

**Federal Reserve**

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Friday  
November 29, 1996

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**Part LIX**

**Nuclear Regulatory  
Commission**

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Semiannual Regulatory Agenda

**NUCLEAR REGULATORY COMMISSION (NRC)**

**NUCLEAR REGULATORY COMMISSION**

**10 CFR Ch. I**

**Regulatory Agenda**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Semiannual regulatory agenda.

**SUMMARY:** The Nuclear Regulatory Commission (NRC) is publishing its semiannual regulatory agenda in accordance with Public Law 96-354 "The Regulatory Flexibility Act" and Executive Order 12866 "Regulatory Planning and Review." The agenda is a compilation of all rules on which the NRC has recently completed action or has proposed or is considering action. This issuance updates any action occurring on rules since publication of the last semiannual agenda on May 13, 1996 (61 FR 24048).

**ADDRESSES:** Comments on any rule in the agenda may be sent to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Docketing and Service Branch. Comments may also be hand delivered to the One White Flint North Building, 11555 Rockville Pike, Rockville, Maryland, between 7:30 a.m. and 4:15 p.m., Federal workdays. Comments received on rules for which the comment period has closed will be considered if it is practical to do so, but assurance of consideration cannot be given except as to comments received on or before the closure dates specified in the agenda.

The agenda and any comments received on any rule listed in the agenda are available for public inspection and copying for a fee at the Nuclear Regulatory Commission's Public Document Room, 2120 L Street NW.

(Lower Level), Washington, DC 20555-0001. Single copies of the NRC agenda can be purchased from the Superintendent of Documents, U.S. Government Printing Office, Post Office Box 37082, Washington, DC 20013-7082. Customers may call (202) 512-2249.

**FOR FURTHER INFORMATION CONTACT:** For further information concerning NRC rulemaking procedures or the status of any rule listed in this agenda, contact Michael Lesar, Chief, Rules Review Section, Rules Review and Directives Branch, Division of Freedom of Information and Publications Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone (301) 415-7163. Persons outside the Washington, DC, metropolitan area may call, toll-free: (800) 368-5642. For further information on the substantive content of any rule listed in the agenda, contact the individual listed under the heading "Agency Contact" for that rule.

**SUPPLEMENTARY INFORMATION:** The information contained in this semiannual publication is updated to reflect any action which has occurred on rules since publication of the last NRC semiannual agenda on May 13, 1996 (61 FR 24048). Within each group, the rules are ordered according to the Regulation Identifier Number (RIN).

The information in this agenda has been updated through September 20, 1996. The date for the next scheduled action under the heading "Timetable" is the date the rule is scheduled to be published in the Federal Register. The date is considered tentative and is not binding on the Commission or its staff. The regulatory agenda is intended to provide the public early notice and opportunity to participate in the NRC rulemaking process. However, the NRC may consider or act on any rulemaking

even though it is not included in the regulatory agenda.

Rulemakings Approved by the Executive Director for Operations (EDO)

The EDO initiated a procedure for review of the regulations being prepared by staff offices that report to him to ensure that staff resources are allocated most effectively to achieve NRC's regulatory priorities. This procedure requires EDO approval before staff resources may be expended on the development of any new rulemaking. Furthermore, all existing rules must receive EDO approval prior to the commitment of additional resources.

The NRC agenda lists rulemaking actions. Of these, no rulemaking items are considered to be priority or major as defined in section 3(f) of Executive Order 12866.

Eight rules potentially will have a "significant economic impact on a substantial number of small entities" as defined in the Regulatory Flexibility Act.

For this edition of the NRC's regulatory agenda, the most important significant regulatory actions are included in The Regulatory Plan, which appears in Part II of this issue of the Federal Register. The Regulatory Plan entries are listed in the Table of Contents below and are denoted by a bracketed bold reference, which directs the reader to the appropriate Sequence Number in Part II.

Dated at Rockville, Maryland, this 16th day of September 1996.

For the Nuclear Regulatory Commission,  
Michael T. Lesar,  
*Chief, Rules Review Section, Rules Review and Directives Branch, Division of Freedom of Information and Publications Services, Office of Administration.*

**Prerule Stage**

| Sequence Number | Title  | Regulation Identifier Number |
|-----------------|--|------------------------------|
| 4683            | Shutdown Operations .....  | 3150-AE97                    |
| 4684            | Specific Domestic Licenses of Broad Scope for Byproduct Material ..... | 3150-AF54                    |

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## Proposed Rule Stage

| Sequence Number | Title   | Regulation Identifier Number |
|-----------------|---|------------------------------|
| 4685            | Steam Generator Tube Integrity for Operating Nuclear Power Plants ( <b>Reg Plan Seq. No. 167</b> ) .....      | 3150-AF04                    |
| 4686            | Nuclear Power Reactor Physical Protection Requirements Update .....   | 3150-AF11                    |
| 4687            | Deliberate Misconduct by Unlicensed Persons Regarding Applications .....                                      | 3150-AF35                    |
| 4688            | Protection of and Access to Classified Information for Licensee, Certificate Holder and Other Personnel ..... | 3150-AF37                    |
| 4689            | Revision to Nuclear Power Reactor Decommissioning Financial Assurance Implementation Requirements .....       | 3150-AF41                    |
| 4690            | Minor Corrections and Clarifying Changes .....  | 3150-AF46                    |
| 4691            | Nuclear Regulatory Commission Acquisition Regulation .....  | 3150-AF52                    |
| 4692            | Changes to Nuclear Power Plant Security Requirements .....  | 3150-AF53                    |
| 4693            | Revision of Fee Schedules; 100 Percent Fee Recovery, FY 1997 ( <b>Reg Plan Seq. No. 168</b> ) .....           | 3150-AF55                    |

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

## Final Rule Stage

| Sequence Number | Title  | Regulation Identifier Number |
|-----------------|--|------------------------------|
| 4694            | Disposal of High-Level Radioactive Wastes in Geologic Repositories; Design Basis Events .....  | 3150-AD51                    |
| 4695            | Radiological Criteria for Decommissioning of Nuclear Facilities ( <b>Reg Plan Seq. No. 169</b> ) .....                               | 3150-AD65                    |
| 4696            | Reactor Site Criteria; Including Seismic and Earthquake Engineering Criteria for Nuclear Power Plants .....                          | 3150-AD93                    |
| 4697            | Radiography and Radiation Safety Requirements for Radiographic Operations .....  | 3150-AE07                    |
| 4698            | Criteria for the Release of Patients Administered Radioactive Material .....   | 3150-AE41                    |
| 4699            | Decommissioning of Nuclear Power Reactors .....  | 3150-AE96                    |
| 4700            | Fitness for Duty .....   | 3150-AF12                    |
| 4701            | Constraint Level for Air Emissions of Radionuclides .....  | 3150-AF31                    |
| 4702            | Reporting Reliability and Availability Information for Risk-Significant Systems and Equipment ( <b>Reg Plan Seq. No. 170</b> ) ..... | 3150-AF33                    |
| 4703            | Reporting Requirements for Unauthorized Use of Licensed Radioactive Material .....   | 3150-AF44                    |
| 4704            | Recognition of Agreement State Licenses in Areas Under Exclusive Federal Jurisdiction Within an Agreement State .....                | 3150-AF49                    |
| 4705            | Export of Nuclear Equipment and Materials .....  | 3150-AF51                    |

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

## Long-Term Actions

| Sequence Number | Title  | Regulation Identifier Number |
|-----------------|--|------------------------------|
| 4706            | Addition of Radon-222 and Technetium-99 Values to Table S-3 and Revisions Resulting From Consideration of Higher-Burnup Fuel ..... | 3150-AA31                    |
| 4707            | Criteria for an Extraordinary Nuclear Occurrence .....   | 3150-AB01                    |
| 4708            | Elimination of Inconsistencies Between NRC Regulations and EPA HLW Standards .....   | 3150-AC03                    |
| 4709            | Availability of Official Records .....   | 3150-AC07                    |
| 4710            | Comprehensive Quality Assurance in Medical Use and a Standard of Care .....  | 3150-AC42                    |
| 4711            | Requirements for Possession of Industrial Devices Containing Byproduct Material .....  | 3150-AD34                    |
| 4712            | Requirements Concerning the Accessible Air Gap for Generally Licensed Devices .....  | 3150-AD82                    |
| 4713            | Standardized Plant Designs, Early Review of Site Suitability Issues; Clarifying Amendments .....                                   | 3150-AE25                    |
| 4714            | Codes and Standards for Nuclear Power Plants .....   | 3150-AE26                    |
| 4715            | Distribution of Source and Byproduct Material: Licensing and Reporting Requirements .....  | 3150-AE33                    |
| 4716            | Acceptability of Plant Performance for Severe Accidents; Scope of Consideration in Safety Regulations .....                        | 3150-AE38                    |
| 4717            | Clarification of Assessment Requirements for Siting Criteria and Performance Objectives .....                                      | 3150-AE40                    |
| 4718            | Administration of Byproduct Material or Radiation to Patients Who May Be Pregnant .....  | 3150-AE44                    |
| 4719            | Design Certification for Advanced Boiling Water Reactor (ABWR) .....   | 3150-AE87                    |
| 4720            | Disposal by Release Into Sanitary Sewerage .....   | 3150-AE90                    |
| 4721            | Fitness for Duty (Scope Change) .....  | 3150-AF13                    |
| 4722            | Design Certification for System 80+ .....  | 3150-AF15                    |
| 4723            | Power Reactor Facilities Under a Possession Only License .....   | 3150-AF16                    |
| 4724            | Domestic Licensing of Special Nuclear Material—Revision .....  | 3150-AF22                    |

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Long-Term Actions (Continued)

| Sequence Number | Title   | Regulation Identifier Number |
|-----------------|---|------------------------------|
| 4725            | Performance-Oriented Requirements for Fire Protection of Nuclear Power Facilities .....   | 3150-AF29                    |
| 4726            | Safeguards for Spent Nuclear Fuel or High-Level Radioactive Waste .....   | 3150-AF32                    |
| 4727            | Revision to Nuclear Power Reactor Decommissioning Cost Requirements .....   | 3150-AF40                    |
| 4728            | Criteria and Procedures for Determining Eligibility for Access to Restricted Data or National Security Information or an Employment Clearance ..... | 3150-AF48                    |

Completed Actions

| Sequence Number | Title   | Regulation Identifier Number |
|-----------------|---|------------------------------|
| 4729            | Reasserting NRC's Sole Authority for Approving Onsite Low-Level Waste Disposal in Agreement States .....                  | 3150-AC57                    |
| 4730            | Codes and Standards for Nuclear Power Plants (ASME Code, Section XI, Division 1, Subsection IWE and Subsection IWL) ..... | 3150-AC93                    |
| 4731            | License Renewal for Nuclear Power Plants; Scope of Environmental Effects .....  | 3150-AD63                    |
| 4732            | Clarification of Reporting of Defects and Noncompliance for Materials Facilities .....                                    | 3150-AE18                    |
| 4733            | Termination or Transfer of Licensed Activities: Recordkeeping Requirements .....  | 3150-AF17                    |
| 4734            | Production and Utilization Facilities; Emergency Planning and Preparedness Exercise Requirements .....                    | 3150-AF20                    |
| 4735            | Deletion of Outdated References and Minor Changes .....   | 3150-AF43                    |
| 4736            | Removal of Obsolete 10 CFR Part 53 .....  | 3150-AF47                    |
| 4737            | Minor Amendments to Miscellaneous Cross-References .....  | 3150-AF50                    |

**NUCLEAR REGULATORY COMMISSION (NRC)**

**Prerule Stage**

**4683. SHUTDOWN OPERATIONS**

**Priority:** Substantive, Nonsignificant  
**Legal Authority:** 42 USC 2201; 42 USC 5841

**CFR Citation:** 10 CFR 50

**Legal Deadline:** None

**Abstract:** The proposed rule would amend the Commission's regulations by adding regulatory requirements for shutdown and low power operations of commercial nuclear power plants. Following publication of a proposed rule for comment, the staff determined that the rule, regulatory analysis and regulatory guide would be rewritten to reflect a performance basis for normal shutdown operations with a programmatic requirement to address abnormal operation conditions. The NRC staff is also in the process of modifying the proposed rule to address requirements for operation of fuel storage pools.

**Timetable:**

| Action                  | Date     | FR Cite     |
|-------------------------|----------|-------------|
| NPRM                    | 10/19/94 | 59 FR 52707 |
| NPRM Comment Period End | 01/03/95 |             |

| Action   | Date     | FR Cite |
|--|----------|---------|
| Revised NPRM   | 12/00/96 |         |
| Final Action   | 07/00/97 |         |
| <b>Small Entities Affected:</b> None   |          |         |
| <b>Government Levels Affected:</b> None  |          |         |
| <b>Agency Contact:</b> Warren Lyon, Nuclear Regulatory Commission, Office of Nuclear Reactor Regulation, Washington, DC 20555<br>Phone: 301 415-3892 |          |         |
| <b>RIN:</b> 3150-AE97  |          |         |

**4684. • SPECIFIC DOMESTIC LICENSES OF BROAD SCOPE FOR BYPRODUCT MATERIAL**

**Priority:** Info./Admin./Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 42 USC 2111; 42 USC 5841

**CFR Citation:** 10 CFR 033

**Legal Deadline:** None

**Abstract:** The Commission is seeking comments and suggestions on possible revisions to its regulations governing specific licenses of broad scope for byproduct material to clarify the regulatory and health and safety basis of current licensing practices and to provide licensees with the flexibility to make certain types of changes to their radiation safety program. Part 33 currently provides limited requirements for this type of license. In addition to staff efforts considering the possible need for clarification of requirements for broad scope licensees, the Incident Investigation Team reviewing a recent incident involving ingestion of phosphorus-32 at a broad scope facility also recommended that changes to Part 33 be considered. The NRC is also considering codification of guidance and license standard review plans for management oversight of broad-scope licensed programs that include the role of the Radiation Safety Officer, the responsibilities of the Radiation Safety Committee, supervision, qualifications of the authorized user, the use of audits and inventory requirements, and

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**Prerule Stage**

security and control of licensed material.

**Timetable:**

| Action | Date     | FR Cite |
|--------|----------|---------|
| ANPRM  | 10/00/96 |         |

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Patricia Holahan, Nuclear Regulatory Commission, Office

of Nuclear Material Safety and Safeguards, Washington, DC 20555  
Phone: 301 415-7847

**RIN:** 3150-AF54

**NUCLEAR REGULATORY COMMISSION (NRC)**

**Proposed Rule Stage**

**4685. STEAM GENERATOR TUBE INTEGRITY FOR OPERATING NUCLEAR POWER PLANTS**

**Regulatory Plan:** This entry is Seq. No. 167 in Part II of this issue of the Federal Register.

**RIN:** 3150-AF04

of Nuclear Regulatory Research, Washington, DC 20555  
Phone: 301 415-6261

**RIN:** 3150-AF11

**4686. NUCLEAR POWER REACTOR PHYSICAL PROTECTION REQUIREMENTS UPDATE**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 42 USC 2201; 42 USC 5841

**CFR Citation:** 10 CFR 073

**Legal Deadline:** None

**Abstract:** The proposed rule would amend the Commission's regulations by updating the requirements for the physical security of nuclear power reactors. The proposed rule would update the regulations for security at operating nuclear power plants based upon staff review experience gained in security program implementation, input from the public and industry, and technical changes in security system technology and equipment. Most of the proposed changes involve reduction or elimination of requirements that are of marginal significance relative to their contribution to the overall effectiveness of security programs.

**Timetable:**

| Action | Date     | FR Cite |
|--------|----------|---------|
| NPRM   | 11/00/96 |         |

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Sandra Frattali, Nuclear Regulatory Commission, Office

**4687. DELIBERATE MISCONDUCT BY UNLICENSED PERSONS REGARDING APPLICATIONS**

**Priority:** Info./Admin./Other

**Legal Authority:** 42 USC 2201; 42 USC 5841

**CFR Citation:** 10 CFR 030; 10 CFR 040; 10 CFR 050; 10 CFR 060; 10 CFR 061; 10 CFR 070; 10 CFR 072; 10 CFR 150

**Legal Deadline:** None

**Abstract:** The proposed rule would amend the Commission's regulations to put applicants for NRC licenses and other unlicensed persons doing work for applicants on notice that they may be subject to enforcement action under the Commission's existing regulations regarding deliberate misconduct. The current regulations require that all information submitted to the Commission be complete and accurate. This proposed rulemaking would correct an apparent oversight from when the Deliberate Misconduct rule was adopted in 1991 and make that rule apply to applicants and to their employees, contractors, and subcontractors, including consultants.

**Timetable:**

| Action                  | Date     | FR Cite     |
|-------------------------|----------|-------------|
| NPRM                    | 10/04/96 | 61 FR 51835 |
| NPRM Comment Period End | 12/18/96 |             |

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Tony DiPalo, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555  
Phone: 301 415-6191

**RIN:** 3150-AF35

**4688. PROTECTION OF AND ACCESS TO CLASSIFIED INFORMATION FOR LICENSEE, CERTIFICATE HOLDER AND OTHER PERSONNEL**

**Priority:** Info./Admin./Other

**Legal Authority:** 42 USC 2165; 42 USC 2201; 42 USC 2273; 42 USC 5841; EO 12829; EO 12958; EO 10865

**CFR Citation:** 10 CFR 025; 10 CFR 095

**Legal Deadline:** None

**Abstract:** The proposed rule would amend the Commission's regulations conforming NRC policy for access to and protection of National Security Information and Restricted Data to new national policies for the protection of this type of information. The existing regulations were issued before the October 31, 1994, approval of the National Industrial Security Program Operating Manual (NISPO) by the Deputy Secretary of Defense and the April 17, 1995, and August 2, 1995, signature of Executive Orders 12958, "Classified National Security Information," and 12968, "Access to Classified Information," by the President. The NISPO establishes a uniform Government policy for the protection of classified National Security Information and Restricted Data within industrial facilities under a contractual or other (e.g., license) legal relationship with the Government. Executive Order 12958 revises the government-wide requirements for classification and protection of National Security Information, and Executive Order 12968 revises the government-wide requirements for access to National Security Information. The current 10 CFR Parts 25 and 95 are not fully compliant with the requirements of the NISPO and the new Executive Orders. Some areas of inconsistency are revised accountability requirements for secret information, revised requirements for review of foreign ownership, control and influence considerations, new locking mechanism requirements, etc. These regulations

## NRC

## Proposed Rule Stage

must be amended to ensure their consistency with established national policy for the protection of classified information.

The proposed rule would have no impact on the public since they do not possess NRC classified information, minimal impact on the nuclear industry since it principally involves procedural changes for the small segment of the industry which does possess classified information, and limited impact on NRC since it slightly increases the amount of security processing involved in granting facility security clearances.

**Timetable:**

| Action                     | Date     | FR Cite     |
|----------------------------|----------|-------------|
| NPRM                       | 08/05/96 | 61 FR 40555 |
| NPRM Comment<br>Period End | 10/04/96 |             |
| Final Action               | 12/00/96 |             |

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Duane G. Kidd, Nuclear Regulatory Commission, Office of Administration, Washington, DC 20555

Phone: 301 415-7403

**RIN:** 3150-AF37

#### 4689. REVISION TO NUCLEAR POWER REACTOR DECOMMISSIONING FINANCIAL ASSURANCE IMPLEMENTATION REQUIREMENTS

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 42 USC 2201; 42 USC 5841

**CFR Citation:** 10 CFR 050

**Legal Deadline:** None

**Abstract:** The advance notice of proposed rulemaking would amend the Commission's regulations to modify the financial assurance requirements for the decommissioning of nuclear power plants. The impact of deregulation of the power generating industry has created uncertainty with respect to the availability of decommissioning funds and would likely require a modification of the financial mechanism required by the NRC to provide decommissioning funds when needed. The ANPRM would also require power reactor

licensees to report periodically on the status of their decommissioning trust funds during an extended safe storage period. The ANPRM would invite public comment on issues pertaining to the form and content of the nuclear power plant decommissioning financial assurance requirements as they related to electric utility deregulation.

**Timetable:**

| Action                      | Date     | FR Cite     |
|-----------------------------|----------|-------------|
| ANPRM                       | 04/08/96 | 61 FR 15427 |
| ANPRM Comment<br>Period End | 06/24/96 |             |
| NPRM                        | 12/00/96 |             |

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Brian J. Richter, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555  
Phone: 301 415-6221

**RIN:** 3150-AF41

#### 4690. MINOR CORRECTIONS AND CLARIFYING CHANGES

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 42 USC 2201; 42 USC 2231; 42 USC 2241; 42 USC 2282

**CFR Citation:** 10 CFR 020; 10 CFR 032; 10 CFR 035; 10 CFR 036; 10 CFR 039

**Legal Deadline:** None

**Abstract:** The proposed rule would amend the Commission's regulations to incorporate minor corrections and clarifying changes to 10 CFR Part 20 and also make conforming changes to 10 CFR Parts 32, 35, 36, and 39. In addition, a minor policy change is proposed that would revise the monitoring criterion for minors and for declared pregnant women.

**Timetable:**

| Action                     | Date     | FR Cite     |
|----------------------------|----------|-------------|
| NPRM                       | 10/07/96 | 61 FR 52388 |
| NPRM Comment<br>Period End | 12/23/96 |             |
| Final Action               | 01/00/97 |             |

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Jayne M. McCausland, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555

Phone: 301 415-6219

**RIN:** 3150-AF46

#### 4691. • NUCLEAR REGULATORY COMMISSION ACQUISITION REGULATION

**Priority:** Info./Admin./Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 41 USC 251; 42 USC 251; 40 USC 1401

**CFR Citation:** 48 CFR 020

**Legal Deadline:** None

**Abstract:** The proposed rule would amend the Nuclear Regulatory Commission Acquisition Regulation (NRCAR) for the procurement of goods and services within the NRC to satisfy the particular needs of the agency. The proposed rule would incorporate streamlining and simplification methods identified under the NRC's Procurement Reinvention Laboratory (PRL) and legislated under the Federal Acquisition Streamlining Act of 1994 (FASA), the Federal Acquisition Reform Act of 1996 (FARA), and the Information Technology Management Reform Act (ITMRA) of 1996. The intent of the FASA, FARA, and ITMRA is to streamline procurement processes within the Federal Government. Implementing instructions are needed for some of these processes. In addition, the NRC's PRL will require the NRC to streamline and simplify procedures in the NRCAR wherever possible.

**Timetable:**

| Action       | Date     | FR Cite |
|--------------|----------|---------|
| NPRM         | 01/00/97 |         |
| Final Action | 06/00/97 |         |

**Small Entities Affected:** Businesses

**Government Levels Affected:** Undetermined

**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

**Agency Contact:** Mary Lynn Scott, Nuclear Regulatory Commission, Office of Administration, Washington, DC 20555

Phone: 301 415-6179

**RIN:** 3150-AF52

**NRC**

**Proposed Rule Stage**

**4692. • CHANGES TO NUCLEAR POWER PLANT SECURITY REQUIREMENTS**

**Priority:** Substantive, Nonsignificant  
**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 42 USC 2073; 42 USC 2167; 42 USC 2201; 42 USC 2297f; 42 USC 5841; 42 USC 5844

**CFR Citation:** 10 CFR 073

**Legal Deadline:** None

**Abstract:** The proposed rule would amend the Commission's regulations

regarding security requirements at nuclear power plants by deleting certain security requirements associated with an internal threat. This action follows reconsideration by the NRC of nuclear power plant physical security requirements to identify those that are marginal to safety, redundant, or out of date. This proposed rule would reduce the regulatory burden on licensees without compromising physical protection against radiological sabotage required for public health and safety.

**Timetable:**

| Action | Date     | FR Cite |
|--------|----------|---------|
| NPRM   | 10/00/96 |         |

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Sandra Frattali, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555  
 Phone: 301 415-6261

**RIN:** 3150-AF53

**4693. • REVISION OF FEE SCHEDULES; 100 PERCENT FEE RECOVERY, FY 1997**

**Regulatory Plan:** This entry is Seq. No. 168 in Part II of this issue of the Federal Register.

**RIN:** 3150-AF55

**NUCLEAR REGULATORY COMMISSION (NRC)**

**Final Rule Stage**

**4694. DISPOSAL OF HIGH-LEVEL RADIOACTIVE WASTES IN GEOLOGIC REPOSITORIES; DESIGN BASIS EVENTS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 42 USC 10101

**CFR Citation:** 10 CFR 060

**Legal Deadline:** None

**Abstract:** The proposed rule would amend the Commission's regulations to clarify preclosure regulatory requirements for high-level waste geologic repositories. Several issues associated with preclosure regulatory requirements have been raised due to different interpretations of the rulemaking record for 10 CFR Part 60. These involve: (1) the lack of clearly prescribed requirements for the establishment of a preclosure controlled area intended to protect public health and safety from radiation from a broad range of accident conditions; (2) the radiation protection requirements for workers and members of the public during normal or otherwise anticipated conditions; and (3) the definition of structures, systems, and components important to safety for which certain design and qualify assurance criteria apply. Guidance is needed from NRC on these matters to enable DOE to proceed with the development of a proposed design for a geologic repository.

**Timetable:**

| Action       | Date     | FR Cite     |
|--------------|----------|-------------|
| NPRM         | 03/22/95 | 60 FR 15180 |
| NPRM Comment | 06/20/95 |             |
| Period End   |          |             |
| Final Action | 10/00/96 |             |

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Richard A. Weller, Nuclear Regulatory Commission, Office of Nuclear Material Safety, and Safeguards, Washington, DC 20555  
 Phone: 301 415-7287

**RIN:** 3150-AD51

**4695. RADIOLOGICAL CRITERIA FOR DECOMMISSIONING OF NUCLEAR FACILITIES**

**Regulatory Plan:** This entry is Seq. No. 169 in Part II of this issue of the Federal Register.

**RIN:** 3150-AD65

**4696. REACTOR SITE CRITERIA; INCLUDING SEISMIC AND EARTHQUAKE ENGINEERING CRITERIA FOR NUCLEAR POWER PLANTS**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 42 USC 2201; 42 USC 5841

**CFR Citation:** 10 CFR 050; 10 CFR 052; 10 CFR 100

**Legal Deadline:** None

**Abstract:** The proposed rule would amend the Commission's regulations to update the criteria used in decisions regarding power reactor siting, including geologic, seismic, and earthquake engineering considerations for future nuclear power plants. The proposed rule would allow NRC to benefit from experience gained in the application of the procedures and methods set forth in the current regulation and to incorporate the rapid advancements in the earth sciences and earthquake engineering. The proposed rule primarily consists of two separate changes, namely, the source term and dose considerations, and the seismic and earthquake engineering considerations of reactor siting.

The Commission is also proposing to deny the remaining issue in a petition for rulemaking filed by Free Environment, Inc., et al. (PRM-50-20).

**Timetable:**

| Action       | Date     | FR Cite     |
|--------------|----------|-------------|
| NPRM         | 10/20/92 | 57 FR 47802 |
| NPRM Comment | 03/26/93 | 58 FR 16377 |
| Period End   |          |             |
| NPRM         | 10/17/94 | 59 FR 52255 |
| Final Action | 11/00/96 |             |

**Small Entities Affected:** Undetermined

**NRC**

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**Government Levels Affected:**  
Undetermined

**Agency Contact:** Leonard Soffer,  
Nuclear Regulatory Commission, Office  
of Nuclear Regulatory Research,  
Washington, DC 20555  
Phone: 301 415-6574

**RIN:** 3150-AD93

**4697. RADIOGRAPHY AND RADIATION SAFETY REQUIREMENTS FOR RADIOGRAPHIC OPERATIONS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 42 USC 2201; 42 USC 5841

**CFR Citation:** 10 CFR 034

**Legal Deadline:** None

**Abstract:** The proposed rule would amend the Commission's regulations on licenses for radiography and radiation safety requirements for radiographic operations. The proposed rule would revise 10 CFR Part 34 to clarify the requirements in section 34.27 and conform Part 34 with the approach developed by the Conference of Radiation Control Program Directors, Inc. (Part E of the "Suggested State Regulations for Control of Radiation"), and the State of Texas in Part 31 of the Texas Regulations for Control of Radiation. Comments and suggestions from regulatory groups, users, and manufacturers will be considered in the overall revision. The NRC will also consult Canadian atomic energy control regulations that relate to radiography. The proposed rule is necessary because of frequent misinterpretations of the provisions of Part 34 and the need to clarify the requirements of 10 CFR 34.27. The staff is currently preparing an options paper which will examine the issues, set priorities, and provide direction for the proposed rulemaking. This proposed rule would also respond to a petition for rulemaking from International Union of Operating Engineers - Local No. 2 (PRM-34-4).

**Timetable:**

| Action                     | Date     | FR Cite    |
|----------------------------|----------|------------|
| NPRM                       | 02/28/94 | 59 FR 9429 |
| NPRM Comment<br>Period End | 05/31/94 |            |
| Final Action               | 11/00/96 |            |

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Agency Contact:** Donald Nellis,  
Nuclear Regulatory Commission, Office

of Nuclear Regulatory Research,  
Washington, DC 20555  
Phone: 301 415-6257

**RIN:** 3150-AE07

**4698. CRITERIA FOR THE RELEASE OF PATIENTS ADMINISTERED RADIOACTIVE MATERIAL**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 42 USC 2201; 42 USC 5841

**CFR Citation:** 10 CFR 020; 10 CFR 035

**Legal Deadline:** None

**Abstract:** The proposed rule would amend the Commission's regulations to revise the patient release criteria contained in 10 CFR 35.75, and the applicability of the dose limits for members of the public in 10 CFR 20.1301.

The Commission has received three petitions for rulemaking, PRM-20-20, PRM-35-10, and PRM-35-11 to amend its regulations regarding radiation exposure that individuals may receive from patients who have been medically administered radioactive materials, and the criteria under which this patient may be released from confinement. The petitioners believe that the current requirements of Parts 20 and 35 would cause patients to be confined unnecessarily beyond the time needed for medical reasons.

**Timetable:**

| Action                     | Date     | FR Cite     |
|----------------------------|----------|-------------|
| NPRM                       | 06/15/94 | 59 FR 30724 |
| NPRM Comment<br>Period End | 08/29/94 |             |
| Final Action               | 10/00/96 |             |

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Stewart Schneider,  
Nuclear Regulatory Commission, Office  
of Nuclear Regulatory Research,  
Washington, DC 20555  
Phone: 301 415-6225

**RIN:** 3150-AE41

**4699. DECOMMISSIONING OF NUCLEAR POWER REACTORS**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 42 USC 5841; 42 USC 5842; 42 USC 5846

**CFR Citation:** 10 CFR 050

**Legal Deadline:** None

**Abstract:** The proposed rule would amend the Commission's regulations on the decommissioning procedures that lead to the termination of an operating license for a nuclear power plant and release of the property for unrestricted use. The proposed amendments would clarify ambiguities that have arisen in the past and codify practices that have been used for other licensees on a case-by-case basis. By adopting these provisions, the current regulatory burden will be reduced by permitting licensees greater flexibility in making financial decisions in decommissioning. Substantial cost savings for licensees and the NRC would be realized by eliminating the requirement for submittal of a preliminary decommissioning plan to NRC and the need to wait for NRC approval before undertaking any decommissioning activities.

**Timetable:**

| Action                     | Date     | FR Cite     |
|----------------------------|----------|-------------|
| NPRM                       | 07/20/95 | 60 FR 37374 |
| NPRM Comment<br>Period End | 10/18/95 |             |
| Final Action               | 10/00/96 |             |

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Carl Feldman,  
Nuclear Regulatory Commission, Office  
of Nuclear Regulatory Research,  
Washington, DC 20555  
Phone: 301 415-6194

**RIN:** 3150-AE96

**4700. FITNESS FOR DUTY**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**NRC**

**Final Rule Stage**

**Legal Authority:** 42 USC 2201; 42 USC 5841

**CFR Citation:** 10 CFR 26

**Legal Deadline:** None

**Abstract:** The proposed rule would amend the Commission's fitness for duty regulations. This proposed rule would also address the petition for rulemaking from Virginia Electric and Power Company (PRM-26-1), and address the Regulatory Review Group items on audit frequency and annual submittal of data. The Virginia Electric and Power Company requested that the Commission amend its fitness-for-duty regulations to change the frequency that licensees are required to audit their fitness-for-duty programs from annually to biennially. The Commission and the EDO approved the staff proposals in SECY-92-308, but asked that the staff resubmit the SECY paper to address a backfit analysis. The staff proposals as resubmitted to the Commission in SECY-95-262 in October 1995 were approved for publication as a proposed rule in March 1996.

**Timetable:**

| Action                     | Date     | FR Cite     |
|----------------------------|----------|-------------|
| NPRM                       | 05/09/96 | 61 FR 21105 |
| NPRM Comment<br>Period End | 08/07/96 |             |
| Final Action               | 06/00/97 |             |

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Loren Bush, Nuclear Regulatory Commission, Office of Nuclear Reactor Regulation, Washington, DC 20555  
Phone: 301 415-2944

**RIN:** 3150-AF12

**4701. CONSTRAINT LEVEL FOR AIR EMISSIONS OF RADIONUCLIDES**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 42 USC 2201; 42 USC 2231; 42 USC 2241; 42 USC 2282

**CFR Citation:** 10 CFR 020

**Legal Deadline:** None

**Abstract:** The proposed rule would amend the Commission's regulations to provide a constraint level for air

emissions of radionuclides of 10 mrem/yr, similar to the program developed pursuant to 10 CFR Part 50, appendix I, for power reactors. The amendment would apply to NRC licensees other than power reactor licensees. The benefit to NRC licensees would be that they would only have to demonstrate compliance to a single regulatory authority (NRC) and methods for demonstration of compliance would be simplified. The cost of this action to the NRC is negligible, as the inspection of NRC facilities subject to EPA requirements is being performed by NRC pursuant to the NRC's ALARA inspection guidance. The benefit to the NRC would be that continued negotiations with EPA on rescission of Subpart I would not be needed. This action is part of an ongoing effort to develop a basis for rescission of the Environmental Protection Agency's regulations in 40 CFR part 61.

**Timetable:**

| Action                     | Date     | FR Cite     |
|----------------------------|----------|-------------|
| NPRM                       | 12/13/95 | 60 FR 63984 |
| NPRM Comment<br>Period End | 03/12/96 |             |
| Final Action               | 11/00/96 |             |

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Charleen T. Raddatz, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555  
Phone: 301 415-6215

**RIN:** 3150-AF31

**4702. REPORTING RELIABILITY AND AVAILABILITY INFORMATION FOR RISK-SIGNIFICANT SYSTEMS AND EQUIPMENT**

**Regulatory Plan:** This entry is Seq. No. 170 in Part II of this issue of the Federal Register.

**RIN:** 3150-AF33

**4703. REPORTING REQUIREMENTS FOR UNAUTHORIZED USE OF LICENSED RADIOACTIVE MATERIAL**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 42 USC 2201; 42 USC 5841

**CFR Citation:** 10 CFR 020

**Legal Deadline:** None

**Abstract:** The proposed rule would add a new requirement for licensees to

notify the NRC Operations Center of any diversion of licensed radioactive material from its intended or authorized use. The proposed rule would require licensees to notify the NRC as soon as possible of such incidents, that are either intentional or allegedly intentional, or where the licensee is unable within 48 hours of discovery to rule out that the use was intentional. The proposed rule would require reporting of events that could lead to an exposure of individuals whether or not the exposure exceeds the regulatory limits.

**Timetable:**

| Action                     | Date     | FR Cite    |
|----------------------------|----------|------------|
| NPRM                       | 01/31/96 | 61 FR 3334 |
| NPRM Comment<br>Period End | 03/31/96 | 61 FR 7431 |
| Final Action               | 10/00/96 |            |

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Mary Thomas, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555  
Phone: 301 415-6230

**RIN:** 3150-AF44

**4704. • RECOGNITION OF AGREEMENT STATE LICENSES IN AREAS UNDER EXCLUSIVE FEDERAL JURISDICTION WITHIN AN AGREEMENT STATE**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 42 USC 2201; 42 USC 5841

**CFR Citation:** 10 CFR 150

**Legal Deadline:** None

**Abstract:** The proposed rule would amend the Commission's regulations to allow Agreement State licensees to seek reciprocal recognition of their license from the NRC when they are working within areas of exclusive Federal jurisdiction in Agreement States. The proposed amendment would also clarify the NRC regulatory requirements applicable to Agreement State licensees operating under reciprocity and clarify the fee requirements applicable to the Agreement State licensees.

**NRC**

**Final Rule Stage**

**Timetable:**

| Action                     | Date     | FR Cite     |
|----------------------------|----------|-------------|
| NPRM                       | 06/18/96 | 61 FR 30839 |
| NPRM Comment<br>Period End | 09/03/96 |             |
| Final Action               | 12/00/96 |             |

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Agency Contact:** Mark Haisfield,  
Nuclear Regulatory Commission, Office  
of Nuclear Regulatory Research,  
Washington, DC 20555  
Phone: 301 415-6196

**RIN:** 3150-AF49

**4705. • EXPORT OF NUCLEAR EQUIPMENT AND MATERIALS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 42 USC 2201; 42 USC 5841

**CFR Citation:** 10 CFR 110

**Legal Deadline:** None

**Abstract:** The final rule would amend the Commission's regulations pertaining to the export of nuclear equipment and materials. These amendments are necessary to conform the export control guidelines of the United States to the international export control guidelines of the Nuclear

Suppliers Group and to reflect the nuclear nonproliferation policies of the Department of State.

**Timetable:**

| Action       | Date     | FR Cite |
|--------------|----------|---------|
| Final Action | 07/00/97 |         |

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Elaine Hemby,  
Nuclear Regulatory Commission, Office  
of International Programs, Washington,  
DC 20555  
Phone: 301 415-2341

**RIN:** 3150-AF51

**NUCLEAR REGULATORY COMMISSION (NRC)**

**Long-Term Actions**

**4706. ADDITION OF RADON-222 AND TECHNETIUM-99 VALUES TO TABLE S-3 AND REVISIONS RESULTING FROM CONSIDERATION OF HIGHER-BURNUP FUEL**

**Priority:** Info./Admin./Other

**CFR Citation:** 10 CFR 51

**Timetable:**

| Action                              | Date     | FR Cite     |
|-------------------------------------|----------|-------------|
| NPRM Comment<br>Period End 05/04/81 | 03/04/81 | 46 FR 15154 |
| NPRM                                | 00/00/00 |             |

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Stanley Turel  
Phone: 301 415-6234

**RIN:** 3150-AA31

**4708. ELIMINATION OF INCONSISTENCIES BETWEEN NRC REGULATIONS AND EPA HLW STANDARDS**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**CFR Citation:** 10 CFR 60

**Timetable:**

| Action                     | Date     | FR Cite     |
|----------------------------|----------|-------------|
| NPRM                       | 06/19/86 | 51 FR 22288 |
| NPRM Comment<br>Period End | 08/18/86 |             |
| Final Action               | 00/00/00 |             |

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Sher Bahadur  
Phone: 301 415-6237

**RIN:** 3150-AC03

**Government Levels Affected:** None

**Agency Contact:** Catherine M. Holzle  
Phone: 301 415-1560

**RIN:** 3150-AC07

**4707. CRITERIA FOR AN EXTRAORDINARY NUCLEAR OCCURRENCE**

**Priority:** Info./Admin./Other

**CFR Citation:** 10 CFR 140

**Timetable:**

| Action                     | Date     | FR Cite     |
|----------------------------|----------|-------------|
| NPRM                       | 04/09/85 | 50 FR 13978 |
| NPRM Comment<br>Period End | 09/06/85 |             |
| Final Action               | 00/00/00 |             |

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Harry Tovmassian  
Phone: 301 415-6231

**RIN:** 3150-AB01

**4709. AVAILABILITY OF OFFICIAL RECORDS**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 10 CFR 2

**Timetable:**

| Action                     | Date     | FR Cite     |
|----------------------------|----------|-------------|
| NPRM                       | 12/23/92 | 57 FR 61013 |
| NPRM Comment<br>Period End | 03/08/93 |             |
| Final Action               | 00/00/00 |             |

**Small Entities Affected:** None

**4710. COMPREHENSIVE QUALITY ASSURANCE IN MEDICAL USE AND A STANDARD OF CARE**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 10 CFR 35

**Timetable:**

| Action                      | Date     | FR Cite     |
|-----------------------------|----------|-------------|
| ANPRM                       | 10/02/87 | 52 FR 36949 |
| ANPRM Comment<br>Period End | 12/31/87 |             |
| Final Action                | 00/00/00 |             |

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Anthony Tse  
Phone: 301 415-6233

**RIN:** 3150-AC42

**4711. REQUIREMENTS FOR POSSESSION OF INDUSTRIAL DEVICES CONTAINING BYPRODUCT MATERIAL**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 10 CFR 031; 10 CFR 032

**Timetable:**

| Action                     | Date     | FR Cite     |
|----------------------------|----------|-------------|
| NPRM                       | 12/27/91 | 56 FR 67011 |
| NPRM Comment<br>Period End | 03/12/92 |             |
| Final Action               | 00/00/00 |             |

**Small Entities Affected:** Businesses

**NRC**

**Long-Term Actions**

**Government Levels Affected:**  
Undetermined

**Agency Contact:** Joseph J. Mate  
Phone: 301 415-6202

**RIN:** 3150-AD34

**4712. REQUIREMENTS CONCERNING THE ACCESSIBLE AIR GAP FOR GENERALLY LICENSED DEVICES**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 10 CFR 031; 10 CFR 032

**Timetable:**

| Action                     | Date     | FR Cite     |
|----------------------------|----------|-------------|
| NPRM                       | 11/27/92 | 57 FR 56287 |
| NPRM Comment<br>Period End | 03/29/93 |             |
| Final Action               | 00/00/00 |             |

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Stephen McGuire  
Phone: 301 415-6204

**RIN:** 3150-AD82

**4713. STANDARDIZED PLANT DESIGNS, EARLY REVIEW OF SITE SUITABILITY ISSUES; CLARIFYING AMENDMENTS**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**CFR Citation:** 10 CFR 050; 10 CFR 052; 10 CFR 140

**Timetable:**

| Action | Date     | FR Cite |
|--------|----------|---------|
| NPRM   | 00/00/00 |         |

**Small Entities Affected:** Undetermined

**Government Levels Affected:**  
Undetermined

**Agency Contact:** Geary S. Mizuno  
Phone: 301 415-1639

**RIN:** 3150-AE25

**4714. CODES AND STANDARDS FOR NUCLEAR POWER PLANTS**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**CFR Citation:** 10 CFR 050

**Timetable:**

| Action | Date     | FR Cite |
|--------|----------|---------|
| NPRM   | 00/00/00 |         |

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Frank Cherny  
Phone: 301 415-6786

**RIN:** 3150-AE26

**4715. DISTRIBUTION OF SOURCE AND BYPRODUCT MATERIAL: LICENSING AND REPORTING REQUIREMENTS**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 10 CFR 032; 10 CFR 040

**Timetable:**

| Action                      | Date     | FR Cite     |
|-----------------------------|----------|-------------|
| ANPRM                       | 10/28/92 | 57 FR 48749 |
| ANPRM Comment<br>Period End | 01/26/93 |             |
| Final Action                | 00/00/00 |             |

**Small Entities Affected:** Undetermined

**Government Levels Affected:**  
Undetermined

**Agency Contact:** Catherine R. Mattsen  
Phone: 301 415-6264

**RIN:** 3150-AE33

**4716. ACCEPTABILITY OF PLANT PERFORMANCE FOR SEVERE ACCIDENTS; SCOPE OF CONSIDERATION IN SAFETY REGULATIONS**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 10 CFR 050

**Timetable:**

| Action                      | Date     | FR Cite     |
|-----------------------------|----------|-------------|
| ANPRM                       | 09/28/92 | 57 FR 44513 |
| ANPRM Comment<br>Period End | 12/28/92 |             |
| Final Action                | 00/00/00 |             |

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Leonard Soffer  
Phone: 301 415-6574

**RIN:** 3150-AE38

**4717. CLARIFICATION OF ASSESSMENT REQUIREMENTS FOR SITING CRITERIA AND PERFORMANCE OBJECTIVES**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 10 CFR 060

**Timetable:**

| Action                     | Date     | FR Cite     |
|----------------------------|----------|-------------|
| NPRM                       | 07/09/93 | 58 FR 36902 |
| NPRM Comment<br>Period End | 10/07/93 |             |
| Final Action               | 00/00/00 |             |

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Sandra Wastler  
Phone: 301 415-6724

**RIN:** 3150-AE40

**4718. ADMINISTRATION OF BYPRODUCT MATERIAL OR RADIATION TO PATIENTS WHO MAY BE PREGNANT**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**CFR Citation:** 10 CFR 035

**Timetable:**

| Action | Date     | FR Cite |
|--------|----------|---------|
| NPRM   | 00/00/00 |         |

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Samuel Z. Jones  
Phone: 301 415-6198

**RIN:** 3150-AE44

**4719. DESIGN CERTIFICATION FOR ADVANCED BOILING WATER REACTOR (ABWR)**

**Priority:** Other Significant

**CFR Citation:** 10 CFR 052

**Timetable:**

| Action                      | Date     | FR Cite     |
|-----------------------------|----------|-------------|
| ANPRM                       | 11/03/93 | 58 FR 58664 |
| ANPRM Comment<br>Period End | 01/03/94 |             |
| NPRM                        | 04/07/95 | 60 FR 17902 |
| NPRM Comment<br>Period End  | 07/23/96 | 61 FR 27027 |
| Final Action                | 00/00/00 |             |

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Jerry N. Wilson  
Phone: 301 415-3145

**RIN:** 3150-AE87

## NRC

## Long-Term Actions

**4720. DISPOSAL BY RELEASE INTO SANITARY SEWERAGE****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**CFR Citation:** 10 CFR 020**Timetable:**

| Action                      | Date     | FR Cite    |
|-----------------------------|----------|------------|
| ANPRM                       | 02/25/94 | 59 FR 9146 |
| ANPRM Comment<br>Period End | 05/26/94 |            |
| NPRM                        | 00/00/00 |            |

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** George Powers  
Phone: 301 415-6212**RIN:** 3150-AE90**4721. FITNESS FOR DUTY (SCOPE CHANGE)****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**CFR Citation:** 10 CFR 26**Timetable:**

| Action | Date     | FR Cite |
|--------|----------|---------|
| NPRM   | 00/00/00 |         |

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Charles Hendren  
Phone: 301 415-3209**RIN:** 3150-AF13**4722. DESIGN CERTIFICATION FOR SYSTEM 80+****Priority:** Other Significant**CFR Citation:** 10 CFR 052**Timetable:**

| Action                      | Date     | FR Cite     |
|-----------------------------|----------|-------------|
| ANPRM                       | 11/03/93 | 58 FR 58664 |
| ANPRM Comment<br>Period End | 01/03/94 |             |
| NPRM                        | 04/07/95 | 60 FR 17924 |
| NPRM Comment<br>Period End  | 07/23/96 | 61 FR 27027 |
| Final Action                | 00/00/00 |             |

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Jerry N. Wilson  
Phone: 301 415-3145**RIN:** 3150-AF15**4723. POWER REACTOR FACILITIES UNDER A POSSESSION ONLY LICENSE****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**CFR Citation:** 10 CFR 50**Timetable:**

| Action | Date     | FR Cite |
|--------|----------|---------|
| NPRM   | 00/00/00 |         |

**Small Entities Affected:** Undetermined**Government Levels Affected:** Undetermined**Agency Contact:** Carl Feldman  
Phone: 301 415-6194**RIN:** 3150-AF16**4724. DOMESTIC LICENSING OF SPECIAL NUCLEAR MATERIAL—REVISION****Priority:** Substantive, Nonsignificant**CFR Citation:** 10 CFR 070**Timetable:**

| Action | Date     | FR Cite |
|--------|----------|---------|
| NPRM   | 00/00/00 |         |

**Small Entities Affected:** Businesses**Government Levels Affected:** None**Agency Contact:** Charles Nilsen  
Phone: 301 415-6209**RIN:** 3150-AF22**4725. PERFORMANCE-ORIENTED REQUIREMENTS FOR FIRE PROTECTION OF NUCLEAR POWER FACILITIES****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**CFR Citation:** 10 CFR 050**Timetable:**

| Action | Date     | FR Cite |
|--------|----------|---------|
| NPRM   | 00/00/00 |         |

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Moni Dey  
Phone: 301 415-6443**RIN:** 3150-AF29**4726. SAFEGUARDS FOR SPENT NUCLEAR FUEL OR HIGH-LEVEL RADIOACTIVE WASTE****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**CFR Citation:** 10 CFR 060; 10 CFR 072; 10 CFR 073; 10 CFR 075**Timetable:**

| Action                     | Date     | FR Cite     |
|----------------------------|----------|-------------|
| NPRM                       | 08/15/95 | 60 FR 42079 |
| NPRM Comment<br>Period End | 11/13/95 |             |
| Final Action               | 00/00/00 |             |

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** John Telford  
Phone: 301 415-6229**RIN:** 3150-AF32**4727. REVISION TO NUCLEAR POWER REACTOR DECOMMISSIONING COST REQUIREMENTS****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**CFR Citation:** 10 CFR 050**Timetable:**

| Action | Date     | FR Cite |
|--------|----------|---------|
| NPRM   | 00/00/00 |         |

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Brian J. Richter  
Phone: 301 415-6221**RIN:** 3150-AF40

**NRC**

**Long-Term Actions**

**4728. CRITERIA AND PROCEDURES FOR DETERMINING ELIGIBILITY FOR ACCESS TO RESTRICTED DATA OR NATIONAL SECURITY INFORMATION OR AN EMPLOYMENT CLEARANCE**

**Priority:** Info./Admin./Other

**CFR Citation:** 10 CFR 010

**Timetable:**

| Action | Date     | FR Cite |
|--------|----------|---------|
| NPRM   | 00/00/00 |         |

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** James J. Dunleavy

Phone: 301 415-7404

**RIN:** 3150-AF48

**NUCLEAR REGULATORY COMMISSION (NRC)**

**Completed Actions**

**4729. REASSERTING NRC'S SOLE AUTHORITY FOR APPROVING ONSITE LOW-LEVEL WASTE DISPOSAL IN AGREEMENT STATES**

**Priority:** Info./Admin./Other

**Legal Authority:** 42 USC 2201; 42 USC 2021; 42 USC 5841

**CFR Citation:** 10 CFR 150

**Legal Deadline:** None

**Abstract:** The proposed rule would have established NRC as the sole authority for approving onsite disposal of very low-level waste at all NRC-licensed reactors and at Part 70 facilities. The Commission has determined that this rulemaking is unnecessary and has withdrawn this proposed rule.

**Timetable:**

| Action    | Date     | FR Cite     |
|-----------|----------|-------------|
| Withdrawn | 05/29/96 | 61 FR 26852 |

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Joseph J. Mate, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555  
Phone: 301 415-6202

**RIN:** 3150-AC57

Power Plants," and Subsection IWL, "Requirements for Class CC Concrete Components of Light-Water Cooled Power Plants," of Section XI (Division 1) of the American Society of Mechanical Engineers Boiler and Pressure Vessel Code (ASME Code). Subsection IWE provides the rules and requirements for inservice inspection, repair, and replacement of Class MC pressure retaining components and their integral attachments in light-water cooled power plants. Subsection IWL provides the rules and requirements for inservice inspection and repair of the reinforced concrete and post tensioning systems of Class CC components.

Incorporation by reference of Subsection IWE and Subsection IWL provides systematic examination rules for containment structure for meeting Criterion 53 of the General Design Criteria (appendix A of 10 CFR part 50) and appendix J of 10 CFR part 50.

**Timetable:**

| Action                 | Date     | FR Cite     |
|------------------------|----------|-------------|
| Final Action           | 08/08/96 | 61 FR 41303 |
| Final Action Effective | 09/09/96 |             |

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Wallace E. Norris, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555  
Phone: 301 415-6796

**RIN:** 3150-AC93

**Legal Authority:** 42 USC 2201; 42 USC 5841; 42 USC 5842

**CFR Citation:** 10 CFR 051

**Legal Deadline:** None

**Abstract:** The final rule amends the Commission's regulations by establishing new requirements for environmental review of applications for renewal of nuclear power plant operating licenses. The final rule defines the number and scope of environmental issues that need to be addressed as part of a license renewal application.

**Timetable:**

| Action                 | Date     | FR Cite     |
|------------------------|----------|-------------|
| Final Action           | 06/05/96 | 61 FR 28467 |
| Final Action Effective | 09/05/96 | 61 FR 37351 |

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Donald P. Cleary, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555  
Phone: 301 415-6263

**RIN:** 3150-AD63

**4732. CLARIFICATION OF REPORTING OF DEFECTS AND NONCOMPLIANCE FOR MATERIALS FACILITIES**

**Priority:** Other Significant

**Legal Authority:** 42 USC 2201; 42 USC 5846

**CFR Citation:** 10 CFR 021

**Legal Deadline:** None

**Abstract:** The proposed rule would have amended the Commission's regulations concerning the reporting of defects and noncompliance to clarify the applicability of these provisions to materials and fuel cycle licensees. The proposed rule was being developed in response to an NRC internal audit, and also in response to a parallel review of these regulations as they apply to

**4730. CODES AND STANDARDS FOR NUCLEAR POWER PLANTS (ASME CODE, SECTION XI, DIVISION 1, SUBSECTION IWE AND SUBSECTION IWL)**

**Priority:** Routine and Frequent

**Legal Authority:** 42 USC 2201; 42 USC 5841

**CFR Citation:** 10 CFR 050

**Legal Deadline:** None

**Abstract:** The final rule incorporates by reference Subsection IWE, "Requirements for Class MC Components of Light-Water Cooled

**4731. LICENSE RENEWAL FOR NUCLEAR POWER PLANTS; SCOPE OF ENVIRONMENTAL EFFECTS**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**NRC**

**Completed Actions**

materials licensees. The Commission has determined that this rule is unnecessary and has withdrawn this proposed rulemaking.

**Timetable:**

| Action    | Date     | FR Cite |
|-----------|----------|---------|
| Withdrawn | 04/15/96 |         |

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Agency Contact:** Clark Prichard, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555  
Phone: 301 415-6203

**RIN:** 3150-AE18

**4733. TERMINATION OR TRANSFER OF LICENSED ACTIVITIES; RECORDKEEPING REQUIREMENTS**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 42 USC 2201; 42 USC 5841

**CFR Citation:** 10 CFR 20; 10 CFR 30; 10 CFR 40; 10 CFR 61; 10 CFR 70; 10 CFR 72

**Legal Deadline:** None

**Abstract:** The final rule amended the Commission's regulations pertaining to the disposition of certain records when a licensee terminates licensed activities or licensed activities are transferred to another licensee. These amendments require a licensee to transfer records necessary to evaluate offsite consequences and to decommission the facility effectively to the new licensee if licensed activities will continue at the same location and to forward records, such as waste disposal and dose records, to the NRC once the license is terminated.

**Timetable:**

| Action                 | Date     | FR Cite     |
|------------------------|----------|-------------|
| Final Action           | 05/16/96 | 61 FR 24669 |
| Final Action Effective | 06/17/96 |             |

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Mary L. Thomas, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555

Phone: 301 415-6230

**RIN:** 3150-AF17

**4734. PRODUCTION AND UTILIZATION FACILITIES; EMERGENCY PLANNING AND PREPAREDNESS EXERCISE REQUIREMENTS**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 42 USC 2201; 42 USC 2231; 42 USC 2241; 42 USC 2282

**CFR Citation:** 10 CFR 050

**Legal Deadline:** None

**Abstract:** The final rule amended the Commission's regulations governing domestic licensing of production and utilization facilities, as necessary, to facilitate greater flexibility in the licensee's activities associated with the annual "off-year" exercise. This exercise is conducted to evaluate major portions of licensees' emergency response capabilities. This amendment preserves the existing requirement that each licensee, at each site, conduct an exercise biennially with participation by States and local governments within the plume exposure pathway emergency planning zone (EPZ). This amendment requires licensees to continue enabling State and local governments in plume exposure pathway EPZs to participate in exercises and in drills in the interval between exercises. This amendment also grants, in part, a petition for rulemaking submitted by the Virginia Electric and Power Company (PRM-50-58).

**Timetable:**

| Action                 | Date     | FR Cite     |
|------------------------|----------|-------------|
| Final Action           | 06/14/96 | 61 FR 30129 |
| Final Action Effective | 07/15/96 |             |

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Michael Jamgochian, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555  
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**RIN:** 3150-AF20

**4735. DELETION OF OUTDATED REFERENCES AND MINOR CHANGES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 42 USC 2201; 42 USC 5841

**CFR Citation:** 10 CFR 002; 10 CFR 051

**Legal Deadline:** None

**Abstract:** The direct final rule amends the Commission's regulations by deleting outdated references. This direct final rule clarifies that the NRC may use discretion to not require a written statement from a licensee in response to a notice of violation if the NRC believes that the licensee had already adequately addressed all the issues contained in that notice. A companion proposed rule was published at the same time as this direct final rule (08/22/96; 61 FR 43409).

**Timetable:**

| Action                 | Date     | FR Cite     |
|------------------------|----------|-------------|
| Final Action           | 08/22/96 | 61 FR 43406 |
| Final Action Effective | 10/21/96 |             |

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Mark Au, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555  
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**RIN:** 3150-AF43

**4736. REMOVAL OF OBSOLETE 10 CFR PART 53**

**Priority:** Info./Admin./Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

**Legal Authority:** 42 USC 2201; 42 USC 5841

**CFR Citation:** 10 CFR 053

**Legal Deadline:** None

**Abstract:** The final rule amended the Commission's regulations by removing 10 CFR Part 53, "Criteria and Procedures for Determining the Adequacy of Available Spent Nuclear Fuel Storage Capacity," from the Code of Federal Regulations.

**Timetable:**

| Action                 | Date     | FR Cite     |
|------------------------|----------|-------------|
| Final Action           | 07/09/96 | 61 FR 35935 |
| Final Action Effective | 08/08/96 |             |

**NRC**

**Completed Actions**

**Small Entities Affected:** None  
**Government Levels Affected:** None  
**Agency Contact:** Gorden Gundersen,  
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**RIN:** 3150-AF47

**4737. • MINOR AMENDMENTS TO  
 MISCELLANEOUS CROSS-  
 REFERENCES**  
**Priority:** Substantive, Nonsignificant  
**Legal Authority:** 42 USC 2201; 42 USC  
 5841

**CFR Citation:** 10 CFR 030; 10 CFR 040;  
 10 CFR 070; 10 CFR 072

**Legal Deadline:** None

**Abstract:** The final rule amended the  
 Commission's regulations to achieve  
 consistency in the cross-references  
 associated with several recent changes  
 to the Commission's regulations  
 affecting decommissioning.

**Timetable:**

| Action                 | Date     | FR Cite     |
|------------------------|----------|-------------|
| Final Action           | 06/12/96 | 61 FR 29636 |
| Final Action Effective | 06/12/96 |             |

**Small Entities Affected:** None

**Government Levels Affected:** None

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**RIN:** 3150-AF50  
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