

NUCLEAR REGULATORY COMMISSION

10 CFR Part 9

Duplication Fees

'91 JUL -8 P513

AGENCY: Nuclear Regulatory Commission

ACTION: Final Rule

SUMMARY: The Nuclear Regulatory Commission (NRC) is amending its regulations by revising the charges for copying records publicly available at the NRC Public Document Room in Washington, D. C. The amendment is necessary in order to reflect the change in copying charges resulting from the Commission's award of a new contract for the copying of records.

EFFECTIVE DATE: (Publication in the Federal Register).

FOR FURTHER INFORMATION CONTACT: Michelle Schroll, Public Document Room Branch, Office of the Secretary, U.S. Nuclear Regulatory Commission, Washington, D. C. 20555, telephone 202-634-3366.

SUPPLEMENTARY INFORMATION: The NRC maintains a Public Document Room (PDR) at its headquarters at 2120 L Street, N.W., Lower Level, Washington, D. C. The PDR contains an extensive collection of publicly available technical and administrative records that the NRC receives or generates. Requests by the

public for the duplication of records at the PDR have traditionally been accommodated by a duplicating service contractor selected by the NRC. The schedule of duplication charges to the public established in the duplicating service contract is set forth in 10 CFR 9.35 of the Commission's regulations. The NRC has recently awarded a new duplicating service contract. The revised fee schedule reflects the changes in copying charges to the public that have resulted from the awarding of the new contract for the duplication of records at the PDR.

Because this is an amendment dealing with agency practice and procedures, the notice provisions of the Administrative Procedures Act do not apply pursuant to 5 U.S.C. 553(b)(A). In addition, the PDR users were notified on June 27, 1991, that the new contract was being awarded and that the new prices would go into effect on July 10, 1991. The amendment is effective upon publication in the Federal Register. Good cause exists to dispense the usual 30-day delay in the effective date because the amendment is of a minor and administrative nature dealing with agency procedures.

Environmental Impact: Categorical Exclusion

The NRC has determined that this final rule is the type of action described in categorical exclusion 10 CFR 51.22(c)(1).

Therefore, neither an environmental impact statement nor an environmental assessment has been prepared for this final rule.

Paperwork Reduction Act Statement

This final rule does not contain a new or amended information collection requirement subject to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). Existing requirements were approved by the Office of Management and Budget approval number 3150-0043.

Backfit Analysis

This final rule pertains solely to minor administrative procedures of the NRC; therefore, no backfit analysis has been prepared.

List of Subjects in 10 CFR Part 9

Freedom of information, Penalty, Privacy, Reporting and recordkeeping requirements, Sunshine Act.

For the reasons set out in the preamble and under the authority of the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974, as amended, and 5 U.S.C. 552 and 553, the NRC is adopting the following amendment to 10 CFR Part 9.

Part 9 -- Public Records

1. The authority citation for Part 9 continues to read in part as follows: Authority: Sec. 161, 68 Stat, 948, as amended (42 U.S.C. 2201); Sec. 201, 88 Stat. 1242, as amended (42 U.S.C. 5841).
2. In Sec. 9.35, paragraph (a)(1) is revised to read as follows:

Sec. 9.35 Duplication fees.

(a)(1) Charges for the duplication of records made available under Sec. 9.21 at the NRC Public Document Room (PDR), 2120 L Street, NW, Lower Level, Washington, DC by the duplicating service contractor are as follows:

(i) 6 cents per page for paper copy to paper copy, except for engineering drawings and any other records larger than 17 x 11 inches for which the charges vary as follows depending on the reproduction process that is used:

(A) Xerographic process -- \$1.50 per square foot for large documents or engineering drawings (random size up

to 24 inches in width and with variable length, reduced or full size);

(B) Photographic process -- \$7.50 per square foot for large documents or engineering drawings (random size exceeding 24 inches in width and up to a maximum size of 42 inches in length, full size).

(ii) 6 cents per page for microform to paper copy, except for engineering drawings and any other records larger than 17 x 11 inches for which the charge is \$3.00 per square foot, or \$3.00 for a reduced size print (18 x 24 inches).

(iii) 75 cents per microfiche to microfiche.

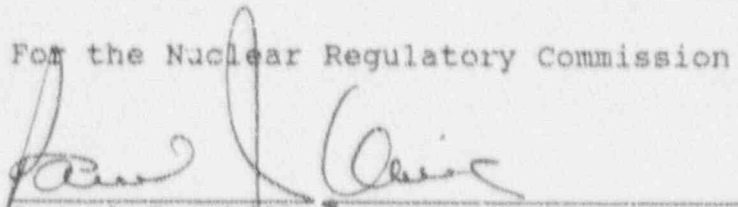
(iv) 75 cents per aperture card to aperture card.

(2) Self-service duplicating machines are available at the PDR for the use of the public. Paper to paper copy is 10 cents per page. Microform to paper is 10 cents per page on the reader printers.

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Dated at Rockville, Maryland this ⁶ 8th day of July 1991.

For the Nuclear Regulatory Commission

A handwritten signature in dark ink, appearing to read "Samuel J. Chilk", is written over a horizontal line.

Samuel J. Chilk
Secretary of the Commission