



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

JUL 27 1993

AE 49-2

PDR

024

MEMORANDUM FOR:

James Holloway, Jr.  
Office of the Controller

FROM:

Michael T. Lesar, Chief  
Rules Review Section  
Rules Review and Directives Branch  
Division of Freedom of Information  
and Publications Services  
Office of Administration

SUBJECT:

REGULATORY HISTORY PROCEDURES - FY 1991 AND  
1992 FINAL RULE IMPLEMENTING THE U.S. COURT  
OF APPEALS DECISION AND REVISION OF FEE  
SCHEDULES; 100% FEE RECOVERY, FY 1993 (10 CFR  
PARTS 170 AND 171)

In a memorandum dated April 5, 1985 (copy attached), the Executive Director for Operations established procedures for ensuring that a complete regulatory history is compiled for each rulemaking action undertaken by an office under his purview. These procedures are applicable to any proposed or final rule submitted for publication in the Federal Register after April 5, 1985. Briefly, these procedures require that--

Documents of central relevance to a rulemaking be maintained, and identified for a source of access; and

An index of documents comprising the regulatory history be developed and submitted to the Rules Review and Directives Branch (RRDB) within 60 days after the rulemaking is completed.

The rulemaking which amends the licensing, inspection, and annual fees charged to NRC's applicants and licensees, was published in the Federal Register on July 20, 1993 (58 FR 38666). You should forward the completed index for the notice to RRDB by October 20, 1993. In your transmittal memorandum to NUDOCS, please include the title of the rule, the complete Federal Register citation, and a listing of all parts affected by the document.

To assist you in preparing the list of documents centrally relevant to this rule, place the designator "AE49-2" in the upper right-hand corner of each document, including the transmittal

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memorandum, that you send to the Nuclear Document System (NUDOCS), Mail Stop P1-37. Each document transmitted to NUDOCs that can be made available to the public should be marked "PDR" in the upper right-hand corner of the front page. Documents that cannot be made available to the public should be marked "CF" (Central Files) in the upper right-hand corner of the first page. In addition, CF documents should be grouped after the PDR documents in order to streamline the microfiche process.

You should be sure to check all attachments to each document marked "PDR" to ensure that no documents to be withheld are inadvertently released. Examples of documents to be withheld (which sometimes are attached to documents that are released routinely) include Commission vote sheets and SECY Papers. In no case should a Commission vote sheet be released. Under Commission procedures, release of SECY Papers requires the concurrence of a majority of the Commissioners. Accordingly, release of any SECY Paper must be coordinated with the Office of the Secretary. All Commission vote sheets, and any SECY Paper that is to be withheld, should be marked "Central Files only."

Approximately two weeks after you submit the documents to the NUDOCs you should receive a computer printout listing the documents you submitted to the NUDOCs. If you do not receive the printout within two or three weeks, call the NUDOCs hotline, extension 28603, and request the printout. You should forward a copy of this printout, which comprises the regulatory history index, to the RRDB.

If you have any questions, please call me on 492-7758, or Betty Golden of my staff on 492-4268.



Michael T. Lesar, Chief  
Rules Review Section  
Rules Review and Directives Branch  
Division of Freedom of Information  
and Publications Services  
Office of Administration

Attachment: As stated