



# Federal Register

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**Monday,  
May 14, 2001**

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**Part LX**

## **Nuclear Regulatory Commission**

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**Semiannual Regulatory Agenda**

**NUCLEAR REGULATORY COMMISSION (NRC)**

**NUCLEAR REGULATORY COMMISSION**

**10 CFR Ch. I**

**Unified Agenda of Federal Regulatory and Deregulatory Actions**

**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 November 30, 2000 (65 FR 74970).

**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: Rulemakings and Adjudications Staff. 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, One White Flint North, 11555 Rockville Pike, Room O-1F21, Rockville, Maryland.

**FOR FURTHER INFORMATION CONTACT:** For further information concerning NRC rulemaking procedures or the status of any rule listed in this agenda, contact Michael T. Lesar, Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone 301-415-7163 (e-mail: mtl@nrc.gov). Persons outside the Washington, DC, metropolitan area may call, toll-free: 1-800-368-5642. 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 that has occurred on rules since publication of the last NRC semiannual agenda on November 30,

2000 (65 FR 74970). Within each group, the rules are ordered according to the Regulation Identifier Number (RIN).

The information in this agenda has been updated through February 23, 2001. 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 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 agenda.

The NRC agenda lists all open rulemaking actions, one of which is considered to be priority or major as defined in section 3(f) of Executive Order 12866.

Three rules affect small entities, one of which may potentially have a "significant economic impact on a substantial number of small entities" as defined in the Regulatory Flexibility Act.

Dated at Rockville, Maryland, this 23rd day of February 2001.

For the Nuclear Regulatory Commission.

**Michael T. Lesar,**  
Chief, Rules and Directives Branch,  
Division of Administrative Services  
Office of Administration.

**Nuclear Regulatory Commission—Proposed Rule Stage**

Sequence Number	Title	Regulation Identification Number
4392	Lessons Learned From Design Certification .....	3150-AG24
4393	Protection Against Discrete Radioactive Particles (DRPs) - A Unified Skin Dose Limit .....	3150-AG25
4394	Storage of Greater Than Class C Waste .....	3150-AG33
4395	Performance-Based, Risk-Informed Fire Protection .....	3150-AG48
4396	Changes to Adjudicatory Process .....	3150-AG49
4397	Decommissioning Trust Provisions .....	3150-AG52
4398	Release of Part of a Reactor Facility or Site for Unrestricted Use Before Receiving Approval of the License Termination Plan .....	3150-AG56
4399	Codes and Standards .....	3150-AG61
4400	Reduction in the Scope of Random Fitness-for-Duty Testing Requirements for Nuclear Power Reactor Licensees ..	3150-AG62
4401	Re-evaluation of Power Reactor Physical Protection Regulations and Position on a Definition of Radiological Sabotage .....	3150-AG63
4402	Transfers of Source Material From Licensees to Exempt Persons .....	3150-AG64
4403	Material Control and Accounting .....	3150-AG69
4404	Compatibility with IAEA Transportation Safety Standards .....	3150-AG71
4405	Revision of Fee Schedules; Fee Recovery, FY 2001 .....	3150-AG73

## NRC

## Nuclear Regulatory Commission—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
4406	Fitness for Duty Programs .....	3150-AF12
4407	Submission of Documents Electronically; Minor Corrections .....	3150-AF61
4408	Medical Uses of Byproduct Material .....	3150-AF74
4409	Disposal of High-Level Radioactive Waste in a Proposed Geologic Repository at Yucca Mountain, Nevada .....	3150-AG04
4410	120-Month ISI/IST Update Requirement .....	3150-AG39
4411	Use of Simulators in Operator Licensing and Conforming Changes .....	3150-AG40
4412	Licensing Proceedings for the Receipt of High-Level Radioactive Waste at a Geologic Repository: Licensing Support Network, Design Standards for Participating Websites .....	3150-AG44

## Nuclear Regulatory Commission—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
4413	Update Fuel Performance Considerations and Other Fuel Cycle Issues .....	3150-AA31
4414	Availability of Official Records .....	3150-AC07
4415	Disposal by Release Into Sanitary Sewerage .....	3150-AE90
4416	Geological and Seismological Characteristics of Spent Fuel Storage Systems .....	3150-AG16
4417	Advance Notification to Native American Tribes of Transportation of Certain Types of Nuclear Waste .....	3150-AG41
4418	Risk-Informing Special Treatment Requirements .....	3150-AG42
4419	Integrated Rulemaking for Decommissioning Nuclear Power Reactors .....	3150-AG47
4420	Nondiscrimination on the Basis of Race, Color, National Origin, Handicap, and Age in Programs and Activities Receiving Federal Financial Assistance .....	3150-AG65

## Nuclear Regulatory Commission—Completed Actions

Sequence Number	Title	Regulation Identification Number
4421	Criteria for an Extraordinary Nuclear Occurrence .....	3150-AB01
4422	Domestic Licensing of Special Nuclear Material .....	3150-AF22
4423	Reporting Requirements for Nuclear Power Reactors and Independent Spent Fuel Storage Installations at Power Reactor Sites .....	3150-AF98
4424	Requirements for Certain Generally Licensed Industrial Devices Containing Byproduct Material .....	3150-AG03
4425	Use of Potassium Iodide (KI) by the General Public After a Severe Accident at a Nuclear Power Plant .....	3150-AG11
4426	New Dosimetry Technology .....	3150-AG21
4427	List of Approved Spent Fuel Storage Casks: Addition of the NAC - UMS Cask .....	3150-AG32
4428	Quality Assurance Program Changes .....	3150-AG45
4429	Relocation of NRC's Public Document Room; Minor Changes .....	3150-AG46
4430	Export and Import of Nuclear Equipment and Materials .....	3150-AG51
4431	List of Approved Spent Fuel Storage Casks: Addition of the Fuel Solutions Cask .....	3150-AG54
4432	List of Approved Spent Fuel Storage Casks: Addition of the NAC-UMS Cask .....	3150-AG57
4433	Termination of Section 274i Agreement Between the State of Louisiana and the NRC .....	3150-AG60
4434	List of Approved Spent Fuel Storage Casks: TN-32 Revision .....	3150-AG66
4435	List of Approved Spent Fuel Storage Casks: HI-STAR 100 Cask System, Amendment 2 .....	3150-AG67
4436	Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance .....	3150-AG68
4437	List of Approved Spent Fuel Storage Casks: VSC-24 Storage Casks, Amendment 3 .....	3150-AG70
4438	List of Approved Spent Fuel Storage Casks: FuelSolutions Revision .....	3150-AG72

## NUCLEAR REGULATORY COMMISSION (NRC)

## Proposed Rule Stage

**4392. LESSONS LEARNED FROM DESIGN CERTIFICATION****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 2201; 42 USC 5841**CFR Citation:** 10 CFR 52**Legal Deadline:** None

**Abstract:** The final rule will amend the Commission's regulations by revising the regulatory infrastructure to prepare for future applicants and involve changes to licensing procedures and will require combined license applicants and holders to create, maintain, update, and use a PRA for the life of the facility. The final rule subsumes the rulemaking, "Standardized Plant Designs, Early Review of Sites Suitability Issues; Clarifying Amendments" (RIN AE25), that would remove redundant appendices M, N, O, and Q from part 50. These appendices are being removed because they became obsolete when part 52 was created. The part 52 rulemaking plan (SECY-98-282) was approved by the Commission on January 14, 1999.

**Timetable:**

Action	Date	FR Cite
NPRM	07/00/01	
Final Action	04/00/02	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None

**Agency Contact:** Jerry N. Wilson, Nuclear Regulatory Commission, Office of Nuclear Reactor Regulation, Washington, DC 20555-0001  
Phone: 301 415-3145  
Email: jnw@nrc.gov

**RIN:** 3150-AG24**4393. PROTECTION AGAINST DISCRETE RADIOACTIVE PARTICLES (DRPS) - A UNIFIED SKIN DOSE LIMIT****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 2201; 42 USC 5841**CFR Citation:** 10 CFR 20**Legal Deadline:** None

**Abstract:** The proposed rule would amend the Commission's regulations to establish a unified skin dose limit that would apply to all skin dose situations including "hot particle" exposures. Based on discussions with industry and

technical experts who have served on the NCRP/DRP committee, the NRC staff is recommending an approach to establishing a dose limit for dose to the skin from DRP that includes creating a unified skin dose limit. This limit would be applicable to all skin dose geometries and any source. This approach would require an advisory from the National Council on Radiation Protection and Measurements (NCRP) that would permit the NRC staff to use the NCRP recommended limit of "50 rem averaged over the highest exposed 10 square centimeters" for all exposures to the skin.

**Timetable:**

Action	Date	FR Cite
NPRM	08/00/01	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None

**Agency Contact:** Alan K. Rocklein, Nuclear Regulatory Commission, Office of Nuclear Reactor Regulation, Washington, DC 20555-0001  
Phone: 301 415-3883  
Email: akr@nrc.gov

**RIN:** 3150-AG25**4394. STORAGE OF GREATER THAN CLASS C WASTE****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 2201; 42 USC 5841**CFR Citation:** 10 CFR 72**Legal Deadline:** None

**Abstract:** The final rule will amend the Commission's regulations to include storage of Greater than Class C (GTCC) waste, that is, waste that exceeds the concentration limits of radionuclides established for Class C waste in 10 CFR 61.55(a)(2)(iv). It is anticipated that the decommissioning activities at nuclear power plants will generate relatively small volumes of GTCC waste. However, because there are currently no disposal options for GTCC waste, utilities must store these wastes under their part 50 licenses pending development of a disposal facility. The Department of Energy has the responsibility for developing a national strategy for disposal of GTCC waste. Based on current plans, this disposal capability will not likely be available for many years. This rulemaking will allow independent spent fuel storage

installations to store GTCC waste similar to storage of spent fuel and facilitate the likely eventual transfer to a permanent geologic repository. This rulemaking will also respond to a petition for rulemaking submitted by the Portland General Electric Company (PRM-72-2).

**Timetable:**

Action	Date	FR Cite
NPRM	06/16/00	65 FR 37712
NPRM Comment Period End	08/30/00	
Final Rule	09/00/01	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Mark Haisfield, Nuclear Regulatory Commission, Office of Nuclear Material Safety and Safeguards, Washington, DC 20555-0001

Phone: 301 415-6196

Email: mfh@nrc.gov

**RIN:** 3150-AG33**4395. PERFORMANCE-BASED, RISK-INFORMED FIRE PROTECTION****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 2201; 42 USC 5841**CFR Citation:** 10 CFR 50**Legal Deadline:** None

**Abstract:** The proposed rule would address the Commission's direction provided in the staff requirements memorandum dated April 1, 1999, to develop a performance-based, risk-informed alternative to the NRC's existing reactor fire protection requirements through the adoption of an industry consensus standard; NFPA 805, "Performance-Based Standard for Fire Protection for Light Water Reactor Electric Generating Plants."

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/01	
Final Action	11/00/02	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None

**Agency Contact:** Edward A. Connell, Nuclear Regulatory Commission, Office of Nuclear Reactor Regulation, Washington, DC 20555-0001

## NRC

## Proposed Rule Stage

Phone: 301 415-2838  
Email: eac@nrc.gov

RIN: 3150-AG48

#### 4396. CHANGES TO ADJUDICATORY PROCESS

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 10 CFR 2

**Legal Deadline:** None

**Abstract:** The proposed rule would amend the Commission's regulations concerning its rules of practice to make the agency's hearing process more efficient and effective. The proposed amendments would fashion hearing procedures that are tailored to the different types of licensing and regulatory activities the NRC conducts and would better focus and use the limited resources available to involved parties.

##### Timetable:

Action	Date	FR Cite
NPRM	04/16/01	66 FR 19610
NPRM Comment Period End	07/16/01	
Final Action	To Be	Determined

##### Regulatory Flexibility Analysis

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Geary S. Mizuno, Nuclear Regulatory Commission, Office of the General Counsel, Washington, DC 20555-0001

Phone: 301 415-1639

Email: gsm@nrc.gov

RIN: 3150-AG49

#### 4397. DECOMMISSIONING TRUST PROVISIONS

**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 to ensure that decommissioning trust agreements are in a form acceptable to the NRC to increase assurance that decommissioning funds will be available for their intended purpose, especially in light of economic deregulation and restructuring of the

electric utility industry. Based on past experience with the NRC approval of the transfer of the operating licenses of the Three Mile Island Unit 1 and Pilgrim Nuclear Power Stations, the staff believes that this rulemaking would expedite similar transfers in the future. The staff also intends to develop guidance, by revising Regulatory Guide 1.159, "Assuring the Availability of Funds for Decommissioning Nuclear Reactors," that will specify more fully the provisions of the decommissioning trust agreements.

##### Timetable:

Action	Date	FR Cite
NPRM	05/00/01	
Final Rule	05/00/02	

##### Regulatory Flexibility Analysis

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Brian J. Richter, Nuclear Regulatory Commission, Office of Nuclear Reactor Regulation, Washington, DC 20555-0001  
Phone: 301 415-1978

Email: bjr@nrc.gov

RIN: 3150-AG52

#### 4398. RELEASE OF PART OF A REACTOR FACILITY OR SITE FOR UNRESTRICTED USE BEFORE RECEIVING APPROVAL OF THE LICENSE TERMINATION PLAN

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 10 CFR 2; 10 CFR 20; 10 CFR 50

**Legal Deadline:** None

**Abstract:** The proposed rule would amend the Commission's regulations by adding a new section that would identify the criteria and regulatory framework that a licensee would use to request NRC approval for a partial site release. The rulemaking would provide additional assurance that residual radioactivity would meet the radiological criteria for license termination, even if parts of the site were released before a licensee submits its license termination plans. The rulemaking would clarify that the radiological criteria for unrestricted use apply to a partial site release. The rulemaking would not provide for a partial site release under restricted conditions. Also, the rulemaking would

provide for a Subpart 2 hearing if a license amendment involving a partial site release is challenged.

The rulemaking would fill a gap identified during the NRC's consideration of a technical specification amendment request for the Oyster Creek Nuclear Generating Station to remove a restriction on the sale or lease of property within the exclusion area. During the Oyster Creek review, the NRC staff concluded that it is possible for a reactor licensee to sell land that would reduce the size of its site before the license termination criteria would specifically apply to the release of the property. If the sale does not involve the transfer of licensed material, it would not require NRC approval under current regulations. Currently, the NRC must consider changes to the site boundary of a reactor site on a case-by-case basis to ensure adequate protection of the public and the environment. Because several reactor licensees have expressed interest in selling parts of the sites before they receive approval of their license termination plans, the NRC staff believes the issues should be resolved generically by rulemaking.

##### Timetable:

Action	Date	FR Cite
NPRM	07/00/01	

##### Regulatory Flexibility Analysis

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** W. Mike Ripley, Nuclear Regulatory Commission, Office of Nuclear Reactor Regulation, Washington, DC 20555-0001

Phone: 301 415-1112

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RIN: 3150-AG56

#### 4399. CODES AND STANDARDS

**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 to incorporate by reference the following: (1) the 1997 Addenda, 1998 Edition, 1999 Addenda, and 2000 Addenda of Division 1 rules of Section III, "Rules for Construction of Nuclear Power Plant Components," of the American Society

## NRC

## Proposed Rule Stage

of Mechanical Engineers Boiler and Pressure Vessel Code (ASME B.PV Code); (2) the 1997 Addenda, 1998 Edition, 1999 Addenda, and 2000 Addenda of Division 1 rules of Section XI, "Rules for Inservice Inspection of Nuclear Power Plant Components," of the ASME B&PV Code; and (3) the 1997 Addenda, 1998 Edition, 1999 Addenda, and 2000 Addenda of the ASME Code for Operation and Maintenance of Nuclear Power Plants.

**Timetable:**

Action	Date	FR Cite
NPRM	09/00/01	
Final Rule	09/00/02	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None

**Agency Contact:** Stephen A. Tingen, Nuclear Regulatory Commission, Office of Nuclear Reactor Regulation, Washington, DC 20555-0001  
Phone: 301 415-1280  
Email: sgt@nrc.gov

**RIN:** 3150-AG61

#### 4400. REDUCTION IN THE SCOPE OF RANDOM FITNESS-FOR-DUTY TESTING REQUIREMENTS FOR NUCLEAR POWER REACTOR LICENSEES

**Priority:** Substantive, Nonsignificant**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 regulations to require random drug and alcohol testing of only those persons with unescorted access to vital areas, and eliminate random testing of employees who must physically report to the Technical Support Center or Emergency Operations Facility during an emergency. However, personnel with unescorted access to the protected area would continue to be covered by 10 CFR 26.24(a)(1) for pre-access fitness-for-duty testing and by 10 CFR 26.24(a)(3) for "for-cause" fitness-for-duty testing. The proposed amendment is expected to decrease burden by reducing the total numbers of tests conducted and the number of files maintained.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/01	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None

**Agency Contact:** Garmon West Jr., Nuclear Regulatory Commission, Office of Nuclear Reactor Regulation, Washington, DC 20555-0001  
Phone: 301 415-1044  
Email: gxw@nrc.gov

Richard P. Rosano, Nuclear Regulatory Commission, Office of Nuclear Reactor Regulation, Washington, DC 20555-0001

Phone: 301 415-3282  
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**RIN:** 3150-AG62

#### 4401. RE-EVALUATION OF POWER REACTOR PHYSICAL PROTECTION REGULATIONS AND POSITION ON A DEFINITION OF RADIOLOGICAL SABOTAGE

**Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 2201; 42 USC 5841**CFR Citation:** 10 CFR 73**Legal Deadline:** None

**Abstract:** The proposed rule would amend the Commission's regulations to require power reactor licensees to conduct drills and exercises to evaluate their protective strategy against a simulated design basis threat (DBT) of radiological sabotage. The proposed rulemaking would also include supporting guidance documents and be more performance based.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/01	
Final Rule	11/00/02	

**Regulatory Flexibility Analysis Required:** Undetermined**Government Levels Affected:** Undetermined

**Agency Contact:** Jesse A. Arildsen, Nuclear Regulatory Commission, Office of Nuclear Reactor Regulation, Washington, DC 20555-0001  
Phone: 301 415-1026  
Email: jaa@nrc.gov

**RIN:** 3150-AG63

#### 4402. TRANSFERS OF SOURCE MATERIAL FROM LICENSEES TO EXEMPT PERSONS

**Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 2201; 42 USC 5841**CFR Citation:** 10 CFR 40**Legal Deadline:** None

**Abstract:** The proposed rule would require Commission approval for transfers of unimportant quantities of source material (less than 0.05 percent by weight) to persons exempt from licensing requirements. The objective of this proposed action is to ensure that transfers of materials containing low concentrations of source material are adequate to protect public health and safety.

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/01	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None

**Agency Contact:** Clark Prichard, Nuclear Regulatory Commission, Office of Nuclear Material Safety and Safeguards, Washington, DC 20555-0001

Phone: 301 415-6203  
Email: cwp@nrc.gov

**RIN:** 3150-AG64

#### 4403. • MATERIAL CONTROL AND ACCOUNTING

**Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 2201; 42 USC 5841**CFR Citation:** 10 CFR 51; 10 CFR 61; 10 CFR 70; 10 CFR 72; 10 CFR 73; 10 CFR 74; 10 CFR 75; 10 CFR 76; 10 CFR 150**Legal Deadline:** None

**Abstract:** The proposed rule would amend the reporting requirements for submitting material balance reports and inventory composition reports to provide more flexibility and to reduce the reporting frequency for most licensees. The proposed amendments would also revise the categorical exclusion for approving safeguards plans, relocate the remaining material control and accounting requirements in parts 70 through 74, make the material control and accounting requirements

## NRC

## Proposed Rule Stage

for Category II facilities more risk-informed, and make other miscellaneous changes.

**Timetable:**

Action	Date	FR Cite
NPRM	07/00/01	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Merri Horn, Nuclear Regulatory Commission, Office of Nuclear Material Safety and Safeguards, Washington, DC 20555-0001  
Phone: 301 415-8126  
Email: mlh1@nrc.gov

**RIN:** 3150-AG69

#### 4404. • COMPATIBILITY WITH IAEA TRANSPORTATION SAFETY STANDARDS

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 10 CFR 71

**Legal Deadline:** None

**Abstract:** The proposed rule would amend the Commission's regulations on packaging and transporting radioactive material to make them compatible with the International Atomic Energy Agency (IAEA) standards and to codify other applicable requirements. These changes would be compatible with ST-1, the latest revision of the IAEA transportation standards. This rulemaking would also address the unintended economic impact of NRC's emergency final rule entitled, "Fissile Material Shipments and Exemptions" (February 10, 1997; 62 FR 5907), and a petition for rulemaking submitted by

International Energy Consultants, Inc. (PRM-71-12)(February 19, 1998; 63 FR 8362).

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/01	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Naiem S. Tanius, Nuclear Regulatory Commission, Office of Nuclear Material Safety and Safeguards, Washington, DC 20555-0001  
Phone: 301 415-6103  
Email: nst@nrc.gov

**RIN:** 3150-AG71

#### 4405. • REVISION OF FEE SCHEDULES; FEE RECOVERY, FY 2001

**Priority:** Economically Significant

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

**CFR Citation:** 10 CFR 170; 10 CFR 171

**Legal Deadline:** None

**Abstract:** The proposed rule would amend the licensing, inspection, and annual fees charged to NRC licensees and applicants for an NRC license. The rulemaking is necessary to recover the NRC's total budget authority for Fiscal Year (FY) 2001, less the amount appropriate for the Nuclear Waste Fund and the General Fund. The Omnibus Budget Reconciliation Act (OBRA) of 1990, as amended, requires that the NRC accomplish 100 percent recovery through the assessment of fees. However, in order to address fairness and equity concerns related to charging

NRC licensees for agency expenses that do not provide a benefit to the licensee, the FY 2001 Energy and Water Development Appropriations Act requires that only 98 percent of the NRC's new budget authority (i.e., NRC's total budget authority, less the amount appropriated for the Nuclear Waste Fund and the General Fund) be collected from fees in FY 2001 — decreasing by 2 percent per year to 90 percent by FY 2005. The dollar amount to be recovered for FY 2001 is approximately \$453.3 million. OBRA requires that the fees for FY 2001 must be collected by September 30, 2001.

**Timetable:**

Action	Date	FR Cite
NPRM	03/28/01	66 FR 16982
NPRM Comment Period End	04/27/01	
Final Action	08/00/01	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations

**Government Levels Affected:** State, Local

**Agency Contact:** Glenda C. Jackson, Nuclear Regulatory Commission, Office of the Chief Financial Officer, Washington, DC 20555-0001  
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Robert D. Carlson, Nuclear Regulatory Commission, Office of the Chief Financial Officer  
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Email: rdc@nrc.gov

**RIN:** 3150-AG73

## NUCLEAR REGULATORY COMMISSION (NRC)

## Final Rule Stage

#### 4406. FITNESS FOR DUTY PROGRAMS

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 10 CFR 26

**Legal Deadline:** None

**Abstract:** The final rule will amend the Commission's regulations to ensure compatibility with the Department of Health and Human Services guidelines,

reduce unnecessary regulatory burden in some areas, clarify the Commission's original intent of the rule, and improve overall program effectiveness and efficiency. These revised requirements will reduce the industry-wide annual cost for all licensees to comply with Part 26 by approximately 27 million (or about \$293 million over twenty years). The rulemaking will address the Regulatory Review Group items on audit frequency and annual submittal

of data. The rulemaking will also address the petition for rulemaking submitted by the Virginia Electric and Power Company (VEPCO) (PRM-26-1).

**Timetable:**

Action	Date	FR Cite
NPRM	05/09/96	61 FR 21105
NPRM Comment Period End	08/07/96	
Final Action	04/00/01	

## NRC

## Final Rule Stage

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None

**Agency Contact:** Garmon West Jr., Nuclear Regulatory Commission, Office of Nuclear Reactor Regulation, Washington, DC 20555-0001  
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Richard P. Rosano, Nuclear Regulatory Commission, Office of Nuclear Reactor Regulation, Washington, DC 20555-0001

Phone: 301 415-3282

Email: rpr@nrc.gov

**RIN:** 3150-AF12**4407. SUBMISSION OF DOCUMENTS ELECTRONICALLY; MINOR CORRECTIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 2201; 42 USC 5841

**CFR Citation:** 10 CFR 2; 10 CFR 61; 10 CFR 62; 10 CFR 70; 10 CFR 71; 10 CFR 72; 10 CFR 73; 10 CFR 32; 10 CFR 34; 10 CFR 40; 10 CFR 50; 10 CFR 51; 10 CFR 52; 10 CFR 55; 10 CFR 60; 10 CFR 4; 10 CFR 9; 10 CFR 21; 10 CFR 20; 10 CFR 15; 10 CFR 19; 10 CFR 25; 10 CFR 30; 10 CFR 26; 10 CFR 31; 10 CFR 74; 10 CFR 75; 10 CFR 76; 10 CFR 81; 10 CFR 95; 10 CFR 110; 10 CFR 140; 10 CFR 150

**Legal Deadline:** None

**Abstract:** The direct final rule will permit voluntary electronic submission of documents and provide procedures for submitting documents electronically. In addition, the Agency-wide Documents Access and Management System (ADAMS) is now operational. Amending the regulations to permit electronic submission will facilitate the electronic capture of externally generated documents into ADAMS. The rulemaking will address and improve the document control and records management issues which are of concern to the NRC, its applicants, licensees, and members of the public by improving the process of communication, dissemination, and storage of records. In addition, the rulemaking will incorporate minor corrections to the current regulations regarding the submission of documents to the NRC, e.g., organizational, name, and phone number changes. This rulemaking is consistent with existing

legislative and regulatory initiatives, such as the Paperwork Reduction Act of 1995, Office of Management and Budget Circular A-130 (Revised February 8, 1996), and the Government Paperwork Reduction Elimination Act of 1998, to reduce the information collection burden on the public and to make information more readily accessible to the public.

**Timetable:**

Action	Date	FR Cite
Direct Final Rule	07/00/01	

**Regulatory Flexibility Analysis****Required:** Yes

**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations

**Government Levels Affected:** Undetermined

**Agency Contact:** Michael D. Collins, Nuclear Regulatory Commission, Office of the Chief Information Officer, Washington, DC 20555-0001

Phone: 301 415-2488

Email: mdc1@nrc.gov

**RIN:** 3150-AF61**4408. MEDICAL USES OF BYPRODUCT MATERIAL****Priority:** Other Significant

**Legal Authority:** 42 USC 2111; 42 USC 2201; 42 USC 2232; 42 USC 2233; 42 USC 5841

**CFR Citation:** 10 CFR 35**Legal Deadline:** None

**Abstract:** The final rule will amend the Commission's regulations to reflect a more risk-based approach to the regulation of the medical uses of byproduct material. Performance-oriented requirements will allow licensees the flexibility to develop procedures appropriate to their uses of byproduct material. The revision would address training and experience requirements for authorized users, RSOs, authorized nuclear pharmacists, and authorized medical physicists. This rulemaking includes development of associated guidance. This rule also addresses a petition for rulemaking submitted by the University of Cincinnati (PRM-20-24).

**Timetable:**

Action	Date	FR Cite
ANPRM	08/06/97	62 FR 42219

Action	Date	FR Cite
ANPRM Comment Period End	03/01/98	
NPRM	08/13/98	63 FR 43516
NPRM Comment Period End	12/16/98	63 FR 64829
Final Action	04/00/01	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None

**Agency Contact:** Cathy Haney, Nuclear Regulatory Commission, Office of Nuclear Material Safety and Safeguards, Washington, DC 20555-0001

Phone: 301 415-6825

Email: cxh@nrc.gov

**RIN:** 3150-AF74**4409. DISPOSAL OF HIGH-LEVEL RADIOACTIVE WASTE IN A PROPOSED GEOLOGIC REPOSITORY AT YUCCA MOUNTAIN, NEVADA****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 2201; 42 USC 5841**CFR Citation:** 10 CFR 063

**Legal Deadline:** Other, Statutory, Energy Policy Act of 1992.

**Abstract:** The final rule will establish regulations as directed by statute (Energy Policy Act of 1992) for the disposal of high-level waste at Yucca Mountain. The final rule will provide more specific criteria applicable to Yucca Mountain and would state that the more generic requirements in the existing part 60 do not apply and cannot be the subject of litigation in any NRC licensing proceeding for Yucca Mountain. The rule will also address a petition for rulemaking submitted by the States of Nevada and Minnesota (PRM-60-2/2A).

**Timetable:**

Action	Date	FR Cite
NPRM	02/22/99	64 FR 8640
NPRM Comment Period End	06/30/99	64 FR 24092
Final Action	06/00/01	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None

**Agency Contact:** Tim McCartin, Nuclear Regulatory Commission, Office of Nuclear Material Safety and Safeguards, Washington, DC 20555-0001

Phone: 301 415-6681

NRC

Final Rule Stage

Email: tjm3@nrc.gov

Clark Prichard, Nuclear Regulatory Commission, Office of Nuclear Material Safety and Safeguards, Washington, DC 20555-0001  
Phone: 301 415-6203  
Email: cwp@nrc.gov

RIN: 3150-AG04

**4410. 120-MONTH ISI/IST UPDATE REQUIREMENT****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 2201; 42 USC 5841**CFR Citation:** 10 CFR 50**Legal Deadline:** None

**Abstract:** This rule would amend the Commission's regulations to require nuclear power plant licensees to update their inservice inspection and inservice testing programs every 120 months to comply with the version of the ASME code incorporated by reference into the regulations and in effect 12 months preceding the start of a new 120-month interval. The Commission disapproved this proposed rulemaking in a Staff Requirements Memorandum dated April 13, 2000, therefore, this rulemaking will be withdrawn.

**Timetable:**

Action	Date	FR Cite
NPRM	04/27/99	64 FR 22580
NPRM Comment Period End	06/24/99	
Final Action	09/00/01	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None

**Agency Contact:** Thomas Scarbrough, Nuclear Regulatory Commission, Office of Nuclear Reactor Regulation, Washington, DC 20555-0001  
Phone: 301 415-2794  
Email: tgs@nrc.gov

RIN: 3150-AG39

**4411. USE OF SIMULATORS IN OPERATOR LICENSING AND CONFORMING CHANGES****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 2201; 42 USC 5841**CFR Citation:** 10 CFR 55**Legal Deadline:** None

**Abstract:** The final rule will amend the Commission's regulations to promote more effective plant operating experience for initial license applicants through improved on-the-job training by allowing use of the simulation facility in lieu of the actual plant to satisfy the license eligibility requirement for performance of control manipulations that affect reactivity or power level. The rulemaking will also facilitate the adaptation of existing simulator support and requalification training programs to the 1998 revision of the national standard (ANSI/ANS-3.5) to eliminate recurring outdated, duplicate, and inefficient simulator performance testing and reporting requirements. This rulemaking will bring the NRC's current regulations up-to-date with evolutionary changes in simulation technology, training, and examination programs. This rulemaking will directly reduce unnecessary regulatory burden by eliminating the current requirement for submittal of certification and performance test reports on a quadrennial basis.

**Timetable:**

Action	Date	FR Cite
NPRM	07/03/00	65 FR 41021
NPRM Comment Period End	09/18/00	
Final Action	04/00/01	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None

**Agency Contact:** Lawrence Vick, Nuclear Regulatory Commission, Office of Nuclear Reactor Regulation, Washington, DC 20555-0001  
Phone: 301 415-3181  
Email: lxv@nrc.gov

RIN: 3150-AG40

**4412. LICENSING PROCEEDINGS FOR THE RECEIPT OF HIGH-LEVEL RADIOACTIVE WASTE AT A GEOLOGIC REPOSITORY: LICENSING SUPPORT NETWORK, DESIGN STANDARDS FOR PARTICIPATING WEBSITES****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 2201; 42 USC 5841**CFR Citation:** 10 CFR 73**Legal Deadline:** None

**Abstract:** The final rule will amend the Commission's Rules of Practice applicable to the use of the Licensing Support Network (LSN) for the licensing proceeding on the disposal of high-level waste at a geologic repository. The final amendments will establish the basic data structure and transfer standards (design standards) that LSN participant Web sites must use to make documentary material available. The final amendments will also clarify the authority of the LSN Administrator to establish guidance for LSN participants on how best to meet the design standards and to review participant designs for compliance with the standards. Finally, the amendments will clarify the timing of participant compliance certifications.

**Timetable:**

Action	Date	FR Cite
NPRM	08/22/00	65 FR 50937
NPRM Comment Period End	10/06/00	
Final Action	04/00/01	

**Regulatory Flexibility Analysis****Required:** Undetermined**Government Levels Affected:**

Undetermined

**Agency Contact:** Francis X. Cameron, Nuclear Regulatory Commission, Office of the General Counsel, Washington, DC 20555-0001  
Phone: 301 415-1642  
Email: fxc@nrc.gov

RIN: 3150-AG44

## NUCLEAR REGULATORY COMMISSION (NRC)

## Long-Term Actions

**4413. UPDATE FUEL PERFORMANCE CONSIDERATIONS AND OTHER FUEL CYCLE ISSUES****Priority:** Substantive, Nonsignificant**CFR Citation:** 10 CFR 51**Timetable:**

Action	Date	FR Cite
NPRM	03/04/81	46 FR 15154
NPRM Comment Period End	05/04/81	
Second NPRM	To Be Determined	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None**Agency Contact:** Donald P. Cleary  
Phone: 301 415-3903  
Email: dpc@nrc.gov**RIN:** 3150-AA31**4414. 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 Period End	03/08/93	
Final Action	To Be Determined	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None**Agency Contact:** Catherine M. Holzle  
Phone: 301 415-1560  
Email: cmh@nrc.gov**RIN:** 3150-AC07**4415. DISPOSAL BY RELEASE INTO SANITARY SEWERAGE****Priority:** Substantive, Nonsignificant**CFR Citation:** 10 CFR 20**Timetable:**

Action	Date	FR Cite
ANPRM	02/25/94	59 FR 9146
ANPRM Comment Period End	05/26/94	
NPRM	To Be Determined	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None**Agency Contact:** Lydia Chang  
Phone: 301 415-6319  
Email: tfy@nrc.gov**RIN:** 3150-AE90**4416. GEOLOGICAL AND SEISMOLOGICAL CHARACTERISTICS OF SPENT FUEL STORAGE SYSTEMS****Priority:** Substantive, Nonsignificant**CFR Citation:** 10 CFR 072**Timetable:**

Action	Date	FR Cite
NPRM	To Be Determined	

**Regulatory Flexibility Analysis Required:** Undetermined**Government Levels Affected:** Undetermined**Agency Contact:** Keith McDaniel  
Phone: 301 415-5252  
Email: kkm@nrc.gov**RIN:** 3150-AG16**4417. ADVANCE NOTIFICATION TO NATIVE AMERICAN TRIBES OF TRANSPORTATION OF CERTAIN TYPES OF NUCLEAR WASTE****Priority:** Substantive, Nonsignificant**CFR Citation:** 10 CFR 71; 10 CFR 73**Timetable:**

Action	Date	FR Cite
ANPRM	12/21/99	64 FR 71331
ANPRM Comment Period End	07/05/00	65 FR 18010
NPRM	To Be Determined	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None**Agency Contact:** Roger W. Broseus  
Phone: 301 415-7608  
Email: rwb@nrc.gov**RIN:** 3150-AG41**4418. RISK-INFORMING SPECIAL TREATMENT REQUIREMENTS****Priority:** Substantive, Nonsignificant**CFR Citation:** 10 CFR 21; 10 CFR 50; 10 CFF 52; 10 CFR 54; 10 CFR 100**Timetable:**

Action	Date	FR Cite
ANPRM	03/03/00	65 FR 11488
ANPRM Comment Period End	05/17/00	
NPRM	To Be Determined	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None**Agency Contact:** Tim Reed  
Phone: 301 415-1462

Email: tar@nrc.gov

**RIN:** 3150-AG42**4419. INTEGRATED RULEMAKING FOR DECOMMISSIONING NUCLEAR POWER REACTORS****Priority:** Substantive, Nonsignificant**CFR Citation:** 10 CFR 50**Timetable:**

Action	Date	FR Cite
NPRM	To Be Determined	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None**Agency Contact:** William Huffman  
Phone: 301 415-1141  
Email: wch@nrc.gov**RIN:** 3150-AG47**4420. • NONDISCRIMINATION ON THE BASIS OF RACE, COLOR, NATIONAL ORIGIN, HANDICAP, AND AGE IN PROGRAMS AND ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 2201; 42 USC 5841**CFR Citation:** 10 CFR 4**Legal Deadline:** None**Abstract:** The proposed rule would incorporate the Civil Rights Restoration Act's definitions of "program or activity" and "program" into Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1972, and the Age Discrimination Act of 1975, and would promote consistent and adequate enforcement of these studies.**Timetable:**

Action	Date	FR Cite
NPRM	12/06/00	65 FR 76460
NPRM Comment Period End	01/05/01	
Final Action	To Be Determined	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None**Agency Contact:** Marva C. Gary,  
Nuclear Regulatory Commission, Office of Small Business and Civil Rights,  
Washington, DC 20555-0001  
Phone: 301 415-7382  
Email: mcg@nrc.gov**RIN:** 3150-AG65

## NUCLEAR REGULATORY COMMISSION (NRC)

## Completed Actions

**4421. CRITERIA FOR AN EXTRAORDINARY NUCLEAR OCCURRENCE****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 2201; 42 USC 2210; 42 USC 5841; 42 USC 5842**CFR Citation:** 10 CFR 140**Legal Deadline:** None

**Abstract:** The final rule revises the criteria for an extraordinary nuclear occurrence (ENO) to eliminate the problems encountered in the Three Mile Island ENO determination. The Commission has determined that this rulemaking is unnecessary, and withdraws this proposed rule. This notice of withdrawal also addresses a petition for rulemaking submitted by the Public Citizen Litigation Group and the Critical Mass Energy Project (PRM-140-1).

**Timetable:**

Action	Date	FR Cite
Withdrawn	10/23/00	65 FR 63221

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None

**Agency Contact:** Harry S. Tovmassian, Nuclear Regulatory Commission, Office of Nuclear Reactor Regulation, Washington, DC 20555-0001

Phone: 301 415-3092

Email: hst@nrc.gov

**RIN:** 3150-AB01**4422. DOMESTIC LICENSING OF SPECIAL NUCLEAR MATERIAL****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 2201; 42 USC 2231; 42 USC 2241; 42 USC 2282**CFR Citation:** 10 CFR 70**Legal Deadline:** None

**Abstract:** The final rule amends the Commission's regulations to provide a risk-informed performance-based regulation for certain licensees authorized to possess a critical mass of special nuclear material. Concurrent with this amendment, companion support guidance documents are being developed for issuance. The rule requires affected licensees to conduct an integrated safety analysis to identify potential accidents at the facility and the items relied on for safety. This rulemaking also addresses a petition for rulemaking submitted by the Nuclear Energy Institute (PRM-70-7).

This rulemaking, with the exception of section 70.76, is effective October 18, 2000. Section 70.76 will become effective after the issuance of staff guidance for the implementation of that provision. Once this guidance has been developed, the NRC will publish a Federal Register notice specifying the effective date of section 70.76.

**Timetable:**

Action	Date	FR Cite
Final Rule	09/18/00	65 FR 56211
Final Rule Effective	10/18/00	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None

**Agency Contact:** Andrew Persinko, Nuclear Regulatory Commission, Office of Nuclear Material Safety and Safeguards, Washington, DC 20555-0001

Phone: 301 415-6522

Email: axp1@nrc.gov

**RIN:** 3150-AF22**4423. REPORTING REQUIREMENTS FOR NUCLEAR POWER REACTORS AND INDEPENDENT SPENT FUEL STORAGE INSTALLATIONS AT POWER REACTOR SITES****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 2201; 42 USC 5841**CFR Citation:** 10 CFR 50; 10 CFR 72**Legal Deadline:** None

**Abstract:** The final rule changes the event reporting requirements for nuclear power reactors contained in sections 50.72 and 50.73 to better align the reporting requirements with the NRC's need for information to carry out its safety mission, reduce the reporting burden consistent with the NRC's needs, clarify the reporting requirements, and maintain consistency with NRC actions to improve integrated plant assessments.

**Timetable:**

Action	Date	FR Cite
Final Rule	10/25/00	65 FR 63769
Final Rule Effective	01/23/01	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None

**Agency Contact:** Dennis P. Allison, Nuclear Regulatory Commission, Office of Nuclear Reactor Regulation, Washington, DC 20555-0001

Phone: 301 415-1178

Email: dpa@nrc.gov

**RIN:** 3150-AF98**4424. REQUIREMENTS FOR CERTAIN GENERALLY LICENSED INDUSTRIAL DEVICES CONTAINING BYPRODUCT MATERIAL****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 2201; 42 USC 5841**CFR Citation:** 10 CFR 30; 10 CFR 31; 10 CFR 32**Legal Deadline:** None

**Abstract:** The final rule amends the Commission's regulations for certain industrial devices containing byproduct material to include more specific provisions for a registration and accounting program, including associated fees, and modification of the quarterly transfer reporting requirements for manufacturers and initial distributors of these industrial devices. The rule also modifies the reporting, recordkeeping, and labeling requirements for specific licensees who distribute these generally licensed devices they possess, and to ensure that general licensees are aware of and understand the requirements for the possession of devices containing byproduct material.

**Timetable:**

Action	Date	FR Cite
Final Rule	12/18/00	65 FR 79162
Final Rule Effective	02/16/01	

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None

**Agency Contact:** Catherine R. Mattsen, Nuclear Regulatory Commission, Office of Nuclear Material Safety and Safeguards, Washington, DC 20555-0001

Phone: 301 415-6264

Email: crm@nrc.gov

**RIN:** 3150-AG03**4425. USE OF POTASSIUM IODIDE (KI) BY THE GENERAL PUBLIC AFTER A SEVERE ACCIDENT AT A NUCLEAR POWER PLANT****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 2201; 42 USC 5841

## NRC

## Completed Actions

**CFR Citation:** 10 CFR 050

**Legal Deadline:** None

**Abstract:** The final rule amends the Commission's regulations to require that consideration be given to include the use of potassium iodide (KI) in conjunction with sheltering and evacuation as a protective measure for the general public. The rulemaking addresses two petitions for rulemaking submitted by Peter Crane (PRM-50-63 and PRM-50-63A).

**Timetable:**

Action	Date	FR Cite
Final Rule	01/19/01	66 FR 5427
Final Rule Effective	04/19/01	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Michael T. Jamgochian, Nuclear Regulatory Commission, Office of Nuclear Reactor Regulation, Washington, DC 20555-0001

Phone: 301 415-3224

Email: mtj1@nrc.gov

**RIN:** 3150-AG11

**4426. NEW DOSIMETRY TECHNOLOGY**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 42 USC 2201; 42 USC 5841; 42 USC 2073; 42 USC 2111

**CFR Citation:** 10 CFR 020; 10 CFR 034; 10 CFR 036; 10 CFR 039

**Legal Deadline:** None

**Abstract:** The final rule amends the Commission's regulations to allow licensees to use any type of personnel dosimeter that requires processing to determine the radiation dose, provided that the processor of the dosimeter is accredited to process this type of dosimeter under the National Voluntary Laboratory Accreditation Program, operated by the National Institute of Standards and Technology.

**Timetable:**

Action	Date	FR Cite
Direct Final Rule	10/24/00	65 FR 63750
Direct Final Rule Effective	01/08/01	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Betty Ann Torres, Nuclear Regulatory Commission, Office of Nuclear Material Safety and Safeguards, Washington, DC 20555-0001

Phone: 301 415-0191

Email: bat@nrc.gov

**RIN:** 3150-AG21

**4427. LIST OF APPROVED SPENT FUEL STORAGE CASKS: ADDITION OF THE NAC - UMS CASK**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 10 CFR 72

**Legal Deadline:** None

**Abstract:** The final rule amends the Commission's regulations to add the NAC-UMS cask system to the List of Approved Spent Fuel Storage Casks. This rulemaking allows the holders of power reactor operating licenses to store spent fuel in the NAC-UMS cask system under a general license.

**Timetable:**

Action	Date	FR Cite
Final Rule	10/19/00	65 FR 62581
Final Rule Effective	11/20/00	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Stanley P. Turel, Nuclear Regulatory Commission, Office of Nuclear Material Safety and Safeguards, Washington, DC 20555-0001

Phone: 301 415-6234

Email: spt@nrc.gov

**RIN:** 3150-AG32

**4428. QUALITY ASSURANCE PROGRAM CHANGES**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 10 CFR 50

**Legal Deadline:** None

**Abstract:** The proposed rule would have amended the Commission's regulations to allow licensees to make unilateral changes to their QA programs. The NRC is terminating its

plans to develop a voluntary option alternative to its regulations to allow licensees to make unilateral changes to the QA program description. This action is being taken because the petitioner, the Nuclear Energy Institute, has withdrawn the remaining issues raised in its petition for rulemaking submitted on June 8, 1995 (PRM-50-62).

**Timetable:**

Action	Date	FR Cite
Withdrawn	12/06/00	65 FR 76178

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Robert L. Peltis Jr., Nuclear Regulatory Commission, Office of Nuclear Reactor Regulation

Phone: 301 415-3214

Email: rlp4@nrc.gov

**RIN:** 3150-AG45

**4429. RELOCATION OF NRC'S PUBLIC DOCUMENT ROOM; MINOR CHANGES**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 10 CFR 1; 10 CFR 2; 10 CFR 7; 10 CFR 19; 10 CFR 20; 10 CFR 21; 10 CFR 30; 10 CFR 35; 10 CFR 40; 10 CFR 50; 10 CFR 51; 10 CFR 53; 10 CFR 55; 10 CFR 60; 10 CFR 61; 10 CFR 70; ...

**Legal Deadline:** None

**Abstract:** The final rule amends the Commission's regulations to reflect the relocation of the NRC's Public Document Room from Washington, DC, to the NRC Headquarters offices in Rockville, Maryland.

**Timetable:**

Action	Date	FR Cite
Final Rule	09/11/00	65 FR 54865
Final Rule Effective	09/26/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Thomas E. Smith, Nuclear Regulatory Commission, Office of the Chief Information Officer, Washington, DC 20555-0001

Phone: 301 415-7204

Email: tes@nrc.gov

**RIN:** 3150-AG46

## NRC

## Completed Actions

**4430. EXPORT AND IMPORT 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 amends the Commission's regulations pertaining to the export and import of nuclear equipment and materials. This rulemaking is necessary to reflect the nuclear non-proliferation policies of the Executive Branch and U.S. Government obligations under nuclear agreements for cooperation, and to update the export controls of the United States in respect to the multilateral export control recommendations of the Nuclear Nonproliferation Treaty Exporters Committee (Zangger Committee) and the Nuclear Suppliers Group, of which the United States is a member. Also, this final rule makes certain editorial revisions, and corrects typographical errors.

**Timetable:**

Action	Date	FR Cite
Final Rule	11/22/00	65 FR 70287
Final Rule Effective	12/22/00	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None

**Agency Contact:** Suzanne Schuyler-Hayes, Nuclear Regulatory Commission, Office of International Programs, Washington, DC 20555-0001

Phone: 301 415-2333

Email: ssh@nrc.gov

**RIN:** 3150-AG51**4431. LIST OF APPROVED SPENT FUEL STORAGE CASKS: ADDITION OF THE FUEL SOLUTIONS CASK****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 2201; 42 USC 5841**CFR Citation:** 10 CFR 72**Legal Deadline:** None

**Abstract:** The final rule amends the Commission's regulations to add the Fuel Solutions cask system to the list of approved spent fuel storage casks so that holders of operating power reactor licenses can use this cask under a general license.

**Timetable:**

Action	Date	FR Cite
Final Rule	01/16/01	66 FR 3444
Final Rule Effective	02/15/01	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None

**Agency Contact:** Stanley P. Turel, Nuclear Regulatory Commission, Office of Nuclear Material Safety and Safeguards, Washington, DC 20555-0001

Phone: 301 415-6234

Email: spt@nrc.gov

**RIN:** 3150-AG54**4432. LIST OF APPROVED SPENT FUEL STORAGE CASKS: ADDITION OF THE NAC-UMS CASK****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 2201; 42 USC 5841**CFR Citation:** 10 CFR 72**Legal Deadline:** None

**Abstract:** The final rule amends the Commission's regulations to revise Certificate of Compliance (COC) No. 1015 for the NAC International (NAC) NAC-UMS Universal Storage System (NAC-UMS). This revision permits two changes to the NAC-UMS cask design. First, the maximum spent fuel burnup limit is increased from 45,000 to 50,000 MWD/MTU [megawatt days per metric ton of uranium]. Second, the storage of damaged spent fuel is permitted in a damaged fuel container. The rule allows the holders of power reactor operating licenses to store spent fuel in the NAC-UMS cask system under a general license.

**Timetable:**

Action	Date	FR Cite
Direct Final Rule	12/07/00	65 FR 76895
Direct Final Rule Effective	02/20/01	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None

**Agency Contact:** Keith McDaniel, Nuclear Regulatory Commission, Office of Nuclear Material Safety and Safeguards, Washington, DC 20555-0001

Phone: 301 415-5252

Email: kkm@nrc.gov

**RIN:** 3150-AG57**4433. TERMINATION OF SECTION 274I AGREEMENT BETWEEN THE STATE OF LOUISIANA AND THE NRC****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 2201; 42 USC 5841**CFR Citation:** 10 CFR 150**Legal Deadline:** None

**Abstract:** The final rule amends the Commission's regulations by removing the specific reference to the inspection agreement, referred to as the 274i Agreement, with the State of Louisiana. The 274i Agreement allowed the State of Louisiana to perform inspections or other functions in offshore waters adjacent to Louisiana on behalf of the NRC. This action is necessary due to a letter from the Governor of Louisiana requesting termination of the Agreement. In it, he noted difficulties arranging transportation and lack of both financial and personnel resources that made it burdensome to conduct offshore activities for the NRC. The State of Louisiana and the NRC have concluded that the 274i Agreement is no longer needed and is terminating the 274i Agreement.

**Timetable:**

Action	Date	FR Cite
Final Rule	01/19/01	66 FR 5441
Final Rule Effective	01/19/01	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None

**Agency Contact:** Stephanie P. Bush-Goddard, Nuclear Regulatory Commission, Office of Nuclear Material Safety and Safeguards, Washington, DC 20555-0001

Phone: 301 415-6257

Email: spb@nrc.gov

**RIN:** 3150-AG60**4434. • LIST OF APPROVED SPENT FUEL STORAGE CASKS: TN-32 REVISION****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 2201; 42 USC 5841**CFR Citation:** 10 CFR 72**Legal Deadline:** None

**Abstract:** The direct final rule amends the Commission's regulations to revise the Transnuclear, Inc., TN-32 cask system listing in the List of Approved

## NRC

## Completed Actions

Spent Fuel Storage Casks to include Amendment No. 1 to the Certificate of Compliance. This amendment allows holders of power reactor operating licenses to store an additional type of spent fuel, B.W/FCF 17x17 Mark BW fuel assembly, in TN-32 cask under the revised conditions. This amendment also allows analysis of verification of allowable seismic loads.

**Timetable:**

Action	Date	FR Cite
Direct Final Rule	12/05/00	65 FR 75853
Direct Final Rule Effective	02/20/01	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Roger W. Broseus, Nuclear Regulatory Commission, Office of Nuclear Material Safety and Safeguards, Washington, DC 20555-0001

Phone: 301 415-7608

Email: rwb@nrc.gov

**RIN:** 3150-AG66

**4435. • LIST OF APPROVED SPENT FUEL STORAGE CASKS: HI-STAR 100 CASK SYSTEM, AMENDMENT 2**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 10 CFR 72

**Legal Deadline:** None

**Abstract:** The direct final rule amends the Commission's regulations to revise the Certificate of Compliance No. 1008 for the HI-STAR 100 cask system. This change modifies the specifications for the cask pad and foundation. The changes will give individual cask users more flexibility in designing the site-specific cask pads.

**Timetable:**

Action	Date	FR Cite
Final Action	03/13/01	66 FR 14483
Final Action Effective	05/29/01	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Stanley P. Turel, Nuclear Regulatory Commission, Office of Nuclear Material Safety and Safeguards, Washington, DC 20555-0001

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**RIN:** 3150-AG67

**4436. • NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 10 CFR 5

**Legal Deadline:** None

**Abstract:** The final rule amends the Commission's regulations to include a list of the types of Federal financial assistance activities administered by the NRC under Title IX of the Education Amendments of 1972, as amended (Title IX). Title IX prohibits recipients of Federal financial assistance from discriminating on the basis of sex in education programs or activities. Subpart F of the Title IX common rule (August 30, 2000; 65 FR 52858) requires each Federal agency that awards Federal financial assistance to publish in the Federal Register a list of Federal financial assistance administered by that Agency.

**Timetable:**

Action	Date	FR Cite
Final Rule	01/04/01	66 FR 708
Final Rule Effective	02/05/01	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Marva C. Gary, Nuclear Regulatory Commission, Office of Small Business and Civil Rights, Washington, DC 20555-0001

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**RIN:** 3150-AG68

**4437. • LIST OF APPROVED SPENT FUEL STORAGE CASKS: VSC-24 STORAGE CASKS, AMENDMENT 3**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 10 CFR 72

**Legal Deadline:** None

**Abstract:** The direct final rule amends the Commission's regulations to revise

the Certificate of Compliance No. 1007 for the VSC-24 cask system. This change modifies the fuel specifications for Combustion Engineering 16 x 16 spent fuel stored in the VSC-24 cask system.

**Timetable:**

Action	Date	FR Cite
Final Action	03/06/01	66 FR 13407
Final Action Effective	05/21/01	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Stanley P. Turel, Nuclear Regulatory Commission, Office of Nuclear Material Safety and Safeguards, Washington, DC 20555-0001

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**RIN:** 3150-AG70

**4438. • LIST OF APPROVED SPENT FUEL STORAGE CASKS: FUELSOLUTIONS REVISION**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 10 CFR 72

**Legal Deadline:** None

**Abstract:** The direct final rule amends the Commission's regulations to revise the Certificate of Compliance No. 1026 for the FuelSolutions cask system. This change, Amendment No. 1, modifies the present cask system design to allow the Big Rock Point nuclear reactor facility to store mixed-oxide fuel assemblies, partial fuel assemblies, and damaged fuel assemblies (in a can) under a general license.

**Timetable:**

Action	Date	FR Cite
Final Action	02/27/01	66 FR 12435
Final Action Effective	05/14/01	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Gordon Gundersen, Nuclear Regulatory Commission, Office of Nuclear Material Safety and Safeguards, Washington, DC 20555-0001

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**NRC**

**Completed Actions**

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**RIN:** 3150-AG72

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