

B12

April 6, 1983

Mary Lee Mason
Finance & Accounting
Policy Branch (MA 841.2)
Office of the Controller
U.S. Department of Energy
Washington, D.C. 20585

Dear Mary Lee:

You recently requested identification of our technical support projects at the laboratories which will be subject to license fee recovery per the provisions of 10 CFR Part 170. As the regulation in not finalized as yet, it is not possible to assure you only certain FINs will be covered and that others will not. Also, NRC (NRR) presently has some work which must be decoupled to put generic, non-recovery items in one project; and fee-recovery work in a second. We are pursuing this task at present. Additionally, some I&E work and some regional projects will also be in the fee-recovery category. I do not have a feel for this workload as yet, but expect about 20 such FINs covering 400 case actions.

Our presently identified fee-recoverable FINs are shown on the attached sheet.

Sincerely,

131

C. A. Beckwith
Office of Resource Management

Attachment:
As stated

bcc: RM R/F
D. Loosley, NMSS
A. Muir, IE
J. Funches, NRR
W. Miller, LFMB
G. Johnson, RM/A
Subject File, CAB
R. Barber, DOE EP-341

CEV
MEV CBeckwith

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PDR FOIA
REYNOLD84-564 PDR

TEV 4/6/83

LICENSE FEE RECOVERY PROJECTS

NRR PROJECTS:

<u>ANL</u>	<u>BNL</u>	<u>INEL</u>	<u>LANL</u>	<u>PNL</u>
A-2106	A-3346	A-6415	A-7254	B-2173
A-2308	A-3349	A-6422	A-7258	B-2354
A-2309	A-3352	A-6429	A-7267	B-2355
A-2311	A-3357	A-6430	A-7269	B-2357
A-2312	A-3360	A-6431	A-7270	B-2502
A-2314	A-3363	A-6445	A-7271	B-2503
	A-3364	A-6455	A-7272	B-2504
	A-3565	A-6457		B-2519
	A-3366	A-6458		
	A-3380	A-6459		
	A-3389	A-6466	<u>LLNL</u>	<u>SNL</u>
<u>FTEC</u>	A-3393	A-6469	A-0250	A-1125
B-3077	A-3395	A-6470	A-0406	A-1293
	A-3396	A-6471	A-0413	A-1301
	A-3405	A-6472		
	A-3407	A-6482		
	A-3702	A-6483	<u>ORNL</u>	
	A-3703	A-6487	B-0741	
	A-3705	A-6488	B-0743	
	A-3707		B-0747	
	A-3709		B-0751	
	A-3711		B-0752	
	A-3712		B-0771	
	A-3713		B-0775	
	A-3714		B-0779	
	A-3715		B-0781	
	A-3716			
	A-3717			
	A-3718			
	A-3720			

NMSS PROJECTS:

A-0293 (LLNL)
A-9093 (ORAU)
A-9086 (ORNL)
A-9350 (ORNL)

for a refund in accordance with the provisions of this subpart.

Signed at Washington, D.C. on: December 14, 1982.

Everett Rank,

Executive Vice President, Commodity Credit Corporation.

[FR Doc. 82-34290 Filed 12-16-82; 8:45 am]
BILLING CODE 3410-05-M

Rural Electrification Administration 7 CFR Part 1700

REA Bulletins; Proposed Codification

AGENCY: Rural Electrification Administration, USDA.

ACTION: Advance notice of proposed rulemaking.

SUMMARY: The Rural Electrification Administration (REA) proposes to add material to 7 CFR Part 1700. The material to be added represents the codification of the agency's existing bulletins which have been issued to implement the procedures set forth in Part 1700 and the loan and security instruments which provide for and secure REA loans. These bulletins are currently approved for "incorporation by reference" and are listed in appendix A—REA Bulletins to 7 CFR 1700.

DATE: Comments by January 3, 1983.

FOR FURTHER INFORMATION CONTACT: Blaine D. Stockton, Jr., Assistant Administrator, Management, Room 4063, South Building, U.S. Department of Agriculture, Washington, D.C. 20250, telephone number (202) 382-9552.

SUPPLEMENTARY INFORMATION: REA currently issues a series of publications entitled "bulletins" which serve to implement the policy, procedures and requirements for administering its loans and loan guarantee programs and the security instruments which provide for and secure REA financing. At the present time, these bulletins have been approved by the Director, Office of the Federal Register, for incorporation by reference (IBR) to 7 CFR Part 1700 and are listed in Appendix A—REA Bulletins to Part 1700. Upon review, the Director, Office of the Federal Register, has notified REA that several of its bulletins are no longer appropriate material for incorporation by reference. REA has decided to review its bulletins and codify those bulletins which are the Agency's "statement of general or particular applicability and future effect intended to implement, interpret, or prescribe law or policy or describing the organization, procedure, or practice

requirements." REA anticipates that this review and codification process will take approximately 12 months. Therefore, REA will be initiating the process as soon as possible.

REA intends to solicit comments on any proposed substantive changes to any bulletin and encourages public participation in all proposals published in the Federal Register. However, it should be noted that some bulletins will only be reformatted for publication in the Federal Register and will be published as final rules.

Interested persons are invited to submit comments concerning this notice to the address shown in "FOR FURTHER INFORMATION CONTACT."

Dated: December 10, 1982.

Jack Van Mark,

Acting Administrator.

[FR Doc. 82-34176 Filed 12-16-82; 8:45 am]
BILLING CODE 3410-15-M

NUCLEAR REGULATORY COMMISSION

10 CFR Part 170

Proposed Revision of License Fee Schedules; Correction

AGENCY: Nuclear Regulatory Commission.

ACTION: Proposed rule; correction.

SUMMARY: This document corrects a proposed rule published in the Federal Register on November 22, 1982 (47 FR 52454), that would revise license fee schedules. The action is necessary to correct typographical errors and omissions.

FOR FURTHER INFORMATION CONTACT: William O. Miller, License Fee Management Branch, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Telephone: (301) 492-7225.

SUPPLEMENTARY INFORMATION: The proposed rule entitled "Proposed Revisions of License Fee Schedules" that would amend 10 CFR Part 170 was published on pages 52454 through 52466 of the Federal Register on November 22, 1982. The following corrections to this proposed rule are listed, by page, table number, category, and item as applicable:

1. Page 52456, Table 5, an "x" should appear in the "Excluded" column for the Offices of Inspector and Auditor, etc.

2. Page 52458, Table 9—

(a) The description of the second item under Category 1A is corrected to read ">5 Kg U-235 for fuel fabrication (pct)."

(b) The description of the third item under Category 1A is corrected to read ">2 Kg Pu for fuel fabrication."

(c) The description of the fourth item under Category 1A is corrected to read ">5 Kg U-235 or >2 Kg U-233 other than fuel fabrication."

(d) For the seventh item under Category 1A, "Safety," the amount shown in the third column under routine inspection should read "\$3,600" rather than "\$360."

3. Page 52458, Materials Licenses—In the first paragraph, the last sentence beginning with "Fees for applications" should be replaced with the following sentence: Fees for applications for new licenses and approvals which are not currently based on actual costs and fees for applications for renewals and amendments which are on file with the Commission and pending review at the time the proposed rule becomes effective will be limited to the maximum fees prescribed in the March 23, 1978 schedule.

4. Page 52459, Table 10—

(a) The description of the third item under Category 1A should read ">2 Kg Pu for fuel fabrication" rather than "1>2 Kg for fuel fabrication."

(b) The description of item 6 under Category 1A is corrected to read "200 grams to <2 Kg of Pu."

(c) For item 2 under Category 4A—"Low level waste storage at power reactor sites," the footnote designator shown in the column under the heading "Renewals—Current March 1978 schedule" should read footnote "2" rather than footnote "3".

(d) The first sentence in footnote 2 at the end of Table 10 should read "Special Projects based on actual cost" rather than "Special project on actual cost."

5. Page 52464, 10 CFR 170.31—

(a) Category 3F—The application fee should read "\$580" rather than "\$580. PS350. PS230". The renewal fee should be added to read "\$350"; the amendment fee should be added to read "\$230."

(b) Category 3G—The application fee should read "\$2,300" rather than "\$930"; the renewal fee should read "\$930" rather than "\$230"; and the amendment fee should be added to read "\$230."

(c) Category 3I—The amendment fee should read "\$60" rather than "\$30."

6. Pages 52465 and 52466, 10 CFR 170.32—

(a) Category 2A—In the second line the word "or-buying" should be corrected to read "ore-buying," and the word "ource" should be corrected to read "source."

(b) Category 3B—Footnote designator "3" should be added to the nonroutine inspection fee of \$900.

(c) Category 4A—Footnote designator "2" rather than footnote "1" should appear after the words "Actual Cost" for both routine and nonroutine inspections.

(d) Category 7—The second "of" in the heading should be corrected to read "or."

(3) Category 7A—The nonroutine inspection fee should read "\$850" rather than "\$830."

Dated at Washington, D.C., this 8th day of December 1982.

For the Nuclear Regulatory Commission,
William J. Dircks,

Executive Director for Operations.

[FR Doc. 82-34316 Filed 12-16-82; 8:45 am]

BILLING CODE 7590-01-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

15 CFR Part 929

[Docket No. 21116-229]

Key Largo National Marine Sanctuary

AGENCY: National Oceanic and Atmospheric Administration (NOAA), Department of Commerce.

ACTION: Proposed rule.

SUMMARY: These regulations make minor revisions and clarifications to the present interim-final regulations defining which activities are allowed and which are prohibited within the Key Largo National Marine Sanctuary, the procedures by which persons may obtain permits for research or activities normally prohibited, and the penalties for committing prohibited acts without a permit. The regulations also revise the format of the existing regulations to make them more consistent with regulations in more recently designated national marine sanctuaries.

DATE: Comments will be accepted until January 1983. After the close of the comment period and review of comments received, final regulations will be published in the Federal Register.

ADDRESS: Send comments to: Dr. Nancy Foster, Deputy Director, Sanctuary Programs Office, Office of Coastal Zone Management, NOAA, 3300 Whitehaven Street, NW., Washington, D.C. 20235.

FOR FURTHER INFORMATION CONTACT: Franklin D. Christliff (202) 634-4236.

SUPPLEMENTARY INFORMATION: Title III of the Marine Protection, Research, and Sanctuaries Act of 1972, 16 U.S.C. 1433-1434 (the Act) authorizes the Secretary of Commerce, with Presidential

approval, to designate ocean waters as far seaward as the outer edge of the continental shelf as marine sanctuaries to preserve or restore distinctive conservation, recreational, ecological, or aesthetic values. Section 302(f)(1) of the Act directs the Secretary to issue necessary and reasonable regulations to control any activities permitted within a designated marine sanctuary. The authority of the Secretary to administer the provisions of the Act has been delegated to the Assistant Administrator for Coastal Zone Management within the National Oceanic and Atmospheric Administration, U.S. Department of Commerce (the Assistant Administrator).

On December 18, 1975, the Key Largo National Marine Sanctuary (the Sanctuary) was designated, and on January 13, 1976, NOAA published interim-final regulations (41 FR 2379) pursuant to the authorities of Sections 302(f), 302(g) and 303 of the Act. Since NOAA never issued final rules, these regulations are being published as proposed rules to allow interested parties the opportunity to comment. These regulations respond to comments received on certain sections of the interim-final regulations and certain issues that have arisen since designation. Following the 60 day comment period, these proposed rules may be amended at the Assistant Administrator's discretion to reflect comments received. The Assistant Administrator shall then publish final regulations in the Federal Register.

Discussion of Issues

(a) *Boundaries:* One reviewer of the interim-final regulations called attention to an apparent error in the description of the boundaries of the Sanctuary. The apparent discrepancy results from an error on NOAA chart 11462 (formerly C&GS 1249) and has been corrected in the 14th Edition, August 1977, NOAA Chart 11462, to be consistent with the boundary description as published in the rules and regulations for the Sanctuary.

(b) *Removal or Damaging of Natural Features and Marine Life—Taking of Spiny Lobster:* Although NOAA has not received formal comments, it understands that many recreational divers believe that the existing interim regulation which prohibits taking spiny lobster by hand is unfair and discriminatory. There is concern among resource managers that lobster stocks in the Sanctuary are low and may not withstand additional harvest pressure. NOAA does not have enough scientific evidence to support either claim and therefore proposes to conduct a baseline

population study to gather information on stock abundance and natural fluctuation. Until adequate data are available, NOAA intends to rely upon regulations implemented pursuant to the Spiny Lobster Fishery Management Plan in the Gulf of Mexico and South Atlantic.

(c) *Use of Harmful Fishing Methods—Wire Fish Traps:* NOAA has been requested by the Superintendent of the adjacent John Pennekamp Coral Reef State Park and others to clarify that the taking of fish by means of wire traps is prohibited, a prohibition that is consistent with State park regulations and Federal regulations at the nearby Biscayne National Park. NOAA has rewritten § 929.7 to clarify that taking by this method is prohibited. It should be noted that the new language merely clarifies the prohibition under the existing regulations and does not add any new restriction.

(d) *Use of Harmful Fishing Methods—Nets:* NOAA also has been requested to clarify the prohibition on taking of fish by means of nets. NOAA has rewritten § 929.7 to clarify that taking of fish by bottom trawls, dredges, fish sleds, or other similar vessel-towed or anchored fishing gear or net that comes in contact with the seafloor is prohibited. A prohibition on the use of the hand-held nets to collect tropical fish is covered under § 929.7(1)(c). It should be noted that the new language merely clarifies what is a prohibition under the existing regulations and does not add new restrictions.

(e) *Utilization of Certain Living Resources for Scientific and Educational Purposes:* The principal comment on the interim-final regulations, submitted by six commentators, was that taking of tropical fish and certain invertebrates except "for the purpose of research related to the resources of the Sanctuary" was precluded, thus preventing taking for public display or educational purposes at public aquaria or universities. These commentators agreed that commercial taking of large numbers of these resources should be prohibited, but agreed that the wording of the regulations was too restrictive. NOAA appreciates these concerns and has rewritten § 929.10 to make the language consistent with regulations for other established sanctuaries where taking for scientific and educational purposes includes taking for legitimate public display and other related purposes and is allowed by permit.

(f) *Appeals of Administrative Actions:* Section 929.11 has been rewritten to provide that any interested party can