



Federal Register

**Thursday,
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Part LXI

Nuclear Regulatory Commission

Semiannual Regulatory Agenda

NUCLEAR REGULATORY COMMISSION (NRC)

NUCLEAR REGULATORY COMMISSION

10 CFR Chapter 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 April 24, 2000 (65 FR 23920).

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 (first floor), Rockville, Maryland.

FOR FURTHER INFORMATION CONTACT: For further information concerning NRC rulemaking procedures or the status of any rule listed in this agenda, contact David L. Meyer, Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone 301-415-7162 (e-mail: dlm1@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 April 24, 2000

(65 FR 23920). Within each group, the rules are ordered according to the Regulation Identifier Number (RIN).

The information in this agenda has been updated through September 1, 2000. 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, two of which are 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 1st day of September 2000.

For the Nuclear Regulatory Commission.

David L. Meyer,
Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration.

Nuclear Regulatory Commission—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
4738	Availability of Official Records	3150-AC07
4739	Lessons Learned From Design Certification	3150-AG24
4740	Protection Against Discrete Radioactive Particles (DRPs) - A Unified Skin Dose Limit	3150-AG25
4741	Risk-Informing Special Treatment Requirements	3150-AG42
4742	Licensing Proceedings for the Receipt of High-Level Radioactive Waste at a Geologic Repository: Licensing Support Network, Design Standards for Participating Websites	3150-AG44
4743	Quality Assurance Program Changes	3150-AG45
4744	Integrated Rulemaking for Decommissioning Nuclear Power Reactors	3150-AG47
4745	Decommissioning Trust Provisions	3150-AG52
4746	Release of Part of a Reactor Facility or Site for Unrestricted Use Before Receiving Approval of the License Termination Plan	3150-AG56
4747	List of Approved Spent Fuel Storage Casks: Addition of the NAC-UMS Cask	3150-AG57
4748	Codes and Standards	3150-AG61
4749	Reduction in the Scope of Random Fitness-for-Duty Testing Requirements for Nuclear Power Reactor Licensees	3150-AG62
4750	Transfers of Certain Exempt Source Materials by Specific Licensees	3150-AG64

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Nuclear Regulatory Commission—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
4751	Criteria for an Extraordinary Nuclear Occurrence	3150-AB01
4752	Fitness for Duty Programs	3150-AF12
4753	Domestic Licensing of Special Nuclear Material	3150-AF22
4754	Submission of Documents Electronically; Minor Corrections	3150-AF61
4755	Medical Uses of Byproduct Material	3150-AF74
4756	Modification to Event Reporting Requirements for Power Reactors	3150-AF98
4757	Requirements for Certain Generally Licensed Industrial Devices Containing Byproduct Material	3150-AG03
4758	Disposal of High-Level Radioactive Waste in a Proposed Geologic Repository at Yucca Mountain, Nevada	3150-AG04
4759	List of Approved Spent Fuel Storage Casks: Addition of the NAC - UMS Cask	3150-AG32
4760	Storage of Greater Than Class C Waste	3150-AG33
4761	Use of Simulators in Operator Licensing and Conforming Changes	3150-AG40
4762	Relocation of NRC's Public Document Room; Minor Changes	3150-AG46
4763	Export and Import of Nuclear Equipment and Materials	3150-AG51

Nuclear Regulatory Commission—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
4764	Addition of Radon-222 and Technetium-99 Values to Table S-3 and Revisions Resulting From Consideration of Higher-Burnup Fuel	3150-AA31
4765	Disposal by Release Into Sanitary Sewerage	3150-AE90
4766	Use of Potassium Iodide (KI) by the General Public After a Severe Accident at a Nuclear Power Plant	3150-AG11
4767	Geological and Seismological Characteristics of Spent Fuel Storage Systems	3150-AG16
4768	Allow Use of Personnel Dosimeters That Are Processed Using a New Dosimeter Readout Technology	3150-AG21
4769	120-Month ISI/IST Update Requirement	3150-AG39
4770	Advance Notification to Native American Tribes of Transportation of Certain Types of Nuclear Waste	3150-AG41
4771	Performance-Based, Risk-Informed Fire Protection	3150-AG48
4772	Changes to Adjudicatory Process	3150-AG49
4773	List of Approved Spent Fuel Storage Casks: Addition of the Fuel Solutions Cask	3150-AG54
4774	Termination of Section 274i Agreement Between the State of Louisiana and the NRC	3150-AG60
4775	Re-evaluation of Power Reactor Physical Protection Regulations and Position on a Definition of Radiological Sabotage	3150-AG63

Nuclear Regulatory Commission—Completed Actions

Sequence Number	Title	Regulation Identification Number
4776	Energy Compensation Sources for Well Logging	3150-AG14
4777	Clarification and Addition of Flexibility	3150-AG15
4778	List of Approved Spent Fuel Storage Casks: Revision, TN-W NUHOMS 24-P and NUHOMS 52-B	3150-AG19
4779	Fire Protection; Elimination of Requirement for Non-Combustible Penetration Seal Material and Other Minor Changes	3150-AG22
4780	ECCS Evaluations Models	3150-AG26
4781	List of Approved Spent Fuel Storage Casks: Addition of the Transnuclear Dry Shielded Canister (TN-68)	3150-AG30
4782	List of Approved Spent Fuel Storage Casks: Addition of the Holtec Dry Shielded Canister - HISTORM	3150-AG31
4783	List of Approved Spent Fuel Storage Casks: Standardized NUHOMS-24 and NUHOMS-52B Revision	3150-AG34
4784	List of Approved Spent Fuel Storage Casks: Addition of the BFS Transtor Storage Cask	3150-AG35
4785	Amend the Certificates of Compliance No. 72-1007 for the VSC-24 Dry Spent Fuel Storage Cask	3150-AG36
4786	Antitrust Review Authority: Clarification	3150-AG38
4787	Nondiscrimination on the Basis of Sex in Education Programs and Activities Receiving Federal Financial Assistance	3150-AG43
4788	Revision of Fee Schedules; 100 Percent Fee Recovery, FY 2000	3150-AG50
4789	Revision of References to Section 202 of the Energy Reorganization Act	3150-AG53
4790	List of Approved Spent Fuel Storage Casks: Amend the Certificates of Compliance for the VSC-24, Amendment 2, Dry Spent Fuel Storage Cask	3150-AG55

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Nuclear Regulatory Commission—Completed Actions (Continued)

Sequence Number	Title	Regulation Identification Number
4791	List of Approved Spent Fuel Storage Casks: Addition of the Holtec HI-STAR 100 Cask	3150-AG58
4792	Adjustment of Civil Penalties for Inflation	3150-AG59

Nuclear Regulatory Commission (NRC)

Proposed Rule Stage

4738. AVAILABILITY OF OFFICIAL RECORDS

Priority: Substantive, Nonsignificant
Legal Authority: 42 USC 2201; 42 USC 5841
CFR Citation: 10 CFR 2
Legal Deadline: None

Abstract: The proposed amendment would conform the Commission’s regulations pertaining to the availability of official records to existing case law and agency practice. The amendment would reaffirm that 10 CFR 2.790(c) provides submitters of information a qualified right to have their information returned upon request. This amendment would inform the public of three additional circumstances where information would not be returned to the applicant, i.e., information which has been made available to an advisory committee or was received at an advisory committee meeting, information discussed at an open Commission meeting under the Government in Sunshine Act and information that is subject to a pending Freedom of Information Act request, as well as other administrative matters. The proposed amendment would also address the NRC’s procedures for handling copyrighted information, including reproduction and distribution according to normal Agency practice.

Timetable:

Action	Date	FR Cite
NPRM	12/23/92	57 FR 61013
NPRM Comment Period End	03/08/93	
NPRM (Revision)	12/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Catherine M. Holzle, Nuclear Regulatory Commission, Office of the General Counsel, Washington, DC 20555-0001

Phone: 301 415-1560
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RIN: 3150-AC07

4739. 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.

Timetable:

Action	Date	FR Cite
NPRM	12/00/00	
Final Action	07/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 3150-AG24

4740. PROTECTION AGAINST DISCRETE RADIOACTIVE PARTICLES (DRPS) - A UNIFIED SKIN DOSE LIMIT

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

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 scenarios. 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

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Proposed Rule Stage

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RIN: 3150-AG25

4741. RISK-INFORMING SPECIAL TREATMENT 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 21; 10 CFR 50; 10 CFR 52; 10 CFR 54; 10 CFR 100

Legal Deadline: None

Abstract: The advance notice of proposed rulemaking (ANPRM) invited comments, advice, and recommendations from interested parties on the contemplated rulemaking that would provide an alternative, risk-informed approach for special treatment requirements in the current regulations. Special treatment requirements are requirements imposed on structures, systems, and components (SSCs) that provide additional confidence so that these SSCs are capable of meeting design basis functional requirements. The contemplated risk-informed approach would categorize SSCs and vary the associated regulatory treatment based on the SSCs safety significance. This action is a result of the Commission's continuing efforts to risk-inform its regulations.

Timetable:

Action	Date	FR Cite
ANPRM	03/03/00	65 FR 11488
ANPRM Comment Period End	05/17/00	
NPRM	11/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 3150-AG42

4742. 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	To Be Determined	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

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RIN: 3150-AG44

4743. QUALITY ASSURANCE PROGRAM CHANGES

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 50

Legal Deadline: None

Abstract: The proposed rule would amend the Commission's regulations to permit nuclear power plant licensees to change their quality assurance (QA) programs described or referenced in the Safety Analysis Report (SAR) without prior NRC approval under specified conditions. This rulemaking would broaden licensees' ability to make unilateral changes to their QA programs. It is anticipated that this further realization would be accompanied by a requirement to monitor and trend the QA performance of the facility and to have the results available for NRC inspection. This amendment would improve the regulatory process through a more efficient use of agency and industry resources.

There are two rulemakings involved in this project. The first was a direct final rule (February 23, 1999; 64 FR 9029), which provided immediate relief to licensees by allowing unilateral changes to QA programs in a number of areas which are considered routine and non-controversial. This direct final rule constituted the partial granting of a petition for rulemaking (PRM-50-62) submitted by the Nuclear Energy Institute (NEI). This proposed rulemaking would resolve the remaining portion of PRM-50-62.

Timetable:

Action	Date	FR Cite
NPRM	09/00/01	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: None

Agency Contact: Robert L. Peltis Jr., Nuclear Regulatory Commission, Office of Nuclear Reactor Regulation
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RIN: 3150-AG45

4744. INTEGRATED RULEMAKING FOR DECOMMISSIONING 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

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Proposed Rule Stage

duplication, or streamline requirements.

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 50

Legal Deadline: None

Abstract: An SRM dated June 23, 1999, directed the NRC staff to consider an integrated, risk-informed decommissioning rule rather than individual rulemakings to address emergency preparedness, insurance, safeguards, operator staffing, and backfit for nuclear power plants that are being decommissioned. SECY-99-168 dated June 30, 1999, recommended that the integrated approach be approved and outlined staff plans for pursuing such a rulemaking.

Accordingly, the staff has subsumed previous rulemaking activities in the areas of emergency planning, insurance, safeguards, operator staffing, and backfit into one integrated rulemaking effort. This rulemaking would apply to licensees who certified, pursuant to 10 CFR 50.82(a), that they have permanently ceased facility operation(s) and have permanently removed fuel from the reactor vessel. The Commission approved this approach in an SRM dated December 21, 1999. This rulemaking would also address a petition for rulemaking submitted by the North Carolina Public Utility Commission (PRM-50-57).

Timetable:

Action	Date	FR Cite
NPRM	05/00/01	
Final Action	06/00/02	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: William Huffman, Nuclear Regulatory Commission, Office of Nuclear Reactor Regulation, Washington, DC 20555-0001
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RIN: 3150-AG47

4745. • 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 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: Undetermined

Government Levels Affected:

Undetermined

Agency Contact: Brian J. Richter, Nuclear Regulatory Commission, Office of Nuclear Reactor Regulation, Washington, DC 20555-0001
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RIN: 3150-AG52

4746. • 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.

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
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RIN: 3150-AG56

4747. • 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 proposed rule would amend 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 would permit two changes to the NAC-UMS cask design. First, the maximum spent fuel burnup limit would be increased from 45,000 to 50,000 MWD/MTU [megawatt days per metric ton of uranium]. Second, the storage of damaged spent fuel would be permitted in a damaged fuel container. The proposed rule would allow the holders of power reactor operating licenses to store spent fuel in the NAC-UMS cask system under a general license. The NRC staff evaluated the NAC-UMS Safety Analysis Report on the NAC-UMS cask systems. This cask, when used in accordance with the condition specified in the CoC and NRC Regulations, would meet the requirement of Part 72; thus, adequate protection of the public health and safety would be ensured.

NRC

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	
Final Rule	05/00/01	

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

Agency Contact: Stephanie P. Bush-Goddard, Nuclear Regulatory Commission, Office of Nuclear Material Safety and Safeguards, Washington, DC 20555-0001
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RIN: 3150-AG57**4748. • 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 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	04/00/01	

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
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RIN: 3150-AG61**4749. • 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

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RIN: 3150-AG62**4750. • TRANSFERS OF CERTAIN EXEMPT SOURCE MATERIALS BY SPECIFIC LICENSEES****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 object of this proposed action is to ensure that transfers of materials containing low concentration for source material are adequate to protect public health and safety. The rulemaking would also clarify that disposal of unimportant quantities of source material is exempted.

Timetable:

Action	Date	FR Cite
NPRM	11/00/00	

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

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RIN: 3150-AG64

Nuclear Regulatory Commission (NRC)

Final Rule Stage

4751. 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 proposed rule would revise 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 plans to withdraw this proposed rule. This notice of withdrawal would also address 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
NPRM	04/09/85	50 FR 13978
NPRM Comment Period End	09/06/85	
Final Action	10/00/00	

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
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RIN: 3150-AB01**4752. FITNESS FOR DUTY PROGRAMS****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 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	10/00/00	

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

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RIN: 3150-AF12**4753. 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).

Timetable:

Action	Date	FR Cite
NPRM	07/30/99	64 FR 41338
NPRM Comment Period End	10/13/99	
Final Action	10/00/00	

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

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RIN: 3150-AF22**4754. SUBMISSION OF DOCUMENTS ELECTRONICALLY; MINOR CORRECTIONS****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 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,

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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	12/00/00	

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
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RIN: 3150-AF61

4755. MEDICAL USES OF BYPRODUCT MATERIAL

Priority: Other Significant

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 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 will include development of associated guidance. This rule will also address 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
ANPRM Comment Period End	03/01/98	
NPRM	08/13/98	63 FR 43516
NPRM Comment Period End	12/16/98	
Final Action	12/00/00	

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
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Email: cxh@nrc.gov

RIN: 3150-AF74

4756. MODIFICATION TO EVENT REPORTING REQUIREMENTS FOR 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 2201; 42 USC 5841

CFR Citation: 10 CFR 050

Legal Deadline: None

Abstract: The final rule will change 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
ANPRM	07/23/98	63 FR 39522
ANPRM Comment Period End	09/21/98	
NPRM	07/06/99	64 FR 36291
NPRM Comment Period End	09/20/99	
Final Action	10/00/00	

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

4757. 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; 10 CFR 170; 10 CFR 171

Legal Deadline: None

Abstract: The final rule will amend 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 to modify quarterly transfer reporting requirements for manufacturers and initial distributors of these industrial devices. The rule will also consider other recommendations made by an NRC Agreement State Working Group in NUREG-1551, such as additional labeling requirements.

Timetable:

Action	Date	FR Cite
NPRM	07/26/99	64 FR 40295
NPRM Comment Period End	10/12/99	
Final Action	10/00/00	

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

NRC

Final Rule Stage

Safeguards, Washington, DC 20555-0001

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RIN: 3150-AG03

4758. 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	
Final Action	12/00/00	

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

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Email: tjm3@nrc.gov

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RIN: 3150-AG04

4759. LIST OF APPROVED SPENT FUEL STORAGE CASKS: ADDITION OF THE NAC - UMS CASK

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 72

Legal Deadline: None

Abstract: The final rule will amend the Commission's regulations to add the NAC-UMS cask system to the List of Approved Spent Fuel Storage Casks. This amendment will allow the holders of power reactor operating licenses to store spent fuel in the NAC-UMS cask system under a general license. The NRC staff evaluated the NAC-UMS Safety Analysis Report submittal and has prepared a preliminary Safety Evaluation Report on the NAC-UMS cask systems. The NRC is proposing to approve the NAC-UMS cask system for storage of spent fuel under the conditions specified in the proposed certificate of compliance. This cask, when used in accordance with the conditions specified in the certificate of compliance and NRC regulations, would meet the requirements of part 72; thus, adequate protection of the public health and safety would be ensured.

Timetable:

Action	Date	FR Cite
NPRM	01/21/00	65 FR 3397
NPRM Comment Period End	04/05/00	
Final Action	10/00/00	

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

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RIN: 3150-AG32

4760. STORAGE OF GREATER THAN CLASS C 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.

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	05/00/01	

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

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NRC

Final Rule Stage

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RIN: 3150-AG33

4761. USE OF SIMULATORS IN OPERATOR LICENSING AND CONFORMING CHANGES**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 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

Action	Date	FR Cite
NPRM Comment	09/18/00	
Period End		
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
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RIN: 3150-AG40

4762. 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 will amend the Commission's regulations to reflect the relocation of the NRC's Public Document Room from its current location in Washington, DC, to the NRC Headquarters offices in Rockville, Maryland. This amendment is necessary to inform NRC licensees and members of the public of this relocation.**Timetable:**

Action	Date	FR Cite
Final Action	10/00/00	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Thomas E. Smith, Nuclear Regulatory Commission, Officeof the Chief Information Officer, Washington, DC 20555-0001
Phone: 301 415-7204
Email: tes@nrc.gov

RIN: 3150-AG46

4763. 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 will amend 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	10/00/00	

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
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Email: ssh@nrc.gov

RIN: 3150-AG51

Nuclear Regulatory Commission (NRC)

Long-Term Actions

4764. ADDITION OF RADON-222 AND TECHNETIUM-99 VALUES TO TABLE S-3 AND REVISIONS RESULTING FROM CONSIDERATION OF HIGHER-BURNUP FUEL

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: Cynthia Sochor

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RIN: 3150-AA31

4765. 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: Thomas Young

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RIN: 3150-AE90

4766. USE OF POTASSIUM IODIDE (KI) BY THE GENERAL PUBLIC AFTER A SEVERE ACCIDENT AT A NUCLEAR POWER PLANT

Priority: Substantive, Nonsignificant

CFR Citation: 10 CFR 050

Timetable:

Action	Date	FR Cite
NPRM	06/14/99	64 FR 31737
NPRM Comment Period End	09/14/99	
Final Action	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Michael T.

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RIN: 3150-AG11

4767. 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

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RIN: 3150-AG16

4768. ALLOW USE OF PERSONNEL DOSIMETERS THAT ARE PROCESSED USING A NEW DOSIMETER READOUT TECHNOLOGY

Priority: Substantive, Nonsignificant

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

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: None

Agency Contact: Betty Ann Torres

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RIN: 3150-AG21

4769. 120-MONTH ISI/IST UPDATE REQUIREMENT

Priority: Substantive, Nonsignificant

CFR Citation: 10 CFR 50

Timetable:

Action	Date	FR Cite
NPRM	04/27/99	64 FR 22580
NPRM Comment Period End	06/24/99	
Final Action	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Thomas Scarbrough

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RIN: 3150-AG39

4770. 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	
NPRM	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Anthony J. DiPalo

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RIN: 3150-AG41

4771. PERFORMANCE-BASED, RISK-INFORMED FIRE PROTECTION

Priority: Substantive, Nonsignificant

CFR Citation: 10 CFR 50

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

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RIN: 3150-AG48

4772. CHANGES TO ADJUDICATORY PROCESS

Priority: Substantive, Nonsignificant

CFR Citation: 10 CFR 2

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

NRC

Long-Term Actions

Agency Contact: Geary S. Mizuno
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RIN: 3150-AG49

4773. • 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 will amend 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. Otherwise, holders of power reactor operating licenses would have to obtain a specific license to use these casks.

Timetable:

Action	Date	FR Cite
NPRM	07/11/00	65 FR 42647
NPRM Comment Period End	09/25/00	
Final Rule	To Be Determined	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected:

Undetermined

Agency Contact: Richard Milstein, Nuclear Regulatory Commission, Office of Nuclear Material Safety and Safeguards, Washington, DC 20555-0001

Phone: 301 415-8149

Email: rim@nrc.gov

RIN: 3150-AG54

4774. • 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 will amend 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 should be terminated.

Timetable:

Action	Date	FR Cite
Final Rule	To Be Determined	

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

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RIN: 3150-AG60

4775. • 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 consisting of a regulatory guide and inspection procedure. This rule would require that licensees have a physical protection system designed to protect against the DBT of radiological sabotage. However, current regulations do not require power reactor licensees to evaluate periodically the performance of the security organization through drills and exercises that simulate a DBT.

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

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RIN: 3150-AG63

Nuclear Regulatory Commission (NRC)

Completed Actions

4776. ENERGY COMPENSATION SOURCES FOR WELL LOGGING

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 039

Legal Deadline: None

Abstract: The final rule amends the Commission's regulations dealing with low activity energy compensation sources, and tritium neutron generator target sources. The final rule specifies abandonment procedures in the event of an immediate threat, changes requirements for inadvertent intrusion

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on an abandoned source, codifies an existing generic exemption, removes an obsolete date, and updates regulations to be consistent with the Commission's metrication policy. The final amendments are necessary to reflect developments that have occurred in well logging technology since the existing regulations were adopted.

Timetable:

Action	Date	FR Cite
Final Action	04/17/00	65 FR 20337
Final Action Effective	05/17/00	

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-AG14**4777. CLARIFICATION AND ADDITION OF FLEXIBILITY****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 72**Legal Deadline:** None

Abstract: The final rule amends the Commission's regulations on spent fuel storage to specify those sections of part 72 that apply to general licensees, specific licensees, applicants for a specific license, certificate holders, and applicants for a certificate of compliance (CoC). These amendments are consistent with past NRC licensing practice to eliminate any ambiguity for these persons by clarifying which portions of part 72 apply to their activities. The final rule eliminates the necessity for repetitive reviews of cask design issues in a licensing proceeding on applications for specific part 72 licenses, where previously approved cask designs, or designs under Commission review, have been

incorporated by reference to the application. Also, the final rule eliminates repetitive reviews in those cases where the site-specific licensing proceeding and a CoC review and certification (i.e., rulemaking) are proceeding in parallel. Lastly, this rule allows an applicant for a CoC to begin cask fabrication under an NRC-approved quality assurance program before the CoC is issued.

Timetable:

Action	Date	FR Cite
Final Action	08/21/00	65 FR 50606
Final Action Effective	09/20/00	

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

Agency Contact: Anthony J. DiPalo, Nuclear Regulatory Commission, Office of Nuclear Material Safety and Safeguards, Washington, DC 20555-0001

Phone: 301 415-6191

Email: ajd@nrc.gov

RIN: 3150-AG15**4778. LIST OF APPROVED SPENT FUEL STORAGE CASKS: REVISION, TN-W NUHOMS 24-P AND NUHOMS 52-B****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 containing the list of approved spent fuel storage cask designs to add an amended version of certificate of compliance number (CoC No.) 1004 to this list. The amended revision reflects a change of ownership of this certificate from VECTRA Technologies, Inc. to Transnuclear West, Inc. as well as an amendment to the certificate. This rulemaking implements a Director's Decision, in response to a petition filed by the Toledo Coalition for Safe Energy, et al., regarding the cask design, approved by CoC No. 1004 in which the Director determined that a rulemaking should be conducted to require a fabrication inspection of dry shielded canister shell welds.

Timetable:

Action	Date	FR Cite
Final Action	03/28/00	65 FR 16299
Final Action Effective	04/27/00	

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-AG19**4779. FIRE PROTECTION; ELIMINATION OF REQUIREMENT FOR NON-COMBUSTIBLE PENETRATION SEAL MATERIAL AND OTHER MINOR CHANGES****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 50**Legal Deadline:** None

Abstract: The final rule amends the Commission's regulations to eliminate the requirement for non-combustible penetration seal material. Also, the rule deletes schedule requirements and footnotes that are no longer applicable.

Timetable:

Action	Date	FR Cite
Final Action	06/20/00	65 FR 38182
Final Action Effective	07/20/00	

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

Agency Contact: Daniele Oudinot, Nuclear Regulatory Commission, Office of Nuclear Reactor Regulation, Washington, DC 20555-0001

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RIN: 3150-AG22

NRC

Completed Actions

4780. ECCS EVALUATIONS MODELS

Priority: Economically Significant.
Major under 5 USC 801.

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 50

Legal Deadline: None

Abstract: The final rule amends the Commission's regulations that require safety analyses used for evaluation of emergency core cooling system (ECCS) under loss-of-coolant-accident (LOCA) conditions be conducted at 1.02 times the licensed power for the plant. The final rule allows licensees to propose increases in licensed power levels for plants using Appendix K evaluation models, but the ECCS safety analyses could assume power levels less than the current requirement. Licensees will need to demonstrate that the reduced margin for assumed power level in the analyses for their facility is justified.

Timetable:

Action	Date	FR Cite
Final Action	06/01/00	65 FR 34913
Final Action Effective	07/31/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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RIN: 3150-AG26

4781. LIST OF APPROVED SPENT FUEL STORAGE CASKS: ADDITION OF THE TRANSNUCLEAR DRY SHIELDED CANISTER (TN-68)

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 72

Legal Deadline: None

Abstract: The final rule amends the Commission's regulations to add the Transnuclear TN-68 cask system to the list of approved spent fuel storage casks. The final rule allows the holders of power reactor operating licenses to store spent fuel in the TN-68 cask system under a general license.

Timetable:

Action	Date	FR Cite
Final Action	04/28/00	65 FR 24855
Final Action Effective	05/30/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 3150-AG30

4782. LIST OF APPROVED SPENT FUEL STORAGE CASKS: ADDITION OF THE HOLTEC DRY SHIELDED CANISTER - HISTORM

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 72

Legal Deadline: None

Abstract: The final rule amends the Commission's regulations to add the Holtec International (HISTORM) cask to the list of approved spent fuel storage casks. The final rule allows the holders of power reactor operating licenses to store spent fuel in the HISTORM cask system under a general license.

Timetable:

Action	Date	FR Cite
Final Action	05/01/00	65 FR 25241
Final Action Effective	05/31/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Merri Horn, Nuclear Regulatory Commission, Office of Nuclear Material Safety and Safeguards, Washington, DC 20555-0001
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RIN: 3150-AG31

4783. LIST OF APPROVED SPENT FUEL STORAGE CASKS: STANDARDIZED NUHOMS-24 AND NUHOMS-52B REVISION

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 72

Legal Deadline: None

Abstract: The direct final rule amends the Commission's regulations to add the TN West Amendment 2 (TNW) spent fuel cask system to the list of approved spent fuel storage casks. The proposed rule would allow the holders of power reactor operating licenses to store spent fuel in the TNW cask system under a general license. This would prevent holders of power reactor operating licenses from having to obtain a specific license to use these casks.

Timetable:

Action	Date	FR Cite
Direct Final Rule	06/22/00	65 FR 38715
Direct Final Rule Effective	09/05/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: 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

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RIN: 3150-AG34

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4784. LIST OF APPROVED SPENT FUEL STORAGE CASKS: ADDITION OF THE BFS TRANSTOR STORAGE CASK**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 72**Legal Deadline:** None**Abstract:** The proposed rule would have amended the Commission's regulations to add the Transtor Storage cask system to the list of approved spent fuel storage casks. In a letter dated January 10, 2000, the applicant withdrew its application; therefore, the NRC has withdrawn this proposed rulemaking.**Timetable:**

Action	Date	FR Cite
Withdrawn	01/10/00	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** 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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RIN: 3150-AG35**4785. AMEND THE CERTIFICATES OF COMPLIANCE NO. 72-1007 FOR THE VSC-24 DRY SPENT FUEL STORAGE CASK****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 72**Legal Deadline:** None**Abstract:** The final rule amends the Commission's regulations by revising

the Pacific Sierra Nuclear Associates (PSNA) VSC-24 cask system listing within the list of approved spent fuel storage casks so that holders of operating power reactor licenses can use this cask under a general license. Adverse comments were received on the direct final rule published on September 22, 1999. The direct final rule was withdrawn on December 23, 1999. This subsequent final rule addresses the issues raised by the commenter that were within the scope of the proposed rule, including the issue that was determined to be a "significant adverse comment."

Timetable:

Action	Date	FR Cite
Direct Final Rule	09/22/99	64 FR 51187
Direct Final Rule Withdrawn	12/23/99	64 FR 72019
Final Rule	04/27/00	65 FR 24623
Final Rule Effective	05/30/00	

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-AG36**4786. ANTITRUST REVIEW AUTHORITY: CLARIFICATION****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 2201; 42 USC 5841**CFR Citation:** 10 CFR 2; 10 CFR 50**Legal Deadline:** None**Abstract:** The final rule amends the Commission's regulations to reflect more clearly its limited antitrust review authority by explicitly limiting the types of applications that must include antitrust information. Specifically, because the Commission is not authorized to conduct antitrust reviews of post-operating license transfer applications, or at least is not required to conduct this type of review and has decided that it no longer will conduct them, no antitrust information is required as part of a post-operating license transfer application. Because the current regulations do not clearly

specify which types of applications are not subject to antitrust review, these clarifying amendments bring the regulations into conformance with the Commission's limited statutory authority to conduct antitrust reviews.

Timetable:

Action	Date	FR Cite
Final Rule	07/19/00	65 FR 44649
Final Rule Effective	08/18/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Jack R. Goldberg, Nuclear Regulatory Commission, Office of the General Counsel, Washington, DC 20555-0001

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RIN: 3150-AG38**4787. NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION PROGRAMS AND 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 provides for the enforcement of title IX of the Education Amendments of 1972, as amended (20 USC 1681, et seq.) (title IX), as it applies to educational programs and activities that receive Federal financial assistance from certain Federal Government agencies. Title IX prohibits discrimination based on sex in education programs or activities that receive Federal financial assistance. This rulemaking provides guidance to recipients of Federal financial assistance who administer education programs or activities.**Timetable:**

Action	Date	FR Cite
Final Rule	08/30/00	65 FR 52857
Final Rule Effective	09/29/00	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** State, Local**Agency Contact:** Irene P. Little, Nuclear Regulatory Commission, Office

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of Small Business and Civil Rights,
Washington, DC 20555-0001
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Email: ipl@nrc.gov
RIN: 3150-AG43

4788. REVISION OF FEE SCHEDULES; 100 PERCENT FEE RECOVERY, FY 2000

Priority: Economically Significant.
Major under 5 USC 801.

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 170; 10 CFR 171

Legal Deadline: Other, Statutory, September 30, 2000, Omnibus Budget Reconciliation Act of 1990, as amended, requires collection of fees.

Abstract: The final rule amends the licensing, inspection, and annual fees charged to NRC licensees and applicants for an NRC license. The rulemaking is necessary to recover approximately 100 percent of the NRC budget authority for FY 2000, less the amount appropriated from the Nuclear Waste Fund and the General Fund. The Omnibus Budget Reconciliation Act of 1990, as amended, requires that the NRC accomplish the 100 percent recovery through the assessment of fees. The dollar amount to be recovered for FY 2000 is approximately \$447 million. The Act requires that the fees for FY 2000 must be collected by September 30, 2000.

Timetable:

Action	Date	FR Cite
Final Action	06/12/00	65 FR 36945
Final Action Effective	08/11/00	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Governmental Jurisdictions, Businesses, Organizations

Government Levels Affected: State, Local

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RIN: 3150-AG50

4789. • REVISION OF REFERENCES TO SECTION 202 OF THE ENERGY REORGANIZATION ACT

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 2; 10 CFR 19; 10 CFR 20;; 10 CFR 30; 10 CFR 40; 10 CFR 50;; 10 CFR 51; 10 CFR 70

Legal Deadline: None

Abstract: This final rule will make a number of conforming changes to the Commission's regulations that reference Section 202 of the Energy Reorganization Act. The final rule is necessary to remove the text of the footnotes that reference Section 202 to standardize all references in the regulations to read consistently as Section 202. This final rule will also correct a typographical error in part 19, make other minor administrative changes to conform Part 51 to other parts of this chapter, and reflect the abolishment of the Office for Analysis and Evaluation of Operational Data.

Timetable:

Action	Date	FR Cite
Final Action	09/12/00	65 FR 54948
Final Action Effective	09/12/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 3150-AG53

4790. • LIST OF APPROVED SPENT FUEL STORAGE CASKS: AMEND THE CERTIFICATES OF COMPLIANCE FOR THE VSC-24, AMENDMENT 2, DRY SPENT FUEL STORAGE CASK

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 by updating the Technical Specifications and Certificate of Compliance regarding welding and nondestructive

examination of welds, the method for determining cask drain time during loading, the minimum temperature for moving the loaded multi-assembly sealed basket, artificial thermal loads other than spent fuel that may be used to obtain temperature data, and the maximum permissible air outlet temperature. In addition, the amendment includes changes to the Technical Specifications and Certificate of Compliance to correct typographical errors and to make other minor clarifications and changes. This amendment allows the holders of power reactor operating licenses to store spent fuel in the VSC-24 cask system, as amended, under a general license. This allows holders of power reactor operating licenses to use these casks without having to obtain a specific license.

Timetable:

Action	Date	FR Cite
Direct Final Rule	06/22/00	65 FR 38718
Direct Final Rule Effective	09/05/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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RIN: 3150-AG55

4791. • LIST OF APPROVED SPENT FUEL STORAGE CASKS: ADDITION OF THE HOLTEC HI-STAR 100 CASK

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 Holtec International Hi-Star 100 cask system (HI-STAR) in the list of approved spent fuel storage casks. This amendment to the HI-STAR 100 Certificate of Compliance (CoC) modifies the cask design to permit a general license to: (1) permit the storage of burnable poison rod assemblies and reactor neutron startup sources within spent fuel assemblies; (2) permit the

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storage of an additional type of damaged fuel container; and (3) revise some cask design drawings to incorporate minor changes (optimizations) that were identified by the certificate holder during fabrication of the first HI-STAR 100 casks. Also, the rulemaking revises the language for CoC Number 1008 in two areas to be consistent with other recently issued CoCs and the recently issued 10 CFR 72.248 (64 FR 53582; October 4, 1999). First, the text "certification expiration date" is changed to "certificate expiration date." Second, the title of the safety analysis report of the HI-STAR 100 cask system is revised to include the word "final."

Timetable:

Action	Date	FR Cite
Direct Final Rule	10/11/00	65 FR 60339
Direct Final Rule Effective	12/26/00	

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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RIN: 3150-AG58**4792. • ADJUSTMENT OF CIVIL PENALTIES FOR INFLATION****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 2201; 42 USC 5841**CFR Citation:** 10 CFR 1; 10 CFR 2; 10 CFR 13**Legal Deadline:** None

Abstract: The final rule amends the Commission's regulations to adjust its maximum Civil Monetary Penalties (CMP) that may be imposed by the NRC. The Federal Civil Penalties Inflation Adjustment Act requires every agency to adjust its CMP at least once every four years to account for inflation. The provision for the maximum CMP for a violation of the Atomic Energy Act for any regulations or orders issued thereunder is adjusted from \$110,000 to \$120,000 per violation per day. The provisions concerning

program fraud civil penalties will be amended by adjusting the maximum civil penalties under the Program Fraud Civil Remedies Act from \$5,500 to \$6,000 for each false claim or statement. The rulemaking also amends the designation of "reviewing official" for the purposes of the Program Fraud Civil Remedies Act to reflect a reorganization in the NRC's Office of the General Counsel.

Timetable:

Action	Date	FR Cite
Final Rule	10/04/00	65 FR 59270
Final Rule Effective	11/03/00	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Norman St. Amour, Nuclear Regulatory Commission, Office of the General Counsel, Washington, DC 20555-0001
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[FR Doc. 00-23107 Filed 11-29-00]

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