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**TITLE:** PR-001,021,030,032,050 - 59FR05519 - MINOR CLARIFYING  
AMENDMENTS

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STATUS OF RULEMAKING

PROPOSED RULE: PR-001,021,030,032,050 OPEN ITEM (Y/N) N

RULE NAME: MINOR CLARIFYING AMENDMENTS

PROPOSED RULE FED REG CITE: 59FR05519

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NOTES ON FINAL RULE SIGNED BY DAVID L. MEYER, CHIEF, RULES REVIEW AND DIREC  
STATUS TIVES BRANCH. FILE LOCATED ON P1.  
OF RULE

TO FIND THE STAFF CONTACT OR VIEW THE RULEMAKING HISTORY PRESS PAGE DOWN KEY

HISTORY OF THE RULE

PART AFFECTED: PR-001,021,030,032,050

RULE TITLE: MINOR CLARIFYING AMENDMENTS

PROPOSED RULE SECY PAPER:	PROPOSED RULE SRM DATE: / /	DATE PROPOSED RULE SIGNED BY SECRETARY: / /
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STAFF CONTACTS ON THE RULE

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DOCKET NO. PR-001,021,030,032,050  
(59FR05519)

In the Matter of  
MINOR CLARIFYING AMENDMENTS

DATE DOCKETED	DATE OF DOCUMENT	TITLE OR DESCRIPTION OF DOCUMENT
02/03/94	01/31/94	FEDERAL REGISTER NOTICE FOR FINAL RULE

DOCKET NUMBER  
PROPOSED RULE **PR** 1, 21, 30, 32 & 50  
(59 FR 5519)

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NUCLEAR REGULATORY COMMISSION  
10 CFR Parts 1, 21, 30, 32, and 50  
RIN: 3150-AE92  
Minor Clarifying Amendments

RECEIVED  
FEB 3 1994

AGENCY: Nuclear Regulatory Commission.

ACTION: Final rule.

SUMMARY: This final rule corrects a number of minor typographical errors in NRC's regulations. These amendments are necessary to inform the public of the administrative changes to the NRC regulations.

EFFECTIVE DATE: (Date of publication in the Federal Register).

FOR FURTHER INFORMATION CONTACT: David Meyer, Chief, Rules Review and Directives Branch, Division of Freedom of Information and Publications Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555, telephone (301) 492-7211.

SUPPLEMENTARY INFORMATION:

The amendments presented in this final rule are necessary to correct a number of minor typographical errors in the NRC's regulations.

Because these amendments deal solely with agency practice and procedure, the notice and comment provisions of the Administrative Act Procedure do not apply under 5 U.S.C. 553(b)(A). Good cause exists to dispense with the usual 30-day delay in the effective date because the amendments are of a minor and administrative nature.

Pub. 2/7/94

### 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)(2). Therefore neither an environmental impact statement nor an environmental assessment has been prepared for this final rule.

### 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.).

### Backfit Analysis

The NRC has determined that the backfit rule, 10 CFR 50.109, does not apply to this final rule, and therefore, that a backfit analysis is not required for this final rule, because these amendments do not involve any provisions which would impose backfits as defined in 10 CFR 50.109(a)(1).

### List of Subjects

Part 1 - Organization and functions (Government Agencies)

Part 21 - Nuclear power plants and reactors, Penalties, Radiation protection, Reporting and recordkeeping requirements

Part 30 - Byproduct material, Criminal penalties, Government contracts, Intergovernmental relations, Isotopes, Nuclear materials, Radiation protection, Reporting and recordkeeping requirements

Part 32 - Byproduct material, Criminal penalties, Labeling, Nuclear materials,

Radiation protection, Reporting and recordkeeping requirements  
Part 50 - Antitrust, Classified information, Criminal penalties, Fire  
protection, Intergovernmental relations, Nuclear power plants and reactors,  
Radiation protection, Reactor siting criteria, Reporting and recordkeeping  
requirements

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  
amendments to 10 CFR Parts 1, 21, 30, 32, and 50.

#### **PART 1 - STATEMENT OF ORGANIZATION AND GENERAL INFORMATION**

1. The authority citation for Part 1 continues to read as follows:

AUTHORITY: Secs. 23, 161, 68 Stat. 925, 948, as amended (42  
U.S.C. 2033, 2201); sec. 29, Pub. L. 85-256, 71 Stat. 579, Pub. L.  
95-209, 91 Stat. 1483 (42 U.S.C. 2039); sec. 191, Pub. L. 87-615,  
76 Stat. 409 (42 U.S.C. 2241); secs. 201, 203, 204, 205, 209, 88 Stat.  
1242, 1244, 1245, 1246, 1248, as amended (42 U.S.C. 5841, 5843, 5844,  
5845, 5849); 5 U.S.C. 552, 553; Reorganization Plan No. 1 of 1980,  
45 FR 40561, June 16, 1980.

§1.41 [Amended]

2. In §1.41(h), revise the word "Participate" to read "Participates".

#### **PART 21 - REPORTING OF DEFECTS AND NONCOMPLIANCE**

3. The authority citation for Part 21 continues to read as follows:

AUTHORITY: Sec. 161, 68 Stat. 948, as amended, sec. 234, 83  
Stat. 444, as amended (42 U.S.C. 2201, 2282); secs. 201, as amended,  
206, 88 Stat. 1242, as amended 1246 (42 U.S.C. 5841, 5846).

Section 21.2 also issued under secs. 135, 141, Pub. L.

97-425, 96 Stat. 2232, 2241 (42 U.S.C. 10155, 10161).

§21.31 [Amended]

4. In §21.3(e), revise the reference "(see §21.3(i))" to read "(see §21.3(k))".

**PART 30 - RULES OF GENERAL APPLICABILITY TO DOMESTIC LICENSING OF BYPRODUCT MATERIAL**

5. The authority citation for Part 30 continues to read as follows:

AUTHORITY: Secs. 81, 82, 161, 182, 183, 186, 68 Stat. 935, 948, 953, 954, 955, as amended, sec. 234, 83 Stat. 444, as amended (42 U.S.C. 2111, 2112, 2201, 2232, 2233, 2236, 2282); secs. 201, as amended, 202, 206, 88 Stat. 1242, as amended, 1244, 1246 (42 U.S.C. 5841, 5842, 5846).

Section 30.7 also issued under Pub. L. 95-601, sec. 10, 92 Stat. 2951 (42 U.S.C. 5851). Section 30.34(b) also issued under sec. 184, 68 Stat. 954, as amended (42 U.S.C. 2234). Section 30.61 also issued under sec. 187, 68 Stat. 955 (42 U.S.C. 2237).

§30.70 [Amended]

6. In §30.70, the entries in Column II for Promethium (61) and Rhenium (75) should read as follows:

Pm 147	2X10 <sup>-3</sup>
Pm 149	4X10 <sup>-4</sup>
Re 183	6X10 <sup>-3</sup>
Re 186	9X10 <sup>-4</sup>

**PARTS 32 - SPECIFIC DOMESTIC LICENSES TO MANUFACTURE OR TRANSFER CERTAIN ITEMS CONTAINING BYPRODUCT MATERIAL**

7. The authority citation for Part 32 continues to read as follows:

AUTHORITY: Secs. 81, 161, 182, 183, 68 Stat. 935, 948, 953, 954, as amended (42 U.S.C. 2111, 2201, 2232, 2233); sec. 201, 88 Stat. 1242, as amended (42 U.S.C. 5841).

§32.51 [Amended]

8. In §32.51(a)(3)(iii), in the fifth line, revise the footnote reference "1" to read "2".

**PART 50 - DOMESTIC LICENSING OF PRODUCTION AND UTILIZATION FACILITIES**

9. The authority citation for Part 50 continues to read as follows:

AUTHORITY: Secs. 102, 103, 104, 105, 161, 182, 183, 186, 189, 68 Stat. 936, 937, 938, 948, 953, 954, 955, 956, as amended, sec. 234, 83 Stat. 1244, as amended (42 U.S.C. 2132, 2133, 2134, 2135, 2201, 2232, 2233, 2236, 2239, 2282); secs. 201, as amended, 202, 206, 88 Stat. 1242, as amended, 1244, 1246 (42 U.S.C. 5841, 5842, 5846).

Section 50.7 also issued under Pub. L. 95-601, sec. 10, 92 Stat. 2951 (42 U.S.C. 5851). Section 50.10 also issued under secs. 101, 185, 68 Stat. 955, as amended (42 U.S.C. 2131, 2235); sec. 102, Pub. L. 91-190, 83 Stat. 853 (42 U.S.C. 4332). Sections 50.13, 50.54(dd), and 50.103 also issued under sec. 108, 68 Stat. 939, as amended (42 U.S.C. 2138). Sections 50.23, 50.35, 50.55, and 50.56 also issued under sec. 185, 68 Stat. 955 (42 U.S.C. 2235). Sections 50.33a, 50.55a and Appendix Q also issued under sec. 102, Pub. L.



91-190, 83 Stat. 853 (42 U.S.C. 4332). Sections 50.34 and 50.54 also issued under sec. 204, 88 Stat. 1245 (42 U.S.C. 5844). Sections 50.58, 50.91, and 50.92 also issued under Pub. L. 97-415, 96 Stat. 2073 (42 U.S.C. 2239). Section 50.78 also issued under sec. 122, 68 Stat. 939 (42 U.S.C. 2152). Sections 50.80 - 50.81 also issued under sec. 184, 68 Stat. 954, as amended (42 U.S.C. 2234). Section 50.120 is also issued under section 306 of the NWPA of 1982, 42 U.S.C. 10226. Appendix F also issued under sec. 187, 68 Stat. 955 (42 U.S.C. 2237).

§50.36a [Amended]

10. In paragraph (b) of §50.36a, twelfth line, add the word "dose" before the word "limits".

§50.54 [Amended]

11. In §50.54(s)(1), line 14, change the word "Administrator" to read "Director", and in line 16 change the word "Director" to read "Administrator".

Dated at Bethesda, Maryland, this 31<sup>st</sup> day of January, 1994.

For the Nuclear Regulatory Commission.

*David L. Meyer*

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David L. Meyer, Chief  
Rules Review and Directives Branch  
Division of Freedom of Information  
and Publications Services  
Office of Administration