



Federal Register

**Monday,
October 31, 2005**

Part LIX

Nuclear Regulatory Commission

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 May 16, 2005 (70 FR 27986).

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 May 16, 2005 (70 FR 27986). Within each group, the rules are ordered according to the Regulation Identifier Number (RIN).

The information in this agenda has been updated through September 2, 2005. 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. Three rules affect small entities.

Dated at Rockville, Maryland, this 2nd day of September 2005.

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 Identifier Number
4110	Fitness-for-Duty Programs	3150-AF12
4111	Early Site Permits; Standard Design Certifications; and Combined Licenses for Nuclear Power Plants	3150-AG24
4112	Reevaluation of Power Reactor Physical Protection Regulations and Position on a Definition of Radiological Sabotage	3150-AG63
4113	Large Break Loss-of-Coolant Accident (LB-LOCA) Redefinition	3150-AH29
4114	Collection, Reporting, or Posting of Information	3150-AH40
4115	Exemptions From Licensing, General Licenses, and Distribution of Byproduct Material; Licensing and Reporting Requirements	3150-AH41
4116	National Source Tracking of Sealed Sources	3150-AH48
4117	Clarification of NRC Civil Penalty Authority Over Non-Licensees	3150-AH59
4118	Design Basis Treat (DBT)	3150-AH60
4119	Implementation of a Dose Standard Beyond 10,000 Years	3150-AH68
4120	Use of Electronic Submissions in Agency Hearings	3150-AH74
4121	Industry Codes and Standards; Amended Requirements	3150-AH76
4122	List of Approved Spent Fuel Storage Casks: Standardized NUHOMS -24P, -52B, -61BT, -32PT, -24PHB, and 24PTH Revision, Amendment 8	3150-AH77

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Nuclear Regulatory Commission—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
4123	Elimination of Requirement To Submit Annual Financial Report	3150-AH39
4124	Administrative Changes	3150-AH49
4125	Post-Fire Operator Manual Actions	3150-AH54
4126	AP1000 Design Certification	3150-AH56
4127	Protection of Safeguards Information	3150-AH57
4128	Conforming Administrative Changes	3150-AH62
4129	Charges for Duplicating Records	3150-AH66

Nuclear Regulatory Commission—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
4130	Update Fuel Performance Considerations and Other Fuel Cycle Issues	3150-AA31
4131	Disposal by Release Into Sanitary Sewerage	3150-AE90
4132	Advance Notification to Native American Tribes of Transportation of Certain Types of Nuclear Waste	3150-AG41
4133	Integrated Rulemaking for Decommissioning Nuclear Power Reactors	3150-AG47
4134	Transfers of Certain Source Materials by Specific Licensees	3150-AG64
4135	Entombment Options for Power Reactors	3150-AG89
4136	Modifications to Pressure-Temperature Limits	3150-AG98
4137	Distribution of Source Material to Exempt Persons and General Licensees and Revision of 10 CFR 40.22 General License	3150-AH15
4138	Controlling the Disposition of Solid Materials	3150-AH18
4139	Implement US-IAEA Safeguards Agreement	3150-AH38
4140	Performance-Based ECCS Acceptance Criteria	3150-AH42
4141	Decoupling of Assumed Loss of Offsite Power From Loss-of-Coolant Accidents (LOCA)	3150-AH43
4142	Reduce the Likelihood of Funding Shortfalls for Decommissioning Under the License Termination Rule	3150-AH45

Nuclear Regulatory Commission—Completed Actions

Sequence Number	Title	Regulation Identifier Number
4143	Public Records	3150-AH12
4144	Incorporation by Reference of ASME BPV Code Cases	3150-AH35
4145	Export and Import of Nuclear Equipment and Materials	3150-AH44
4146	Export and Import of Nuclear Equipment and Material: Nuclear Grade Graphite	3150-AH51
4147	Broadening Scope of Access Authorization and Facility Security Clearance Regulations	3150-AH52
4148	Revision of Fee Schedules; Fee Recovery, FY 2005	3150-AH61
4149	List of Approved Spent Fuel Storage Casks: NUHOMS-24PT4 Revision, Amendment 1	3150-AH63
4150	List of Approved Spent Fuel Storage Casks: HI-STORM 100 Revision, Amendment 2	3150-AH64
4151	Incorporation by Reference of ASME Code Cases	3150-AH65
4152	Export and Import of Nuclear Equipment and Material; Exports to Syria Embargoed	3150-AH67
4153	Delegation Changes	3150-AH69
4154	List of Approved Spent Fuel Storage Casks: VSC-24, Revision, Amendment 5	3150-AH70
4155	Model Milestones for NRC Adjudicatory Proceedings	3150-AH71
4156	List of Approved Spent Fuel Storage Casks: Standardized NUHOMS -24P, -52B, -61BT, -32PT, -24PHB, and 24PTH Revision, Amendment 8	3150-AH72
4157	List of Approved Spent Fuel Storage Casks: Standardized NUHOMS -32PT and -24PHB Revision, Amendment 9	3150-AH73
4158	List of Approved Spent Fuel Storage Casks: NAC-UMS Revision, Amendment 4	3150-AH75

Nuclear Regulatory Commission (NRC)

Proposed Rule Stage

4110. 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 proposed rule would amend the Commission's regulations to ensure compatibility with the Department of Health and Human Services' guidelines, eliminate or modify unnecessary requirements in some areas, clarify the Commission's original intent of the rule, and improve overall program effectiveness and efficiency and establish threshold for the control of working hours at nuclear power plants to ensure that working hours in excess of the thresholds are controlled through a risk-informed deviation process. Because of the issues raised in response to the earlier affirmed (Fitness-for-Duty) rule, a new proposed rule will be published, including provisions to provide significantly greater assurance that worker fatigue does not adversely affect the operational safety of nuclear power plants. This new proposed rule was provided to the Commission in SECY-05-0074, dated April 28, 2005. In a memorandum dated June 30, 2005, the Commission approved publication of the proposed rule for public comment. This proposed rule subsumes the proposed rule "Nuclear Power Plant Worker Fatigue" (RIN 3150-AG99). This rulemaking would address the petition for rulemaking submitted by the Virginia Electric and Power Company (VEPCO) (PRM-26-1) and a petition for rulemaking submitted by Barry Quigley (PRM-26-2) related to worker fatigue.

Timetable:

Action	Date	FR Cite
NPRM	05/09/96	61 FR 21105
NPRM Comment Period End	08/07/96	
Second NPRM	08/26/05	70 FR 50441
Second NPRM Comment Period End	12/27/05	
Final Rule	05/00/07	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Timothy A. Reed, Nuclear Regulatory Commission, Officeof Nuclear Reactor Regulation, Washington, DC 20555-0001
Phone: 301 415-1462
Email: tar@nrc.gov**Related RIN:** Related to 3150-AG62**RIN:** 3150-AF12**4111. EARLY SITE PERMITS; STANDARD DESIGN CERTIFICATIONS; AND COMBINED LICENSES FOR NUCLEAR POWER PLANTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 2201; 42 USC 5841**CFR Citation:** 10 CFR 2; 10 CFR 20; 10 CFR 50; 10 CFR 51; 10 CFR 52; 10 CFR 72; 10 CFR 73; 10 CFR 140; 10 CFR 171**Legal Deadline:** None

Abstract: The proposed rule would amend the Commission's requirements for early site permits, standard design certifications, and combined licenses for nuclear power plants, and for other licensing processes. The amendments are based on the NRC staff's experience with the previous design certification reviews and on discussions with stakeholders about the early site permit (ESP), design certification, and combined license (COL) processes. This action is expected to improve the effectiveness of the licensing processes for future applicants. The rulemaking also would make conforming clarifications and corrections to the NRC's regulations.

The NRC is proposing to reorganize 10 CFR part 52 to establish a separate section for each of the licensing processes currently described in 10 CFR part 52 (early site permits, early site reviews, standard design certification, standard design approvals, combined licenses, and manufacturing licenses). The purpose of this reorganization would be to clarify that each licensing process has equal standing. In addition, several subparts would be reserved for future licensing processes. No substantive changes are intended by the incorporation of current Appendices M, N, O, and Q into the new subparts in 10 CFR part 52.

The NRC is also proposing to retitle 10 CFR part 52 as "Additional Licensing Processes for Nuclear Power Plants," to clarify that the licensing processes in 10 CFR part 52 are in

addition to and supplement the two-step licensing process in 10 CFR part 50 and the license renewal process in 10 CFR part 54 and are not limited to the early site permit, standard design certification, and combined license processes as the current title implies.

The proposed rule would amend section 52.1 to clarify that all licensing processes are within the scope of 10 CFR part 52. Sections within current Appendices M, N, O, and Q would also become new sections of the revised part. In addition, the proposed rule would reserve sections for future licensing processes. In doing so, the NRC hopes to convey that 10 CFR part 52 is the preferred location in 10 CFR for nuclear power plant licensing processes. The proposed rule subsumed the rulemaking "Standardized Plant Designs, Early Review of Sites Suitability Issues; Clarifying Amendments" (RIN 3150-AE25) that would remove redundant Appendices M, N, O, and Q from part 50. The part 52 rulemaking plan (SECY-98-282) was approved by the Commission on January 14, 1999. As a result of the comments received and a number of other factors, the Commission decided that a substantial rewrite and expansion of the original rulemaking would be necessary to ensure that the entire body of NRC regulations is able to support the Agency's licensing and regulation of future nuclear power facilities under part 52.

Timetable:

Action	Date	FR Cite
NPRM	07/03/03	68 FR 40025
NPRM Comment Period End	09/16/03	
NPRM	11/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** 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.govNanette Giles, Nuclear Regulatory Commission, Office of Nuclear Reactor Regulation, Washington, DC 20555-0001
Phone: 301 415-1180
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Harry S. Tovmassian, Nuclear Regulatory Commission, Office of Nuclear Reactor Regulation, Washington, DC 20555-0001
Phone: 301 415-3092
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Related RIN: Merged with 3150-AE25

RIN: 3150-AG24

4112. REEVALUATION 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 each power reactor licensee to establish and maintain an onsite security program and organization with the objective of providing high assurance that licensed activities do not constitute an unreasonable risk to public health and safety as a result of radiological sabotage by design basis threat (DBT). To achieve the general objective, the proposed rule would require that onsite security programs and security organizations be designed to prevent core damage and/or spent fuel damage. The rulemaking uses risk insights to determine which plant systems need protection. This rule also addresses the remaining portion of PRM-50-80.

Timetable:

Action	Date	FR Cite
NPRM	02/00/06	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Scott A. Morris, Nuclear Regulatory Commission, Office of Nuclear Security and Incident Response, Washington, DC 20555-0001
Phone: 301 415-7083
Email: sam1@nrc.gov

RIN: 3150-AG63

4113. LARGE BREAK LOSS-OF-COOLANT ACCIDENT (LB-LOCA) REDEFINITION

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 allow for a risk-informed alternative to the present loss-of-coolant accident (LOCA) break size. This rulemaking would address a petition for rulemaking submitted by the Nuclear Energy Institute (PRM-50-75). The proposed rule was provided to the Commission in SECY-05-0052 dated March 28, 2005.

Timetable:

Action	Date	FR Cite
NPRM	10/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Richard F. Dudley, Nuclear Regulatory Commission, Office of Nuclear Reactor Regulation, Washington, DC 20555-0001
Phone: 301 415-1116
Email: rfd@nrc.gov

RIN: 3150-AH29

4114. COLLECTION, REPORTING, OR POSTING OF INFORMATION

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 19; 10 CFR 20; 10 CFR 50

Legal Deadline: None

Abstract: The proposed rule would amend the Commission's regulations to clarify or revise the regulations such that (1) licensees would not be required, unless a specific request was made by a worker, to provide an annual report to a worker of their radiation dose if a worker received less than two percent of the limits defined in 10 CFR part 20; (2) licensees for production and utilization facilities governed by 10 CFR part 50 would not need to label containers in accordance with section 20.1904 "Labeling containers," if the containers met conditions such as being

clearly identifiable as containing radioactive materials, being accessible only to trained individuals, and being located in an area posted pursuant to section 20.1902 "Posting requirements"; and (3) licensees would no longer need to attempt to obtain records of a worker's cumulative radiation dose unless the worker was to be involved in a planned special exposure. In addition, the staff is considering using this opportunity to propose a change to section 20.1003 "Definitions," to clarify the definition of total effective dose equivalent.

Timetable:

Action	Date	FR Cite
NPRM	11/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Stewart Schneider, Nuclear Regulatory Commission, Office of Nuclear Reactor Regulation, Washington, DC 20555-0001
Phone: 301 415-4123
Email: ssx4@nrc.gov

RIN: 3150-AH40

4115. EXEMPTIONS FROM LICENSING, GENERAL LICENSES, AND DISTRIBUTION OF BYPRODUCT MATERIAL; LICENSING AND REPORTING REQUIREMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 30; 10 CFR 31; 10 CFR 32; 10 CFR 150

Legal Deadline: None

Abstract: The proposed rule would amend the Commission's regulations in parts 30, 31, 32, and 150. The results of the reevaluation of exemptions are being used to improve effectiveness and efficiency and better ensure safety. The proposed rule would eliminate obsolete provisions and their associated distributor requirements currently in the regulations. Improvements to distributor reporting requirements are also being considered. Minor changes to general licenses may be included. This rulemaking has subsumed RM 526 "Use of Exempt Sources in Devices."

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Timetable:

Action	Date	FR Cite
NPRM	12/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**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-AH41**4116. NATIONAL SOURCE TRACKING OF SEALED SOURCES****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 2201; 42 USC 5841**CFR Citation:** 10 CFR 20; 10 CFR 32; 10 CFR 150**Legal Deadline:** None**Abstract:** The proposed rulemaking would amend the Commission's regulations to establish the regulatory foundation for a new national source tracking system for high-risk sealed sources, as designated in the IAEA Code of Conduct (Category 1 and 2 sources). The tracking system is intended to track the high-risk sources from cradle to grave. Licensees will be required to report manufacture of new sources, transfer of sources, receipt of sources and end-points for sources (e.g. export, and disposal).**Timetable:**

Action	Date	FR Cite
NPRM	07/28/05	70 FR 43646
NPRM Comment Period End	10/11/05	
Final Rule	05/00/06	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Federalism:** Undetermined**Agency Contact:** Merri L. 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-AH48**4117. CLARIFICATION OF NRC CIVIL PENALTY AUTHORITY OVER NON-LICENSEES****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 2201; 42 USC 5841**CFR Citation:** 10 CFR 30; 10 CFR 40; 10 CFR 50; 10 CFR 60; 10 CFR 61; 10 CFR 63; 10 CFR 70; 10 CFR 71; 10 CFR 72; 10 CFR 76**Legal Deadline:** None**Abstract:** The proposed rule would amend the Commission's regulations to enable NRC to impose civil penalties upon non-licensee contractors and subcontractors who discriminate against employees engaged in protected activities.**Timetable:**

Action	Date	FR Cite
NPRM	02/00/06	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Federalism:** Undetermined**Agency Contact:** Doug Starkey, Nuclear Regulatory Commission, Office of Enforcement, Washington, DC 20555-0001

Phone: 301 415-3456

Email: drs@nrc.gov

RIN: 3150-AH59**4118. DESIGN BASIS TREAT (DBT)****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 revise its design basis threat (DBT) requirements to consolidate the supplemental requirements put in place by orders following the September 11, 2001, terrorist attacks with the existing DBT requirements in section 73.1. The proposed rule was provided to the Commission in SECY-05-0106, dated June 14, 2005.**Timetable:**

Action	Date	FR Cite
NPRM	10/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Federalism:** Undetermined**Agency Contact:** Timothy A. Reed, Nuclear Regulatory Commission, Office of Nuclear Reactor Regulation, Washington, DC 20555-0001

Phone: 301 415-1462

Email: tar@nrc.gov

RIN: 3150-AH60**4119. IMPLEMENTATION OF A DOSE STANDARD BEYOND 10,000 YEARS****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 2201; 42 USC 5841**CFR Citation:** 10 CFR 63**Legal Deadline:** None**Abstract:** The proposed rule would amend the Commission's regulations to revise existing regulations on technical criteria for disposal of high-level radioactive waste in a geologic repository at Yucca Mountain, Nevada, to be consistent with the environmental standards developed by the U.S. Environmental Protection Agency.**Timetable:**

Action	Date	FR Cite
NPRM	09/08/05	70 FR 53313
NPRM Comment Period End	11/09/05	
Final Action	03/00/06	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Federalism:** Undetermined**Agency Contact:** Lydia Chang, Nuclear Regulatory Commission, Office of Nuclear Material Safety and Safeguards, Washington, DC 20555-0001

Phone: 301 415-6319

Email: lwc1@nrc.gov

RIN: 3150-AH68**4120. • USE OF ELECTRONIC SUBMISSIONS IN AGENCY HEARINGS****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 2201; 42 USC 5841**CFR Citation:** 10 CFR 1; 10 CFR 2; 10 CFR 13; 10 CFR 110**Legal Deadline:** None**Abstract:** The proposed rule would amend the Commission's regulations on

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the use of electronic submissions in all agency hearings except for those conducted on a high-level radioactive waste repository application. The amendments would require the electronic transmission of electronic documents in filing and service. Although exceptions to these requirements would be established to allow paper filings, the NRC would maintain a strong preference for fully electronic filing and service. The proposed rule builds upon prior NRC rules and developments in the Federal courts regarding the use of electronic submissions. The Commission is also seeking comment on draft guidance on how to submit hearing documents to the NRC electronically.

Timetable:

Action	Date	FR Cite
NPRM	10/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Federalism: Undetermined

Agency Contact: Shana C. Zipkin, Nuclear Regulatory Commission, Office of the General Counsel, Washington, DC 20555-0001

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RIN: 3150-AH74

4121. • INDUSTRY CODES AND STANDARDS; AMENDED REQUIREMENTS

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 2004 Edition of Division 1 rules in Section

III "Rules for Construction of Nuclear Power Plant Components" of the American Society of Mechanical Engineers Boiler and Pressure Vessel Code (ASME BPV Code); the 2004 Edition of Division 1 rules in Section XI "Rules for Inservice Inspection of Nuclear Power Plant Components" of the ASME BPV Code; and the 2004 Edition of the ASME Code for Operation and Maintenance of Nuclear Power Plants (OM Code).

Timetable:

Action	Date	FR Cite
NPRM	03/00/06	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Federalism: Undetermined

Agency Contact: Merrilee J. Banic, Nuclear Regulatory Commission, Office of Nuclear Reactor Regulation, Washington, DC 20555

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Related RIN: Related to 3150-AH65

RIN: 3150-AH76

4122. • LIST OF APPROVED SPENT FUEL STORAGE CASKS: STANDARDIZED NUHOMS -24P, -52B, -61BT, -32PT, -24PHB, AND 24PTH REVISION, AMENDMENT 8

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 that apply to storage of spent fuel by revising the Transnuclear, Inc., Standardized NUHOMS System listing within the "List of Approved Spent Fuel Storage Casks" to include

Amendment No. 8 to Certificate of Compliance (CoC) Number 1004. Amendment No. 8 to the Standardized NUHOMS System CoC will modify the cask system by adding a new spent fuel storage and transfer system, designated the NUHOMS -24PTH System. The NUHOMS -24PTH System consists of new or modified components: The -24PTH dry shielded canister (DSC); a new -24PTH DSC basket design; a modified horizontal storage module (HSM), designated the HSM-H; and a modified transfer cask (TC) designated OS 197FC TC. The NUHOMS -24PTH System is designed to store fuel with a maximum average burnup of up to 62 gigawatts-day/metric ton of uranium; maximum average initial enrichment of 5.0 weight percent; minimum cooling time of 3.0 years; and maximum heat load of 40.8 kilowatts per DSC, under a general license. This rule was originally published under RIN 3150-AH72.

Timetable:

Action	Date	FR Cite
NPRM	09/20/05	70 FR 55036
Direct Final Rule	09/20/05	70 FR 55023
NPRM Comment Period End	10/21/05	
Direct Final Rule Effective	12/15/05	
Confirmation of Effective Date	11/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Federalism: Undetermined

Agency Contact: Jayne M. McCausland, Nuclear Regulatory Commission, Office of Nuclear Material Safety and Safeguards, Washington, DC 20555-0001

Phone: 301 415-6219

Email: jmm2@nrc.gov

RIN: 3150-AH77

Nuclear Regulatory Commission (NRC)

Final Rule Stage

4123. ELIMINATION OF REQUIREMENT TO SUBMIT ANNUAL FINANCIAL REPORT**Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 2201; 42 USC 5841**CFR Citation:** 10 CFR 50; 10 CFR 72**Legal Deadline:** None

Abstract: The direct final rule will amend the Commission's regulations to eliminate the reporting requirement in sections 50.71(b) and 72.80, which requires that licensees for production and utilization facilities submit annual financial reports, including certified financial statements, to the Commission.

The direct final rule will eliminate the costs to licensees of submitting their annual financial reports and the costs to the NRC of processing those submittals. The cost savings are relatively small but it is expected that the costs associated with the rulemaking will be justified by the cost savings from eliminating the reporting requirement. The elimination of the report will also serve to fulfill a congressional mandate to address outdated or paperwork oriented requirements.

Timetable:

Action	Date	FR Cite
Direct Final Rule	12/00/05	

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-AH39**4124. ADMINISTRATIVE CHANGES****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 2201; 42 USC 5841**CFR Citation:** 10 CFR 1; 10 CFR 20; 10 CFR 30; 10 CFR 40; 10 CFR 55; 10 CFR 70; 10 CFR 73**Legal Deadline:** None

Abstract: The final rule amends the Commission's regulations to reflect the

change of address for the NRC Region III Office in Lisle, Illinois. The final rule also updates the list of non-Agreement States.

Timetable:

Action	Date	FR Cite
Final Rule	10/00/05	

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

Agency Contact: Michael K. Williamson, Nuclear Regulatory Commission, Office of Nuclear Material Safety and Safeguards, Washington, DC 20555-0001
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RIN: 3150-AH49**4125. POST-FIRE OPERATOR MANUAL ACTIONS****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 revising fire protection requirements in Appendix R to 10 CFR part 50, along with associated guidance, to allow manual actions when those actions meet appropriate acceptance criteria. The staff is currently evaluating comments for incorporation into the final rule.

Timetable:

Action	Date	FR Cite
NPRM	03/07/05	70 FR 10901
NPRM Comment Period End	05/23/05	
Final Rule	02/00/06	

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

Agency Contact: David T. Diec, Nuclear Regulatory Commission, Office of Nuclear Reactor Regulation, Washington, DC 20555-0001
Phone: 301 415-2834
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RIN: 3150-AH54**4126. AP1000 DESIGN CERTIFICATION****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 2201; 42 USC 5841**CFR Citation:** 10 CFR 52**Legal Deadline:** None

Abstract: The proposed rule would amend the Commission's regulations to provide for certification of the AP1000 design. Design certification rules are initiated by an applicant for design certification under subpart B of part 52.

Timetable:

Action	Date	FR Cite
NPRM	04/18/05	70 FR 20062
NPRM Comment Period End	07/05/05	
Final Action	12/00/05	

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

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RIN: 3150-AH56**4127. PROTECTION OF SAFEGUARDS INFORMATION****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 2201; 42 USC 5841**CFR Citation:** 10 CFR 2, 10 CFR 30; 10 CFR 40; 10 CFR 50; 10 CFR 52; 10 CFR 63; 10 CFR 70; 10 CFR 72; 10 CFR 73; 10 CFR 76; 10 CFR 150**Legal Deadline:** None

Abstract: The proposed rule would amend the Commission's regulations for the protection of Safeguards Information (SGI) to reflect recent Commission practices reflected in Orders and Threat Advisories, and Confirmatory Action Letters issued since September 11, 2001. The amendments also would provide the flexibility afforded the Commission for the protection of such information by the Atomic Energy Act of 1954, as amended (AEA). The proposed amendments would affect certain licensees, information, and materials

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not currently specified in the regulations but which are within the scope of the AEA. The proposed amendments are intended to protect SGI from inadvertent release and unauthorized disclosure, which might compromise the security of nuclear facilities and materials.

Timetable:

Action	Date	FR Cite
NPRM	02/11/05	70 FR 7196
NPRM Comment Period End	03/28/05	
Final Rule	01/00/06	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Federalism: Undetermined

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RIN: 3150-AH57

4128. CONFORMING ADMINISTRATIVE CHANGES

Priority: Info./Admin./Other

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFF 70

Legal Deadline: None

Abstract: The final rule amends the Commission's regulations in 10 CFR part 70 to make conforming changes to citations in the regulatory text. These changes update and correct cross-references within part 70.

Timetable:

Action	Date	FR Cite
Final Rule	10/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Federalism: Undetermined

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RIN: 3150-AH62

4129. CHARGES FOR DUPLICATING RECORDS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 9

Legal Deadline: None

Abstract: The final rule amends the Commission's regulations by revising its charges for copying publicly available documents by the copy service at the NRC's Public Document Room. These fees are being removed from title 10 of the Code of Federal Regulations and will be posted on NRC's Web site.

Timetable:

Action	Date	FR Cite
Final Rule	10/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Federalism: Undetermined

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RIN: 3150-AH66

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4130. UPDATE FUEL PERFORMANCE CONSIDERATIONS AND OTHER FUEL CYCLE ISSUES

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 2011; 42 USC 2201; 42 USC 4321; 42 USC 5841; 42 USC 5842

CFR Citation: 10 CFR 51

Legal Deadline: None

Abstract: The proposed rule would amend the Commission's regulations by addressing uranium fuel cycle environmental data (Table S-3) and the environmental effects of transportation of fuel and waste data (Table S-4). In section 51.51, the environmental data would be re-estimated and reflect changes in the structure and activities of the fuel cycle and the availability of better data. Estimates of releases of Radon-222 and Technetium-99 would

be added to Table S-3. The addition of a specific value for Radon-222 would address the outstanding portion of petition for rulemaking PRM-51-1, submitted by the New England Coalition on Nuclear Pollution. To provide immediate relief to the petitioners' request, the Commission published a final rule on March 14, 1977 (42 FR 13803), that removed the original value for Radon-222 from Table S-3 so that it became subject to case-specific litigation. It was anticipated that the Commission would add a specific value for Radon-222, but the Commission deferred action until a general updating of Table S-3 is undertaken. For section 51.52, the environmental impact estimates would be re-estimated to reflect the use of more highly enriched fuel and discharge of more highly irradiated

fuels from a reactor, as well as many changes needed to update fuel cycle process and technologies.

This rulemaking would result in current and more accurate estimates of the environmental impact of licensing a new plant and would eliminate the requirement to review the contribution to environmental impacts from Radon-222 and Technetium-99 in individual plant reviews. This rule is being reissued as a proposed rule and would update the initial rulemaking effort to address newly emerging issues and research.

Timetable:

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

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Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 3150-AA31

4131. DISPOSAL BY RELEASE INTO SANITARY SEWERAGE

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 20

Legal Deadline: None

Abstract: The advance notice of proposed rulemaking (ANPRM) was published to request public comment, information, and recommendations on contemplated amendments to the Commission's regulations governing the release of radionuclides from licensed nuclear facilities into sanitary sewer systems. By incorporating current sewer treatment technologies, the contemplated rulemaking would improve the control of radioactive materials released to sanitary sewer systems by licensed nuclear facilities. Through the Interagency Steering Committee on Radiation Standards (ISCORS), the NRC and the Environmental Protection Agency conducted a joint survey of sewage treatment plants. The results of the final report of the joint survey were considered in the Commission's denial of the petition for rulemaking submitted by the Northeast Ohio Sewer District (PRM-20-22). A notice denying the petition was published in the Federal Register on January 27, 2005 (70 FR 3898). The staff is considering public comments and whether to continue with rulemaking.

Timetable:

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

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 3150-AE90

4132. ADVANCE NOTIFICATION TO NATIVE AMERICAN TRIBES OF TRANSPORTATION OF CERTAIN TYPES OF NUCLEAR WASTE

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 71; 10 CFR 73

Legal Deadline: None

Abstract: The advance notice of proposed rulemaking (ANPRM) invited early input from affected parties and the public on the issues associated with the advance notification of Indian Tribes of spent fuel shipments. The Department of Energy (DOE) has indicated that it intends to comply with NRC's physical protection requirements for shipments under the Nuclear Waste Policy Act; however, its current practices conflict with NRC regulations. For example, DOE has asked for and will continue to ask for exemptions from the shipment itinerary information requirements of foreign research reactor fuel. DOE, as a courtesy, provides Indian Tribes with notification of spent fuel shipments. NRC's current regulations do not address notification of Indian Tribes. Further, DOE has developed a satellite tracking system to monitor the status of spent fuel shipments at all times. Distribution of this status information to parties other than Governors' designees is also not compatible with NRC regulations. A rulemaking plan was approved by the Commission on February 20, 2001. This rulemaking was put on hold by the Commission pending review of NRC rules in response to events of September 11, 2001.

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

Small Entities Affected: No

Government Levels Affected: None

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RIN: 3150-AG41

4133. INTEGRATED RULEMAKING FOR DECOMMISSIONING NUCLEAR POWER REACTORS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 50

Legal Deadline: None

Abstract: A staff requirements memorandum 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 under section 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 also would address a petition for rulemaking submitted by the North Carolina Public Utility Commission (PRM-50-57).

In SECY-00-0145, dated June 28, 2000, the NRC staff recommended a decommissioning rulemaking plan in the areas of emergency planning, insurance, safeguards, operator staffing, and backfit (the integrated decommissioning rulemaking plan). The rulemaking plan relied on a draft decommissioning risk study as the basis for its recommendations. The

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Commission returned the rulemaking plan to the staff for rework in September 2000, based on changes to the decommissioning risk study findings. The decommissioning risk study, NUREG-1738, was issued in January 2001. After assessing the findings in the risk study, the staff presented a policy options paper to the Commission, SECY-01-0100, dated June 4, 2001, that provided options and made recommendations on issues to be addressed in the integrated rulemaking. Following the terrorist events of September 11, 2001, the NRC staff recommended and the Commission approved the withdrawal of SECY-01-0101 because of the likely changes in the staff's position on decommissioning plant safeguards. The decommissioning policy position will be revisited when a broad-scope NRC safeguards policy is developed in response to potential terrorist acts at nuclear facilities. The schedule for the integrated rulemaking cannot be determined at this time.

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

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

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RIN: 3150-AG47

4134. TRANSFERS OF CERTAIN 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 amend the Commission's regulations to require NRC approval for transfers from licensees 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 the regulations regarding transfers of

materials containing low concentrations of source material are adequate to protect public health and safety. Publication of the final rule is being delayed until certain recent related issues are resolved to minimize the possibility of future inconsistencies in the regulations.

Timetable:

Action	Date	FR Cite
NPRM	08/28/02	67 FR 55175
NPRM Comment	11/12/02	
Period End		
Final Action	To Be	Determined

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

Agency Contact: Gary C. Comfort, Jr., Nuclear Regulatory Commission, Office of Nuclear Material Safety and Safeguards, Washington, DC 20555-0001

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RIN: 3150-AG64

4135. ENTOMBMENT OPTIONS FOR POWER REACTORS

Priority: Substantive, Nonsignificant**Legal Authority:** 42 USC 2201; 42 USC 5841**CFR Citation:** 10 CFR 20; 10 CFR 50**Legal Deadline:** None

Abstract: The advance notice of proposed rulemaking (ANPRM) was published seeking stakeholder input on three proposed regulatory options and whether entombment was a viable decommissioning alternative. In SECY 02-0191 (October 25, 2002), NRC staff proposed deferring the rulemaking until the Office of Nuclear Regulatory Research has conducted research to develop a sound technical basis for an entombment option, estimated in 2005. The Commission, in a Staff Requirements Memorandum dated November 26, 2002, did not object to staff's proposal and requested information regarding the scope and type of research needed to support any entombment option. This information was provided to the Commission on May 14, 2003. The Office of Nuclear Regulatory Research conducted research in 2004 and 2005 and plans to issue an Interim Research Report in October 2005, evaluating concrete

entombment as a decommissioning alternative for commercial power reactors. The staff is continuing to defer this rulemaking activity.

Timetable:

Action	Date	FR Cite
ANPRM	10/16/01	66 FR 52551
ANPRM Comment	12/31/01	
Period End		
NPRM	To Be	Determined

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

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20555-0001

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RIN: 3150-AG89

4136. MODIFICATIONS TO PRESSURE-TEMPERATURE LIMITS

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 eliminate those requirements for pressure-temperature limits that are related to the metal temperature of the reactor pressure vessel closure head flange and vessel flange areas. The proposed rule would amend footnotes 2 and 6 to Table 1 of Appendix G, and simplify restructuring of the table. Also, this rulemaking would address the petition for rulemaking submitted by Westinghouse Electric Company (PRM-50-69).

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

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

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RIN: 3150-AG98

4137. DISTRIBUTION OF SOURCE MATERIAL TO EXEMPT PERSONS AND GENERAL LICENSEES AND REVISION OF 10 CFR 40.22 GENERAL LICENSE

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 40

Legal Deadline: None

Abstract: The proposed rule would amend the Commission's regulations to improve the control over the distribution of source material to exempt persons and to general licensees in order to make part 40 more risk-informed. The proposed rule also would govern the licensing of source material by adding specific requirements for licensing of and reporting by distributors of products and materials used by exempt persons and general licensees. Source material is used under general license and under various exemptions from licensing requirements in part 40 for which there is no regulatory mechanism for the Commission to obtain information to fully assess the resultant risks to public health and safety. Although estimates of resultant doses have been made, there is a need for ongoing information on the quantities and types of radioactive material distributed for exempt use and use under general license. Obtaining information on the distribution of source material is particularly difficult because many of the distributors of source material to exempt persons and generally licensed persons are not currently required to hold a license from the Commission. Distributors are often unknown to the Commission. No controls are in place to ensure that products and materials distributed are maintained within the applicable constraints of the exemptions. In addition, the amounts of source material allowed under the general license in section 40.22 could result in exposures above 1 mSv/year (100 mrem/year) to workers at facilities that are not required to meet the requirements of parts 19 and 20. Without knowledge of the identity and location of the general licensees, it would be difficult to enforce restrictions on the general licensees. This rule also would address PRM-40-

27 submitted by the State of Colorado and Organization of Agreement States.

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State

Agency Contact: Gary C. Comfort, Jr., Nuclear Regulatory Commission, Office of Nuclear Material Safety and Safeguards, Washington, DC 20555-0001

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RIN: 3150-AH15

4138. CONTROLLING THE DISPOSITION OF SOLID MATERIALS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 20

Legal Deadline: None

Abstract: The staff provided a draft proposed rule package on Controlling the Disposition of Solid Materials to the Commission on March 31, 2005. The Commission has disapproved publication of the draft proposed rule package. The Commission's decision is based on the fact that the Agency is currently faced with several high priority and complex tasks, that the current approach to review specific cases on an individual basis is fully protective of public health and safety, and that the immediate need for this rule has changed due to the shift in timing for reactor decommissioning. As such, the Commission is deferring this rulemaking for the time being.

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: Federal, State

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RIN: 3150-AH18

4139. IMPLEMENT US-IAEA SAFEGUARDS AGREEMENT

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 40; 10 CFR 50; 10 CFR 60; 10 CFR 61; 10 CFR 63; 10 CFR 70; 10 CFR 72; 10 CFR 75; 10 CFR 76; 10 CFR 150

Legal Deadline: None

Abstract: The final rule will amend the Commission's regulations to implement the additional reporting and complementary access requirements contained in the US/IAEA Additional Protocol for the application of safeguards in the United States.

Timetable:

Action	Date	FR Cite
Final Rule	To Be	Determined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 3150-AH38

4140. PERFORMANCE-BASED ECCS ACCEPTANCE CRITERIA

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 section 50.46 to develop performance-based acceptance criteria for fuel cladding performance during loss-of-coolant accidents. Existing provisions of section 50.46 applicable to certain zirconium-based cladding materials would be supplemented by performance-based standards for maximum peak cladding temperature

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and oxidation limit. The supplementary performance standard would allow licensees to use alternative cladding materials, without seeking an exemption, provided that testing demonstrated that adequate ductility would be maintained, and ECCS analyses showed that the new performance criteria would be satisfied. This rulemaking also would address a petition for rulemaking submitted by the Nuclear Energy Institute (PRM-50-71).

Timetable:

Action	Date	FR Cite
NPRM	03/00/07	

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

Agency Contact: Richard F. Dudley, Nuclear Regulatory Commission, Office of Nuclear Reactor Regulation, Washington, DC 20555-0001
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RIN: 3150-AH42**4141. DECOUPLING OF ASSUMED LOSS OF OFFSITE POWER FROM LOSS-OF-COOLANT ACCIDENTS (LOCA)****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 eliminate, based upon appropriate risk considerations, the assumption of a coincident loss of offsite power for postulated large-break (low frequency) loss-of-coolant accidents (LB-LOCA) in General Design Criterion (GDC) 35. The proposed rule would provide a voluntary alternative to existing requirements where specified acceptance criteria are satisfied and also would address a petition for rulemaking submitted by Bob Christie (Performance Technology) (PRM-50-77).

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	

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

Agency Contact: Richard F. Dudley, Nuclear Regulatory Commission, Office of Nuclear Reactor Regulation, Washington, DC 20555-0001
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RIN: 3150-AH43**4142. REDUCE THE LIKELIHOOD OF FUNDING SHORTFALLS FOR DECOMMISSIONING UNDER THE LICENSE TERMINATION RULE****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 2201; 42 USC 5841**CFR Citation:** 10 CFR 20; 10 CFR 30; 10 CFR 40; 10 CFR 70; 10 CFR 72**Legal Deadline:** None

Abstract: The proposed rule would amend the Commission's regulations by examining the addition and revision of requirements for financial assurance, and licensee monitoring, reporting, and remediation, to reduce the potential for sites that could have funding shortfalls or contamination that would complicate future decommissioning (i.e., create a future legacy site).

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	

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

Agency Contact: Leslie S. Kerr, Nuclear Regulatory Commission, Office of Nuclear Material Safety and Safeguards, Washington, DC 20555-0001
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RIN: 3150-AH45

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4143. PUBLIC RECORDS**Priority:** Substantive, Nonsignificant**CFR Citation:** 10 CFR 9**Completed:**

Reason	Date	FR Cite
Final Rule	06/14/05	70 FR 34303
Final Rule Effective	07/14/05	

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

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RIN: 3150-AH12**4144. INCORPORATION BY REFERENCE OF ASME BPV CODE CASES****Priority:** Substantive, Nonsignificant**CFR Citation:** 10 CFR 50**Completed:**

Reason	Date	FR Cite
Final Action	09/29/05	70 FR 56809
Final Action Effective	10/31/05	

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

Agency Contact: Harry S. Tovmassian
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RIN: 3150-AH35**4145. EXPORT AND IMPORT OF NUCLEAR EQUIPMENT AND MATERIALS****Priority:** Substantive, Nonsignificant**CFR Citation:** 10 CFR 110

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Completed:

Reason	Date	FR Cite
Final Rule	07/01/05	70 FR 37985
Final Rule Effective	12/28/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Federalism: Undetermined

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RIN: 3150-AH44

4146. EXPORT AND IMPORT OF NUCLEAR EQUIPMENT AND MATERIAL: NUCLEAR GRADE GRAPHITE

Priority: Substantive, Nonsignificant

CFR Citation: 10 CFR 110

Completed:

Reason	Date	FR Cite
Final Rule	07/21/05	70 FR 41937
Final Rule Effective	07/21/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Federalism: Undetermined

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RIN: 3150-AH51

4147. BROADENING SCOPE OF ACCESS AUTHORIZATION AND FACILITY SECURITY CLEARANCE REGULATIONS

Priority: Substantive, Nonsignificant

CFR Citation: 10 CFR 25; 10 CFR 95

Completed:

Reason	Date	FR Cite
Final Rule	06/02/05	70 FR 32224
Final Rule Effective	07/05/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Federalism: Undetermined

Agency Contact: Anthony N. Tse

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RIN: 3150-AH52

4148. REVISION OF FEE SCHEDULES; FEE RECOVERY, FY 2005

Priority: Economically Significant.

Major under 5 USC 801.

CFR Citation: 10 CFR 170; 10 CFR 171

Completed:

Reason	Date	FR Cite
Final Rule	05/26/05	70 FR 30526
Final Rule Effective	07/25/05	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: Local, State

Federalism: Undetermined

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RIN: 3150-AH61

4149. LIST OF APPROVED SPENT FUEL STORAGE CASKS: NUHOMS-24PT4 REVISION, AMENDMENT 1

Priority: Substantive, Nonsignificant

CFR Citation: 10 CFR 72

Completed:

Reason	Date	FR Cite
Direct Final Rule Effective	05/16/05	
Confirmation of Effective Date	05/13/05	70 FR 22781

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Federalism: Undetermined

Agency Contact: Jayne M. McCausland

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RIN: 3150-AH63

4150. LIST OF APPROVED SPENT FUEL STORAGE CASKS: HI-STORM 100 REVISION, AMENDMENT 2

Priority: Substantive, Nonsignificant

CFR Citation: 10 CFR 72

Completed:

Reason	Date	FR Cite
Direct Final Rule Effective	05/16/05	
Direct Final Rule Withdrawn	05/12/05	70 FR 24936
Final Rule	06/07/05	70 FR 32977
Final Rule Effective	06/07/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Federalism: Undetermined

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RIN: 3150-AH64

4151. INCORPORATION BY REFERENCE OF ASME CODE CASES

Priority: Substantive, Nonsignificant

CFR Citation: 10 CFR 50

Completed:

Reason	Date	FR Cite
Subsumed into RIN-AH76	08/29/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Federalism: Undetermined

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Related RIN: Related to 3150-AH76

RIN: 3150-AH65

4152. EXPORT AND IMPORT OF NUCLEAR EQUIPMENT AND MATERIAL; EXPORTS TO SYRIA EMBARGOED

Priority: Substantive, Nonsignificant

CFR Citation: 10 CFR 110

Completed:

Reason	Date	FR Cite
Final Rule	05/25/05	70 FR 29934
Final Rule Effective	05/25/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Federalism: Undetermined

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Completed Actions

Agency Contact: Kirk R. Foggie
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RIN: 3150-AH67

4153. • DELEGATION CHANGES

Priority: Info./Admin./Other

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 10

Legal Deadline: None

Abstract: The final rule amends the Commission's regulations to change the references from Deputy Executive Director for Management Services to Deputy Executive Director for Information Services and Administration and Chief Information Officer. The revision is necessary to reflect a recent realignment in the Office of the Executive Director for Operations. This final rule is necessary to inform the public of organizational changes within the NRC.

Timetable:

Action	Date	FR Cite
Final Rule	05/31/05	70 FR 30896
Final Rule Effective	05/31/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Federalism: Undetermined

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RIN: 3150-AH69

4154. • LIST OF APPROVED SPENT FUEL STORAGE CASKS: VSC-24, REVISION, AMENDMENT 5

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 that apply to storage of spent fuel by revising the BNFL Fuel Solutions Corporation Ventilated Storage Cask (VSC-24) cask system listing within the

"List of Approved Spent Fuel Storage Casks" to include Amendment No. 5 to Certificate of Compliance Number 1007. Amendment No. 5 will change the certificate holder's name from Pacific Sierra Nuclear Associates to BNFL Fuel Solutions Corporation. No changes were required to be made to the VSC-24 Final Safety Analysis Report or Technical Specifications.

Timetable:

Action	Date	FR Cite
NPRM	06/30/05	70 FR 37714
NPRM Comment Period End	08/01/05	
Direct Final Rule	06/30/05	70 FR 37647
Direct Final Rule Effective	09/13/05	
Confirmation of Effective Date	08/29/05	70 FR 50957

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Federalism: Undetermined

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RIN: 3150-AH70

4155. • MODEL MILESTONES FOR NRC ADJUDICATORY PROCEEDINGS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 2

Legal Deadline: None

Abstract: The final rule amends the Commission's regulations to adopt model milestones for the conduct of NRC adjudicatory proceedings, to require a presiding officer to refer to the model milestones as a starting point for establishing a hearing schedule in an adjudicatory proceeding, and to manage the case in accordance with that schedule.

Timetable:

Action	Date	FR Cite
Final Rule	04/20/05	70 FR 20457
Final Rule Effective	05/20/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Federalism: Undetermined

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4156. • LIST OF APPROVED SPENT FUEL STORAGE CASKS: STANDARDIZED NUHOMS -24P, -52B, -61BT, -32PT, -24PHB, AND 24PTH REVISION, AMENDMENT 8

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 that apply to storage of spent fuel by revising the Transnuclear, Inc., Standardized NUHOMS System listing within the "List of approved spent fuel storage casks" to include Amendment No. 8 to Certificate of Compliance Number (CoC No.) 1004. Amendment No. 8 to the Standardized NUHOMS System CoC will modify the cask system by adding a new spent fuel storage and transfer system, designated the NUHOMS -24PTH System. The NUHOMS -24PTH System consists of new or modified components: the -24PTH dry shielded canister (DSC); a new -24PTH DSC basket design; a modified horizontal storage module (HSM), designated the HSM-H; and a modified transfer cask (TC) designated OS 197FC TC. The NUHOMS -24PTH System is designed to store fuel with a maximum average burnup of up to 62 gigawatts-day/metric ton of uranium; maximum average initial enrichment of 5.0 weight percent; minimum cooling time of 3.0 years; and maximum heat load of 40.8 kilowatts per DSC, under a general license.

Timetable:

Action	Date	FR Cite
NPRM	05/25/05	70 FR 30015
NPRM Comment Period End	06/24/05	
NPRM Withdrawn	07/15/05	70 FR 40924
Direct Final Rule	05/25/05	70 FR 29931
Direct Final Rule Withdrawn	07/15/05	70 FR 40879

NRC

Completed Actions

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Federalism:** Undetermined**Agency Contact:** Jayne M. McCausland, Nuclear Regulatory Commission, Office of Nuclear Material Safety and Safeguards, Washington, DC 20555-0001

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RIN: 3150-AH72**4157. • LIST OF APPROVED SPENT FUEL STORAGE CASKS: STANDARDIZED NUHOMS -32PT AND -24PHB REVISION, AMENDMENT 9****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 2201; 42 USC 5841**CFR Citation:** 10 CFR 72**Legal Deadline:** None

Abstract: The direct final rule would have amended the Commission's regulations that apply to storage of spent fuel by revising the Transnuclear, Inc., Standardized NUHOMS System listing within the "List of approved spent fuel storage casks" to include Amendment No. 9 to Certificate of Compliance (CoC) Number 1004. Amendment No. 9 to the Standardized NUHOMS System modifies the NUHOMS -32PT dry cask storage (DCS) system to expand the Fuel Specification and Fuel Qualification Tables to include low enrichment and reconstituted fuel, and revise the dry shielded canister (DSC) Fuel Specification Tables to show minimum soluble boron loading concentration. The NUHOMS -24PHB DCS system will be modified to expand the authorized contents requirements. Modifications would have been made to Technical

Specifications (TS) 1.2.10 and 1.2.13 to revise the Transfer Cask/DSC handling and lifting height specifications and TS 1.2.12 to clarify DSC surface contamination actions. This rule has been subsumed into the Direct Final Rule: List of Approved Spent Fuel Storage Casks: Standardized NUHOMS -24P, -52B, -61BT, -32PT, -24PHB, and 24PTH Revision, Amendment 8" (RIN 3150-AH72), which has been withdrawn and will now be addressed in RIN 3150-AH77.

Timetable:

Action	Date	FR Cite
Subsumed into RIN 3150-AH77	07/15/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Federalism:** Undetermined**Agency Contact:** Jayne M. McCausland, Nuclear Regulatory Commission, Office of Nuclear Material Safety and Safeguards, Washington, DC 20555-0001

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RIN: 3150-AH73**4158. • LIST OF APPROVED SPENT FUEL STORAGE CASKS: NAC-UMS REVISION, AMENDMENT 4****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 revising the NAC International, Inc., NAC-UMS Universal Storage System listing within the list of approved spent fuel storage casks to include

Amendment No. 4 to Certificate of Compliance (CoC) Number 1015. Amendment No. 4 to the NAC-UMS CoC will modify the cask design by replacing the specific term "Zacaloy" with the more generic term "Zirconium alloy"; revising the definitions of operable and site specific fuel; revising vacuum drying pressure and time limits; revising short-term temperature limits and completion times for the heat removal system; clarifying the surface dose rate surveillance; adding a dissolved boron concentration option; deleting a redundant boron concentration administrative control; adding an alternate site-specific design basis earthquake analysis; and incorporating editorial and administrative changes.

Timetable:

Action	Date	FR Cite
NPRM	07/25/05	70 FR 42513
Direct Final Rule	07/25/05	70 FR 42485
NPRM Comment Period End	08/24/05	
Direct Final Rule Effective	10/11/05	
Confirmation of Effective Date	09/22/05	70 FR 55513

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Federalism:** Undetermined**Agency Contact:** Jayne M. McCausland, Nuclear Regulatory Commission, Office of Nuclear Material Safety and Safeguards, Washington, DC 20555-0001

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RIN: 3150-AH75

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