 6/81 Task Leader: K. Markulis, RES, (301) 443 5904.

<u>PRM Number</u>	<u>Petitioner (FR Citation)</u>	<u>Subject</u>	<u>Action</u>
50-22	Public Interest Research Group, et al. (42 FR 40063, 8/8/77).	To require plant operators to post bonds, to be held in escrow, prior to each plant's operation, to insure that funds will be available for proper and adequate isolation of radioactive material upon each plant's decommissioning.	Comments by 10/7/77, extended to 1/3/78. Sixty-two comments received, a majority of which oppose the petition. Notice of Partial Denial published 6/22/79 (44 FR 36523). Remaining portion incorporated into Advance Notice of proposed Rulemaking on Decommissioning Criteria for Nuclear Facilities, published 3/13/78 (43 FR 10370). Draft EIS on Decommissioning issued in January 1981. Target Dates: Proposed Rule scheduled for September 1981. Policy statement on decommissioning rule pertaining to reactors and other aspects of fuel cycle scheduled for May 1981. Task Leader for decommissioning rule: D. Calkins, RES, (301) 443-5910.

<u>PRM Number</u>	<u>Petitioner (FR Citation)</u>	<u>Subject</u>	<u>Action</u>
50-25 50-25a	State of Illinois and the Porter County Chapter of the Izaak Walton League of America, Inc., et al. (45 FR 7653, 2/4/80).	To amend 10 CFR 50.55(b) to require a "good cause" proceeding prior to granting a request for extension of a construction completion date to determine whether the permittee has shown good cause for the continued construction of the plant.	Comments by 4/4/80. No comments received as of 10/22/80. Target Date: ASLB and Commission have now ruled on "good cause" issue with respect to extension of CP for completion of construc- tion. The matter will be handled as a "fast track" rulemaking, with a proposed rule scheduled for May 1981. Task Leader: T. Dorian, ELD, (301) 492-8690.

<u>PRM Number</u>	<u>Petitioner (FR Citation)</u>	<u>Subject</u>	<u>Action</u>
50-29	Electric Utilities (45 FR 73080 11/4/80). Supplement to petition published 2/3/81 (46 FR 10501).	To request the Commission to address (ATWS) Anticipated Transients Without Scram which has been designated an Unresolved Safety Issue by the Commission. An ATWS occurs at a nuclear power plant if an abnormal operating condition ("anticipated transient") that should cause the plant's reactor protection system to initiate a rapid shutdown ("scram") of the reactor fails to function. Petitioner filed a supplement to the petition, dated 1/5/81, that contained a proposed Appendix to 10 CFR Part 50 which the petitioner requested the Commission to consider in connection with PRM-50-29. The proposed Appendix addresses the issue of Criteria for Evaluation of Scram Discharge Volume Systems for Boiling Water Reactors.	Comments by 1/5/81. 17 letters of comment have been received. Staff preparing response to comments. This petition will probably be incorporated into the ongoing ATWS rulemaking. Target Date: Proposed rule currently under consideration by Commission. Task Leader: M. El-Zeftawy ,RES (301) 443-5921.

<u>PRM Number</u>	<u>Petitioner (FR Citation)</u>	<u>Subject</u>	<u>Action</u>
51-1	New England Coalition on Nuclear Pollution (41 FR 2448, 1/16/76).	To amend Table S-3, "Summary of Environ- mental Considerations for Uranium Fuel Cycle." Petitioner's position is that Table S-3 seriously understates the impact of fuel cycle activities on human health and safety by disregarding the long- term effects of certain long-lived radionuclides.	Comments by 3/13/76, extended to 4/26/76. Ten comments were received, the majority of which opposed the petition. Partial denial published 4/14/78 (43 FR 15613). Remaining action deferred pending a future rulemaking proceeding to amend the value for radon in Table S-3; until then the radon value is subject to litigation in indi- vidual LWR licensing proceedings. Target Date: Not set. Task Leader: W.E. Thompson, NMSS, (301) 427-4211.

<u>PRM Number</u>	<u>Petitioner (FR Citation)</u>	<u>Subject</u>	<u>Action</u>
70-6	Eberline Instru- ment Corporation (42 FR 41675, 8/18/77).	To approve air transport of calibration or reference sources containing not more than 5 microcuries of plutonium.	<p>Two comments received 4/78, both of which sup- port the petition. Dis- position of this petition will proceed when the Commission determines policy by taking action on a staff-initiated rule- making action to implement Pub. L. 94-79. This law restricts air transport of plutonium. The rule- making will consider, among other things, whether under Public Law 94-79 the Com- mission may authorize air shipment of small quanti- ties of plutonium in a package other than an approved container, and if so, what regulatory require- ments should apply to such shipments.</p> <p>Target Date: A paper on the rulemaking is cur- rently scheduled to go to the Commission in 4/81.</p>

<u>PRM Number</u>	<u>Petitioner (FR Citation)</u>	<u>Subject</u>	<u>Action</u>
70-6 cont.			<p>Possible delay due to difficulty in resolving all legal issues on rulemaking. Action on petition will follow action on rulemaking, currently estimated to be early 1982.</p> <p>Task Leader: N. Eisenberg, RES, (301) 443-5946.</p>

<u>PRM Number</u>	<u>Petitioner (FR Citation)</u>	<u>Subject</u>	<u>Action</u>
73-2	Wisconsin Electric Power Company, et al. (42 FR 46431, 9/15/77).	To eliminate the requirement for "pat-down" physical search of individuals entering a protected area.	<p>Comments by 10/17/77. Approximately one hundred letters were received - about 80% from utilities, agreeing with petitioner; and about 20% from others, most of whom disagreed with petitioner. The Commission decided to delay implementation of certain complementary and alternative measures for protection against the insider threat. Letters were sent to the petitioner informing him of these delays (SECY-79-59, 79-59A, and 79-59B).</p> <p>Commission action on 12/1/80 delayed Pat-Down Search requirements indefinitely to allow public comment on the proposed rule that substitutes alternative measures for Pat-Down search requirements. NMSS has the lead for development</p>

PRM
Number

Petitioner
(FR Citation)

Subject

Action

73-2
cont.

| of the final rule. Action
| on the petition will be
| incorporated in the final
| rule.

| Target Date for the Final
| Rule: 6/81.

Task Leader: J. Prell
RES, (301) 443-5904.

<u>PRM Number</u>	<u>Petitioner (FR Citation)</u>	<u>Subject</u>	<u>Action</u>
73-3	KMC, Inc., et al. (43 FR 29635, 7/10/78).	To amend §73.55 to include a statement that meeting the specific requirements for physical protection of licensed activities in nuclear power reactors against individual sabotage normally will satisfy the performance requirement for physical protection at nuclear power plants.	<p>Comments by 9/8/78. No comments received.</p> <p>Target Date: Petitioner notified on 11/6/78 that action on the petition will be delayed until implementation of §73.55 is completed. Commission action on 12/1/80 extended Pat-Down search requirements indefinitely to allow public comment on proposed rule that would substitute alternative measures for Pat-Down search requirements.</p> <p>NMSS has the lead for development of the final rule. Action on the petition will be incorporated in the final rule.</p> <p>Target Date for Final Rule: 6/81.</p> <p>Task Leader: J. Prell RES (301) 443-5904.</p>

<u>PRM Number</u>	<u>Petitioner (FR Citation)</u>	<u>Subject</u>	<u>Action</u>
100-2	Public Interest Research Group, et al. (41 FR 27141, 7/1/76).	To set numerical limits on allowable population density around nuclear reactor sites.	Comments by 8/30/76. Twelve comments received. A staff paper (SCCY-78-624) was submitted to the Commission 12/4/78. The Commission, by memo to EDO dated 2/15/79, deferred action pending submission of Siting Policy Task Force report. Petitioner was notified of deferral by memo dated 3/9/79. Petitioner notified by letter (July 1980) that petition would be con- sidered in the context of rulemaking on siting criteria. Target Date: Final Rule scheduled for June 1982. Task Leader: W. Ott, RES, (301) 443-5966.