

AA61-2 PDR

ROUTING AND TRANSMITTAL SLIP

Date

December 23, 1985

TO: (Name, office symbol, room number, building, Agency/Post)	Initials	Date
1. Tom Dorian, ELD		
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3.		
4.		
5.		

Action	File	Note and Return
Approval	For Clearance	Per Conversation
As Requested	For Correction	Prepare Reply
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REMARKS

The Rules and Procedures Branch routinely receives and reviews rule-related Commission Papers.

While reviewing SECY-85-209A, we marked some changes on the enclosed pages that you may wish to incorporate prior to submitting the rule to the Office of the Federal Register for publication.

*M.*  
RR 205/AV P Jh - 1/11/85  
RR 164/AV 2 Jh - "

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FROM: (Name, org. symbol, Agency/Post) <i>Hita Beeson</i> Hita Beeson, RPB, DRR, ADM	Room No.—Bldg.
	Phone No. 27760

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\* GPO : 1982 O - 301-529 (223)

OPTIONAL FORM 41 (Rev. 7-76)  
Prescribed by GSA  
FPMR (41 CFR) 101-11.206

*Insert for p. 2*

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NRC no longer has  
a cooperative sales  
Program with GPO.

ADDRESSES: Copies of comments received on the amendments and of the other documents described below may be examined, <sup>or copied for a fee,</sup> in the Commission's Public Document Room at 1717 H Street, NW., Washington, D.C. <sup>Insert</sup> ~~Copies may be obtained from the NRC/GPO Sales Program, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.~~

FOR FURTHER INFORMATION CONTACT: Thomas F. Dorian, Esq., Office of the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Telephone: (301) 492-8690.

SUPPLEMENTARY INFORMATION:

#### INTRODUCTION

Public Law 97-415, signed on January 4, 1983, among other things, directed NRC to promulgate regulations which establish (a) standards for determining whether an amendment to an operating license involves no significant hazards consideration, (b) criteria for providing, or, in emergency situations, dispensing with, prior notice and public comment on any such determination, and (c) procedures for consulting with the State in which the facility involved is located on such a determination about an amendment request. See Conf. Rep. No. 97-884, 97th Cong., 2d Sess. (1982). The legislation also authorized NRC to issue and make immediately effective an amendment to a license, upon a determination that the amendment involves no significant hazards consideration (even though NRC has before it a request for a hearing by an interested person) and in advance of the holding and completion of any required hearing.

(6) Only the Commission on its own initiative may review the staff's substantive findings under § 50.92.

*These asterisks are not needed*

*unless additional text for the section is being omitted.*

7. Section [A-new-§]50.91 is [added-to-Part-50] revised to read as follows:

§50.91 Notice for public comment; State consultation.

The Commission will use the following procedures on an application [received after-May-6-1983] requesting an amendment to an operating license for a facility licensed under § 50.21(b) or § 50.22 or for a testing facility:

(a) Notice for public comment.

(1) At the time a licensee requests an amendment, it must provide to the Commission its reasoned analysis, using the standards in § 50.92, about the issue of no significant hazards consideration.

(2) The Commission may publish in the FEDERAL REGISTER under § 2.105 [either] an individual notice of proposed action [as-to-which-it-makes-a] for an amendment for which it makes a proposed determination that no significant hazards consideration is involved, or, at least once every 30 days, publish a [monthly] periodic FEDERAL REGISTER notice of proposed actions which identifies each amendment issued and each amendment proposed to be issued since the last such [monthly] periodic notice, or it may publish both such notices.

and it also determines that the amendment meets the