

NUREG-0936
Vol. 12, No. 4

NRC Regulatory Agenda

Quarterly Report
October-December 1993

U.S. Nuclear Regulatory Commission

Office of Administration



9403150227 940228
PDR NUREG
0936 R PDR

AVAILABILITY NOTICE

Availability of Reference Materials Cited in NRC Publications

Most documents cited in NRC publications will be available from one of the following sources:

1. The NRC Public Document Room, 2120 L Street, NW., Lower Level, Washington, DC 20555-0001
2. The Superintendent of Documents, U.S. Government Printing Office, Mail Stop SSOP, Washington, DC 20402-9328
3. The National Technical Information Service, Springfield, VA 22161

Although the listing that follows represents the majority of documents cited in NRC publications, it is not intended to be exhaustive.

Referenced documents available for inspection and copying for a fee from the NRC Public Document Room include NRC correspondence and internal NRC memoranda; NRC bulletins, circulars, information notices, inspection and investigation notices; licensee event reports; vendor reports and correspondence; Commission papers; and applicant and licensee documents and correspondence.

The following documents in the NUREG series are available for purchase from the GPO Sales Program: formal NRC staff and contractor reports, NRC-sponsored conference proceedings, international agreement reports, grant publications, and NRC booklets and brochures. Also available are regulatory guides, NRC regulations in the *Code of Federal Regulations*, and *Nuclear Regulatory Commission Issuances*.

Documents available from the National Technical Information Service include NUREG-series reports and technical reports prepared by other Federal agencies and reports prepared by the Atomic Energy Commission, forerunner agency to the Nuclear Regulatory Commission.

Documents available from public and special technical libraries include all open literature items, such as books, journal articles, and transactions. *Federal Register* notices, Federal and State legislation, and congressional reports can usually be obtained from these libraries.

Documents such as theses, dissertations, foreign reports and translations, and non-NRC conference proceedings are available for purchase from the organization sponsoring the publication cited.

Single copies of NRC draft reports are available free, to the extent of supply, upon written request to the Office of Administration, Distribution and Mail Services Section, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

Copies of industry codes and standards used in a substantive manner in the NRC regulatory process are maintained at the NRC Library, 7920 Norfolk Avenue, Bethesda, Maryland, for use by the public. Codes and standards are usually copyrighted and may be purchased from the originating organization or, if they are American National Standards, from the American National Standards Institute, 1430 Broadway, New York, NY 10018.

NRC Regulatory Agenda

Quarterly Report
October-December 1993

Manuscript Completed: January 1994
Date Published: February 1994

Division of Freedom of Information and Publications Services
Office of Administration
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001



TABLE OF CONTENTS

SECTION I - RULES

(A) Rules on which final action has been taken
since September 30, 1993

	<u>Page</u>
Whistleblower Protection for Nuclear Power Plant Employees (Parts 19, 30, 40, 50, 60, 61, 70, 72, 150).....	1
Self-Guarantee as an Additional Financial Assurance Mechanism (Parts 30, 40, 50, 70, 72).....	2
List of Approved Spent Fuel Storage Casks: Addition of Cask TN-24 (Part 72).....	3

(B) Proposed Rules

Availability of Official Records (Part 2).....	5
Interim Storage of Spent Fuel in an Independent Spent Fuel Storage Installation; Site-Specific License to a Qualified Applicant (Parts 2, 72).....	7
Equal Access to Justice Act: Implementation (Part 12).....	8
Low-Level Waste Manifest Information and Reporting (Parts 20, 61).....	9
Modifications to Fitness-for-Duty Program Requirements (Part 26).....	11
Procedures and Criteria for On-Site Storage of Low-Level Radioactive Waste (Parts 30, 40, 50, 70, 72).....	12
Timeliness in Decommissioning of Materials Facilities (Parts 30, 40, 70, 72).....	13
Requirements for Possession of Industrial Devices Containing Byproduct Material (Parts 31, 32).....	15
Requirements Concerning the Accessible Air Gap for Generally Licensed Devices (Parts 31, 32).....	16
Preparation, Transfer for Commercial Distribution, and Use of Byproduct Material for Medical Use (Part 35).....	17

	<u>Page</u>
Uranium Tailings Regulations; Conforming NRC Requirements to EPA Standards (Part 40).....	18
Licensee Submittal of Data in Computer-Readable Form (Parts 40, 72, 74, 75, 150).....	20
Primary Reactor Containment Leakage Testing for Water-Cooled Power Reactors (Part 50).....	21
Clarification of Emergency Preparedness Regulations; Exercise Requirements (Part 50).....	22
Notification of Spent Fuel Management and Funding Plans by Licensees of Prematurely Shut Down Power Reactors (Part 50).....	23
Reactor Site Criteria; Including Seismic and Earthquake Engineering Criteria for Nuclear Power Plants (Parts 50, 52, 100).....	24
Addition of Radon-222 and Technetium-99 Values to Table S-3 and Revisions Resulting from Consideration of Higher-Burnup Fuel (Part 51).....	25
License Renewal for Nuclear Power Plants; Scope of Environmental Effects (Part 51).....	27
Operators' Licenses (Part 55).....	28
Elimination of Inconsistencies Between NRC Regulations and EPA HLW Standards (Part 60).....	29
Clarification of Assessment Requirements for Siting Criteria and Performance Objectives (Part 60).....	30
Update of Transportation Regulations to Incorporate New Licensing Information (Part 71).....	31
Emergency Planning for Independent Spent Fuel Storage Facilities (ISFSI) and Monitored Retrievable Storage Facilities (MRS) (Part 72).....	32
Notification of Incidents (Part 72).....	33
Physical Fitness Programs for Security Personnel at Category I Licensee Fuel Cycle Facilities (Part 73).....	34

	<u>Page</u>
Protection Against Malevolent Use of Vehicles at Nuclear Power Plants (Part 73).....	35
Import and Export of Radioactive Waste (Part 110).....	36
Specific Licensing of Exports of Certain Alpha-Emitting Radionuclides and Byproduct Material (Part 110).....	37
Criteria for an Extraordinary Nuclear Occurrence (Part 140).....	39
Reasserting NRC's Sole Authority for Approving Onsite Low-level Waste Disposal in Agreement States (Part 150)...	40
Restoration of Generic Exemption from Annual Fees for Nonprofit Educational Institutions (Part 171).....	41

(C) Advance Notices of Proposed Rulemaking

Comprehensive Quality Assurance in Medical Use and a Standard of Care (Part 35).....	43
Licensing of Source Material (Part 40).....	44
Acceptability of Plant Performance for Severe Accidents; Scope of Consideration in Safety Regulations (Part 50)....	46
Acceptance of Products Purchased for Use in Nuclear Power Plant Structures, Systems, and Components (Part 50).....	47
Rulemakings to Grant Standard Design Certification for Evolutionary Light Water Reactor Designs (Part 52).....	48
NRC Fee Policy (Parts 170, 171).....	49

(D) Unpublished Rules

Supplemental Standards of Ethical Conduct for Employees of the Nuclear Regulatory Commission (Part 0).....	51
Revised Rules of Practice for Domestic Licensing Proceedings (Parts 0, 1, 2, 9, 50).....	52
Statement of Organization and General Information; Minor Amendments (Part 1).....	53
Minor Clarifying Amendments (Parts 1, 21, 30, 32, 50).....	54*

	<u>Page</u>
Withholding of Documents (Part 2).....	55
Informal Hearing Procedures for Materials Licensing Adjudications (Part 2).....	56
Discrimination on the Basis of Sex (Parts 2, 19)....	57
Revision of Specific Exemptions (Part 9).....	58
Radiation Protection Requirements; Amended Definitions and Criteria (Parts 19, 20).....	59
NRC Operations Center; Commercial Telephone Number Change (Parts 20, 21, 30, 35, 40, 50, 70, 72, 73).....	60
Radiological Criteria for Decommissioning of Nuclear Facilities (Part 20).....	61
Disposal by Release into Sanitary Sewerage (Part 20).....	63
Release Criteria for Patients Administered Radioactive Materials (Parts 20, 35).....	64
Clarification of Reporting of Defects and Noncompliance for Materials Facilities (Part 21).....	65
Clarification of Decommissioning Funding Requirements (Parts 30, 40, 70, 72).....	66*
Reporting Requirements for Transfer of Products to Persons Exempt from Licensing Requirements (Part 32).....	67
Radiography and Radiation Safety Requirements for Radiography Operations (Part 34).....	68
Administration of Byproduct Material or Radiation to Patients Who May Be Pregnant or Breast-Feeding (Part 35).....	69
Design and Performance Criteria for Sealed Sources Used in Well Logging (Part 39).....	70
Fracture Toughness Requirements for LWR Pressure Vessels (Part 50).....	71
Codes and Standards for Nuclear Power Plants (ASME B&PV Code, 1989/1990/1991/1992/1993 Addenda and 1992 Edition, Appendix VIII, Safety-Related Snubbers and the ASME OM Code-1990 Edition, 1992 Addenda and 1993 Addenda) (Part 50).....	73

	<u>Page</u>
Thermal Annealing of the Reactor Pressure Vessel (Part 50).....	75
Definition of Commitment (Part 50).....	76
Changes to Fire Protection Plans (Part 50).....	77
Safety Requirements for Reactor Coolant Pump Seals (Part 50).....	78
Code and Standards for Nuclear Power Plants (ASME Code, Section XI, Division 1, Subsection IWE and Subsection IWL) (Part 50).....	79
Changes to Emergency Plans (Part 50).....	81
Changes to Security Plans (Part 50).....	82
Changes to Liability Assurance Programs (Part 50).....	83
Standardized Plant Designs, Early Review of Site Suitability Issues; Clarifying Amendments (Parts 50, 52, 140).....	84
Consideration of the Possible Effects of Power Reactor Ownership Arrangements on Safety (Part 50).....	85
Design Basis Events (Part 60).....	86
Land Ownership Requirements for Low-Level Waste Sites (Part 61).....	87
Financial Assurance for Low-Level Waste Disposal Site Surveillance, Monitoring, and Custodial Care (Part 61).....	88
Removal of Criticality Alarm Requirements for Fresh Fuel (Part 70).....	89
Fingerprint Cards: Change in User Fee (Part 73).....	90*
Night Firing Qualifications for Security Guards at Nuclear Power Plants (Part 73).....	91
Physical Protection of Special Nuclear Material in Transit (Part 73).....	92
Reinvestigation of Individuals Granted Unescorted Access to Nuclear Power Plants (Part 73).....	93

Standards for Certification of DOE Uranium Enrichment Gaseous Diffusion Facilities (Part 76)..... 94

SECTION II - PETITIONS FOR RULEMAKING

(A) Petitions incorporated into final rules or petitions denied since September 30, 1993

None

(B) Petitions incorporated into proposed rules

None

(C) Petitions pending staff review

Carol S. Marcus, Ph.D., M.D. (PRM-20-20)..... 95
Keith J. Schiager, Ph.D., et al. (PRM-20-21)..... 95
Northeast Ohio Regional Sewer District (PRM-20-22)..... 97*
Nuclear Management and Resources Council (PRM-21-2)..... 98*
Advanced Medical Systems, Inc. (PRM-32-3)..... 99
mb-microtec (USA) (PRM-32-4)..... 100*
International Union of Operating Engineers, Local No. 2 (PRM-34-4)..... 101
American College of Nuclear Medicine (PRM-35-10/PRM-35-10A)..... 102
The Ohio Citizens for Responsible Energy (PRM-50-53)..... 103
North Carolina Public Utility Commission (PRM-50-57)..... 105
Virginia Electric and Power Company (PRM-50-58)..... 106
Department of Energy (PRM-60-3)..... 107
New England Coalition on Nuclear Pollution, Inc. (PRM-61-2)..... 108

	<u>Page</u>
Maryland Safe Energy Coalition (PRM-72-1).....	109
Envirocare of Utah, Inc. (PRM-150-2).....	110
American College of Nuclear Physicians and Society of Nuclear Medicine (PRM-170-3).....	111
American Mining Congress (PRM-170-4).....	112

(D) Petitions with deferred action

None

Preface

The Regulatory Agenda is a quarterly compilation of all rules on which the NRC has recently completed action, or has proposed action, or is considering action, and of all petitions for rulemaking that the NRC has received that are pending disposition.

Organization of the Agenda

The agenda consists of two sections that have been updated through December 31, 1993. Section I, "Rules," includes (A) rules on which final action has been taken since September 30, 1993, the closing date of the last NRC Regulatory Agenda; (B) rules published previously as proposed rules on which the Commission has not taken final action; (C) rules published as advance notices of proposed rulemaking for which neither a proposed nor final rule has been issued; and (D) unpublished rules on which the NRC expects to take action.

Section II, "Petitions for Rulemaking," includes (A) petitions denied or incorporated into final rules since September 30, 1993; (B) petitions incorporated into proposed rules; (C) petitions pending staff review, and (D) petitions with deferred action.

In Section I of the agenda, the rules are ordered from the lowest to the highest part within Title 10, Chapter I, of the Code of Federal Regulations (Title 10). If more than one rule appears under the same part, the rules are arranged within that part by date of most recent publication. If a rule amends multiple parts, the rule is listed under the lowest affected part. In Section II of the agenda, the petitions are ordered from the lowest to the highest part of Title 10 and are identified with a petition for rulemaking (PRM) number. If more than one petition appears under the same CFR part, the petitions are arranged by PRM numbers in consecutive order within that part of Title 10.

A Regulation Identifier Number (RIN) has been added to each rulemaking agenda entry. This identification number will make it easier for the public and agency officials to track the publication history of regulatory actions.

The dates listed under the heading "Timetable" for scheduled action by the Commission or the Executive Director for Operations (EDO) on particular rules or petitions are considered tentative and are not binding on the Commission or

its staff. They are included for planning purposes only. This Regulatory Agenda is published to provide the public early notice and opportunity to participate in the rulemaking process. However, the NRC may consider or act on any rulemaking proceeding even if it is not included in this Regulatory Agenda.

Rulemakings Approved by the Executive Director for Operations (EDO)

The Executive Director for Operations initiated a procedure for the review of the regulations being prepared by staff offices that report to him to ensure that staff resources were being allocated to achieve NRC's regulatory priorities most effectively. This procedure requires EDO approval before staff resources may be expended on the development of any new rulemaking. Furthermore, all existing rules must receive EDO approval prior to the commitment of additional resources.

Those unpublished rules whose further development has been terminated will be noted in this edition of the agenda and deleted from subsequent editions. Rules whose termination was directed subsequent to publication of a notice of proposed rulemaking or an advance notice of proposed rulemaking will be removed from the agenda after publication of a notice of withdrawal. Rules and Petitions for Rulemaking that appear on the agenda for the first time are identified by an asterisk (*).

Public Participation in Rulemaking

Comments on any rule in the agenda may be sent to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Attention: Docketing and Service Branch, Washington, DC 20555. Comments may also be hand delivered to One White Flint North, 11555 Rockville Pike, Rockville, Maryland, between 7:30 a.m. and 4:15 p.m., Federal workdays. Comments received on rules for which the comment period has closed will be considered if it is practical to do so, but assurance of consideration cannot be given except as to comments received on or before the closure dates specified in the agenda.

The agenda and any comments received on any rule listed in the agenda are available for public inspection, and copying for a fee, at the Nuclear Regulatory Commission's Public Document Room, 2120 L Street, NW. (Lower Level), Washington, DC, between 7:45 a.m. and 4:15 p.m.

Additional Rulemaking Information

For further information concerning NRC rulemaking procedures or the status of any rule listed in this agenda, contact Betty Golden, Regulations Specialist, Rules Review and Directives Branch, Division of Freedom of Information and Publications Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Telephone (301) 492-4268 (persons outside the Washington, DC metropolitan area may call toll-free: 800-368-5642). For further information on the substantive content of any rule listed in the agenda, contact the individual listed under the heading "Agency Contact" for that rule.

I-RULES

A

(A) Rules on which final action has been taken
since September 30, 1993

TITLE:

Whistleblower Protection for Nuclear Power Plant
Employees

RIN:

3150-AE50

CFR CITATION:

10 CFR 19; 10 CFR 30; 10 CFR 40; 10 CFR 50; 10 CFR 60;
10 CFR 61; 10 CFR 70; 10 CFR 72; 10 CFR 150

ABSTRACT:

The final rule amends the Commission's regulations regarding the protection of employees who provide information to the NRC or their employers concerning safety issues. These amendments are intended to conform current NRC regulations to the new nuclear whistleblower protection provisions of the Energy Policy Act of 1992, which was enacted on October 24, 1992.

TIMETABLE:

Final Action Published 10/08/93 58 FR 52406
Final Action Effective 11/08/93

LEGAL AUTHORITY:

42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:

James Lieberman
Office of Enforcement
301 504-2741

TITLE:

Self-Guarantee as an Additional Financial Assurance
Mechanism

RIN:

3150-AE16

CFR CITATION:

10 CFR 30; 10 CFR 40; 10 CFR 50; 10 CFR 70; 10 CFR 72

ABSTRACT:

The final rule amends the Commission's regulations for decommissioning licensed facilities to allow certain non-electric utility licensees to use self-guarantee as a means of financial assurance. The final rule reduces the cost burden of financial assurance while providing NRC with sufficient assurance that decommissioning costs will be funded. This rule also grants a petition for rulemaking (PRM-30-59) submitted by General Electric Company and Westinghouse Electric Corporation and completes action on the petition.

TIMETABLE:

Final Action Published 12/29/93 58 FR 68726
Final Action Effective 01/28/94

LEGAL AUTHORITY:

42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:

Clark Prichard
Office of Nuclear Regulatory Research
301 492-3734

TITLE:

List of Approved Spent Fuel Storage Casks: Addition of
Cask TN-24

RIN:

3150-AE15

CFR CITATION:

10 CFR 72

ABSTRACT:

The final rule amends the Commission's regulations governing the storage of spent fuel at nuclear power reactor sites in NRC-certified casks under a general license. Five spent-fuel storage casks have been certified and are currently listed in § 72.214. The final rule approves and lists an additional cask: Cask TN-24 from Transnuclear Inc. A Safety Evaluation Report has been completed for this cask. An operating nuclear power reactor licensee may choose from any of the listed casks to store spent fuel at the reactor site under a general license.

TIMETABLE:

Final Action Published 10/05/93 58 FR 51762
Final Action Effective 11/04/93

LEGAL AUTHORITY:

42 USC 2201; 42 USC 5846

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: Undetermined

AGENCY CONTACT:

Gordon Gundersen
Office of Nuclear Regulatory Research
301 492-3803

(B) Proposed Rules

B

TITLE:

Availability of Official Records

RIN:

3150-AC07

CFR CITATION:

10 CFR 2

ABSTRACT:

The proposed amendment would conform the NRC's regulations pertaining to the availability of official records to existing case law and agency practice. The amendment would reaffirm that 10 CFR 2.790(c) provides submitters of information a qualified right to have their information returned upon request. This amendment informs the public of three additional circumstances where information will not be returned to the applicant, i.e., information which has been made available to an advisory committee or was received at an advisory committee meeting, information discussed at an open Commission meeting under the Government in Sunshine Act, and information that is subject to a pending Freedom of Information Act request.

The proposed amendment would also address the NRC's procedures for handling copyrighted information, including reproduction and distribution according to normal agency practice. The NRC, in receiving submittals and making its normal distributions, routinely photocopies submittals, makes microfiche of the submittals, and ensures that these fiche are distributed to the Public Document Room, Local Public Document Rooms, all appropriate internal offices, and made available to the National Technical Information Service. This broad distribution and reproduction is made to increase public understanding of the peaceful uses of atomic energy. The proposed rule would not prevent submitters from applying 10 CFR 2.790(b)(1) procedures to information that contains trade secrets or privileged or confidential commercial or financial information (proprietary information) and it is recognized that some information in those categories may be copyrighted. Proprietary information status exempts this material from public disclosure and is not to be confused with handling pursuant to copyright designation.

TITLE:

Availability of Official Records

TIMETABLE:

Proposed Action Published 12/23/92 57 FR 61013
Proposed Action Comment Period Ends 03/08/93
Final Action Published Undetermined

LEGAL AUTHORITY:

42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:

Catherine M. Holzle
Office of the General Counsel
301 504-1560

TITLE:

Interim Storage of Spent Fuel in an Independent Spent Fuel Storage Installation; Site-Specific License to a Qualified Applicant

RIN:

3150-AE64

CFR CITATION:

10 CFR 2; 10 CFR 72

ABSTRACT:

The proposed rule would amend the Commission's procedures under which the Director of Nuclear Materials Safety and Safeguards can issue a site-specific license to a qualified applicant for the interim storage of spent fuel in an independent spent fuel storage installation (ISFSI) following satisfactory completion of NRC safety and environmental reviews and after any public hearing on the application. The proposed rule is administrative in nature and would eliminate the need for express Commission authorization for each ISFSI license, but would not affect the scope of NRC review of an ISFSI license application or change the present opportunity for public hearing provided for in the NRC's rules of practice.

TIMETABLE:

Proposed Action Published 06/03/93 58 FR 31478
Proposed Action Comment Period Ends 10/01/93
58 FR 48004
Final Action Published 04/00/94

LEGAL AUTHORITY:

42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:

C. William Reamer
Office of the General Counsel
301 504-1640

TITLE:

Equal Access to Justice Act: Implementation

RIN:

3150-AE61

CFR CITATION:

10 CFR 12

ABSTRACT:

The proposed rule would amend the Commission's regulations by adding new provisions designed to implement the Equal Access to Justice Act (EAJA). The EAJA provides for the award of fees and expenses to certain individuals and businesses that prevail in agency formal adjudicatory proceedings in which the agency's position is determined not to have been substantially justified.

TIMETABLE:

Proposed Action Published 08/02/93 58 FR 41061

Proposed Action Comment Period Ends 09/01/93

Final Action Published 03/00/94

LEGAL AUTHORITY:

42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:

Susan Fonner
Office of the General Counsel
301 504-1634

TITLE:

Low-Level Waste Manifest Information and Reporting

RIN:

3150-AD33

CFR CITATION:

10 CFR 20; 10 CFR 61

ABSTRACT:

The proposed rule would amend the Commission's regulations to: (1) improve information contained in manifests accompanying shipments of waste to low-level waste (LLW) disposal facilities licensed under Part 61; (2) develop a uniform manifest for national use; (3) require that operators of these disposal facilities store manifest information in electronic recordkeeping systems; and (4) require that operators submit, on a computer-readable medium, reports of shipment manifest information.

To ensure safe disposal of LLW, the NRC must understand the mechanisms and rates by which radioactivity can be released from LLW and into the environment. To do this, the NRC must understand the chemical, physical, and radiological characteristics of LLW. This task is greatly complicated by the heterogeneous nature of LLW; it exists in a variety of chemical and physical forms and contains roughly 200 different radionuclides in concentrations that can range from a few microcuries to several hundred curies per cubic foot. Each year there are thousands of shipments to LLW disposal sites.

Pursuant to Part 20, a manifest must accompany each shipment of LLW to a disposal facility. Unfortunately, existing manifests do not describe the waste in detail sufficient to ensure compliance with Part 61 performance objectives.

A rulemaking that upgrades shipment manifests, provides for a uniform manifest, and requires disposal site electronic recordkeeping systems and electronic transmittal of data will assure that technical information on LLW is available and in a form which can be used for performance assessments, technical analysis, and other activities and would reduce confusion resulting from multiple manifest forms. A requirement to report electronic manifest information will ensure that the regulatory staff has the ability to perform safety and environmental assessments and to monitor compliance with regulations and license conditions.

TITLE:

Low-Level Waste Manifest Information and Reporting

ABSTRACT: (CONT)

The rulemaking would facilitate the eventual development of a complete, detailed national LLW computer data base, if appropriate, that contains information about waste disposed in all LLW sites, those regulated by NRC as well as by Agreement States. The rulemaking, through development of a uniform manifest, would also improve safe and expeditious movement of LLW from generators through processors or collectors to disposal facilities. Emergency accident procedures would be enhanced through use of a single uniform manifest.

The NRC does not expect that the rulemaking will increase disposal costs. The final rule is dependent upon a coordinated rulemaking effort with the Department of Transportation.

TIMETABLE:

Proposed Action Published 04/21/92 57 FR 14500
Proposed Action Comment Period Ends 07/20/92
Final Action Published Undetermined

LEGAL AUTHORITY:

42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: Yes

AGENCY CONTACT:

Mark Haisfield/William Lahs
Office of Nuclear Regulatory Research
Office of Nuclear Material Safety and Safeguards
301 492-3877/301 504-2569

TITLE:

Modifications to Fitness-for-Duty Program Requirements

RIN:

3150-AE36

CFR CITATION:

10 CFR 26

ABSTRACT:

The proposed rule would amend the NRC's regulations to modify the current Fitness-for-Duty Program (FFD) requirements. The proposed amendments would apply to all licensees authorized to construct or operate a nuclear power reactor and all licensees authorized to possess or transport Category I nuclear material. The proposed rule is intended to reduce unnecessary burdens by reducing the random testing rate for licensee employees and to ensure the continued protection of public health and safety.

TIMETABLE:

Proposed Action Published 03/24/93 58 FR 15810
Proposed Action Comment Period Ends 06/22/93
Final Action Published 01/05/94

LEGAL AUTHORITY:

42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: Undetermined

AGENCY CONTACT:

Loren Bush, Jr.
Office of Nuclear Reactor Regulation
301 504-2944

TITLE:

Procedures and Criteria for On-Site Storage of
Low-Level Radioactive Waste

RIN:

0150-AE22

CFR CITATION:

10 CFR 30; 10 CFR 40; 10 CFR 50; 10 CFR 70; 10 CFR 72

ABSTRACT:

The proposed rule would amend the Commission's regulations for reactor, material, fuel cycle, and independent spent fuel storage licensees. The proposed rule would establish a regulatory framework containing the procedures and criteria that will apply to on-site storage of low-level radioactive waste (LLW), beyond January 1, 1996. The Commission has determined, under the authority of the Atomic Energy Act of 1954, as amended, that these changes are required because of potential health and safety concerns associated with the increased reliance upon on-site storage of LLW. The proposed rule is intended to support the goals that have been established by the Low-Level Radioactive Waste Policy Amendments Act of 1985.

TIMETABLE:

Proposed Action Published 02/02/93 58 FR 6730
Proposed Action Comment Period Ends 04/05/93
Final Action Published 02/00/94

LEGAL AUTHORITY:

42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: Undetermined

AGENCY CONTACT:

Robert Nelson
Office of Nuclear Material Safety and Safeguards
301 504-2004

TITLE:

Timeliness in Decommissioning of Materials Facilities

RIN:

3150-AD85

CFR CITATION:

10 CFR 30; 10 CFR 40; 10 CFR 70; 10 CFR 72

ABSTRACT:

The proposed rule would amend the Commission's regulations to require decontamination and decommissioning of material facilities within a fixed period of time after cessation of operations.

Current regulations allow material licensees considerable discretion as to the timing of decontamination and decommissioning. This has allowed licensees to remain inactive without decommissioning on the basis that operations may resume sometime in the future. Similarly, licensees are not required to decontaminate promptly, in step-by-step fashion, portions of their facilities that become inactive as their operations evolve. This allows licensees to postpone heavy decommissioning costs by simply continuing sufficient controls, monitoring, and surveillance to meet minimal safety requirements.

The proposed rule would require decontamination and decommissioning of materials facilities within a fixed period of time (e.g., 2-3 years) after cessation of operations. This requirement would be accompanied by a provision that the licensee seek a variance if completion of decontamination or decommissioning within the required times is not technically achievable or if delaying decontamination or decommissioning would reduce risk to public health and safety or the environment.

The rulemaking will result in publication of specific criteria for timeliness in the decontamination and decommissioning of material facilities. This rulemaking will provide a more substantial planning base for the industry and result in timely decontamination and decommissioning of material facilities. The resulting timely decontamination and decommissioning of materials facilities will reduce the potential radiological risk to the public and the environment from contaminated materials sites. The rulemaking is not expected to substantially affect licensee costs.

TITLE:

Timeliness in Decommissioning of Materials Facilities

TIMETABLE:

Proposed Action Published 01/13/93 58 FR 4099

Proposed Action Comment Period Ends 03/29/93

Final Action Published 04/00/94

LEGAL AUTHORITY:

42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:

Cheryl A. Trottier

Office of Nuclear Regulatory Research

301 492-3640

TITLE:

Requirements for Possession of Industrial Devices
Containing Byproduct Material

RIN:

3150-AD34

CFR CITATION:

10 CFR 31; 10 CFR 32

ABSTRACT:

The proposed rule would amend the Commission's regulations for the possession of industrial devices containing byproduct material to require device users to report to the NRC initially and then on a periodic basis. The report would indicate that the device is still in use or to whom the device has been transferred. The proposed rule would be the most efficient method, considering the number of general licensees and the number of devices currently in use, for assuring that devices are not improperly transferred or inadvertently discarded. The proposed rule is necessary to avoid unnecessary radiation exposure to the public that may occur when an improperly discarded device is included in a batch of scrap metal for reprocessing. The proposed rule would also avoid the unnecessary expense involved in retrieving the manufactured items fabricated from contaminated metal.

TIMETABLE:

Proposed Action Published 12/27/91 56 FR 67011
Proposed Action Comment Period Ends 03/12/92
Final Action Published Undetermined

LEGAL AUTHORITY:

42 USC 2111; 42 USC 2114; 42 USC 2201

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: Yes

AGENCY CONTACT:

Joseph J. Mate
Office of Nuclear Regulatory Research
301 492-3795

TITLE:

Requirements Concerning the Accessible Air Gap for
Generally Licensed Devices

RIN:

3150-AD82

CFR CITATION:

10 CFR 31; 10 CFR 32

ABSTRACT:

The proposed rule would amend the Commission's regulations to prevent unnecessary radiation exposure to individuals resulting from the use of gauging devices containing radioactive sources. These devices are routinely used for measuring material density, level, weight, moisture, and thickness. The proposed rule would provide for additional regulatory control over devices with both an accessible air gap and radiation levels that exceed specified values.

TIMETABLE:

Proposed Action Published 11/27/92 57 FR 56287
Proposed Action Comment Period Ends 03/29/93
Final Action Published 07/00/94

LEGAL AUTHORITY:

42 USC 2073; 42 USC 2093; 42 USC 2111; 42 USC 2232; 42
USC 2233; 42 USC 2273; 42 USC 5842

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:

Stephen McGuire
Office of Nuclear Regulatory Research
301 492-3757

TITLE:

Preparation, Transfer for Commercial Distribution, and
Use of Byproduct Material for Medical Use

RIN:

3150-AD69

CFR CITATION:

10 CFR 35

ABSTRACT:

The proposed rule would examine the Commission's regulations related to the compounding of radiopharmaceuticals, the use of biologics containing byproduct material, and the medical research uses of radiopharmaceuticals. This rulemaking will address a petition for rulemaking from the American College of Nuclear Physicians and the Society of Nuclear Medicine (PRM-35-9).

TIMETABLE:

Proposed Action Published 06/17/93 58 FR 33396
Proposed Action Comment Period Ends 10/15/93
Final Action Published 06/00/94

LEGAL AUTHORITY:

42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:

Anthony Tse
Office of Nuclear Regulatory Research
301 492-3797

TITLE:

Uranium Tailings Regulations; Conforming
NRC Requirements to EPA Standards

RIN:

3150-AE77

CFR CITATION:

10 CFR 40

ABSTRACT:

The proposed rule would conform the Commission's regulations governing uranium mill tailings to the Environmental Protection Agency (EPA) standards promulgated under the Uranium Mill Tailings Radiation Control Act. In accordance with Section 112(d)(9) of the Clean Air Act Amendments of 1990, the EPA may rescind 40 CFR Part 61, Subpart T as it applies to NRC licensees subject to a finding that the NRC regulatory program protects the public health with an ample margin of safety. In October 1991, NRC, EPA, and the affected NRC Agreement States, executed a Memorandum of Understanding to address the actions to be undertaken by EPA and NRC to eliminate regulatory redundancy and to ensure that uranium mill tailings disposal sites are closed as expeditiously as practicable considering technical feasibility. The EPA has revised its regulations pertaining to uranium mill tailings disposal sites in 40 CFR 192, Subpart D, to ensure timely emplacement of a permanent radon barrier and to require monitoring for nonoperational uranium mill tailings disposal sites that are licensed by NRC or one of its Agreement States (November 15, 1993; 58 FR 60340). The NRC is required to conform its regulations governing uranium mill tailings to EPA's generally applicable standards promulgated under the Uranium Mill Tailings Radiation Control Act. NRC noted its intention to amend Appendix A of 10 CFR Part 40 to conform to EPA's planned amendments to 40 CFR 192, Subpart D, in an Advance Notice of Proposed Rulemaking entitled, "Licensing of Source Material" (October 28, 1992; 57 FR 48749).

TIMETABLE:

Proposed Action Published 11/03/93 58 FR 58657
Proposed Action Comment Period Ends 12/17/93
Final Action Published 05/00/94

LEGAL AUTHORITY:

42 USC 2201; 42 USC 5841

TITLE:

Uranium Tailings Regulations; Conforming
NRC Requirements to EPA Standards

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: Undetermined

AGENCY CONTACT:

Catherine R. Mattsen
Office of Nuclear Regulatory Research
301 492-3638

TITLE:

Licensee Submittal of Data in Computer-Readable Form

RIN:

3150-AE35

CFR CITATION:

10 CFR 40; 10 CFR 72; 10 CFR 74; 10 CFR 75; 10 CFR 150

ABSTRACT:

The proposed rule would amend the Commission's regulations to require that licensees' submittals related to special nuclear material transactions be in computer-readable form. The proposed rule would affect those licensees possessing reportable quantities of special nuclear material. The purpose of this proposed amendment is to increase the efficiency of the data collection process and, at the same time, reduce costs.

TIMETABLE:

Proposed Action Published 01/26/93 58 FR 6098
Proposed Action Comment Period Ends 04/26/93
Final Action Published 03/00/94

LEGAL AUTHORITY:

42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:

Richard H. Gramann
Office of Nuclear Material Safety and Safeguards
301 504-2456

TITLE:

Primary Reactor Containment Leakage Testing for Water-Cooled Power Reactors

RIN:

3150-AA86

CFR CITATION:

10 CFR 50; Appendix J

ABSTRACT:

The proposed rule would update and revise the 1973 criteria for preoperational and periodic pressure testing for leakage of primary containment boundaries of water-cooled power reactors. The Commission has decided to proceed with a new approach to the rulemaking and withdraw this proposed rule. A notice of withdrawal will be included in the proposed rule that presents the new approach for public comment.

TIMETABLE:

Proposed Action Published 10/29/86 51 FR 39538
Proposed Action Comment Period Ends 04/24/87
52 FR 2416
Notice of Withdrawal Published 07/00/94

LEGAL AUTHORITY:

42 USC 2133; 42 USC 2134; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:

Moni Dey
Office of Nuclear Regulatory Research
301 492-3912

TITLE:

Clarification of Emergency Preparedness Regulations;
Exercise Requirements

RIN:

3150-AD40

CFR CITATION:

10 CFR 50

ABSTRACT:

The proposed rule would amend the Commission's regulations by clarifying the link between the need for "reasonable assurance that adequate protective measures can and will be taken in the event of a radiological emergency" indicated in § 50.47(a) and 16 planning standards outlined in § 50.47(b). In addition, the rulemaking will clarify the term "range of protective actions." Other issues to be clarified include monitoring of evacuees, actions for recovery and reentry, notification of the public, evacuation time estimates, and exercise frequency.

TIMETABLE:

Proposed Action Published 06/28/93 58 FR 34539
Proposed Action Comment Period Ends 09/13/93
Final Action Published 07/00/94

LEGAL AUTHORITY:

42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:

Michael T. Jamgochian
Office of Nuclear Regulatory Research
301 492-3918

TITLE:

Notification of Spent Fuel Management and Funding Plans by Licensees of Prematurely Shut Down Power Reactors

RIN:

3150-AE46

CFR CITATION:

10 CFR 50

ABSTRACT:

The proposed rule would amend the Commission's regulations to clarify the timing of notification to the NRC of Spent Fuel Management and Funding Plans by licensees of those nuclear power reactors that have been shut down before the expected end of their operating lives. The proposed rule would require that a licensee submit its notification either within 2 years after permanently ceasing operation of its reactor or no later than 5 years before the reactor operating license expires, whichever event occurs first.

TIMETABLE:

Proposed Action Published 06/30/93 58 FR 34947
Proposed Action Comment Period Ends 09/13/93
Final Action Published 02/00/94

LEGAL AUTHORITY:

42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:

Robert Wood
Office of Nuclear Reactor Regulation
301 504-1255

TITLE:

Reactor Site Criteria; Including Seismic and Earthquake Engineering Criteria for Nuclear Power Plants

RIN:

3150-AD93

CFR CITATION:

10 CFR 50; 10 CFR 52; 10 CFR 100

ABSTRACT:

The proposed rule would amend the Commission's regulations to update the criteria used in decisions regarding power reactor siting, including geologic, seismic, and earthquake engineering considerations for future nuclear power plants. The proposed rule would allow NRC to benefit from experience gained in the application of the procedures and methods set forth in the current regulation and to incorporate the rapid advancements in the earth sciences and earthquake engineering. The proposed rule primarily consists of two separate changes, namely, the source term and dose considerations, and the seismic and earthquake engineering considerations of reactor siting.

A second phase of this rulemaking action is described in the proposed rule titled, "Acceptability of Plant Performance for Severe Accidents; Scope of Consideration in Safety Regulations (RIN 3150-AF38)."

The Commission is also proposing to deny the remaining issue in a petition for rulemaking filed by Free Environment, Inc., et al (PRM-50-20).

TIMETABLE:

Proposed Action Published 10/20/92 57 FR 47802
Proposed Action Comment Period Ends 06/01/93
58 FR 16377
Final Action Published 02/00/95

LEGAL AUTHORITY:

42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: Undetermined

AGENCY CONTACT:

Leonard Soffer
Office of Nuclear Regulatory Research
301 492-3916

TITLE:

Addition of Radon-222 and Technetium-99 Values to Table S-3 and Revisions Resulting from Consideration of Higher-Burnup Fuel

RIN:

3150-AA31

CFR CITATION:

10 CFR 51

ABSTRACT:

The proposed rule would amend the Table of Uranium Fuel Cycle Environmental Data (Table S-3) by adding new estimates for potential releases of technetium-99 and radon-222 and by updating other estimates. The proposed rule's narrative explanation (NUREG-1481) also describes the basis for the values contained in Table S-3, explains the environmental effects of these potential releases from the LWR Fuel Cycle, and postulates the potential radiation doses, health effects, and environmental impacts of these potential releases. The proposed rule would also amend 10 CFR 51.52 to modify the enrichment value of U-235 and the maximum level of average fuel irradiation (burnup in megawatt-days of thermal power per metric ton of uranium). The narrative explanation also addresses important fuel cycle impacts and the cumulative impacts of the nuclear fuel cycle for the whole nuclear power industry so that it may be possible to consider these impacts generically rather than repeatedly in individual licensing proceedings, thus reducing potential litigation time and costs for both NRC and applicants.

The proposed revision of 10 CFR 51.51 and the narrative explanation was published for public review and comment on March 4, 1981 (46 FR 15154). The final rulemaking was deferred pending the outcome of a suit (Natural Resources Defense Council, et al. v. NRC, No. 74-1486) in the U.S. Circuit Court of Appeals. The U.S. Court of Appeals (D.C. Circuit) decision of April 27, 1982, invalidated the entire Table S-3 rule. The Supreme Court reversed this decision on June 6, 1983.

The proposed rule and the explanatory narrative for Table S-3, NUREG-1481, have been revised to reflect new modeling developments during the time the rulemaking was deferred. Final action on the Table S-3 rule was held in abeyance until new values for radon-222 and technetium-99 could be added to the table and covered

TITLE:

Addition of Radon-222 and Technetium-99 Values to Table S-3 and Revisions Resulting from Consideration of Higher-Burnup Fuel

ABSTRACT: (CONT)

in the narrative explanation. The rule is being reissued as a proposed rule because the scope has been expanded to include radiation values for radon-222 and technetium-99 and the narrative explanation has been extensively revised from that published on March 4, 1981 (46 FR 15154).

TIMETABLE:

Proposed Action Published 03/04/81 46 FR 15154
Proposed Action Comment Period Ends 05/04/81
Proposed Action Published Undetermined

LEGAL AUTHORITY:

42 USC 2011; 42 USC 2201; 42 USC 4321; 42 USC 5841; 42 USC 5842

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:

Stanley Turel
Office of Nuclear Regulatory Research
301 492-3739

TITLE:

License Renewal for Nuclear Power Plants; Scope of
Environmental Effects

RIN:

3150-AD63

CFR CITATION:

10 CFR 51

ABSTRACT:

The proposed rule would amend the Commission's regulations to establish new requirements for environmental review of applications for renewal of nuclear power plant operating licenses. The proposed rule would define the number and scope of environmental issues which would need to be addressed as part of a license renewal application.

TIMETABLE:

ANPRM Published 07/23/90 55 FR 29964
ANPRM Comment Period Ends 10/22/90
Proposed Action Published 09/17/91 56 FR 47016
Proposed Action Comment Period Ends 03/16/92
56 FR 59898
Final Action Published 03/00/95

LEGAL AUTHORITY:

42 USC 2201; 42 USC 5841; 42 USC 5842

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:

Donald P. Cleary
Office of Nuclear Regulatory Research
301 492-3936

TITLE:
Operators' Licenses

RIN:
3150-AE39

CFR CITATION:
10 CFR 55

ABSTRACT:
The proposed rule would amend the Commission's regulations to: (1) delete the requirement that each licensed individual pass an NRC-administered requalification examination during the term of license; (2) require that facility licensees submit upon request their annual requalification operating tests and comprehensive requalification written examinations to the NRC for review; and (3) include "Facility Licenses" in the Scope of Part 55. The proposed rule would improve operational safety at each facility by redirecting NRC resources to inspect and oversee facility requalification programs rather than conducting requalification examinations. This would reduce both licensee and NRC costs to administer the program.

TIMETABLE:
Proposed Action Published 05/20/93 58 FR 29366
Proposed Action Comment Period Ends 07/19/93
Final Action Published 02/00/94

LEGAL AUTHORITY:
42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:
Tony DiPalo
Office of Nuclear Regulatory Research
301 492-3784

TITLE:

Elimination of Inconsistencies Between NRC Regulations
and EPA HLW Standards

RIN:

3150-AC03

CFR CITATION:

10 CFR 60

ABSTRACT:

The proposed rule would eliminate several inconsistencies with the EPA standards to be developed for the disposal of HLW in deep geologic repositories. The Nuclear Waste Policy Act of 1982 (NWPA) directs NRC to promulgate criteria for the licensing of HLW geologic repositories. Section 121(c) of this Act states that the criteria for the licensing of HLW geologic repositories must be consistent with these standards. The proposed rule is needed in order to eliminate several inconsistencies with the EPA standards, thus fulfilling the statutory requirement.

Because the Federal Court invalidated the EPA standards, action on this rule is undetermined. Congress has authorized the National Academy of Sciences to recommend HLW standards to EPA for specific application to Yucca Mountain. The EPA must propose a new standard by 1995.

TIMETABLE:

Proposed Action Published 06/19/86 51 FR 22288
Proposed Action Comment Period Ends 08/18/86
Final Action Published Undetermined

LEGAL AUTHORITY:

42 USC 10101

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:

Sher Bahadur
Office of Nuclear Regulatory Research
301 492-3775

TITLE:

Clarification of Assessment Requirements for Siting
Criteria and Performance Objectives

RIN:

3150-AE40

CFR CITATION:

10 CFR 60

ABSTRACT:

The proposed rule would amend the Commission's regulations concerning regulatory requirements for licensing of high-level waste geologic repositories. The relationship described in § 60.21 of the siting criteria in § 60.122 (defined in terms of potentially adverse and favorable conditions) and the performance objectives in §§ 60.112 and 60.113 has been the subject of conflicting interpretations. The proposed rule would resolve the problem of conflicting interpretations of the terms "adequately investigated" and "adequately evaluated" which are used with reference to the potentially adverse conditions in § 60.122. In addition, the proposed rule would resolve the conflicting interpretations of the relationship of performance assessment and potentially adverse conditions.

The proposed rule would also revise §§ 60.21 and 60.122 by removing the analysis requirements from § 60.122 and placing them in § 60.21. This would be consistent with other technical aspects of 10 CFR Part 60. These sections would also be revised to clarify that siting criteria must be appropriately considered in the compliance demonstration for the performance objectives of §§ 60.112 and 60.113. Separate acceptability assessments for individual potentially adverse conditions are not required.

TIMETABLE:

Proposed Action Published 07/09/93 58 FR 36902
Proposed Action Comment Period Ends 10/07/93
Final Action Published 10/00/94

LEGAL AUTHORITY:

42 USC 10101; Public Law 97-425

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:

Mark S. Delligatti
Office of Nuclear Material Safety and Safeguards
301 504-2430

TITLE:

Update of Transportation Regulations to Incorporate New
Licensing Information

RIN:

3150-AC41

CFR CITATION:

10 CFR 71

ABSTRACT:

The proposed rule would, in conjunction with a corresponding rule change by the U.S. Department of Transportation, update the United States Federal regulations for the safe transportation of radioactive material to incorporate new licensing information developed since 1972. The proposed rule would respond to the need for a: 1) new crush test; 2) new deep immersion test; and 3) new limit on low specific activity material shipments.

TIMETABLE:

Proposed Action Published 06/08/88 53 FR 21550
Proposed Action Comment Period Extended to 03/06/89
53 FR 51281
Proposed Action Comment Period Extended to 60 days
after publication of DOT proposed rule 04/04/89
54 FR 13528
DOT Proposed Rule Published 11/14/89 54 FR 47454
Proposed Action Comment Period Ends 02/09/90
Final Action Published 08/00/94

LEGAL AUTHORITY:

42 USC 2073; 42 USC 2093; 42 USC 2111; 42 USC 2232; 42
USC 2233; 42 USC 2273; 42 USC 5842

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:

Earl P. Easton
Office of Nuclear Material Safety and Safeguards
301 504-2462

TITLE:

Emergency Planning for Independent Spent Fuel Storage
Facilities (ISFSI) and Monitored Retrievable Storage
Facilities (MRS)

RIN:

3150-AE17

CFR CITATION:

10 CFR 72

ABSTRACT:

The proposed rule would amend the Commission's regulations to provide, as directed by the Nuclear Waste Policy Act of 1982, for the emergency planning licensing requirements for Independent Spent Fuel Storage Facilities (ISFSI) and Monitored Retrievable Storage Facilities (MRS).

TIMETABLE:

Proposed Action Published 05/24/93 58 FR 29795
Proposed Action Comment Period Ends 11/09/93
58 FR 45463
Final Action Published 08/00/94

LEGAL AUTHORITY:

42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:

Michael T. Jamgochian
Office of Nuclear Regulatory Research
301 492-3918

TITLE:
Notification of Incidents

RIN:
3150-AE37

CFR CITATION:
10 CFR 72

ABSTRACT:

The proposed rule would amend the Commission's regulations to add incident reporting requirements to Part 72 to make it consistent with other regulations in 10 CFR Chapter I. On August 16, 1991 (56 FR 40757), the Commission published a final rule that deleted certain incident reporting requirements from Part 20 and replaced them with new incident reporting requirements in Parts 30, 40, and 70. However, incident reporting requirements were not added to Part 72. The only alternative to this rulemaking that would assure that the specified incidents are reported is to impose these reporting requirements by order or license condition. However, establishing reporting requirements by rulemaking is necessary to provide consistency throughout the Commission's regulations.

TIMETABLE:

Proposed Action Published 09/14/93 58 FR 48004
Proposed Action Comment Period Ends 11/29/93
Final Action Published 08/00/94

LEGAL AUTHORITY:

42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:

Naïem S. Taniou
Office of Nuclear Regulatory Research
301 492-3878

TITLE:

Physical Fitness Programs for Security Personnel at
Category I Licensee Fuel Cycle Facilities

RIN:

3150-AD30

CFR CITATION:

10 CFR 73

ABSTRACT:

The proposed rule would amend the Commission's regulations to include a standardized physical fitness training program and fitness standards for security personnel.

Current regulations specify that security personnel have no physical weaknesses that would adversely affect their performance of assigned job duties. However, regulatory standards ensuring that security personnel are physically fit to perform their duties do not exist. Requirements for a physical fitness program and fitness standards at Category I fuel cycle facilities for security personnel need to be added to the regulations in order to provide a uniform, enforceable program. Guidance will be developed to ensure that such a program will not, at the same time, endanger the health of those participating in it.

TIMETABLE:

Proposed Action Published 10/06/93 58 FR 52035
Proposed Action Comment Period Ends 12/20/93
Final Action Published 08/00/94

LEGAL AUTHORITY:

42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:

Harry S. Tovmassian
Office of Nuclear Regulatory Research
301 492-3634

TITLE:

Protection Against Malevolent Use of Vehicles at
Nuclear Power Plants

RIN:

3150-AE81

CFR CITATION:

10 CFR 73

ABSTRACT:

The proposed rule would amend the Commission's physical protection regulations for operating nuclear power reactors. The proposed amendment would modify the design basis threat for radiological sabotage to include use of a land vehicle by adversaries for transporting personnel, hand-carried equipment and/or explosives. The Commission believes this action is prudent based on the evaluation of an intrusion incident at the Three Mile Island nuclear power station and the bombing at the World Trade Center. The objective of the rule is to enhance reactor safety by precluding the malevolent use of a vehicle to gain unauthorized proximity to a vital area barrier. Further, the rule would enhance reactor safety by protecting vital equipment from damage by detonation of an explosive charge at the point a vehicle is denied entry.

TIMETABLE:

Proposed Action Published 11/04/93 58 FR 58804
Proposed Action Comment Period Ends 01/03/94
Final Action Published 03/00/94

LEGAL AUTHORITY:

42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:

Phillip F. McKee/Priscilla A. Dwyer
Office of Nuclear Reactor Regulation
Office of Nuclear Material Safety and Safeguards
301 504-2933/301 504-2478

TITLE:

Import and Export of Radioactive Waste

RIN:

3150-AD36

CFR CITATION:

10 CFR 110

ABSTRACT:

The proposed rule would amend the Commission's licensing requirements to strengthen the Commission's control over radioactive waste coming into and leaving the United States by requiring specific NRC licensing of radioactive waste imports and exports. The proposed rule would help ensure that the transactions are subject to the approval of the U.S. Government and the consent of other involved parties. The proposed amendment would conform U.S. policies with the decision of the General Conference of the International Atomic Energy Agency in September 1990, approving a voluntary Code of Practice to guide Nation States in the development and harmonization of policies and laws on the transboundary shipments of radioactive waste.

Sixteen letters of comment were received from several different sources in response to the proposed rule. These comments are being reviewed by the NRC as it begins to develop the final amendments to the NRC's licensing regulations pertaining to the export and import of radioactive waste.

TIMETABLE:

ANPRM Published 02/07/90 55 FR 4181
ANPRM Comment Period Extended to 04/24/90 55 FR 10786
Proposed Action Published 04/28/92 57 FR 17859
Proposed Action Comment Period Ends 07/13/92
Final Action Published Undetermined

LEGAL AUTHORITY:

42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: Undetermined

AGENCY CONTACT:

Ronald D. Hauber
Office of International Programs
301 504-2344

TITLE:

Specific Licensing of Exports of Certain Alpha-Emitting Radionuclides and Byproduct Material

RIN:

3150-AE31

CFR CITATION:

10 CFR 110

ABSTRACT:

The proposed rule would amend the Commission's regulations to conform with the export control guidelines of the multilateral Nuclear Suppliers Group (NSG) and of the International Atomic Energy List of the Coordinating Committee for Multilateral Export Controls (COCOM), in which the United States participates, and treaty obligations between the United States and Canada. The proposed rule would amend general license regulations for the export of dispersed tritium, bulk tritium, americium-242m, californium-249, californium-251, curium-245, curium-247, and 16 different alpha-emitting radionuclides, including compounds and mixtures containing these radionuclides with a total alpha activity of 1 curie per kilogram or greater. Devices containing less than 100 millicuries of alpha activity per device would be exempt. Other exports of these alpha-emitting radionuclides would continue to be generally licensed for member states of the NSG, but would require specific licensing to other countries. Each exporter covered by these regulations would have to meet the new requirements, as well as existing regulations.

The proposed rule would also clarify Appendix A to Part 110, covering nuclear reactor equipment under the NRC licensing authority, to aid exporters and U.S. export regulators in determining the reactor equipment under NRC jurisdiction.

TIMETABLE:

Proposed Action Published 03/17/93 58 FR 14344
Proposed Action Comment Period Ends 04/16/93
Final Action Published Undetermined

LEGAL AUTHORITY:

42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: Yes

TITLE:

Specific Licensing of Exports of Certain Alpha-
Emitting Radionuclides and Byproduct Material

AGENCY CONTACT:

Elaine O. Hemby
Office of International Programs
301 504-2341

TITLE:

Criteria for an Extraordinary Nuclear Occurrence

RIN:

3150-AB01

CFR CITATION:

10 CFR 140

ABSTRACT:

The proposed rule would revise the criteria for an extraordinary nuclear occurrence (ENO) to eliminate the problems that were encountered in the Three Mile Island ENO determination. The revised criteria should be established in the event they are needed.

There are no alternatives to this rulemaking. The current ENO criteria are already codified in Subpart E of 10 CFR Part 140. The only way to modify these criteria, as this rule seeks to do, is through rulemaking. The final rule will also respond to PRM-140-1.

TIMETABLE:

Proposed Action Published 04/09/85 50 FR 13978
Proposed Action Comment Period Ends 09/06/85
Final Action Published Undetermined

LEGAL AUTHORITY:

42 USC 2201; 42 USC 2210; 42 USC 5841; 42 USC 5842

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:

Alan K. Roecklein
Office of Nuclear Regulatory Research
301 492-3740

TITLE:

Reasserting NRC's Sole Authority for Approving Onsite
Low-Level Waste Disposal in Agreement States

RIN:

3150-AC57

CFR CITATION:

10 CFR 150

ABSTRACT:

The proposed rule would establish NRC as the sole authority for approving onsite disposal of very low-level waste at all NRC-licensed reactors and at Part 70 facilities. The NRC staff has recommended that this proposed rulemaking be withdrawn.

TIMETABLE:

Proposed Action Published 08/22/88 53 FR 31880
Proposed Action Comment Period Ends 10/21/88
Notice of Withdrawal Published Undetermined

LEGAL AUTHORITY:

42 USC 2201; 42 USC 2021; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:

Joseph J. Mate
Office of Nuclear Regulatory Research
301 492-3795

TITLE:

Restoration of Generic Exemption from Annual Fees
for Nonprofit Educational Institutions

RIN:

3150-AE83

CFR CITATION:

10 CFR 171

ABSTRACT:

The proposed rule would amend the Commission's regulations by reinstating the exemption from annual fees for nonprofit educational institutions which was revoked August 19, 1993, the effective date of the FY 1993 fee rule (July 20, 1993; 58 FR 38666). This proposed rule responds to a petition for reconsideration of the July 20, 1993, final rule filed by Cornell and eleven other universities that was granted by the Commission.

TIMETABLE:

Proposed Action Published 09/29/93 58 FR 50859
Proposed Action Comment Period Ends 10/29/93
Final Action Published 02/00/94

LEGAL AUTHORITY:

42 USC 5841; Pub. L. 101-508

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:

L. Michael Rafky
Office of the General Counsel
301 504-1606

(C) Advance Notices of Proposed Rulemaking

C

TITLE:

Comprehensive Quality Assurance in Medical Use and a
Standard of Care

RIN:

3150-AC42

CFR CITATION:

10 CFR 35

ABSTRACT:

The advance notice of proposed rulemaking (ANPRM) was published to request public comment on the extent to which, in addition to the basic quality assurance procedures (which are addressed in another rulemaking action, entitled "Preparation, Transfer for Commercial Distribution, and Use of Byproduct Material for Medical Use" (RIN No. 3150-AD69), a more comprehensive quality assurance requirement is needed and invites advice and recommendations on about 20 questions that will have to be addressed in the rulemaking process. The purpose of this rulemaking action is to address each source of error that can lead to a misadministration.

TIMETABLE:

ANPRM Action Published 10/02/87 52 FR 36949
ANPRM Comment Period Ends 12/31/87 52 FR 36949
Proposed Action Published Undetermined

LEGAL AUTHORITY:

42 USC 2111; 42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:

Anthony Tse
Office of Nuclear Regulatory Research
301 492-3797

TITLE:

Licensing of Source Material

RIN:

3150-AE33

CFR CITATION:

10 CFR 40

ABSTRACT:

The advance notice of proposed rulemaking (ANPRM) was published to request public comment on contemplated amendments to the Commission's regulations governing the licensing of source material and mill tailings. The contemplated rulemaking would consider revisions to improve the control of source material through more specific regulation and to incorporate the revised standards for protection against radiation.

Fifteen comment letters were received on the ANPRM. The comments are being reviewed by the Commission in developing a proposed rulemaking. Based on the comments received and on the status of related activities and priority for addressing the various issues being considered, a tentative approach to rulemaking has been developed. Depending on the nature and extent of comments received, a two step rulemaking may be initiated starting with a simple rule pertaining to the licensing and reporting requirements of distributors of products and materials used by exempt persons and general licensees (phase I). The ANPRM stated that the Commission would consider whether to address the issues related to mills and mill tailings in a separate rulemaking. The options are being considered in place of a single comprehensive rulemaking. In addition, the separate rule entitled, "Reporting Requirements for Transfer of Products to Persons Exempt from Licensing Requirements" (RIN 3150-AE28), is being considered for incorporation into the phase I rule. This rule was intended to revise existing reporting requirements pertaining to the distribution of exempt byproduct material. This phase I rule would provide for consistent reporting requirements for the distribution to exempt persons of both byproduct material and source material.

TIMETABLE:

ANPRM Published	10/28/92	57 FR 48749
ANPRM Comment Period Ends	01/26/93	
Proposed Action Published	Undetermined	

TITLE:

Licensing of Source Material

LEGAL AUTHORITY:

42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: Undetermined

AGENCY CONTACT:

Catherine R. Mattsen

Office of Nuclear Regulatory Research

301 492-3638

TITLE:

Acceptability of Plant Performance for Severe
Accidents; Scope of Consideration in Safety Regulations

RIN:

3150-AE38

CFR CITATION:

10 CFR 50

ABSTRACT:

The advance notice of proposed rulemaking (ANPRM) was published to request public comment on amendment of the Commission's regulations to decouple source term and dose calculations from reactor siting and to permit the use of updated source term insights for future light water reactors. The NRC is presently in the process of reviewing advanced reactor designs. The DOE has also indicated that it intends to seek review for an early site permit, as permitted by 10 CFR Part 52, in 1993.

This rulemaking action comprises two phases. The first phase is described in the proposed rule titled, "Reactor Site Criteria; Including Seismic and Earthquake Engineering Criteria for Nuclear Power Plants (3150-AD93)." The second phase will consist of the issuance of an ANPRM, followed by a final revision of 10 CFR Part 50 to incorporate updated source term and severe accident research insights into plant design requirements for future light water reactors. The intent of this second phase of rulemaking is expected to provide additional requirements for future light water reactors regarding severe accident prevention and mitigation, and is expected to substantially reduce the risks from these events.

TIMETABLE:

ANPRM Published 09/28/92 57 FR 44513
ANPRM Public Comment Period Ends 12/28/92
Proposed Action Published Undetermined

LEGAL AUTHORITY:

42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: Undetermined

AGENCY CONTACT:

Leonard Soffer
Office of Nuclear Regulatory Research
301 492-3916

TITLE:

Acceptance of Products Purchased for Use in Nuclear
Power Plant Structures, Systems, and Components

RIN:

3150-AD10

CFR CITATION:

10 CFR 50

ABSTRACT:

The advance notice of proposed rulemaking (ANPRM) was published to request public comment on the need for additional regulatory requirements and to obtain an improved understanding of alternatives to regulatory requirements. Based upon comment analysis, the staff recommended to the Commission that this rule be withdrawn. The Commission has approved withdrawal of this rulemaking.

Recent inspections and discussions with the industry and licensees indicate that there is still some disagreement between industry and the NRC staff regarding commercial grade procurement and dedication. The NRC staff has conducted meetings with the industry and individual licensees to resolve the areas of disagreement. Final issuance of the notice of action will follow resolution of the areas of disagreement.

TIMETABLE:

ANPRM Published 03/06/89 54 FR 9229
ANPRM Comment Period Ends 07/05/89
Notice of Withdrawal Published Undetermined

LEGAL AUTHORITY:

42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: Yes

AGENCY CONTACT:

Leif J. Norrholm
Office of Nuclear Reactor Regulation
301 504-0961

TITLE:

Rulemakings to Grant Standard Design Certification for
Evolutionary Light Water Reactor Designs

RIN:

3150-AE87

CFR CITATION:

10 CFR 52

ABSTRACT:

The advance notice of proposed rulemaking (ANPRM) was published to request public comment on the Commission's regulations pertaining to the form and content of rules that would certify evolutionary designs of nuclear power plants. The NRC is reviewing two applications for standard design certifications for two evolutionary nuclear power plant designs pursuant to 10 CFR Part 52, Subpart B. The NRC anticipates that these applications for design certification would be ready for the rulemaking phase of design certification in 1994.

TIMETABLE:

ANPRM Published 11/03/93 58 FR 58664
ANPRM Comment Period Ends 01/03/94
Proposed Action Published 08/00/94

LEGAL AUTHORITY:

42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:

Harry Tovmassian/Jerry Wilson
Office of Nuclear Regulatory Research
Office of Nuclear Reactor Regulation
301 492-3634/301 504-3145

TITLE:

NRC Fee Policy

RIN:

3150-AE54

CFR CITATION:

10 CFR 170, 10 CFR 171

ABSTRACT:

The advance notice of proposed rulemaking (ANPRM) was published to request public comment on changes to NRC's fee policy and associated legislation. This action responds to the requirements of the Energy Policy Act of 1992 that the NRC review its policy for assessment of annual fees, solicit public comment on the need for changes to this policy, and recommend to the Congress the changes in existing law that the NRC finds are needed to prevent the placement of an unfair burden on NRC licensees. The NRC is also including in this rulemaking a petition for rulemaking that was submitted by the American Mining Congress (PRM-170-4). This petition for rulemaking requests that the NRC conduct a rulemaking to evaluate its fee policy. Because the issues raised by the petitioner concern the same subjects as the fee policy review, the NRC is including the petition in this Federal Register notice.

TIMETABLE:

ANPRM Published 04/19/93 58 FR 21116
ANPRM Comment Period Ends 08/18/93 58 FR 39174
Proposed Action Published Undetermined

LEGAL AUTHORITY:

42 USC 2214; Pub. L. 102-486

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:

C. James Holloway, Jr.
Office of the Controller
301 492-4301

(D) Unpublished Rules

D

TITLE:

Supplemental Standards of Ethical Conduct for
Employees of the Nuclear Regulatory Commission

RIN:

3150-AE60

CFR CITATION:

10 CFR 0

ABSTRACT:

The final rule would amend the Commission's regulations by issuing provisions applicable to NRC employees that would supplement the Standards of Ethical Conduct issued by the Office of Government Ethics (OGE). These regulations would address outside employment and security ownership by NRC employees. The NRC must obtain OGE concurrence before the rule can be published.

TIMETABLE:

Final Action Published Undetermined

LEGAL AUTHORITY:

42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:

L. Michael Rafky
Office of the General Counsel
301 504-1606

TITLE:

Revised Rules of Practice for Domestic Licensing Proceedings

RIN:

3150-AB66

CFR CITATION:

10 CFR 0; 10 CFR 1; 10 CFR 2; 10 CFR 9; 10 CFR 50

ABSTRACT:

The proposed rule would shorten and simplify existing Commission procedural rules applicable to domestic licensing proceedings by comprehensively restating, revising, and reorganizing the statement of those rules to reflect current practice. The changes in this proposed rule would enable the Commission, directly and through its adjudicatory offices, to render decisions in a more timely fashion, eliminate the stylistic complexity of the existing rules, and reduce the burden and expense to the parties participating in agency proceedings. In 1987, the Commission deferred consideration of this proposal, which would have revised the Commission's procedural rules governing the conduct of all adjudicatory proceedings other than export licensing proceedings under 10 CFR Part 110, pending consideration of other, more limited revisions to the rules of practice. In 1989, former Chairman Zech requested that this proposed rule be updated for reconsideration by the Commission, and more recently, the Administrative Conference of the United States has drafted Model Rules.

TIMETABLE:

Proposed Action Published 03/00/95
Final Action Published 09/00/95

LEGAL AUTHORITY:

42 USC 2201; 42 USC 2231; 42 USC 2241; 42 USC 5841; 5 USC 552

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:

Lee S. Dewey
Atomic Safety and Licensing Board Panel
301 492-7787

TITLE: Statement of Organization and General Information;
Minor Amendments

RIN: 3150-AE86

CFR CITATION:
10 CFR 1

ABSTRACT:
The final rule would amend the Commission's regulations to reflect the reconstitution of the Office of the Licensing Support Systems Administrator as an organizational unit of the Office of Information Resources Management and the transfer of the responsibility for administering the Licensing Support System from the Commission staff to the Office of the Executive Director for Operations. This final rule also reflects the creation of the Office of Policy Planning.

TIMETABLE:
Final Action Published 03/00/94

LEGAL AUTHORITY:
42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:
Alzonia Shepard
Office of Administration
301 492-7651

TITLE:
*Minor Clarifying Amendments

RIN:
3150-AE92

CFR CITATION:
10 CFR 1; 10 CFR 21; 10 CFR 30; 10 CFR 32; 10 CFR 50

ABSTRACT:
The final rule would amend the Commission's regulations to correct a number of minor typographical errors in NRC's regulations. These amendments are necessary to inform the public of the administrative changes to the NRC regulations.

TIMETABLE:
Final Action Published 02/00/94

LEGAL AUTHORITY:
42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:
David L. Meyer
Office of Administration
301 492-7086

TITLE:
Withholding of Documents

RIN:
3150-AE89

CFR CITATION:
10 CFR 2

ABSTRACT:

The proposed rule would amend the Commission's regulations to address documents that are submitted with regard to an enforcement proceeding, including an inspection or investigation. Under the proposed rule, a document would be released to the NRC's Public Document Room (PDR), if the information submitted forms a part of the basis for a decision regarding enforcement action except for limited specific privacy material. Licensees may request that the NRC withhold information as being confidential, privileged, or subject to other bases for withholding from release to the public. If the NRC does not grant the request for withholding, it must provide the submitter with an opportunity to request that the document be returned to them rather than placed in the PDR.

TIMETABLE:
Proposed Action Published 07/00/94

LEGAL AUTHORITY:
42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:
Geoffrey D. Cant
Office of Enforcement
301 504-3283

TITLE:

Informal Hearing Procedure for Materials Licensing
Adjudications

RIN:

3150-AE67

CFR CITATION:

10 CFR 2

ABSTRACT:

The proposed rule would amend the Commission's regulations to provide that requests for hearing in certain materials license proceedings be filed within 30 days of actual notice of the amendment application. The proposed rule would eliminate an ambiguous provision in the Commission's current regulations and would ensure that hearing requests are filed as promptly as possible in order to resolve any concerns or objections to the pending application in a timely manner.

TIMETABLE:

Proposed Action Published Undetermined

LEGAL AUTHORITY:

42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:

Marjorie Nordlinger
Office of the General Counsel
301 504-1634

TITLE:

Discrimination on the Basis of Sex

RIN:

3150-AD50

CFR CITATION:

10 CFR 2; 10 CFR 19

ABSTRACT:

The final rule would amend the Commission's regulations dealing with discrimination against persons who, on the grounds of sex, are excluded from participation in, denied the benefits of, or subjected to discrimination under any program or activity licensed by the NRC. The Commission has decided that Section 401 of the Energy Reorganization Act, which prohibits sex discrimination, applies only to the Commission and does not apply to NRC licensees or applicants. Because this decision invalidates 10 CFR 19.32 and 10 CFR 2.111, action is being taken to amend these sections and to incorporate appropriate language to clarify that these sections do not apply to licensee employees.

TIMETABLE:

Final Action Published Undetermined

LEGAL AUTHORITY:

42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:

Markley L. Au
Office of Nuclear Regulatory Research
301 492-3749

TITLE:
Revision of Specific Exemptions

RIN:
3150-AD83

CFR CITATION:
10 CFR 9

ABSTRACT:
The proposed rule would amend the Commission's regulations pertaining to specific Privacy Act exemptions. This proposed rule would add exemption (j)(2) of the Privacy Act to the regulations that describe exempt systems of records. These amendments would make NRC's regulations consistent with the majority of statutorily appointed Inspectors General and would clearly link each system of records to the specific exemption(s) of the Privacy Act under which each system is exempt.

TIMETABLE:
Proposed Action Published Undetermined

LEGAL AUTHORITY:
42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:
Sarah Wigginton
Office of Administration
301 492-7752

TITLE:

Radiation Protection Requirements; Amended
Definitions and Criteria

RIN:

3150-AE80

CFR CITATION:

10 CFR 19; 10 CFR 20

ABSTRACT:

The proposed rule would amend the Commission's regulations by (1) deleting the definition "Controlled area" to make it clear that any area to which access is restricted for the purpose of radiological protection is a restricted area as defined in the regulation, (2) revising the definition of "Occupational dose" to delete reference to the "restricted area," (3) revising the definition of unrestricted area to be consistent with the deletion of controlled area, (4) revising the provision in 10 CFR Part 19 entitled, "Instruction to Workers," so that radiation protection training will be provided to all persons with the potential to be occupationally exposed, and (5) restore a provision to 10 CFR Part 20 to provide that whenever licensees are required to report exposures of individual members of the public to the NRC, then those individuals are to receive copies of the report.

TIMETABLE:

Proposed Action Published 02/00/94
Final Action Published 10/00/94

LEGAL AUTHORITY:

42 USC 2073; 42 USC 2093; 42 USC 2095; 42 USC 2111; 42
USC 2133; 42 USC 2134; 42 USC 2201; 42 USC 2236; 42 USC
2282; 42 USC 5841; 42 USC 5842; 42 USC 5846; 42 USC
5851; 42 USC 10155; 42 USC 10161

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:

Alan K. Rocklein
Office of Nuclear Regulatory Research
301 492-3740

TITLE:

NRC Operations Center; Commercial Telephone Number
Change

RIN:

3150-AE84

CFR CITATION:

10 CFR 20; 10 CFR 21; 10 CFR 30; 10 CFR 35; 10 CFR 40;
10 CFR 50; 10 CFR 70; 10 CFR 72; 10 CFR 73

ABSTRACT:

The final rule would amend the Commission's regulations by changing the current commercial telephone number at the NRC Operations Center. The new phone number will be determined at a later date. The NRC is scheduled to move its Operations Center from the Maryland National Bank building in Bethesda, Maryland, to the Two White Flint North building in Rockville, Maryland, in June 1994.

TIMETABLE:

Final Action Published 05/00/94

LEGAL AUTHORITY:

42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:

Jean Trefethen
Office of Analysis and Evaluation of Data
301 492-7280

TITLE:

Radiological Criteria for Decommissioning of Nuclear
Facilities

RIN:

3150-AD65

CFR CITATION:

10 CFR 20

ABSTRACT:

The proposed rule would amend the Commission's regulations to codify the basic principles and radiological criteria which would allow decommissioned lands and structures to be released for unrestricted public use. In the final rule entitled, "General Requirements for Decommissioning Nuclear Facilities" (53 FR 24018; June 27, 1988), the need and urgency for guidance with respect to residual contamination criteria was expressed. At that time, it was anticipated that an interagency working group organized by the Environmental Protection Agency would develop necessary Federal guidance. However, in the absence of significant progress by the interagency working group, the Commission has directed that the NRC expedite rulemaking because the requirements, once final, will provide licensees with an incentive to complete site decommissionings.

The proposed rule would establish basic radiological criteria for release of lands and structures. Measurables, in the form of surface and volume radioactivity concentrations and site radioactivity inventory values, would be provided in supporting regulatory guidance. These combined activities should benefit the public, industry, and the NRC by providing a risk-based framework upon which decommissioning activities and license terminations can be accomplished. The framework will ensure adequate protection of public health and safety and identify residual radioactivity criteria upon which licensees can confidently develop reasonable and responsible decommissioning plans.

TIMETABLE:

Proposed Action Published 06/00/94

Final Action Published 06/00/95

TITLE:

Radiological Criteria for Decommissioning of Nuclear
Facilities

LEGAL AUTHORITY:

42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: Yes

AGENCY CONTACT:

James Malaro
Office of Nuclear Regulatory Research
301 492-3764

TITLE:

Disposal by Release into Sanitary Sewerage

RIN:

3150-AE90

CFR CITATION:

10 CFR 20

ABSTRACT:

The advance notice of proposed rulemaking would request public comment, information, and recommendations on contemplated amendments to the Commission's regulations governing the release of radionuclides from licensed nuclear facilities into sanitary sewer systems. The Commission believes that by incorporating current sewer treatment technologies the contemplated rulemaking would improve the control of radioactive materials released to sanitary sewer systems by licensed nuclear facilities. This rulemaking would also address a petition for rulemaking (PRM-20-22) submitted by the Northeast Ohio Regional Sewer District (October 20, 1993; 58 FR 54071).

TIMETABLE:

ANPRM Published 03/00/94
Proposed Action Published 03/00/95
Final Action Published 03/00/96

LEGAL AUTHORITY:

42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:

George Powers
Office of Nuclear Regulatory Research
301 492-3747

TITLE:

Release Criteria for Patients Administered Radioactive
Materials

RIN:

3150-AE41

CFR CITATION:

10 CFR 20; 10 CFR 35

ABSTRACT:

The proposed rule would amend the Commission's regulations to revise the patient release criteria contained in 10 CFR 35.75, and the applicability of the dose limits for members of the public in 10 CFR 20.1301.

The Commission has received two petitions for rulemaking, PRM-20-20 and PRM-35-10, to amend its regulations regarding radiation exposure that individuals may receive from patients who have been medically administered radioactive materials, and the criteria under which this patient may be released from confinement. The petitioners believe that the current requirements of Parts 20 and 35 would cause patients to be confined unnecessarily beyond the time needed for medical reasons.

TIMETABLE:

Proposed Action Published 04/00/94

Final Action Published 03/00/95

LEGAL AUTHORITY:

42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:

Stewart Schneider

Office of Nuclear Regulatory Research

301 492-3588

TITLE:

Clarification of Reporting of Defects and Noncompliance
for Materials Facilities

RIN:

3150-AE18

CFR CITATION:

10 CFR 21

ABSTRACT:

The proposed rule would amend the Commission's regulations concerning the reporting of defects and noncompliance to clarify the applicability of these provisions to materials and fuel cycle licensees. Because of the wide diversity in the types of licensees covered under these regulations, the requirements have been misinterpreted by the licensees. The proposed rule would clearly define the applicability of these provisions to the different types of licensees and would take into account the differences between different classes of licensees. The proposed rule is being developed in response to an NRC internal audit and to a parallel review of these regulations as they apply to materials licensees.

TIMETABLE:

Proposed Action Published Undetermined
Final Action Published Undetermined

LEGAL AUTHORITY:

42 USC 2201; 42 USC 5846

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: Yes

AGENCY CONTACT:

Markley L. Au
Office of Nuclear Regulatory Research
301 492-3749

TITLE:

*Clarification of Decommissioning Funding Requirements

RIN:

3150-AE95

CFR CITATION:

10 CFR 30; 10 CFR 40; 10 CFR 70; 10 CFR 72

ABSTRACT:

The proposed rule would amend the Commission's regulations for nonreactor licensees on the expiration and termination of licensees. These amendments are intended to clarify that financial assurance must be in place and updated when the licensee decides to cease operation and begin decommissioning. These amendments would explicitly describe the implementation and timing requirements for licensees who have been in timely renewal since the promulgation of the 1988 decommissioning funding rules and for licensees who cease operations without adequate funding arrangements in place.

LEGAL AUTHORITY:

42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: Undetermined

TIMETABLE:

Proposed Action Published 02/00/94

Final Action Published 10/00/94

AGENCY CONTACT:

Carl Feldman

Office of Nuclear Regulatory Research

301 492-3883

TITLE:

Reporting Requirements for Transfer of Products to
Persons Exempt from Licensing Requirements

RIN:

3150-AE28

CFR CITATION:

10 CFR 32

ABSTRACT:

The proposed rule would amend the Commission's regulations to reinstate the annual reporting requirement for transfer of products containing small quantities of radioactive material to persons exempt from licensing requirements.

Submittal of transfer reports on a 5-year reporting basis has made it difficult for the NRC staff to identify trends in distribution of materials to persons exempt from licensing requirements. Reinstating the annual reporting requirement would provide the NRC with more complete and accurate information on exemptions granted under 10 CFR Part 30 and improve the Commission's capability to assess potential effects of aggregated exposures to the public from a number of exempted practices.

A variation on the use of a threshold which may be considered in this rulemaking would be to exempt those licensees having no transfers during the reporting period from reporting requirements.

TIMETABLE:

Proposed Action Published	Undetermined
Final Action Published	Undetermined

LEGAL AUTHORITY:

42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:

Frank Cardile
Office of Nuclear Regulatory Research
301 492-3774

TITLE:

Radiography and Radiation Safety Requirements for
Radiography Operations

RIN:

3150-AE07

CFR CITATION:

10 CFR 34

ABSTRACT:

The proposed rule would amend the Commission's regulations on licenses for radiography and radiation safety requirements for radiographic operations. The proposed rule would revise 10 CFR Part 34 to clarify the requirements in § 34.27 and conform Part 34 with the approach developed by the Conference of Radiation Control Program Directors, Inc. (Part E of the "Suggested State Regulations for Control of Radiation"), and the State of Texas in Part 31 of the Texas Regulations for Control of Radiation. Comments and suggestions from regulatory groups, users, and manufacturers will be considered in the overall revision. The NRC will also consult Canadian atomic energy control regulations that relate to radiography. The proposed rule is necessary because of frequent misinterpretations of the provisions of Part 34 and the need to clarify the requirements of 10 CFR 34.27. The staff is currently preparing an options paper which will examine the issues, set priorities, and provide direction for the rulemaking proposed. This proposed rule would also respond to a petition for rulemaking from International Union of Operating Engineers - Local No. 2 (PRM-34-4).

TIMETABLE:

Proposed Action Published 02/00/94
Final Action Published 11/00/94

LEGAL AUTHORITY:

42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: Yes

AGENCY CONTACT:

Donald Nellis
Office of Nuclear Regulatory Research
301 492-3628

TITLE:

Administration of Byproduct Material or Radiation
to Patients Who May Be Pregnant or Breast-Feeding

RIN:

3150-AE44

CFR CITATION:

10 CFR 35

ABSTRACT:

The proposed rule would amend the Commission's regulations concerning the medical use of byproduct material. The proposed rule would require medical use licensees to have policies and procedures designed to avoid unintended radiation exposures to an embryo, fetus, or breast-milk-fed child. The proposed rule would also require reporting of these events.

TIMETABLE:

Proposed Action Published 05/00/94

LEGAL AUTHORITY:

42 USC 2111; 42 USC 2112; 42 USC 2201; 42 USC 2232; 42
USC 2233; 42 USC 2236; 42 USC 2282

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:

Samuel Z. Jones
Office of Nuclear Regulatory Research
301 492-3738

TITLE:

Design and Performance Criteria for Sealed Sources
Used in Well Logging

RIN:

3150-AE24

CFR CITATION:

10 CFR 39

ABSTRACT:

The proposed rule would amend the Commission's regulations governing well logging operations. The proposed rule would allow the continued use of sealed sources that were approved by accepted prototype testing before July 14, 1989. The proposed rule would also permit the continued use of previously evaluated and approved sealed sources by NRC well logging licensees. The proposed rule is necessary because the current regulations unintentionally excluded the use of sealed sources previously approved by prototype testing.

TIMETABLE:

Proposed Action Published Undetermined

LEGAL AUTHORITY:

42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:

Donald Nellis
Office of Nuclear Regulatory Research
301 492-3628

TITLE:

Fracture Toughness Requirements for LWR Pressure Vessels

RIN:

3150-AD57

CFR CITATION:

10 CFR 50; Appendices G and H

ABSTRACT:

The proposed rule would amend the Commission's regulations concerning fracture toughness requirements to resolve issues that have resulted from technological improvements and other factors. The "Pressurized Thermal Shock (PTS) rule" (10 CFR 50.61), was modified in 1991 to be consistent with the embrittlement correlations given in Regulatory Guide 1.99, Revision 2. However, the need for further clarifications to the PTS rule has been identified. At a minimum, the proposed clarifications would --

- (1) indicate that RT_{PTS} values may be reduced using credible surveillance data;
- (2) include reduced margin terms for cases in which credible surveillance data are used; and
- (3) indicate that thermal annealing is an acceptable method for reducing RT_{PTS} to values below the screening criteria, pursuant to the requirements of (proposed) 10 CFR 50.66.

Appendix G to 10 CFR Part 50 provides fracture toughness requirements for ferritic materials of pressure-retaining components of the reactor coolant boundary of light-water nuclear power reactors. The proposed changes, principally clarifications, in Appendix G to 10 CFR Part 50 would:

- (1) explicitly indicate that pressure and leak tests of the RPV required by the ASME Code must be completed before the core is critical (as agreed to by the CRGR on November 29, 1989);
- (2) restructure Sections IV and V for clarification;
- (3) change the reference from Appendix G of Section III of the ASME Code to Appendix G of Section XI of the ASME Code; and
- (4) reword Section V.D. to indicate that thermal annealing of the RRV should be conducted pursuant to (proposed) 10 CFR 50.66.

TITLE:

Fracture Toughness Requirements for LWR Pressure Vessels

ABSTRACT: (CONT)

Appendix H to 10 CFR Part 50 contains requirements for RPV material surveillance programs that are intended to monitor fracture toughness property changes in RPV materials due to irradiation embrittlement. The proposed changes in Appendix H to 10 CFR Part 50 would:

- (1) address requirements for surveillance programs in the case of a license renewal request; and
- (2) clarify the earliest edition of ASTM E 185 (Standard Practice for Conducting Surveillance Tests for Light-Water Cooled Nuclear Power Reactor Vessels) required for the surveillance program.

TIMETABLE:

Proposed Action Published 04/00/94
Final Action Published 01/00/95

LEGAL AUTHORITY:

42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:

Allen L. Hiser, Jr.
Office of Nuclear Regulatory Research
301 492-3988

TITLE:

Codes and Standards for Nuclear Power Plants (ASME B&PV Code, 1989/1990/1991/1992/1993 Addenda and 1992 Edition, Appendix VIII, Safety-Related Snubbers and the ASME OM Code-1990 Edition, 1992 Addenda and 1993 Addenda)

RIN:

3150-AE26

CFR CITATION:

10 CFR 50

ABSTRACT:

The proposed rule would amend the Commission's regulations to incorporate by reference the 1989 Addenda, 1990 Addenda, 1991 Addenda, 1992 Addenda, 1993 Addenda, and 1992 Edition of Section III, Division 1, of the American Society of Mechanical Engineers Boiler and Pressure Vessel Code (ASME B&PV Code); the 1989 Addenda, 1990 Addenda, 1991 Addenda, 1992 Addenda, 1993 Addenda, and 1992 Edition of Section XI, Division 1, of the ASME B&PV Code. Additionally, the proposed amendment would expedite implementation of Appendix VIII of Section XI, Division 1, which provides rules for performance demonstration of ultrasonic examination systems. The proposed amendment would expand the scope of § 50.55a to require inservice testing and examinations of safety-related snubbers. The proposed amendment would, for the first time, incorporate by reference the 1990 Edition, 1992 Addenda and 1993 Addenda of the ASME Code for Operation and Maintenance of Nuclear Power Plants (ASME OM Code).

The ASME B&PV Code provides rules in Section III, Division 1, for the construction of components of light-water-cooled nuclear power plants. Section XI, Division 1, provides rules for the inservice inspection of those components. Requiring licensees to expedite implementation of Appendix VIII would improve the quality of inservice inspections in a timely manner. Expanding the scope of § 50.55a to include safety-related snubbers would ensure that these components are tested to quality standards commensurate with the importance of the safety functions to be performed. The ASME OM Code provides rules for the inservice testing of pumps, valves, and snubbers. This proposed amendment would permit the use of improved methods for the construction, inservice inspection, and inservice testing of nuclear power plant components. Further, these actions would save applicants/licensees and the

TITLE:

Codes and Standards for Nuclear Power Plants (ASME B&PV Code, 1989/1990/1991/1992/1993 Addenda and 1992 Edition, Appendix VIII, Safety-Related Snubbers and the ASME OM Code-1990 Edition, 1992 Addenda and 1993 Addenda)

ABSTRACT: (cont)

NRC staff both time and effort by providing uniform detailed criteria against which the staff could review any single submission.

TIMETABLE:

Proposed Action Published 11/00/94
Final Action Published 11/00/95

LEGAL AUTHORITY:

42 USC 2201; 42 USC 5846

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:

Wan Cheng (Winston) Liu
Office of Nuclear Regulatory Research
301 492-3822

TITLE:

Thermal Annealing of the Reactor Pressure Vessel

RIN:

3150-AE45

CFR CITATION:

10 CFR 50

ABSTRACT:

The proposed rule would amend the Commission's regulations to define and clarify the requirements on thermal annealing of reactor vessels to mitigating neutron irradiation embrittlement. The proposed rule would reduce the potential for confusion stemming from addressing thermal annealing in two rules and would result in a clear and more definitive regulatory process.

The proposed rule would also address the following requirements for thermal annealing: (1) the procedural aspects of requesting permission to anneal the pressure vessel and to return to operation after the annealing process; and (2) the general analysis, testing, and inspection issues that would be considered by the Director, Office of Nuclear Reactor Regulation, in reviewing licensing submittals requesting permission to anneal to return to operation.

TIMETABLE:

Proposed Action Published 04/00/94

Final Action Published 01/00/95

LEGAL AUTHORITY:

42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:

Al Taboada

Office of Nuclear Regulatory Research

301 492-3838

TITLE:
Definition of Commitment

RIN:
3150-AE74

CFR CITATION:
10 CFR 50

ABSTRACT:
The proposed rule would amend the Commission's power reactor safety regulations to define the term commitment and to outline the change mechanism that would be used for a license who wishes to modify a commitment. This action is intended to reduce the regulatory burden on the NRC staff and the licensees.

TIMETABLE:
Proposed Action Published Undetermined

LEGAL AUTHORITY:
42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:
Claudia M. Craig
Office of Nuclear Reactor Regulation
301 504-1281

TITLE:

Changes to Fire Protection Plans

RIN:

3150-AE73

CFR CITATION:

10 CFR 50

ABSTRACT:

The proposed rule would amend the Commission's power reactor safety regulations to allow licensees to make changes to their fire protection plan that do not reduce the plans' content below that necessary to implement the fire protection requirements prescribed in the regulations without prior NRC approval. The proposed rule would also require licensees to submit periodic reports of these changes to the NRC. The proposed rule is intended to reduce the regulatory burden on the NRC staff and the licensees.

TIMETABLE:

Proposed Action Published Undetermined

LEGAL AUTHORITY:

42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:

Claudia M. Craig
Office of Nuclear Reactor Regulation
301 504-1281

TITLE:

Safety Requirements for Reactor Coolant Pump Seals

RIN:

3150-AE53

CFR CITATION:

10 CFR 50

ABSTRACT:

The proposed rule would amend the Commission's regulations to require PWR plants to address the NRC's safety concerns regarding the ability of each plant to limit leakage from the pump seals during conditions such as station blackout and loss of component cooling water or service water. Seal failures experienced so far have had the benefit of available emergency core cooling systems. A LOCA from seal failures coupled with common cause failures that disable ECCS was found to be a significant contributor to public risk.

In addition to development of a rule, the NRC staff intends to prepare a regulatory guide that will provide the methods acceptable for complying with the proposed RCP seal rule.

TIMETABLE:

Proposed Action Published 02/00/94

Final Action Published 01/00/95

LEGAL AUTHORITY:

42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:

Syed K. Shaukat

Office of Nuclear Regulatory Research

301 492-3934

TITLE:

Codes and Standards for Nuclear Power Plants (ASME Code, Section XI, Division 1, Subsection IWE and Subsection IWL)

RIN:

3150-AC93

CFR CITATION:

10 CFR 50

ABSTRACT:

The proposed rule would incorporate by reference Subsection IWE, "Requirements for Class MC Components of Light-Water Cooled Power Plants," and Subsection IWL, "Requirements for Class CC Concrete Components of Light-Water Cooled Power Plants," of Section XI (Division 1) of the American Society of Mechanical Engineers Boiler and Pressure Vessel Code (ASME Code). Subsection IWE provides the rules and requirements for inservice inspection, repair, and replacement of Class MC pressure retaining components and their integral attachments in light-water cooled power plants. Subsection IWL provides the rules and requirements for inservice inspection and repair of the reinforced concrete and post tensioning systems of Class CC components.

Incorporation by reference of Subsection IWE and Subsection IWL will provide systematic examination rules for containment structure for meeting Criterion 53 of the General Design Criteria (Appendix A of 10 CFR Part 50) and Appendix J of 10 CFR Part 50. Age-related degradation of containments has occurred, and additional and potentially more serious degradation mechanisms can be anticipated as nuclear power plants age.

If the NRC did not take action to endorse the Subsection IWE and Subsection IWL rules, the NRC position on examination practices for containment structure would have to be established on a case-by-case basis and improved examination practices for steel containment structures might not be implemented. The other alternatives of incorporating these detailed examination requirements into the American National Standard ANSI/ANS 56.8-1981 or into Appendix J are not feasible.

TITLE:

Codes and Standards for Nuclear Power Plants (ASME Code, Section XI, Division 1, Subsection IWE and Subsection IWL)

ABSTRACT: (CONT)

Incorporating by reference the latest edition and addenda of Subsection IWE and Subsection IWL will save applicants/licensees and the NRC staff both time and effort by providing uniform detailed criteria against which the staff can review any single submission. Adoption of the proposed amendment would permit the use of improved methods for containment inservice inspection.

TIMETABLE:

Proposed Action Published 01/07/94
Final Action Published Undetermined

LEGAL AUTHORITY:

42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:

Wallace E. Norris
Office of Nuclear Regulatory Research
301 492-3805

TITLE:
Changes to Emergency Plans

RIN:
3150-AE72

CFR CITATION:
10 CFR 50

ABSTRACT:
The proposed rule would amend the Commission's power reactor safety regulations to allow licensees to make changes to their emergency plans that do not reduce the plans' content below that necessary to implement the emergency planning requirements prescribed in the regulations without prior NRC approval. The proposed rule would also require licensees to submit periodic reports of these changes to the NRC. The proposed rule is intended to reduce the regulatory burden on the NRC staff and the licensees.

TIMETABLE:
Proposed Action Published Undetermined

LEGAL AUTHORITY:
42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:
Claudia M. Craig
Office of Nuclear Reactor Regulation
301 504-1281

TITLE:
Changes to Security Plans

RIN:
3150-AE71

CFR CITATION:
10 CFR 50

ABSTRACT:
The proposed rule would amend the Commission's reactor safety regulations to allow licensees to make changes to their safeguards contingency plan, security plan, and guard training and qualification plan that do not reduce the plans' content below that necessary to implement the applicable requirements prescribed in the regulations without prior NRC approval. The proposed rule would also require licensees to submit periodic reports of these changes to the NRC. The proposed rule is intended to reduce the regulatory burden on the NRC staff and the licensees.

TIMETABLE:
Proposed Action Published Undetermined

LEGAL AUTHORITY:
42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:
Claudia M. Craig
Office of Nuclear Reactor Regulation
301 504-1281

TITLE:
Changes to Quality Assurance Programs

RIN:
3150-AE70

CFR CITATION:
10 CFR 50

ABSTRACT:
The proposed rule would amend the Commission's regulations to allow licensees to make changes to their quality assurance program that do not reduce the program's content below that necessary to implement the quality assurance requirements prescribed in the regulations without prior NRC approval. The proposed rule would also require licensees to submit periodic reports of these changes to the NRC. The proposed rule is intended to reduce the regulatory burden on the NRC staff and the licensees.

TIMETABLE:
Proposed Action Published Undetermined

LEGAL AUTHORITY:
42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:
Claudia M. Craig
Office of Nuclear Reactor Regulation
301 504-1281

TITLE: Standardized Plant Designs, Early Review of Site Suitability Issues; Clarifying Amendments

RIN: 3150-AE25

CFR CITATION: 10 CFR 50; 10 CFR 52; 10 CFR 140

ABSTRACT: The proposed rule would amend the Commission's regulations by deleting Appendices M, N, O, and Q from 10 CFR Part 50. The NRC is also proposing to make clarifying changes to 10 CFR Parts 52 and 140 to make clear that licensees are required to submit accurate and complete information to the NRC, and that its Price-Anderson requirements apply to combined license holders.

TIMETABLE: Proposed Action Published 04/00/94

LEGAL AUTHORITY: 42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: Undetermined

AGENCY CONTACT:
Geary S. Mizuno
Office of the General Counsel
301 504-1639

TITLE:

Consideration of the Possible Effects of Power
Reactor Ownership Arrangements on Safety

RIN:

3150-AE48

CFR CITATION:

10 CFR 50

ABSTRACT:

The Commission is considering amending its regulations to increase assurance that NRC's power reactor licensees will have adequate funds for decommissioning and other safety-related activities. This rulemaking will consider the need for amending the NRC's regulations to require power reactor licensees to either: (1) guarantee any unfunded decommissioning liability with a surety bond letter of credit, or other guarantee method currently allowed in 10 CFR 50.75(e)(1)(iii); (2) provide for a financial test guarantee mechanism similar to the one contained in 10 CFR Part 30, Appendix A; or (3) provide a certification to the NRC from the licensee's rate-making authority that it will allow unfunded decommissioning obligations to be collected in rates, notwithstanding the operating status of the facility.

TIMETABLE:

ANPRM Published Undetermined

LEGAL AUTHORITY:

42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:

Robert Wood
Office of Nuclear Reactor Regulation
301 504-1255

TITLE:
Design Basis Events

RIN:
3150-AD51

CFR CITATION:
10 CFR 60

ABSTRACT:

The proposed rule would amend the Commission's regulations concerning additional preclosure regulatory requirements for high-level waste geologic repositories. Several issues associated with preclosure regulatory requirements have been raised due to different interpretations of the rulemaking record for 10 CFR Part 60. These involve: (1) the lack of clearly prescribed requirements for the establishment of a controlled-use area intended to protect public health and safety in the event of a postulated radionuclide release; and (2) the definition of structures, systems, and components important to safety for which certain design and quality assurance criteria apply. In order to meet the milestones mandated by the Nuclear Waste Policy Act of 1982, as amended, and milestones pertaining to DOE's production schedule in the Mission Plan amendments, guidance is needed from NRC on these matters to enable DOE to proceed with the siting of a geologic repository.

The proposed amendments would require the establishment of a controlled-use area, based on radiation dose criteria, for the siting of geologic repositories. In addition, a new definition of structures, systems, and components important to safety would be added.

TIMETABLE:

Proposed Action Published 05/00/94
Final Action Published 07/00/95

LEGAL AUTHORITY:

Public Law 97-425; 42 USC 10101

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:

Janet P. Kotra
Office of Nuclear Material Safety and Safeguards
301 504-3620

TITLE:

Land Ownership Requirements for Low-Level Waste Sites

RIN:

3150-AE88

CFR CITATION:

10 CFR 61

ABSTRACT:

The advance notice of proposed rulemaking (ANPRM) would request public comment on allowing a licensee to own land that is used for a low-level waste disposal site. Current regulations require Federal or State ownership of land used for a low-level waste disposal site. The State of Utah (an agreement State) used an exemption provision to allow Envirocare (the licensee) to own the site.

TIMETABLE:

ANPRM Published Undetermined

LEGAL AUTHORITY:

42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:

Mark Haisfield/Ronald Uleck
Office of Nuclear Regulatory Research
Office of Nuclear Material Safety and Safeguards
301 492-3877/301 504-2595

TITLE:

Financial Assurance for Low-Level Waste Disposal Site
Surveillance, Monitoring, and Custodial Care

RIN:

3150-AE76

CFR CITATION:

10 CFR 61

ABSTRACT:

The proposed rule would amend the Commission's regulations by adding requirements for financial assurance for the 100-year institutional control period, during which time surveillance, monitoring and custodial care, would be carried out at low-level radioactive waste disposal sites. The proposed rule would implement Section 151 of the Nuclear Waste Policy Act of 1982, which gives the NRC the authority to establish these requirements.

TIMETABLE:

Proposed Action Published 06/00/94

Final Action Published 06/00/95

LEGAL AUTHORITY:

42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:

Clark Prichard

Office of Nuclear Regulatory Research

301 492-3734

TITLE:

Removal of Criticality Alarm Requirements for Fresh Fuel

RIN:

3150-AE43

CFR CITATION:

10 CFR 70

ABSTRACT:

The proposed rule would amend the Commission's regulations to eliminate the need for licensees to request an exemption from provisions that require criticality monitors for new reactor fuel. An exemption for this requirement is routinely granted when requested by a licensee. The proposed rule would allow reactor licensees to dispense with unneeded criticality monitors without having to request an exemption.

TIMETABLE:

Proposed Action Published 08/00/94
Final Action Published 06/00/95

LEGAL AUTHORITY:

42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:

Jerry E. Jackson
Office of Nuclear Regulatory Research
301 492-3923

TITLE:

*Fingerprint Cards: Change in User Fee

RIN:

3150-AE93

CFR CITATION:

10 CFR 73

ABSTRACT:

The final rule would amend the Commission's regulations to reflect an administrative change in the procedure for notifying licensees of changes in the user fee charged by the Federal Bureau of Investigation (FBI) for processing fingerprint cards as part of the criminal history checks that nuclear power reactor licensees are required to perform for those individuals granted unescorted access to an operating nuclear power facility or access to Safeguards Information. This notice also informs licensees of the new user fee adopted by the FBI effective January 3, 1994.

TIMETABLE:

Final Action Published 01/06/94

LEGAL AUTHORITY:

42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:

Charles H. Hendren
Office of Nuclear Reactor Regulation
(301) 504-3209

TITLE:

Night Firing Qualifications for Security Guards at
Nuclear Power Plants

RIN:

3150-AC88

CFR CITATION:

10 CFR 73

ABSTRACT:

The proposed rule would amend the Commission's regulations to ensure that security force effectiveness at nuclear power plants is not dependent on the time of day. Security guards currently are required to perform night firing for familiarization only. There is no requirement for standards to measure their effectiveness. The proposed rule would require that security guards at nuclear power plants qualify for night firing.

Part 73, Appendix B, Part IV, would be amended to require reactor security guards to qualify annually in an NRC-approved night firing course with their assigned weapons. The proposed amendment would standardize training and qualification in night firing and prepare power reactor guard forces to respond more effectively in the event of an incident occurring in limited lighting conditions.

TIMETABLE:

Proposed Action Published Undetermined

LEGAL AUTHORITY:

42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:

John Telford
Office of Nuclear Regulatory Research
301 492-3796

TITLE:
Physical Protection of Special Nuclear Material in
Transit

RIN:
3150-AE02

CFR CITATION:
10 CFR 73

ABSTRACT:
The proposed rule would amend the Commission's regulations for the transport of Category I materials to provide a level of protection for these materials while in transit comparable to that provided by the U.S. Department of Energy (DOE). This amendment would reduce reliance on DOE's Safe Secure Trailer program for secure shipments of Category I material.

TIMETABLE:
Proposed Action Published Undetermined

LEGAL AUTHORITY:
42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:
Priscilla A. Dwyer
Office of Nuclear Material Safety and Safeguards
301 504-2478

TITLE:

Reinvestigation of Individuals Granted Unescorted
Access to Nuclear Power Plants

RIN:

3150-AD49

CFR CITATION:

10 CFR 73

ABSTRACT:

The final rule would amend the Commission's regulations to require periodic updates of FBI fingerprint checks for reinvestigation of individuals granted unescorted access to nuclear power plants or access to safeguards information. The proposed rule would require that licensees who operate a nuclear power plant submit fingerprint cards for applicable personnel to the NRC for criminal history checks every 5 years. Authorization for unescorted access would be retained by an individual pending results of the criminal history check on that individual's fingerprints.

TIMETABLE:

Final Action Undetermined

LEGAL AUTHORITY:

42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:

Sandra Frattali
Office of Nuclear Regulatory Research
301 492-3773

TITLE:

Standards for Certification of DOE Uranium Enrichment
Gaseous Diffusion Facilities

RIN:

3150-AE62

CFR CITATION:

10 CFR 76

ABSTRACT:

The proposed rule would amend the Commission's regulations by adding a new part to the Code of Federal Regulations (10 CFR Part 76). The Energy Policy Act of 1992 (the Act) authorized the establishment of a new government corporation, U.S. Enrichment Corporation (USEC), for the purpose of conducting a uranium enrichment enterprise. The Act directs the NRC to issue standards by rulemaking as necessary to govern the gaseous diffusion plants at Portsmouth, Ohio, and Paducah, Kentucky, in order to protect the public health and safety from radiological hazard, and provide for the common defense and security, including adequate safeguards. The standards are to be in effect within 2 years. This new part will include as certification standards pertinent parts of existing regulations as they are applied to similar facilities licensed by the NRC.

TIMETABLE:

Proposed Action Published 02/00/94
Final Action Published 10/00/94

LEGAL AUTHORITY:

42 USC 2201; 42 USC 5841

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES: No

AGENCY CONTACT:

Charles W. Nilsen
Office of Nuclear Regulatory Research
301 492-3834

(A) Petitions incorporated into final rules
or petitions denied since September 30, 1993

NONE

II
PETITIONS

A

(B) Petitions incorporated into proposed rules

NONE

(C) Petitions pending staff review

C

Petitions - Pending

PETITION DOCKET NUMBER:
PRM-20-20

PETITIONER:
Carol S. Marcus, Ph.D., M.D.

PART:
20

OTHER AFFECTED PARTS:
35

FEDERAL REGISTER CITATION:
June 12, 1991 (56 FR 26945)

SUBJECT:
Radiation absorbed dose to individuals from patients receiving radiopharmaceuticals for diagnosis or therapy

SUMMARY:
The petitioner requests that the Commission specify that the annual radiation dose absorbed by individuals exposed to patients administered radioactive materials be 5 mSv (500 mrems).

TIMETABLE:
A notice of receipt for this petition was published in the Federal Register on June 12, 1991 (56 FR 26945). The comment period closed on October 12, 1991. Resolution of the petition is scheduled for rulemaking ("Dose Limits for Patients and Members of the Public" (RIN 3150-AE41)). A publication date for the proposed rule is scheduled for April 1994.

CONTACT:
Stewart Schneider
Nuclear Regulatory Commission
Office of Nuclear Regulatory Research
301 492-3588

PETITION DOCKET NUMBER:
PRM-20-21

PETITIONER:
Keith J. Schiager, Ph.D., et al.

PART:
20

OTHER AFFECTED PARTS:
none

FEDERAL REGISTER CITATION:
September 10, 1993 (58 FR 47676)

SUBJECT:
Disposal of certain low-level radioactive wastes to provide additional options for disposal of very low concentrations of short-lived radionuclides.

SUMMARY:
The petitioners request that the Commission amend its regulations in 10 CFR Part 20 that became mandatory for all licensees on January 1, 1994, to permit additional methods for disposal of certain low-level radioactive wastes. The petitioners contend that the regulations that became mandatory for all licensees on January 1, 1994, are too restrictive and prevent many research institutions from pursuing certain types of research that cannot be conducted effectively without the use of radioactive materials.

TIMETABLE:
A notice of receipt for this petition was published in the Federal Register on September 10, 1993 (58 FR 47676). The comment period closed on November 24, 1993. Resolution of this petition is scheduled for September 1994.

CONTACT:
George Powers
Office of Nuclear Regulatory Research
301 492-3747

PETITION DOCKET NO:
*PRM-20-22

PETITIONER:
Northeast Ohio Regional Sewer District

PART:
20

OTHER AFFECTED PARTS:
None

FEDERAL REGISTER CITATION:
October 20, 1993 (58 FR 54071)

SUBJECT:
Require licensees to provide at least 24 hours advance notice to the appropriate sewage treatment plant before releasing radioactive material to the sanitary sewer system.

SUMMARY:
The petitioner requests that the Commission amend its regulations to require that licensees provide at least 24 hours advance notice to the appropriate sewage treatment plant before releasing radioactive material to the sanitary sewer system. The petitioner also requests that the NRC exempt materials that enter the sanitary waste stream from the requirements regarding Commission approval for incineration under the NRC's current regulations.

TIMETABLE:
A notice of receipt for this petition was published in the Federal Register on October 20, 1993 (58 FR 54071). The comment period closed on January 3, 1994. Resolution of the petition is scheduled for rulemaking (Disposal by Release into Sanitary Sewerage (Rin-3150-AE90)). Publication of the advance notice of proposed rulemaking is scheduled for March 1994.

CONTACT:
George Powers
Office of Nuclear Regulatory Research
301 492-3747

PETITION DOCKET NO:

*PRM-21-2

PETITIONER:

Nuclear Management and Resources Council

PART:

21

OTHER AFFECTED PARTS:

None

FEDERAL REGISTER CITATION:

October 14, 1993 (58 FR 53159)

SUBJECT:

Commercial grade items

SUMMARY:

The petitioner requests that the Commission amend its regulations to revise the term "commercial grade item"; to include a flexible generic process for dedication of commercial grade items for safety-related use; and to clarify that the entity performing the dedication of a commercial grade item is responsible for discovering, evaluating, and reporting deficiencies as required by the NRC's regulations.

TIMETABLE:

A notice of receipt for this petition was published in the Federal Register on October 14, 1993 (58 FR 53159). The comment period closed on December 28, 1993. Resolution of this petition is scheduled for October 1994.

CONTACT:

Markley L. Au
Office of Nuclear Regulatory Research
301 492-3749

PETITION DOCKET NO:
PRM-32-3

PETITIONER:
Advanced Medical Systems, Inc.

PART:
32

OTHER AFFECTED PARTS:
None

FEDERAL REGISTER CITATION:
October 10, 1991 (56 FR 51182)

SUBJECT:
Manufacture or transfer of certain items containing
byproduct material

SUMMARY:
The petitioner requests that the Commission amend its
regulations that apply to the manufacturers or
transferors of certain items containing byproduct
material to specify that these provisions apply to the
manufacturers and distributors of replacement parts or
original units.

TIMETABLE:
A notice of receipt for this petition was published
in the Federal Register on October 10, 1991 (56 FR
51182). The comment period closed on December 9, 1991.
Resolution of this petition is scheduled for February
1994.

CONTACT:
Naïem Tanious
Office of Nuclear Regulatory Research
301 492-3878

PETITION DOCKET NO:

*PRM-32-4

PETITIONER:

mb-microtec (USA)

PART:

32

OTHER AFFECTED PARTS:

None

FEDERAL REGISTER CITATION:

October 18, 1993 (58 FR 53670)

SUBJECT:

Place timepieces with gaseous tritium light sources on the same regulatory basis as timepieces with luminous tritium paint

SUMMARY:

The petitioner requests that the Commission amend its regulations to include timepieces with gaseous tritium light sources and subsequently allow their distribution under the same requirements applicable to the distribution of timepieces with luminous tritium paint.

TIMETABLE:

A notice of receipt for this petition was published in the Federal Register on October 18, 1993 (58 FR 53670). The comment period closed on January 3, 1994. Resolution of this petition is scheduled for October 1994.

CONTACT:

Donald A. Cool
Office of Nuclear Regulatory Research
301 492-3785

PETITION DOCKET NO:
PRM-34-4

PETITIONER:
International Union of Operating Engineers, Local No. 2

PART:
34

OTHER AFFECTED PARTS:
None

FEDERAL REGISTER CITATION:
December 4, 1992 (57 FR 57392)

SUBJECT:
Require a minimum of two radiographic personnel when performing industrial radiography with licensed materials at temporary job sites

SUMMARY:
The petitioner requests that the Commission amend its regulations regarding licenses for radiography and radiation safety requirements for radiographic operations, as necessary, to require a minimum of two radiographic personnel when performing industrial radiography with licensed materials at temporary job sites. The petitioner believes that the suggested change is necessary to ensure a safe working environment.

TIMETABLE:
A notice of receipt for this petition was published in the Federal Register on December 4, 1992 (57 FR 57392). The public comment period closed on February 2, 1993. A proposed rule (Radiography and Radiation Safety Requirements for Radiography Operations - RIN 3150-AE07) is being developed to address this petition. The proposed rule is scheduled for publication in February 1994.

CONTACT:
Don Nellis
Office of Nuclear Regulatory Research
301 492-3628

PETITION DOCKET NUMBER:
PRM-35-10/PRM-35-10A

PETITIONER:
American College of Nuclear Medicine

PART:
35

OTHER AFFECTED PARTS:
None

FEDERAL REGISTER CITATION:
March 9, 1992 (57 FR 8282)

SUBJECT:
Radiopharmaceutical therapy

SUMMARY:
The petitioner requests that the Commission amend its regulations by deleting the requirement for mandated hospitalization for ambulatory patients receiving oral or IV radiopharmaceuticals in amounts greater than 30 millicuries and allowing patients the option to be treated on an outpatient basis if they qualify medically. The petitioner states that the requested amendment is in the best interest of patients who require access to affordable quality care and that published scientific data support the requested changes. The petitioner submitted an amendment to this petition that was assigned Docket No. PRM-35-10A. The petitioner requests that the original petition be expanded to consider the need to allow amounts greater than 30 millicuries to be used in diagnostic studies and to add a definition of confinement.

TIMETABLE:
A notice of receipt for this petition was published in the Federal Register on March 9, 1992 (57 FR 8282). The comment period closed on May 8, 1992. A notice of receipt for PRM-35-10A was published in the Federal Register on May 18, 1992 (57 FR 21043). The comment period closed on July 17, 1992. Resolution of the petitions is scheduled for rulemaking ("Dose Limits for Patients and Members of the Public" (RIN 3150-AE41)). A publication date for the proposed rule is scheduled for April 1994.

CONTACT:
Stewart Schneider
Office of Nuclear Regulatory Research
301 492-3588

PETITION DOCKET NUMBER:
PRM-50-53

PETITIONER:
The Ohio Citizens for Responsible Energy

PART:
50

OTHER AFFECTED PARTS:
None

FEDERAL REGISTER CITATION:
July 25, 1989 (54 FR 30905)

SUBJECT:
Request for Reopening of ATWS Rulemaking Proceeding

SUMMARY:
The petitioner requests that the NRC reopen the Anticipated Transients Without Scram (ATWS) rulemaking proceeding. This request was one portion of a request by the Ohio Citizens for Responsible Energy (OCRE) that NRC take a number of actions to relieve alleged undue risks posed by the thermal-hydraulic instability of boiling water reactors. On April 27, 1989, the Director, NRR, responded to the OCRE request for action in a Director's Decision under 10 CFR 2.206. In the Director's Decision (DD-89-03), the NRC denied all of the petitioner's requests, except for the request to reopen the ATWS rulemaking proceeding, which would be more properly treated as a petition for rulemaking under 10 CFR 2.802. The petitioner suggested that resolution of the ATWS problem depends on measures other than tripping the recirculation pumps to rapidly reduce reactivity. In this regard, the petitioner specifically suggests the use of an automatic, high-capacity standby liquid control system.

In a letter from the BWR Owner's Group (BWROG), dated September 18, 1989, which transmitted report NEDO-31709, "Average Core Power During Large Core Thermal Hydraulic Oscillations in a BWR" the BWROG concluded that previous ATWS evaluations are valid and that existing ATWS provisions and actions are appropriate. The staff review of NEDO-31709 concluded that the NEDO analyses, and other analyses performed by the BWROG contractors, were not sufficient to support their conclusions.

NRC Staff and contractors studies of ATWS scenarios were performed to determine if the potential power oscillations could be significant enough to warrant an

PETITION DOCKET NUMBER:
PRM-50-53

SUMMARY: (CONT)

ATWS rule change, modification of operator actions, or possible equipment/systems changes. Several of the ATWS scenarios revealed the need for more detailed studies of the automatic responses and emergency procedures guidelines (EPGs) used by plant operators.

The NRC staff requested that the BWROG address the questions raised by the NRC staff relative to operator actions and instrumentation adequacy for an ATWS with oscillations and the timing of the boron injection and water level reduction as effective means to control such transients. The BWROG studies were submitted to the staff in February 1992 (NEDO-32047) and in December 1992 (NEDO-32164). The NRC staff has reviewed the BWROG analysis and has prepared a Safety Evaluation Report (SER) which is scheduled to be transmitted to the BWROG and to the CRGR during January 1994. This SER concludes that the prescriptive requirement of the ATWS rule remain appropriate when considering the impact of larger-amplitude oscillations coincident with ATWS events. This SER will be used as a basis of a Commission paper regarding resolution of the petition. The Commission paper is scheduled to be submitted in February 1994.

TIMETABLE:

Resolution of the petition is scheduled for February 1994.

CONTACT:

Roy Woods
Office of Nuclear Regulatory Research
301 492-3908

PETITION DOCKET NUMBER:
PRM-50-57

PETITIONER:
North Carolina Public Utility Commission

PART:
50

OTHER AFFECTED PARTS:
140

FEDERAL REGISTER CITATION:
January 17, 1992; 57 FR 2059

SUBJECT:
Reduce or Eliminate Insurance for Nuclear Power Plants
Awaiting Decommissioning

SUMMARY:
The petitioner requests that the Commission amend its regulations to substantially reduce or eliminate insurance requirements for nuclear power reactors when all the nuclear reactors on a reactor station site have been shut down and are awaiting decommissioning and all the nuclear fuel has been removed from the reactor site.

TIMETABLE:
A notice of receipt for this petition was published in the Federal Register on January 17, 1992 (57 FR 2059). The public comment period closed on March 17, 1992. Resolution of the petition is scheduled for December 1994.

CONTACT:
Carl Feldman
Office of Nuclear Regulatory Research
301 492-3883

PETITION DOCKET NUMBER:
PRM-50-58

PETITIONER:
Virginia Electric and Power Company

PART:
50

OTHER AFFECTED PARTS:
None

FEDERAL REGISTER CITATION:
March 4, 1993; 58 FR 12339

SUBJECT:
Change the frequency of required emergency planning exercises to biennially instead of annually.

SUMMARY:
The petitioner requests that the Commission amend its regulations to change the frequency of required emergency planning exercises to biennially instead of annually. The proposed amendment would require each licensee to conduct, at each site, an integrated exercise every 2 years and to ensure that their emergency response capabilities are maintained during the 2-year interval.

TIMETABLE:
A notice of receipt for this petition was published in the Federal Register on March 4, 1993 (58 FR 12339). The public comment period closed on May 3, 1993. Resolution of the petition is scheduled for March 1994.

CONTACT:
Michael Jamgochian
Office of Nuclear Regulatory Research
301 492-3918

PETITION DOCKET NUMBER:
PRM-60-3

PETITIONER:
Department of Energy

PART:
60

OTHER AFFECTED PARTS:
None

FEDERAL REGISTER CITATION:
July 13, 1990 (55 FR 28771)
August 10, 1990 (55 FR 32639)

SUBJECT:
Disposal of High-Level Radioactive Waste

SUMMARY:
The petitioner requests that the Commission amend its regulations pertaining to the disposal of high-level radioactive wastes in geologic repositories to include a specific dose criterion for design basis accidents. The petitioner believes this would facilitate the development and licensing of a geologic repository for high-level radioactive waste.

TIMETABLE:
This petition will be resolved with publication of the related rulemaking, "Design Basis Events" (RIN 3150-AD51). The publication date for this proposed rule is scheduled for May 1994.

CONTACT:
Janet P. Kotra
Office of Nuclear Material Safety and Safeguards
301 504-3620

PETITION DOCKET NUMBER:

PRM-61-2

PETITIONER:

New England Coalition on Nuclear Pollution, Inc.

PART:

61

OTHER AFFECTED PARTS:

Ncne

FEDERAL REGISTER CITATION:

July 23, 1992 (57 FR 32743)

SUBJECT:

Waste classification of low-level radioactive waste

SUMMARY:

The petitioner requests that the Commission amend its regulations regarding waste classification of low-level radioactive waste to restrict the number and types of waste streams that can be disposed of in near-surface disposal facilities. The petitioner also requests that the NRC prepare a supplemental environmental impact statement (EIS) to the original EIS prepared for 10 CFR Part 61 (December 27, 1982; 47 FR 57446).

TIMETABLE:

A notice of receipt for this petition was published in the Federal Register on July 23, 1992 (57 FR 32743). The public comment period closed on September 21, 1992. Resolution of the petition is scheduled for February 1994.

CONTACT:

Mark Haisfield
Office of Nuclear Regulatory Research
301 492-3877

PETITION DOCKET NUMBER:
PRM-72-1

PETITIONER:
Maryland Safe Energy Coalition

PART:
72

OTHER AFFECTED PARTS:
None

FEDERAL REGISTER CITATION:
September 8, 1993 (58 FR 47222)

SUBJECT:
Dry cask storage

SUMMARY:
The petitioner requests that the Commission amend its regulations regarding generic issues related to dry cask storage.

TIMETABLE:
A notice of receipt for this petition was published in the Federal Register on September 8, 1993 (58 FR 47222). The public comment period closed on November 22, 1993. Resolution of the petition is scheduled for September 1994.

CONTACT:
Gordon Gundersen
Office of Nuclear Regulatory Research
301 492-3803

PETITION DOCKET NUMBER:
PRM-150-2

PETITIONER:
Envirocare of Utah, Inc.

PART:
150

OTHER AFFECTED PARTS:
None

FEDERAL REGISTER CITATION:
February 22, 1993 (58 FR 5992)

SUBJECT:
Persons who generate or dispose of very low specific activity wastes contaminated with special nuclear materials

SUMMARY:
The petitioner requests that the Commission amend its regulations to exempt those persons that generate or dispose of very low specific activity wastes contaminated with special nuclear materials that are not capable of forming a critical reaction from the current possession limits specified in its regulations.

TIMETABLE:
A notice of receipt for this petition was published in the Federal Register on February 22, 1993 (58 FR 9552). The public comment period closed on April 23, 1993. Resolution of the petition is scheduled for February 1994.

CONTACT:
Carl Feldman
Office of Nuclear Regulatory Research
301 492-3883

PETITION DOCKET NUMBER:
PRM-170-3

PETITIONER:
American College of Nuclear Physicians and Society of
Nuclear Medicine

PART:
170

OTHER AFFECTED PARTS:
171

FEDERAL REGISTER CITATION:
May 12, 1992 (57 FR 20211)

SUBJECT:
Fees for facilities, materials licenses, and other
regulatory service under the Atomic Energy Act of 1954,
as amended.

SUMMARY:
The petitioner requests that the Commission amend its
regulations to mitigate the substantial adverse impacts
experienced by its members because of the recent
increase in NRC's license and annual fees.

TIMETABLE:
A notice of receipt for this petition was published in
the Federal Register on May 12, 1992 (57 FR 20211). A
request for public comment on the petition was
published in the Federal Register on October 13, 1992
(57 FR 46818). The comment period closed on December
14, 1992. Resolution of the petition is scheduled for
June 1994.

CONTACT:
C. James Holloway, Jr.
Office of the Controller
301 492-4301

PETITION DOCKET NUMBER:

PRM-170-4

PETITIONER:

American Mining Congress

PART:

170

OTHER AFFECTED PARTS:

171

FEDERAL REGISTER CITATION:

April 19, 1993 (57 FR 21116)

SUBJECT:

Evaluation of fee policy

SUMMARY:

The petitioner requests that the Commission amend its regulations to alleviate the inequitable impacts of NRC-imposed fees on its members, specifically for Class I uranium recovery sites that have ceased operation and await NRC-approval of reclamation plans. The petitioner also suggests that the NRC implement certain standards for services provided. An advance notice of proposed rulemaking (NRC Fee Policy; Request for Public Comment) was published in the Federal Register on April 19, 1993 (58 FR 21116) announcing the receipt of this petition for rulemaking.

TIMETABLE:

A notice of receipt for this petition was published in the Federal Register on April 19, 1993 (58 FR 21116). The comment period closed on August 18, 1993 (58 FR 39174). Resolution of the petition is scheduled for June 1994.

CONTACT:

C. James Holloway, Jr.
Office of the Controller
301 492-4301

(D) Petitions with deferred action

NONE

D

BIBLIOGRAPHIC DATA SHEET

(See instructions on the reverse)

1. REPORT NUMBER
(Assigned by NRC. Add Vol., Supp., Rev.,
and Addendum Numbers, if any.)

NUREG-0936
Vol. 12, No. 4

2. TITLE AND SUBTITLE

NRC Regulatory Agenda
Quarterly Report
October - December 1993

3. DATE REPORT PUBLISHED

MONTH	YEAR
February	1994

4. FIN OR GRANT NUMBER

5. AUTHOR(S)

6. TYPE OF REPORT

Quarterly

7. PERIOD COVERED (Inclusive Dates)

October - December 1993

8. PERFORMING ORGANIZATION - NAME AND ADDRESS (If NRC, provide Division, Office or Region, U.S. Nuclear Regulatory Commission, and mailing address; if contractor, provide name and mailing address.)

Division of Freedom of Information and Publications Services
Office of Administration
U.S. Nuclear Regulatory Commission
Washington, DC 20555

9. SPONSORING ORGANIZATION - NAME AND ADDRESS (If NRC, type "Same as above"; if contractor, provide NRC Division, Office or Region, U.S. Nuclear Regulatory Commission, and mailing address.)

Same as item 8. above.

10. SUPPLEMENTARY NOTES

11. ABSTRACT (200 words or less)

The NRC Regulatory Agenda is a compilation of all rules on which the NRC has recently completed action, or has proposed action, or is considering action, and all petitions for rulemaking which have been received by the Commission and are pending disposition by the Commission. The Regulatory Agenda is updated and issued each quarter.

12. KEY WORDS/DESCRIPTORS (List words or phrases that will assist researchers in locating the report.)

Compilation of rules
Petitions for rulemaking

13. AVAILABILITY STATEMENT

Unlimited

14. SECURITY CLASSIFICATION

(This Page)

Unclassified

(This Report)

Unclassified

15. NUMBER OF PAGES

16. PRICE



Federal Recycling Program

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE, \$300

I-RULES

Section 1 - Rules

A

Action Completed Rules

B

Proposed Rules

C

Advance Notice - Proposed Rulemaking

D

Unpublished Rules

**II
PETITIONS**

Section II - Petitions for Rulemaking

A

Petitions - Final or Denied

B

Petitions - Incorporated into Proposed Rules

C

Petitions - Pending

D

Petitions - Deferred Action

120555139531 1 JAN 187
US NRC-OADM PUBLICATIONS SVCS
OTV-FOIA & NUREG
TPS-PDR-NUREG
P-211
WASHINGTON DC 20555

SPECIAL FOURTH-CLASS RATE
POSTAGE AND FEES PAID
USNRC
PERMIT NO. G-87