

**§ 20.1301 Dose limits for individual members of the public.**

(a) \* \* \*

(1) The total effective dose equivalent to individual members of the public from the licensed operation does not exceed 0.1 rem (1 mSv) in a year, exclusive of the dose contributions from background radiation, any medical administration the individual has received, voluntary participation in medical research programs, and the licensee's disposal of radioactive material into sanitary sewerage in accordance with § 20.2003.

\* \* \* \* \*

5. The authority citation for part 35 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).

6. In § 35.2, the definition for *misadministration* is revised at paragraphs (1)(i), (2)(i), (3)(i), (4)(i), (5)(i), (6)(i), and (6)(ii) by removing the word "patient" and inserting the word "individual."

7. In § 35.33, paragraph (a)(2) is revised to read as follows:

**§ 35.33 Notifications, reports, and records of misadministrations.**

(a) \* \* \*

(2) The licensee shall submit a written report to the appropriate NRC Regional Office listed in 10 CFR 30.6 within 15 days after discovery of the misadministration. The written report must include the licensee's name; the prescribing physician's name; a brief description of the event; why the event occurred; the effect on the individual; what improvements are needed to prevent recurrence; actions taken to prevent recurrence; whether the licensee notified the individual, or the individual's responsible relative or guardian (this person will be subsequently referred to as "the patient" in this section), and if not, why not, and if the patient was notified, what information was provided to the patient. The report must not include the patient's name or other information that could lead to identification of the patient.

\* \* \* \* \*

Dated at Rockville, Maryland, this 19th day of January, 1995.

For the Nuclear Regulatory Commission.

**John C. Hoyle,**

*Acting Secretary of the Commission.*

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**10 CFR Part 52****RIN 3150-AE42****Combined Licenses; Conforming Amendments; Post-Promulgation Comment**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Final rule; comment response.

**SUMMARY:** The Nuclear Regulatory Commission (Commission) is addressing the one comment that it received in response to a supplementary post-promulgation comment opportunity on a portion of its final rule amending its regulations to conform to the provisions of Title XXVIII of Public Law 102-486, the "Energy Policy Act of 1992," signed into law on October 24, 1992. This notice is necessary to inform the public of the Commission's response to that post-promulgation comment.

**DATES:** The final rule became effective January 22, 1993. Comments to the supplementary comment opportunity were due by July 11, 1994.

**FOR FURTHER INFORMATION CONTACT:** Grace H. Kim, Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555, telephone 301-415-3605.

**SUPPLEMENTARY INFORMATION:****Background**

By Federal Register notice published on June 10, 1994 (59 FR 29965), the Commission offered a supplementary 30-day opportunity for "post-promulgation" comment on a portion of the final rule revising 10 CFR part 52 in light of Title XXVIII of the Energy Policy Act of 1992 (Pub. L. 102-486, 106 Stat. 2776), which amended the Atomic Energy Act to authorize explicitly the issuance of combined construction and operating licenses for nuclear power plants.<sup>1</sup> As the Commission explained in its **Federal Register** notice, this supplementary comment opportunity, limited to the so-called "Sholly" portion of the final part 52 rule,<sup>2</sup> was provided

<sup>1</sup> As required by 10 CFR 2.804(f), the Commission had also invited post-promulgation comment at the time it promulgated the final part 52 rule. See 57 FR 60975 (December 30, 1992). In response to this comment opportunity, the Commission received comments only from the Nuclear Management and Resources Council (NUMARC). The Commission responded to this comment in a Federal Register notice published on December 30, 1993 (58 FR 69220).

<sup>2</sup> The "Sholly" procedure, which the Commission made applicable to combined licenses in the final rule in accordance with the Energy Policy Act (see 57 FR at 60976; 10 CFR 52.97(b)(2)(ii)), allows the Commission to make an amendment to a combined license immediately effective (*i.e.*, prior to a hearing if it makes a finding that there are no significant hazards considerations).

by the Commission in conjunction with an agreement for the voluntary withdrawal of a petition for review of the final part 52 rule that had been filed by the Nuclear Information and Resource Service in the Court of Appeals for the District of Columbia Circuit. See *id.* The Commission received only one comment in response, which was submitted on July 8, 1994 by the Nuclear Energy Institute (NEI) (the successor organization to NUMARC). In its submittal NEI essentially mirrors NUMARC's previous comments with respect to the "Sholly" provisions of the final rule, expressing its support for the Commission's amendment of 10 CFR 52.97 to make the "Sholly" procedure applicable to combined licenses and reiterating NUMARC's earlier request that the Commission modify certain language in the final rule's statement of considerations to clarify the Commission's intent regarding the implementation of § 52.97. See 58 FR at 69220, 69221. Because NEI merely reiterates NUMARC's comments, which have already been fully considered and addressed by the Commission (*id.*), no further response is necessary.

**List of Subjects in 10 CFR Part 52**

Administrative practice and procedure, Antitrust, Backfitting, Combined license, Early site permit, Emergency planning, Fees, Inspection, Limited work authorization, Nuclear power plants and reactors, Probabilistic risk assessment, Prototype, Reactor siting criteria, Redress of site, Reporting and recordkeeping requirements, Standard design, Standard design certification.

Dated at Rockville, Maryland this 19th day of January, 1995.

For the Nuclear Regulatory Commission.

**John C. Hoyle,**

*Acting Secretary of the Commission.*

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**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Parts 2, 57, 85, 86, 122, 123, 145, 233, 260, 270, 271, 281, 350, 403, 704, 707, 710, 712, 716, 717, 720, 723, 750 and 790**

[FRL-5143-6]  
RIN 2020-AA21

**Public Information and Confidentiality Regulations**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Extension of comment period.