



OFFICE OF THE
GENERAL COUNSEL

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

AF90-2

PDR

December 16, 1997

MEMORANDUM TO: Raymond Brady, Director,
Division of Facilities and Security
Office of Administration

FROM: Donald F. Hassell *D. Hassell*
Assistant General Counsel
for Administration

SUBJECT: FINAL RULE AMENDING 10 C.F.R. PARTS 11 AND 25

This is in response to your November 26, 1997 request for review and concurrence of the subject rule that amends NRC's regulations. After reviewing the final rule and the memorandum from Edward Halman, Director, Office of Administration, to L. Joseph Callan, Executive Director for Operations, transmitting for Mr. Callan's signature the final rule, we concur subject to the following corrections:

1. The cite concerning the inapplicability of the notice and comment provisions of the Administrative Procedure Act contained in both the memorandum to Mr. Callan and in the text of the final rule should be changed from "5 U.S.C. 552(b)(A)" to "5 U.S.C. § 553(b)(A)(1997)."
2. The cite on page 2 of the final rule concerning an "environmental impact statement" should be corrected to read "10 C.F.R. § 51.22(c)(1) (1997)." Also on page 2 of the final rule, the following citations should be added after the last sentence of the first paragraph: See 10 C.F.R. § 11.15(e)(2) (1997) and 10 C.F.R. § 25.17(e) (1997).
3. The citation for the Paperwork Reduction Act contained on page 3 of the final rule should be corrected to read "44 U.S.C. § 3501 et seq. (1997)."
4. The cite for the definition of "backfits" contained on page 3 of the final rule should be changed to "10 C.F.R. § 50.109 (1997)."
5. The following cite should be added after the "Small Business Regulatory Enforcement Fairness Act of 1996" contained on page 4 of the final rule: 5 U.S.C. § 801 et seq. (1997) and 15 U.S.C. § 657 (1997).
6. The authority citation for Part 25 should be corrected to read as follows:

AUTHORITY: Secs. 145, 161, 68 Stat. 942, 948, as amended (42 U.S.C. 2165, 2201); sec. 201, 88 Stat 1242, as amended (42 U.S.C. 5841); E.O. 10865, as amended, 3 CFR 1959-1963 COMP., p. 398 (50 U.S.C. 401, note); E.O. 12356, 47 FR 14874, April 6, 1982.

Appendix A also issued under 96 Stat. 1051 (31 U.S.C. 9701).

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*Per
Raymond
Sures-
Fernandez
- leave
assistant
as on
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If you have any questions, please contact me at 301-415-1550 or have a member of your staff contact Ramon Suris-Fernandez at 301-415-1555.