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UNITED STATES  
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

September 30, 1999

The Honorable James M. Inhofe, Chairman  
Subcommittee on Clean Air, Wetlands, Private  
Property and Nuclear Safety  
Committee on Environment and Public Works  
United States Senate  
Washington, D.C. 20510

Dear Mr. Chairman:

In the near future, the Nuclear Regulatory Commission (NRC) intends to publish in the *Federal Register* the enclosed final amendments to the Commission's rules in 10 CFR 50 and 72. This final rule amends the NRC's regulations relating to the authority for licensees of production or utilization facilities, such as nuclear reactors, and for independent spent fuel storage facilities, to make changes to these facilities, or to procedures, and to conduct tests and experiments, without prior NRC approval, when certain conditions are met. The rule amendments clarify which changes, tests, or experiments require evaluation, and revise the criteria that determine when NRC approval is needed before such changes can be implemented. The final rule amendments also add definitions for terms used in the rule that have been subject to differing interpretations. Changes in other parts of the regulations that use the same criteria and terminology for these types of facilities are also included.

Sincerely,

A handwritten signature in black ink, appearing to read "Dennis K. Rathbun".

Dennis K. Rathbun, Director  
Office of Congressional Affairs

Enclosure:  
*Federal Register* Notice

cc: Senator Robert Graham

*CC52*



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NUCLEAR REGULATORY COMMISSION

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September 30, 1999

The Honorable Joe Barton  
Subcommittee on Energy and Power  
Committee on Commerce  
United States House of Representatives  
Washington D.C. 20515

Dear Mr. Chairman:

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cc: Representative Ralph Hall

**CONGRESSIONAL CORRESPONDENCE SYSTEM  
DOCUMENT PREPARATION CHECKLIST**

This check list is to be submitted with each document (or group of Qs/As) sent for processing into the CCS.

1. BRIEF DESCRIPTION OF DOCUMENT(S) Hon. James Inhofe, Hon. Joe Barton
2. TYPE OF DOCUMENT  CORRESPONDENCE  HEARINGS (Qs/As)
3. DOCUMENT CONTROL  SENSITIVE (NRC ONLY)  NON-SENSITIVE
4. CONGRESSIONAL COMMITTEE AND SUBCOMMITTEE (if applicable)  
\_\_\_\_\_ Congressional Committee  
\_\_\_\_\_ Subcommittee
5. SUBJECT CODES  
(A) \_\_\_\_\_  
(B) \_\_\_\_\_  
(C) \_\_\_\_\_
6. SOURCE OF DOCUMENTS  
(A) \_\_\_\_\_ 5520 (DOCUMENT NAME \_\_\_\_\_)  
(B) \_\_\_\_\_ SCAN (C) \_\_\_\_\_ ATTACHMENTS  
(D) \_\_\_\_\_ OTHER \_\_\_\_\_
7. SYSTEM LOG DATES  
(A) 2/10/99 DATA OCA SENT DOCUMENT TO CCS  
(B) \_\_\_\_\_ DATE CCS RECEIVED DOCUMENT  
(C) \_\_\_\_\_ DATE RETURNED TO OCA FOR ADDITIONAL INFORMATION  
(D) \_\_\_\_\_ DATE RESUBMITTED BY OCA TO CCS  
(E) \_\_\_\_\_ DATE ENTERED INTO CCS BY \_\_\_\_\_  
(F) \_\_\_\_\_ DATE OCA NOTIFIED THAT DOCUMENT IS IN CCS

**COMMENTS:**

**RELEASE TO PDR**



24722

# Submission of Federal Rules Under the Congressional Review Act

President of the Senate

Speaker of the House of Representatives

GAO

Please fill the circles electronically or with black pen or #2 pencil.

1. Name of Department or Agency  
U. S Nuclear Regulatory Commission

2. Subdivision or Office  
Office of Nuclear Reactor Regulation

3. Rule Title  
Changes, Tests, and Experiments

4. Regulation Identifier Number (RIN) or Other Unique Identifier (if applicable)  
3150-AF94

5. Major Rule  Non-major Rule

6. Final Rule  Other

7. With respect to this rule, did your agency solicit public comments? Yes  No  N/A

8. Priority of Regulation (fill in one)  
 Economically Significant; or Significant; or Substantive, Nonsignificant  
 Routine and Frequent or Informational/Administrative/Other (Do not complete the other side of this form if filled in above.)

9. Effective Date (if applicable) Varies by section - see rule

10. Concise Summary of Rule (fill in one or both) attached  stated in rule

Submitted by: Dennis K Rathbun (signature)

Name: Dennis K Rathbun

Title: Director, Office of Congressional Affairs, Nuclear Regulatory Commission 9/30/99

For Congressional Use Only:

Date Received: \_\_\_\_\_

Committee of Jurisdiction: \_\_\_\_\_



24722

	Yes	No	N/A
A. With respect to this rule, did your agency prepare an analysis of costs and benefits?	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
B. With respect to this rule, by the final rulemaking stage, did your agency			
1. certify that the rule would not have a significant economic impact on a substantial number of small entities under 5 U.S.C. § 605(b)?	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. prepare a final Regulatory Flexibility Analysis under 5 U.S.C. § 604(a)?	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
C. With respect to this rule, did your agency prepare a written statement under § 202 of the Unfunded Mandates Reform Act of 1995?	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
D. With respect to this rule, did your agency prepare an Environmental Assessment or an Environmental Impact Statement under the National Environmental Policy Act (NEPA)?	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
E. Does this rule contain a collection of information requiring OMB approval under the Paperwork Reduction Act of 1995?	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
F. Did you discuss any of the following in the preamble to the rule?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
• E.O. 12612, Federalism	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
• E.O. 12630, Government Actions and Interference with Constitutionally Protected Property Rights	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
• E.O. 12866, Regulatory Planning and Review	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
• E.O. 12875, Enhancing the Intergovernmental Partnership	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
• E.O. 12988, Civil Justice Reform	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
• E.O. 13045, Protection of Children from Environmental Health Risks and Safety Risks	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
• Other statutes or executive orders discussed in the preamble concerning the rulemaking process (please specify)			



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Title: Director, Office of Congressional Affairs, Nuclear Regulatory Commission 9/30/99

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