



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

JUN 24 1985

AB99-2
PDR
W. Brown

MEMORANDUM FOR: John G. Davis, Director
Office of Nuclear Material Safety and Safeguards

FROM: Patricia G. Norry, Director
Office of Administration

SUBJECT: REVISION OF 10 CFR PART 11, FINAL RULE

The Office of Administration reviewed and concurs in the final rule revising Part 11 subject to the modifications contained in this memorandum and in the marked copy. Noted in the margins of the rule are minor editorial comments. Specific comments are discussed below.

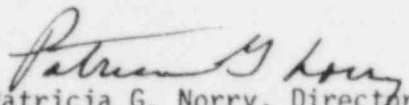
1. The Division of Security recently decided to explore the possibility of informing licensees of changes in OPM investigation fees by letter instead of making frequent amendments to the regulations in 10 CFR. Upon implementation of this decision, the Division of Security has agreed to take responsibility for making the amendment to Part 11 that sets out the annual fees paid by licensees for OPM investigations at the same time these changes are made in Part 25.
2. On pages 7, 8, and 9 of the final rule where reference is made to the date of sixty days from the effective date of this regulation, sufficient blank space should be left in the text so that the Office of the Secretary, after consultation with the Office of the Federal Register, may insert a date certain into the regulatory text.
3. The Document Management Branch, TIDC, reviewed the Paperwork requirements contained in this rule and determined that justification for additional information collection requirements included in the rule since their last review would need to be provided. Mrs. Shelton will be sending you a memorandum concerning this issue.
4. References to this rule as a "proposed amendment" in the memoranda prepared for the EDO should be clarified to reflect its status as a final rule.
5. We have enclosed standard boilerplate text that explains that this rule is being published without opportunity for public comment; however, this text should be expanded to include the rationale offered by OELD on this point.

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John G. Davis

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Because this rule is bypassing the proposed rule stage, a Regulatory Flexibility Statement is not needed. If your staff has any questions regarding our comments, call John Philips of my staff on extension 27086.


Patricia G. Norry, Director
Office of Administration



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

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MEMORANDUM FOR: William J. Dircks
Executive Director of Operations

FROM: John G. Davis, Director
Office of Nuclear Material
Safety and Safeguards

SUBJECT: ~~PROPOSED~~ AMENDMENT OF 10 CFR PART 11 - REVISED
CRITERIA AND PROCEDURES FOR DETERMINING ELIGIBILITY
FOR ACCESS TO OR CONTROL OVER SPECIAL NUCLEAR MATERIAL

Enclosed for your signature is a Federal Register Notice (Enclosure A) that ~~proposes~~ changes ~~to~~ the procedures for submitting and processing of applications for nuclear material access authorizations and their renewals. ✓
Enclosure B presents the rule with the ~~proposed~~ changes in comparative text. ✓
Enclosure C is the regulatory analysis for the ~~proposed~~ changes. ✓

The ~~proposed~~ changes would allow utilization of current active Federal clearances based upon equivalent investigations for granting the NRC special nuclear material access authorizations. They would also allow renewal of NRC "U" special nuclear material access authorizations through the DOE Reinvestigation Program if the individual possesses a current and active DOE "Q" access authorization. In addition, the changes provide a number of simplified procedures related to the administration of and documentation of applications for special nuclear material access authorizations. The action ~~is~~ ^{will} ~~proposed to~~ reduce regulatory burden by avoiding unnecessary duplication of NRC and DOE programs by licensees and the government. ✓

Enclosure D is a ^{Daily Staff Note} ~~Weekly Report to the Commission~~ with approval and forwarding dates left blank.

Coordination: The Office of Administration ~~has reviewed this Federal Register Notice for proper formatting and content. The Division of Security of the Office of Administration concurs in the recommendation to propose this~~ ^{with} the rule revisions. ✓

~~amendment to 10 CFR Part 11.~~ The Office of the Executive Legal Director has no legal objections. The Office of Public Affairs has decided that a public announcement is not necessary.

John G. Davis, Director
Office of Nuclear Material
Safety and Safeguards

Enclosures:
As stated

SGFF

RRentschler

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|----------|-----------|-----------|-----------|------------|---------------|----------|
| SGFF | : ELD | : ELD | : ADM | : SG | : NMSS | : NMSS |
| WBrown | : Voegeli | : RFonner | : PGNorry | : RBurnett | : DMAusshardt | : JDavis |
| 85/05/29 | : | : | : | : | : | : |

APPROVED FOR PUBLICATION

In a final rule published March 19, 1982 (47 FR 11816), the Commission delegated to the EDO (10 CFR 1.40(c) and (d)) the authority to develop and promulgate rules as defined in the APA (5 U.S.C. 551(4)) subject to the limitations in NRC Manual Chapter 0103, Organization and Functions, Office of the Executive Director for Operations, paragraphs 0213, 038, 039, and 0310.

The enclosed rule entitled, "Revised Criteria and Procedures for Determining Eligibility for Access to or Control Over Special Nuclear Material" amends 10 CFR Part 11 to allow utilization of current active Federal clearances based upon equivalent investigations for the purpose of granting the NRC special nuclear material access authorizations. It also incorporates minor administrative changes on fee costs, fee schedules and cancellation or withdrawal of applications for access authorizations.

The ~~proposed~~ rule does not constitute a significant question of policy, nor does it amend regulations contained in 10 CFR Parts 0, 2, 7, 8, 9, Subpart C or 110. I therefore find that this rule is within the scope of my rulemaking authority and am proceeding to issue it.

Date

William J. Dircks
Executive Director for Operations

12-16

NUCLEAR REGULATORY COMMISSION

10 CFR Part 11

Criteria and Procedures for Determining
Eligibility for Access to or Control Over Special Nuclear Material

AGENCY: Nuclear Regulatory Commission.

ACTION: Final rule.

SUMMARY: The Nuclear Regulatory Commission is amending the requirements for applications for initial special nuclear material "U" and "R" access authorizations and for the renewal of "U" access authorizations by allowing utilization of information on file with the ^{Federal} government on those individuals who possess current active clearances based upon equivalent investigations. The amendments will eliminate unnecessary duplication of administrative and investigative costs to licensees for affected individuals as well as reduce certain NRC administrative costs.

EFFECTIVE DATE:

FOR FURTHER INFORMATION CONTACT: ~~Russel R. Rentschler~~, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555, telephone: (301) 427-4761.

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SUPPLEMENTARY INFORMATION:

BACKGROUND

On March 17, 1977 (42 FR 14880), the NRC published proposed amendments to its regulations which would establish an access authorization program for individuals who have unescorted access to or control over special nuclear material. Written comments were invited and received. On December 28, 1977 (42 FR 64703), the Commission issued a notice of public hearings on the proposed regulations and subsequently established a Hearing Board to gather additional testimony. A final rule, based upon recommendations of the Hearing Board regarding only fuel cycle facilities and transportation, was published in the Federal Register amending 10 CFR Parts 11, 50, and 70 on November 21, 1980 (45 FR 76968).

One of the reasons for undertaking the NRC access authorization program for individuals having access to or control over special nuclear material was to maintain comparability with a similar program of clearances at Department of Energy (DOE) facilities and at mixed DOE/NRC facilities. Subsequently, the population of individuals affected has become one in which DOE/NRC mixed facility employees are by far the dominant segment. Accordingly, the incentive to establish and maintain a comparable and independent NRC program has been replaced by an incentive to use as much of the existing ^{Federal} DOE system as possible. ✓
The revisions to 10 CFR Part 11 accomplish this end.

CONVERSION OF CLEARANCES

Under the revised Part 11 requirements the NRC would accept an existing personnel access clearance from any Federal agency, including NRC, DOE or DOD, if the investigation upon which the clearance is based is equivalent to the investigation required for the special nuclear material access authorization. This avoids having to conduct an investigation on an individual for whom an adequate investigation already exists.

ACCEPTANCE OF NON-NRC APPLICATION FORMS

Acceptance of an application for access authorizations on other than NRC forms allows the NRC to use existing information on individuals with current Federal clearances. It also allows an individual applying for renewal of a DOE "Q" personnel clearance to use some of the DOE documents in making application for the NRC "U" material access authorization. This reduces the administrative burden upon applicants.

USE OF DEPARTMENT OF ENERGY

REINVESTIGATION PROGRAM

Application for renewal of NRC ^{an} "U" material access authorization may follow the schedule of the DOE Reinvestigation Program and utilize signed *and dated* ✓ copies of Part I of the DOE Personnel Security Questionnaire if an individual is subject to both DOE "Q" clearance and NRC "U" access authorization requirements. ✓

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These changes in the procedures in 10 CFR Part 11 were initiated in response to a request by a licensee for elimination of needless duplication between the NRC access authorization program ~~for~~ special nuclear material and the Department of Energy personnel clearance program. The changes have been discussed in detail with all affected licensees. All agree that the changes are desirable. The changes do not alter the list of jobs identified ^{in 10 CFR Part 11} as requiring material access authorization; therefore, individual applicants for access authorizations are either not affected, or are benefitted by the elimination of duplication. No other persons are affected by the changes. For these reasons good cause exists for omitting notice and public rulemaking as unnecessary. Accordingly, these changes in 10 CFR Part 11 are issued as a final rule effective in 30 days.

MINOR ADMINISTRATIVE CHANGES

~~See ORO Comments~~

A number of administrative changes which are not related to reducing duplication are included in this rule revision. The schedule date for revision of fees has been ^{Changed} ~~revised~~ from December to ^{July 1st} ~~reflect the current month~~, July; the fee for a full field investigation has been changed from \$1550.00 to ^{#1580.00 to} reflect the current cost, \$1580.00; and a ^{NEW} section has been added regarding withdrawal or cancellation of applications. ✓

INSERT →

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 amends information collection requirements that are subject to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). This rule has been submitted to the Office of Management and Budget for review and approval of the paperwork requirements.

REGULATORY ANALYSIS

The Commission has prepared a regulatory analysis on this final regulation. The analysis examines the costs and benefits of the alternatives considered by the Commission. The analysis is available for inspection in the NRC Public Document Room, 1717 H Street NW, Washington, DC. Single copies of the analysis may be obtained from (Russel R. Rentschler, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555, telephone: (301) 427-4761).

REGULATORY FLEXIBILITY CERTIFICATION

Reg is not needed since rule is bypassing proposed rule

The Commission hereby certifies that this rule will not have a significant adverse impact upon a substantial number of small entities ~~due to the facts~~ ^{because} that follow:

Fewer than ten licensees will be affected by this rulemaking; only administrative requirements are affected; requirements which duplicate those of other Federal agencies will be reduced or eliminated.

LIST OF SUBJECTS IN 10 CFR PART 11

Hazardous materials transportation, Nuclear materials, Reporting and recordkeeping requirements, Security measures, Special nuclear material.

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. 553, the NRC is adopting the following amendments to 10 CFR Part 11.

PART 11 CRITERIA AND PROCEDURES FOR DETERMINING ELIGIBILITY FOR ACCESS TO OR CONTROL OVER SPECIAL NUCLEAR MATERIAL

1. The authority citation for Part 11 is revised to read 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).

Section 11.15(e) also issued under sec. 501, ⁶⁵85 Stat. 2290 (31 U.S.C.

9701
483a).

2. In § 11.7, Paragraph (c) is revised to read as follows:

§ 11.7 Definitions

* * * * *

(c) "NRC-'U' special nuclear material access authorization" means an administrative determination based upon a national agency check and a full-field background investigation, normally conducted by the Office of

Personnel Management, that an individual in the course of employment is eligible to work at a job falling within the criteria of §11.11(a)(1) or §11.13. ✓

3. In § 11.11, the introductory text of paragraph (a) and the entire text of paragraph (b) are revised to read as follows:

§ 11.11 General Requirements.

(a) Each licensee who uses, processes, stores, transports, or delivers to a carrier for transport, formula quantities of special nuclear material (as defined in Part 73 of this chapter) subject to the physical protection requirements of §§ 73.20, 73.25, 73.26, 73.45, and 73.46, ~~of Part 73 of this chapter~~ ² and each person subject to the general licensing requirements of § 70.20(a) shall identify at its facility or plant (excluding all non-power reactor facilities and storage of fuel incident thereto and facilities and plants in which the licensee possesses or uses only irradiated special nuclear material subject to the exemption of § 73.6(b) of Part 73) ~~of this chapter~~, describe, and if not already provided, provide to the Commission, ^{? blank!} within 60 days of the effective date of these amendments (date) by amendment to its security plan:

*Full data certain must be inserted
here - so space should be left open.*

* * * * *

(a)

last designated paragraph

(b) After 365 days following Commission approval of the amended security plan submitted in accordance with paragraph(s) of this section, no individual may be permitted to work at any job determined by the Commission to fall within the criterion of paragraph (a)(1) of this section without an NRC-U special nuclear material access authorization, and no individual may be permitted unescorted access to any protected area at any site subject to this part without either an NRC-U or NRC-R special nuclear material access authorization. The exceptions to the requirement for an NRC-U and NRC-R special nuclear material access authorization are as follows:

(1) Exceptions to the requirement for an NRC-U special nuclear material access authorization for an individual to work at a job within the criteria of paragraph (a)(1) are provided for (i) any individual employed in such a job on the effective date of these amendments (date) who is not yet in receipt of an NRC-U special nuclear material access authorization from the Commission, provided that a complete application is submitted to the NRC for processing for that employee in accordance with § 11.15 (a) and (b); or (ii) any individual in possession of an NRC-L or R access authorization or an equivalent active Federal security clearance but not yet in receipt of the NRC-U special nuclear material access authorization provided that a complete application has been submitted to and is pending before the NRC for processing for that employee in accordance with § 11.15(a) and/or (b). - ? *this language is contradictory one or other.*

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(2) Exceptions to the requirement for an NRC-R special nuclear material access authorization for an individual to have unescorted access to a protected

area are provided for (i) any individual employed in such a job on the effective date of these amendments (date) who is not yet in receipt of an NRC-R special nuclear material access authorization from the Commission, provided that a complete application is submitted to the NRC for processing for that employee in accordance with § 11.15(a) and (b); or (ii) any individual in possession of an NRC-L access authorization or an equivalent active Federal security clearance, provided that a complete application has been submitted to the NRC for processing for that employee in accordance with § 11.15(a) and/or (b). — Is it either/or or both?

4. In § 11.13, paragraphs (a) and (b) are revised to read as follows:

§ 11.13 Special requirements for transportation.

(a) All individuals who after 365 days following approval of the amended security plan submitted in accordance with § 11.11(a) transport, arrange for transport, drive motor vehicles in road shipments of special nuclear material, pilot aircraft in air shipments of special nuclear material, act as monitors at transfer points or escort road, rail, sea, or air shipments of special nuclear material subject to the appropriate physical protection requirements of §§ 73.20, 73.25, 73.26, or 73.27 of this chapter or are authorized to alter the scheduling and routing of such transport shall have NRC-U special nuclear material access authorization. Exceptions are provided for (1) any individual who is employed in such a job on the effective date of these amendments (date) and who is not yet in receipt of an NRC-U special nuclear material access authorization from the Commission, provided that a complete application is

submitted to the NRC for processing for that employee in accordance with § 11.15(a) and (b); or (2) any individual in possession of an NRC-L or R access authorization or equivalent active Federal security clearance but not yet in receipt of the NRC-U special nuclear material access authorization, provided that a complete application has been submitted to and is pending before the NRC for processing for that employee in accordance with § 11.15(a) and/or (b).

(b) Licensees who after 365 days following Commission approval of the amended security plan submitted in accordance with § 11.11(a), transport or deliver to a carrier for transport special nuclear material subject to the physical protection requirements of §§ 73.20, 73.25, 73.26, 73.27 of this chapter shall confirm and record prior to shipment the name and special nuclear material access authorization number of all individuals identified in paragraph (a) of this section assigned to the shipment. However, the licensee need not confirm and record the special nuclear material access authorization number in the case of any individual for whom an application has been submitted and is pending before the NRC in accordance with paragraph (a) of this section.

5. Section 11.15 is revised to read as follows:

~~§ 11.15~~ Application for special nuclear material access authorization.

(a)(1) Application for special nuclear material access authorization, renewal, or change in level shall be filed by the licensee on behalf of the applicant with the Director, Division of Security, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Applications for affected individuals employed on the effective date of these amendments shall be submitted within 60 days of notification of Commission approval of the amended security plan. ✓

(2) Licensees who wish to secure NRC-U or NRC-R special nuclear material access authorizations for individuals in possession of an active NRC Q or L access authorization or other security clearance granted by another Federal agency based on an equivalent investigation shall submit a "Security Acknowledgement" (Form 176), and a "Request for Access Authorization" (NRC Form 237). The NRC will process these requests by verifying the data on an NRC cleared individual, or contacting the Federal agency which granted the clearance and requesting certification of the security clearance and determine the investigative basis and level of the clearance. Licensees may directly request the Federal agency which administered the security clearance, if other than NRC, to certify to the NRC that it has on file an active security clearance for an individual, specifying the investigative basis and level of the clearance.

(b) Applications for special nuclear material access authorization for individuals other than those qualifying under the provisions of § 11.15(a)(2), must be made on forms supplied by the Commission including:

(1) Personnel Security Questionnaire (PSQ) (NRC Form 1, Parts I and II)

(2) National Agency Check-Data for Nonsensitive or Noncritical-Position (SF-85A)-for R cases only. (This form must be typed.):

(3) Two completed standard fingerprint cards (FD-258)

(4) Security Acknowledgement (NRC Form 176);

(5) Authority to Release Information (NRC Form 259);

(6) Related forms where specified in accompanying instructions (NRC-254); and

(7) A statement by the employer, prospective employer, or contractor identifying the job to be assigned to or assumed by the individual and the level of authorization needed, justified by appropriate reference to the licensee's security plan.

(c)(1) Except as provided in paragraph (c)(2) of this section, NRC-U and R special nuclear material access authorization^s shall expire five years ~~from~~^{once} the date of issuance. If continued NRC-U and R special nuclear material access authorization is required, an application for renewal must be submitted at least 120 days prior to expiration date. Failure to make a timely

✓
✓

application will result in expiration of special nuclear material access authorization. Special nuclear material access authorization for which a timely application for renewal has been made may be continued beyond the expiration date pending final action on the application. An application for renewal will include:

i. A statement by the licensee that at the time of application for renewal the individual's assigned or assumed job requires an NRC-U special nuclear material access authorization, justified by appropriate reference to the licensee's security plan.

ii. Personnel Security Questionnaire (NRC Form 1, Parts I and II),

iii. National Agency Check-Data for Nonsensitive or Noncritical-sensitive position (SF-85A). This form must be typed.

iv. Two completed standard fingerprint cards (FD Form 258).

v. Authority to Release Information (NRC Form 259).

vi. Other related forms where specified in accompanying NRC instructions (NRC Form 254).

(2) An exception to the NRC-U special nuclear material access authorization expiration date and the time for submission of NRC-U special nuclear material access authorization renewal applications, is provided for those individuals who have a current and active DOE-Q access authorization and who are subject to DOE Selective Reinvestigation Program requirements. For these individuals, the time for submission of NRC-U special nuclear material access authorization renewal applications may coincide with the time for submission of Part I of a DOE Personnel Security Questionnaire to DOE pursuant to DOE Selective Reinvestigation Program requirements. The licensee may submit to NRC, concurrent with its submission to DOE, a copy of Part I of the individual's DOE Personnel Security Questionnaire bearing an original signature which is dated and together with Part II of an NRC Personnel Security Questionnaire and the forms and information required by paragraphs (c)(1)(i), (iii), (iv), (v), and (vi) of this section, as the supporting documentation for an NRC-U special nuclear material access authorization renewal application. Any NRC-U special nuclear material access authorization issued in response to a renewal application submitted pursuant to this paragraph will not expire until the date set by DOE for the next reinvestigation of the individual pursuant to DOE's Selective Reinvestigation Program (generally every five years). At that time (and at the time of each subsequent reinvestigation of the individual), the licensee may again submit, concurrent with its submission to DOE, a copy of Part I of the individual's DOE Personnel Security Questionnaire bearing an original signature which is dated and together with Part II of an NRC Personnel Security Questionnaire and the forms and information required by paragraph (c)(1)(i), (iii), (iv), (v), and (vi) of this section as the supporting documentation for the renewal application. Failure to file such a renewal application concurrent with the time for submission of

an individual's Part I of a DOE Personnel Security Questionnaire to DOE pursuant to DOE Selective Reinvestigation Program requirements will result in the expiration of the individual's NRC special nuclear material access authorization. NRC-U special nuclear material access authorizations for which a timely application for renewal has been made may be continued beyond the expiration date, pending final action on the application. ✓

(3) Notwithstanding the above, in no instance shall the period of time for the initial and each subsequent NRC-U renewal application to NRC exceed seven years. Any individual who is subject to the DOE Selective Reinvestigation Program requirements but, for administrative or other reasons, does not submit reinvestigation forms to DOE within seven years of the previous submission, shall submit a renewal application to NRC using the forms prescribed in paragraph (c)(1) above before the expiration of the seven year period. Failure to request an NRC-U renewal for any individual within the seven year period will ~~shall~~ result in termination of the individual's NRC-U access authorization. ✓

(d) If at any time, due to new assignment or assumption of duties, a change in special nuclear material access authorization level from NRC "R" to "U" is required, the individual shall apply for a change of level of special nuclear material access authorization. ~~Such an application shall~~ ^{The} ~~must~~ include a description of the new duties to be assigned or assumed, justified by appropriate reference to the licensee's security plan. ✓

(e)(1) Each application for special nuclear material access authorization, renewal or change in level must be accompanied by the licensee's remittance payable to the U.S. Nuclear Regulatory Commission according to the following schedule:

| | | |
|------|--|-----------------|
| i. | NRC-U requiring full field investigation | \$1,580 |
| ii. | NRC-U based on certification of comparable full field background investigation | 0 ¹ |
| iii. | NRC-U or R renewal | 15 ¹ |
| iv. | NRC-R | 15 ¹ |
| v. | NRC-R based on certification of comparable investigation | 0 ² |

¹If a full field investigation is deemed necessary, a subsequent fee of \$1580 will be assessed.

²If a National Agency Check investigation is deemed necessary, a subsequent fee of \$15.00 will be assessed; however, if a full field investigation is deemed necessary, a subsequent fee of \$1580 will be assessed.

(e)(2) Material access authorization fees will be published in July of each year and will be applicable to each access authorization request received during the following calendar year. Applications from individuals having current Federal access authorizations may be processed expeditiously at no cost, since the Commission may accept the certification of access authorizations and investigative data from other Federal Government agencies which grant personnel access authorization.

(f) ⁽¹⁾ Any Federal employee, employee of a contractor of a Federal agency, licensee or other person visiting an affected facility for the purpose of conducting official business and who possesses an active NRC or DOE-Q access authorization or an equivalent Federal security clearance granted by another Federal agency ("Top Secret") based on a comparable full field background investigation may be permitted the same level of unescorted access that an NRC-U special nuclear material access authorization would afford in accordance with § 11.11: ⁽²⁾ Any Federal employee, employee of a contractor of a Federal agency, licensee or other person visiting an affected facility for the purpose of conducting official business and who possesses an active NRC or DOE L access authorization or an equivalent security clearance granted by another Federal agency ("Secret") based on a background investigation or national agency check may be permitted the same level of unescorted access that an NRC R special nuclear material access authorization would afford in accordance with § 11.11.

6. A new § 11.16 is added to read as follows:

§ 11.16 Cancellation of requests for special nuclear material access authorization.

When a request for an individual's access authorization is withdrawn or cancelled, the NRC Division of Security shall be notified immediately by telephone so that the full investigation or National Agency Check may be discontinued. The caller shall ^{Provide} supply the full name and date of birth of the individual, the date of request, and the type of access authorization originally

requested ("U" or "R"). ^{The}~~Such~~ telephone notice ^{will}~~shall~~ be promptly confirmed in writing. A portion of the fee for the "U" special nuclear material access authorization may be refunded depending upon the status of the full field investigation at the time of withdrawal or cancellation. ✓

Dated at Bethesda, Maryland, this ____ day of _____, 1985.

For the Nuclear Regulatory Commission.

William J. Dircks
Executive Director for Operations.

or contracts notwithstanding the exemption in 5 U.S.C. 553 with respect to such rules. This action, however, is not published for proposed rulemaking since it involves only internal Agency management and publication for comment is unnecessary.

The Catalog of Federal Domestic Assistance programs affected by this action are:

- 10.404 Emergency Loans
- 10.405 Farm Labor Housing Loans and Grants
- 10.407 Farm Ownership Loans
- 10.410 Low Income Housing Loans
- 10.416 Soil and Water Loans
- 10.417 Very Low Income Housing Repair Loans and Grants
- 10.420 Rural Self-Help Housing Technical Assistance
- 10.421 Indian Tribes and Tribal Corporation Loans

This action does not affect any FmHA programs or projects which are subject to intergovernmental consultation.

This document has been reviewed in accordance with 7 CFR Part 1940, Subpart G, "Environmental Program." It is the determination of FmHA that this action does not constitute a major Federal action significantly affecting the quality of the human environment and in accordance with the National Environmental Policy Act of 1969, Pub. L. 91-190, an Environmental Impact Statement is not required.

List of Subjects in 7 CFR Part 1924

Agriculture, Construction management, Construction and repair, Energy conservation, Housing, Loan programs—Agriculture, Loan programs—Housing and community development, Low- and moderate-income housing.

PART 1924—CONSTRUCTION AND REPAIR

1. The authority citation for Part 1924 is revised to read as follows:

Authority: 7 U.S.C. 1989, 42 U.S.C. 1480, 5 U.S.C. 301; 7 CFR 2.23, 7 CFR 2.70.

Subpart A—Planning and Performing Construction and Other Development

2. Subpart A of Part 1924, Chapter XVIII, Title 7 of the Code of Federal Regulations is amended by revising the first two sentences of § 1924.9(a) to read as follows:

§ 1924.9 Inspection of development work.

(a) Responsibility for inspection. The County Supervisor or District Director, accompanied by the borrower when practicable, will make periodic inspections, as appropriate, and final

inspection of all development work to protect the security interest of the government. Inspections other than final inspections may be accepted in place of FmHA conducted periodic inspections when conducted by other qualified persons as authorized by the National Office. * * *

Dated: April 11, 1985.

Dwight O. Calhoun,

Acting Associate Administrator, Farmers Home Administration.

[FR Doc. 85-12251 Filed 5-21-85; 8:45 am]

BILLING CODE 3410-07-M

NUCLEAR REGULATORY COMMISSION

10 CFR Parts 1 and 51

Update of NRC Addresses and Copying Charges for Environmental Documents; Minor Correcting Amendments

AGENCY: Nuclear Regulatory Commission.

ACTION: Final rule.

SUMMARY: The Nuclear Regulatory Commission (NRC) is amending its regulations to update the addresses of the NRC's principal offices and to conform the charges for reproduction of environmental documents at the NRC's Public Document room to those found in 10 CFR Part 9. These amendments are necessary to inform the public of these administrative changes to NRC regulations.

EFFECTIVE DATE: May 22, 1985.

FOR FURTHER INFORMATION CONTACT: John Philips, Chief, Rules and Procedures Branch, Division of Rules and Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Telephone 301-492-7086.

SUPPLEMENTARY INFORMATION: On December 7, 1984, the NRC published a final rule (49 FR 47823) indicating changes in mailing addresses for several regional offices. At that time, an update of the principal offices of § 1.3, Location of principal offices and Regional Offices, was overlooked. Of the eight locations listed in § 1.3(a), two buildings have been vacated by the NRC, while three new building locations have been established.

On July 31, 1984, the NRC published a final rule (49 FR 30457) which revised the charges for copying records publicly available at the NRC Public Document Room, located at 1717 H Street, NW., Washington, D.C. At this time § 51.123 is

revised to reflect current NRC copying charges.

Because these are amendments dealing with agency practice and procedures, the notice provisions of the Administrative Procedure Act do not apply pursuant to 5 U.S.C. 553(b)(A). The amendments are effective upon publication in the **Federal Register**. Good cause exists to dispense the usual 30-day delay in the effective date because the amendments are of a minor and administrative nature dealing solely with agency procedures.

Paperwork Reduction Act Statement

This final rule contains no information collection requirements and therefore is not subject to the requirements of the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.).

List of Subjects

10 CFR Part 1

Organization and functions (Government agencies)

10 CFR Part 51

Administrative practice and procedure, Environmental impact statements.

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. 553, the NRC is adopting the following amendments to 10 CFR Parts 1 and 51.

The authority citation for this document is:

Authority: Sec. 161, Pub. L. 83-703, 66 Stat. 948, as amended (42 U.S.C. 2201); sec. 201, Pub. L. 93-438, 88 Stat. 1242, as amended (42 U.S.C. 5841).

PART 1—STATEMENT OR ORGANIZATION AND GENERAL INFORMATION

1. In § 1.3, paragraph (a) is revised to read as follows:

§ 1.3 Location of principal offices and regional offices.

(a) The principal NRC offices are located in the Washington, D.C. area. Facilities for the service of process and papers are maintained within the District of Columbia at 1717 H Street, NW. The mailing address for all NRC Headquarters offices is Washington, D.C. 20555. The locations of NRC offices in the Washington area are:

(1) Air Rights III Building, 4550 Montgomery Avenue, Bethesda, Maryland.