

ATTACHMENT 1

SUMMARY OF CHANGES TO THE RULEMAKING ACTIVITY PLAN SINCE LAST PLAN UPDATE, JUNE 1998

CURRENT AS OF JANUARY 15, 1999

RULEMAKING ACTIONS OR PETITION RESOLUTION FOR WHICH THERE HAS BEEN A
SIGNIFICANT CHANGE IN STAFF POSITION SINCE THE LAST RAP

NONE

RULEMAKING ACTIONS FOR WHICH THERE HAS BEEN A CHANGE IN PRIORITY OR PLACED ON HOLD SINCE THE LAST RAP (4 RULES)

NMSS-C1HP-51 TO C1LP-29, Energy Compensation Sources for Well Logging, Part 39 (RM#440) EDO WITS 199800121:

This proposed rule is currently due to the Commission in March 1999. However, due to other higher priority actions directed by the Commission since the rulemaking plan was approved by the Commission (specifically, direction to proceed with the development of a rulemaking plan for "Domestic Licensing of Uranium and Thorium Recovery Activities," Part 41), the staff proposes to reprioritize this rule to low priority and revise the expected target completion date for the proposed rule to November 1999. This rulemaking will address several exemption requests from licensees. Since January 1, 1997, there have been six exemption requests received that would be considered as part of this rulemaking, all of which have been granted. Although this rulemaking is expected to reduce burden for licensees, the staff will continue to review exemption requests during the rulemaking process; therefore, the delay is not expected to have a major impact on licensees. The burden on licensees associated with processing exemptions is minimal, involving an amendment fee and approximately 5 hours to prepare the amendment request. The NRC burden is expected to be less than 10 hours per request.

NMSS-C3HP-09 TO C3LP-07, Update of Decommissioning Funding Certification Amounts for Applicants and Licensees, Parts 30, 40, and 70 (RM #243):

The staff believes that this rulemaking is needed. A final contractor report providing the technical basis to support this rulemaking has been reviewed by the staff. A draft rulemaking plan is currently under development. However, this rulemaking and "Disposal of High-Level Radioactive Wastes in a Repository at Yucca Mountain," Part 63, have the same project manager. Because the development of the final rule for Part 63 has a higher priority than this rulemaking, the staff proposes to reprioritize this rule to low priority. Staff efforts on this rule will continue as resources are available. There are no associated health and safety implications or burden impacts associated with delaying this rulemaking.

NMSS-C3HP-20 TO C3LP-08, Options for the Use of Radiography and Radiographic Equipment and ANSI N432, Part 34 (RM#477):

In October 1997, the staff conducted a public workshop with industry representatives to discuss the performance-based criteria. In December 1997, the materials rulemaking functions were transferred to NMSS and an NRC working group developed draft criteria. Since that time the staff has been revising the rulemaking plan. However, due to other high priority actions, such as the efforts on the Generally-Licensed (GL) rule and the review of the proposed American Society of Nondestructive Testing (ASNT) credentialing program, the staff efforts have been delayed. Because of continued higher priority Commission actions, the staff proposes to reprioritize this rule to low priority. This rulemaking will address several exemption requests from licensees. Since January 1, 1997, there have been seven exemption requests received that would be considered as part of this rulemaking, of which five have been granted, one has been denied, and one is still under review. Although this rulemaking is expected to reduce burden for licensees, the staff will continue to review exemption requests during the rulemaking process; therefore, the delay is not expected to have a major impact on licensees. The burden on licensees associated with processing exemptions is minimal, involving an amendment fee and approximately 5 hours to prepare the amendment request. The NRC burden is expected to be less than 10 hours per request.

NMSS-C1MP-31 TO C4B-29, Geological and Seismological Characteristics of Spent Fuel Storage Systems, Part 72 (RM #441) EDO WITS 199600161:

This proposed rule is currently due to the Commission in July 1999. However, due to staff reassignments and other higher priority actions directed by the Commission since the rulemaking plan was approved by the Commission (specifically rulemakings associated with new or amended Certificates of Compliance for spent fuel casks and other high priority licensing actions), the staff proposes to move this rule from a Category I rulemaking to a Category IVB rulemaking. During this time, the staff would continue to develop the necessary technical basis based on Parts 60 and 63 criteria for seismic design to support the rule and associated guidance. Additional staff support from RES and NRR will be needed to assist in the development of guidance documents (e.g., regulatory guide and standard review plan). When sufficient resources are available to continue the rulemaking effort, the staff will provide the Commission with a revised expected target completion date for the proposed rule. This rulemaking will address several exemption requests from licensees. Since January 1, 1997, there has been one exemption request received that would be considered as part of this rulemaking, which is still under review. The staff will continue to review exemption requests during the rulemaking process. The burden associated with processing these exemptions is minimal since this same analysis would be required in the event of a rule change. It is anticipated that less than five exemptions would be received over the next 2 years. It may involve, on the part of the licensee, an amendment fee and approximately 240 hours to prepare the amendment request. The NRC burden is expected to be less than 250 hours per request.

NEW RULEMAKING ACTIVITIES (EITHER REQUESTED BY USER OFFICES OR FOR WHICH RULEMAKING PLANS WERE COMPLETED) THAT HAVE BEEN ADDED TO THE VARIOUS CATEGORIES

CATEGORY I (ACTIVE RULES)

HIGHER PRIORITY

- o Use of Potassium Iodide (KI) by the General Public
After a Severe Accident at a Nuclear Power Plant,
PART 50--RM #524--W#9700193--NRR-C1HP-52 SEE PAGE CI-19
- o Amend Certificate of Compliance for
VECTRA Technologies, Inc. NUHOMS Dry
Shielded Canister, Part 72--RM#518--NMSS-C1HP-53 SEE PAGE CI-20
- o Amend Certificate of Compliance for Holtec Dry
Shielded Canister, Part 72--RM#529--NMSS-C1HP-54 SEE PAGE CI-21
- o Amend Certificate of Compliance for Transnuclear Dry
Shielded Canister, Part 72--RM#530--NMSS-C1HP-55 SEE PAGE CI-21
- o Quality Assurance Programs,
Part 50--RM#523--AG20--NRR-C1HP-56 SEE PAGE CI-22
- o Emergency Planning (EP) Requirements for

Defueled Reactors and Exercise Requirements
for Offsite EPs Appendix E, 10 CFR 50.54(Q)

- RM#435--AF92--W#970230--NRR-C1HP-57 SEE PAGE CI-23
- o Design Certification for AP600,
Part 52--RM#504--W#920142D--NRR-C1HP-58 SEE PAGE CI-24
- o Revision of Fee Schedules: 100% Fee Recovery;
FY 1999; Parts 170, 171--RM#534--AG08--CFO-C1HP-59 SEE PAGE CI-25
- o Protection Against Discrete Radioactive
Particles, Part 20--RM#164--NRR-C1HP-60 SEE PAGE CI-25

MEDIUM PRIORITY

- o Clarifications and Addition of Flexibility
to Part 72--RM#438--NMSS-C1MP-32 SEE PAGE CI-30
- o Availability of Public Records at NRC Public Document
Rooms, Parts 1, 2, 7, 9, 50, 52, 60, 62, 72, 75, 76, 100,
and 110--RM #528--AG07--CIO-C1MP-33 SEE PAGE CI-31
- o Implementation of Revised Source Term at Operating
Reactors, 10 CFR 100.11 and Control Room, Part 50
(Appendix A, GDC 19)--RM#507--NRR-C1MP-34 SEE PAGE CI-31
- o Application for Specific Licenses,
Part 30--RM #527--NMSS-C1MP-35 SEE PAGE CI-32
- o Fire Protection; Elimination of Requirement for Non-Combustible
Penetration Seal Material and Other Minor Changes,
Part 50, Appendix R--RM#532--AG22--NRR-C1MP-36 SEE PAGE CI-33
- o Allow Use of Personnel Dosimeters that are Processed
Using a New Dosimeter Readout Technology,
Parts 20, 34, 36, and 39--RM#531--NMSS-C1MP-37 SEE PAGE CI-34
- o Lessons Learned from Design Certification,
Part 52--RM#505--W#970060/W#970126--NRR-C1MP-38 SEE PAGE CI-35

LOW PRIORITY

- o Transfer for Disposal and Manifests;
Minor Technical Conforming Amendment,

- Part 20--RM#522--AF99--NMSS-C1LP-21 SEE PAGE CVI-5
- o Physical Protection for Spent Nuclear Fuel and High-Level Radioactive Waste, Part 73--RM#525--AG00--NMSS-C1LP-22 SEE PAGE CVI-6
 - o Energy Compensation Sources for Well Logging, Part 39--RM#440--W#980121--NMSS-C1LP-23 SEE PAGE CI-37

CATEGORY III (NEW RULEMAKING PLANS BEING DEVELOPED OR IN QUEUE)

HIGHER PRIORITY

- o ECCS Evaluations Models, Part 50, Appendix K--#533--NRR-C3HP-32 SEE PAGE CIII-3

MEDIUM PRIORITY

- o Use of Exempt Sources in Devices, 10 CFR Part 30.18--RM#526--NMSS-C3MP-33 SEE PAGE CIII-7
- o Use of Simulators in Operator Licensing, 10 CFR Parts 55.31 and 55.45 and Conforming Changes to 10 CFR 55.4 and 10 CFR 55.59--RM#535--NRR-C3MP-34 SEE PAGE CIII-8

NEW PETITIONS FOR RULEMAKING THAT HAVE BEEN RECEIVED AND/OR PUBLISHED FOR PUBLIC COMMENT

CATEGORY IVA (PETITIONS BEING RESOLVED)

- o PRM-36-01 Petitioner/Petition Docket Number: Radiation Safety Requirements--RM#474--NMSS-C4A-29 SEE PAGE CIVA-3
- o PRM-50-64 Petitioner/Petition Docket Number: Potential Liability of Non-operating Co-owners of Nuclear Power Plants--RM#461--NRR-C4A-30 SEE PAGE CIVA-4

RULEMAKING ACTIVITIES THAT HAVE BEEN PLACED ON HOLD OR TERMINATED

CATEGORY IVB (ON HOLD)

- o Geological and Seismological Characteristics of Spent Fuel Storage

Systems, Part 72--RM#441--AG16--NMSS-C4B-29 SEE PAGE C4B-5

CATEGORY V (ACTIONS TERMINATED)

- o Performance-Oriented Requirements for Fire Protection of Nuclear Power Facilities, Part 50--RM#340--AF29--NRR-C5-46 SEE PAGE CV-4

RULEMAKINGS WHOSE PRIORITY HAVE BEEN CHANGED SINCE LAST REPORTING PERIOD

CHANGED FROM MEDIUM PRIORITY TO HIGH PRIORITY

- o Amend Certificate of Compliance for VECTRA Technologies, Inc. NUHOMS Dry Shielded Canister, Part 72--RM#518--NMSS-C3MP-32 to C1HP53 SEE PAGE CI-20
- o Emergency Planning (EP) Requirements for Defueled Reactors and Exercise Requirements for Offsite EPs Appendix E, 10 CFR 50.54(Q)--RM#435--AF92--W#970230--NRR-C1MP-23 TO C1HP-57 SEE PAGE CI-23

CHANGED FROM HIGH PRIORITY TO LOW PRIORITY

- o Energy Compensation Sources for Well Logging, Part 39--RM#440--AG14--NMSS-C1HP-51 TO C1LP-23 SEE PAGE CI-37
- o Update of Decommissioning Funding Certification Amounts for Applicants and Licensees, Parts 30, 40, and 70--RM#243--NMSS-C3HP-09 TO C3LP-07 SEE PAGE CIII-8
- o Options for the Use of Radiography and Radiographic Equipment and ANSI N432, Part 34, PRM-34-05--RM#477--NMSS-C3HP-20 TO C3LP-08 SEE PAGE CIII-9