## **REGULATIONS AND AMENDMENTS PUT INTO EFFECT - FY 1993**

# Departures From Manufacturer's Instructions; Elimination of Recordkeeping Requirements - Parts 30 and 35

On October 2, 1992 (57 FR 45566), the NRC published an amendment to its regulations that eliminates certain recordkeeping requirements related to the preparation and use of radiopharmaceuticals. The final rule, effective immediately, eliminates recordkeeping requirements related to the justification for and a precise description of the departure and the number of departures from the manufacturer's instructions approved by the Food and Drug Administration.

### Receipt of Byproduct and Special Nuclear Material - Part 50

On October 21, 1992 (57 FR 47978), the NRC published an amendment to its regulations, effective November 20, 1992, governing the conditions of licenses for production and utilization facilities to allow a reactor licensee to receive reactor-generated byproduct and special nuclear material being returned after offsite processing, such as compaction or incineration.

Clarification of Statutory Authority for Purposes of Criminal Enforcement - Parts 11, 19, 20, 21, 25, 26, 30, 31, 32, 33, 34, 35, 39, 40, 50, 52, 53, 54, 55, 60, 61, 70, 71, 72, 73, 74, 75, 95, 110, 140, and 150

On November 24, 1992 (57 FR 55062), the NRC published an amendment to its regulations, effective December 24, 1992, that clarifies the applicability of the existing criminal penalty provisions of the Atomic Energy Act of 1954, as amended, to willful violations of certain Commission regulations.

# Fitness-for-Duty Programs: NRC Partial Withdrawal of NRC Information Collection Requirements - Part 26

On November 25, 1992 (57 FR 55443), the NRC published an amendment to its regulations, effective December 28, 1992, on the status of information collection requirements contained in 10 CFR Part 26. The Commission obtained approval from the Office of Management and Budget (OMB) for the information collection requirements contained in § 21.24(d)(iv) and partial approval of the information collection requirements contained in § 26.71(d) of the final rule entitled "Fitness-for-Duty Programs" (August 26, 1991; 56 FR 41922). The Commission is withdrawing the portion of § 26.71(d) that contains the information collection requirements not approved by OMB because no compelling need exists for the additional data at this time.

### **Disposal of Waste Oil by Incineration - Part 20**

On December 7, 1992 (57 FR 57649), the NRC published an amendment to its regulations, effective January 6, 1993, that permits the onsite incineration of contaminated waste oils generated at licensed nuclear power plants without amending existing operating licenses.

### Revised Standards for Protection Against Radiation; Minor Amendments - Part 20

On December 8, 1992 (57 FR 57877), the NRC published an amendment to its regulations, effective immediately, that corrects errors in the text of the revised standards for protection against radiation, conforms portions of the regulatory text to the Commission's decision to defer mandatory implementation of the revised standards until 1994, and reflects the recent OMB approval of the use of NRC Forms 4 and 5.

## Combined Construction Permits and Operating Licenses; Conforming Amendments - Part 52

On December 23, 1992 (57 FR 60975), the NRC published an amendment to its regulations governing the issuance of combined construction permits and operating licenses for nuclear power plants. The amendments, effective January 22, 1993, serve to conform the regulations to the provisions of Title XXVIII of Public Law 102-486, the "Energy Policy Act of 1992," signed into law on October 24, 1992.

### Acquisition Regulation (NRCAR) - 48 CFR Chapter 20

On December 23, 1992 (57 FR 61152), the NRC published an amendment revising its Nuclear Regulatory Commission Acquisition Regulation (NRCAR) that establishes requirements for the procurement of goods and services within the NRC to satisfy the particular needs of the agency. This amendment, effective January 22, 1993, expands the existing NRCAR to implement and supplement the government-wide Federal Acquisition Regulation.

### **Exclusion of Attorneys From Interviews Under Subpoena - Part 19**

On December 29, 1992 (57 FR 61780), the NRC published an amendment to its regulations, effective March 1, 1993, that provides for the exclusion of counsel from a subpoenaed interview when that counsel represents multiple interests in the investigation and concrete evidence exists that the counsel's presence at the interview would obstruct and impede the investigation.

# Material Approved for Incorporation by Reference; Maintenance and Availability - Parts 34, 35, 50, 73, and 110

On December 29, 1992 (57 FR 61785), the NRC published an amendment to its regulations that clarifies previously published requirements governing the availability of material approved for incorporation by reference. This amendment, effective immediately, indicates that copies of material that has been incorporated by reference are maintained and available for review at the NRC Library.

### Conduct of Employees; Conforming Amendments - Part 0

On January 12, 1993 (58 FR 3825), the NRC published an amendment to its regulations, effective February 3, 1993, that removes provisions that have been superseded by recently issued Office of Government Ethics regulations, which take effect on February 3, 1993.

# Licenses and Radiation Safety Requirements for Irradiators - Parts 19, 20, 30, 36, 40, 51, 70, and 170

On February 9, 1993 (58 FR 7715), the NRC published an amendment to its regulations, effective July 1, 1993, that establishes a new 10 CFR Part 36 to specify radiation safety requirements and licensing requirements for the use of licensed radioactive materials in irradiators.

### **Export and Import of Nuclear Equipment and Material; Clarifying Amendments - Part 110**

On March 9, 1993 (58 FR 12999), the NRC published an amendment to its regulations that clarifies the Commission's licensing requirements governing the export and import of nuclear equipment and material. This amendment, effective immediately, makes NRC's regulations consistent with the physical security guidelines contained in IAEA INFCIRC/225, and conforms NRC's regulations for export and import to the Solar, Wind, Water, and Geothermal Power Production Incentives Act of 1990 and to U.S. Government foreign relations commitments and changing circumstances.

### Clarification of Physical Protection Requirements at Fixed Sites - Part 73

On March 15, 1993 (58 FR 13699), the NRC published an amendment to its general physical protection requirements for fixed sites. This amendment, effective April 14, 1993, makes it clear that the Commission's regulations do not require protection against both radiological sabotage and theft of special nuclear material at all facilities. The amendment also requires that nonpower reactor licensees who operate at or above 2 megawatts thermal protect against radiological sabotage where deemed necessary.

### List of Approved Spent Fuel Storage Casks: Additions - Part 72

On April 7, 1993 (58 FR 17948), the NRC published an amendment to its list of approved spent fuel storage casks that adds one spent fuel storage cask to the list of approved casks. This amendment, effective May 7, 1993, will allow holders of power reactor operating licenses to store spent fuel in this approved cask under a general license.

### Training and Qualification of Nuclear Power Plant Personnel - Parts 50 and 52

On April 26, 1993 (58 FR 21904), the NRC published an amendment to its regulations that requires each applicant for and each holder of a license to operate a nuclear power plant to establish, implement, and maintain a training program for nuclear power plant personnel based on a systems approach to training. This amendment, effective May 26, 1993, meets the directives of Section 306 of the Nuclear Waste Policy Act of 1982.

# Nuclear Regulatory Commission Acquisition Regulation; Minor Amendments - 48 CFR Parts 2012, 2015, 2030, and 2052

On May 3, 1993 (58 FR 26253), the NRC published an amendment to its regulations, effective immediately, that corrects errors in the text of the NRC's acquisition regulation and to conform portions of regulatory text to recodified regulations of the Cost Accounting Standards

Board.

### Licensees' Announcements of Safeguards Inspections - Parts 73 and 74

On May 21, 1993 (58 FR 29521), the NRC published an amendment to its regulations, effective June 21, 1993, concerning safeguards inspections at facilities that possess a formula quantity of strategic special nuclear material in unirradiated form. The purpose of this amendment is to ensure that the presence of NRC safeguards inspectors at affected facilities is not announced or widely communicated to licensee and contractor personnel without an express request to do so by the safeguards inspector.

### Repeal of NRC Standards of Conduct Regulations - Part 0

On May 25, 1993 (58 FR 29951), the NRC published an amendment to its regulations, effective June 24, 1993, that repeals the delegations of authority and other miscellaneous regulations in 10 CFR Part 0 that are now contained in NRC internal management directives and handbooks or are no longer necessary.

# Fitness-for-Duty Requirements for Licensees Authorized to Possess, Use, or Transport Formula Quantities of Strategic Special Nuclear Material - Parts 26, 70, and 73

On June 3, 1993 (58 FR 31467), the NRC published an amendment to its regulations that requires licensees who are authorized to possess, use, or transport formula quantities of strategic special nuclear material (SSNM) to institute fitness-for-duty programs. This amendment, effective November 30, 1993, is necessary to provide greater assurance that individuals who have a drug or alcohol problem do not have access to or control over SSNM.

### Licensing Requirements for Land Disposal of Radioactive Wastes - Part 61

On June 22, 1993 (58 FR 33886), the NRC published an amendment to its regulations containing licensing requirements for low-level radioactive waste (LLRW) disposal facilities. This amendment, effective July 22, 1993, is necessary to clarify that these regulations also apply to the licensing of above-ground disposal facilities; replace the phrase "quality control program" in these regulations with the phrase "quality assurance program," tailored to LLRW disposal; update the Paperwork Reduction Act Statement in the regulations; and identify the correct NRC recipient of copies of the licensee's annual reports.

### Monitoring the Effectiveness of Maintenance at Nuclear Power Plants - Part 50

On June 23, 1993 (58 FR 33993), the NRC published an amendment to its regulations for monitoring the effectiveness of maintenance programs at commercial nuclear power plants. This amendment, effective July 10, 1996, changes the time interval for conducting evaluations from a mandatory once every year to at least once every refueling cycle, but not to exceed 24 months.

### **Duplication Fees - Part 9**

On July 20, 1993 (58 FR 38665), the NRC published an amendment to its regulations

that revises the charges for copying records publicly available at the NRC Public Document Room in Washington, DC. This amendment, effective immediately, is necessary to reflect the change in copying charges resulting from the Commission's award of a new contract for the copying of records.

# FY 1991 and 1992 Final Rule Implementing the U.S. Court of Appeals Decision and Revision of Fee Schedules; 100% Fee Recovery, FY 1993 - Parts 170 and 171

On July 20, 1993 (58 FR 38666), the NRC published an amendment to its regulations that revises the licensing, inspection, and annual fees charged to its applicants and licensees. This amendment, effective August 19, 1993, is necessary to implement Public Law 101-508, enacted November 5, 1990, which mandates that the NRC recover approximately 100% of its budget authority in fiscal year 1993, less amounts appropriated from the Nuclear Waste fund.

## Prepare Radiopharmaceutical Reagent Kits and Elute Radiopharmaceutical Generators; Use of Radiopharmaceuticals for Therapy; Extension of Expiration Date - Parts 30 and 35

On July 22, 1993 (58 FR 39130), the NRC published an amendment to its regulations that extends the expiration date of the interim final rule related to the preparation and therapeutic use of radiopharmaceuticals from August 23, 1993, to December 31, 1994. This amendment, effective August 23, 1993, allows licensees to continue to use byproduct material under the provisions of the interim final rule until the NRC completes a related rulemaking to address broader issues for the medical use of byproduct material, including those issues addressed by the interim final rule.

# Decommissioning Recordkeeping and License Termination: Documentation Additions - Parts 30, 40, 70, and 72

On July 26, 1993 (58 FR 39628), the NRC published an amendment to its regulations, effective October 25, 1993, that requires holders of a specific license for possession of certain byproduct material, source material, special nuclear material, or for independent storage of spent nuclear fuel and high-level radioactive waste to prepare and maintain additional documentation that identifies all restricted areas in which licensed materials and equipment were stored or used, all areas outside of restricted areas for which documentation is required under current decommissioning regulations for unusual occurrences or spills, all areas outside of restricted areas in which waste has been buried, and all areas containing material, outside of restricted areas, in which the licensee would be required if the license were terminated, to decontaminate the area or seek special approval for disposal.

### Adjustment of the Maximum Standard Deferred Premium - Part 140

On August 12, 1993 (58 FR 42851), the NRC published an amendment to its regulations, effective August 20, 1993, that increases the maximum standard deferred premium, presently established at \$63 million per reactor per accident (but not to exceed \$10 million in any one year), in accordance with the aggregate percentage change of 19.9% in the Consumer Price Index from August 1988 through March 1993.

#### Access Authorization Fee Schedule for Licensee Personnel - Parts 11 and 25

On August 23, 1993 (58 FR 44435), the NRC published an amendment to its regulations that revises the fee schedule for background investigations of licensee personnel who require access to National Security Information and/or Restricted Data and access to or control over Special Nuclear Material. These amendments, effective September 22, 1993, comply with current regulations that provide that NRC will publish fee adjustments concurrent with notifications of any changes in the rate charged the NRC by the Office of Personnel Management for conducting investigations.

### FSAR Update Submittals - Parts 50 and 54

On August 27, 1993 (58 FR 45243), the NRC published an amendment to its regulations that consistently applies the requirement that nuclear power plant licensees submit final safety analysis report updates annually or six months after each refueling outage. These amendments, effective September 27, 1993, will eliminate the confusion caused by the conflicting requirements in different sections of the regulations.

# Day Firing Qualification Courses for Tactical Response Team Members, Armed Response Personnel, and Guards at Category I Licensees - Part 73

On August 31, 1993 (58 FR 45781), the NRC published an amendment to its regulations, effective February 28, 1994, that requires armed security force personnel at fuel cycle facilities possessing formula quantities of strategic special nuclear material (Category I licensees), qualify and annually requalify for use of their assigned weapons using new day firing qualification courses.

## Nuclear Regulatory Commission Acquisition Regulation; Minor Amendments - 48 CFR Parts 2017 and 2052

On September 8, 1993 (58 FR 47220), the NRC published an amendment to its regulations, effective immediately, that makes minor corrective and conforming amendments to the NRC's acquisition regulation.

#### REGULATIONS AND AMENDMENTS PROPOSED

Reactor Site Criteria; Including Seismic and Earthquake Engineering Criteria for Nuclear Power Plants and Proposed Denial of Petition for Rulemaking From Free Environment, Inc. et al. - Parts 50, 52, and 100

On October 20, 1992 (57 FR 47802), the NRC published an amendment to its regulations that would update the criteria used in decisions regarding power reactor siting, including geologic, seismic, and earthquake engineering considerations for future nuclear power plants. The proposed rule would allow NRC to benefit from experience gained in the application of the procedures and methods set forth in the current regulation and to incorporate rapid advancements in the earth sciences and earthquake engineering.

### Licensees' Announcements of Safeguards Inspections - Parts 73 and 74

On November 3, 1992 (57 FR 49656), the NRC published an amendment to its regulations concerning fuel cycle facilities. The proposed rule would ensure that the presence of NRC safeguards inspectors at certain fuel cycle facilities is not announced or widely communicated to licensee and contractor personnel without an express request to do so by the inspector.

## Requirements Concerning the Accessible Air Gap for Generally Licensed Devices - Parts 31 and 32

On November 27, 1992 (57 FR 56287), the NRC published an amendment to its regulations governing the safe use of radioactive byproduct material in certain measuring, gauging, and controlling devices. The proposed rule would provide for additional regulatory control over devices with both an accessible air gap and radiation levels that exceed specified values.

## Availability of Official Records - Part 2

On December 23, 1992 (57 FR 61013), the NRC published an amendment to its regulations pertaining to the availability of official records to conform the regulations to existing case law and agency practice. The proposed rule would inform the public of three additional exceptions to a submitter's right to withdraw submitted information; provide more specific guidance for marking proprietary information; and inform the public of agency practice regarding reproduction and distribution of submitted copyrighted material.

## Self-Guarantee as an Additional Financial Assurance Mechanism - Parts 30, 40, 50, 70, and 72

On January 11, 1993 (58 FR 3515), the NRC published an amendment to its regulations that would allow certain non-electric utility licensees to use self-guarantee as a means of financial assurance. This proposed rule is intended to reduce the cost burden of financial assurance while providing the NRC with sufficient assurance that decommissioning costs will be funded. This proposed rule also responds to a petition for rulemaking (PRM-30-59) from General Electric Company and Westinghouse Electric Corporation.

## Timeliness in Decommissioning of Materials Facilities - Parts 30, 40, 70, and 72

On January 13, 1993 (58 FR 4099), the NRC published an amendment to its regulations that would establish specific time periods for decommissioning unused portions of operating nuclear materials facilities and for decommissioning the entire site upon termination of operations. The proposed rule would also require that licensees provide a description of the conditions of the site as part of the information to be submitted in support of decommissioning plans.

### Licensee Submittal of Data in Computer-Readable Form - Parts 40, 72, 74, 75, and 150

On January 26, 1993 (58 FR 6098), the NRC published an amendment to its regulations

that would require certain licensees to submit data to the NRC in computer-readable form. The proposed rule is intended to streamline the collection of nuclear material transaction data and increase the accuracy of the reported information.

# Procedures and Criteria for Onsite Storage of Low-Level Radioactive Waste - Parts 30, 40, 50, 70, and 72

On February 2, 1993 (58 FR 6730), the NRC published an amendment to its regulations that would establish a regulatory framework containing the procedures and criteria that would apply to onsite storage of low-level radioactive waste beyond January 1, 1996. The proposed rule is intended to support the goals that have been established by the Low-Level Radioactive Waste Policy Amendments Act of 1985 and is consistent with the June 19, 1992, United States Supreme Court decision in New York v. United States.

## Specific Licensing of Exports of Certain Alpha-Emitting Radionuclides and Byproduct Material - Part 110

On March 17, 1993 (58 FR 14344), the NRC published an amendment to its regulations that would conform the export controls of the United States to international export control guidelines and treaty obligations. The NRC is also proposing that Appendix A to 10 CFR Part 110 be restructured for clarification and to emphasize the distinction between nuclear reactor equipment controlled by the NRC and the Department of Commerce.

### Monitoring the Effectiveness of Maintenance at Nuclear Power Plants - Part 50

On March 22, 1993 (58 FR 15303), the NRC published an amendment to its regulations that would monitor the effectiveness of maintenance programs at commercial nuclear power plants. The proposed amendment would change the time interval for conducting evaluations from once every year to at least once every refueling cycle, but not to exceed 24 months.

### Modifications to Fitness-for-Duty Program Requirements - Part 26

On March 24, 1993 (58 FR 15810), the NRC published an amendment to its regulations that would modify current Fitness-for-Duty Program requirements. The proposed rule would permit licensees to reduce the random testing rate for licensee employees but maintain the 100-percent random testing rate for contractor and vendor employees.

### NRC Fee Policy; Request for Public Comment - Parts 170 and 171

On April 19, 1993 (58 FR 21116), the NRC published a notice soliciting public comment on the need for changes to its fee policy and associated legislation. This action responds to legislation that requires the NRC to review its policy for assessment of annual fees, solicit public comment on the need for changes to this policy, and recommend to the Congress the changes in existing law the NRC finds are needed to prevent the placement of an unfair burden on NRC licensees. This notice also announces the receipt of and requests comment on a petition for rulemaking submitted by the American Mining Congress (PRM-170-4) that requests that the NRC conduct a rulemaking to evaluate its fee policy.

# FY 1991 and 1992 Proposed Rule Implementing the U.S. Court of Appeals Decision and Revision of Fee Schedules; 100% Fee Recovery, FY 1993 - Parts 170 and 171

On April 23, 1993 (58 FR 21662), the NRC published an amendment to its regulations that would amend the licensing, inspection, and annual fees charged to its applicants and licensees. The proposed amendments would implement Public Law 101-508, enacted November 5, 1990, which mandates that the NRC recover approximately 100% of its budget authority in fiscal year (FY) 1993, less amounts appropriated from the Nuclear Waste Fund. The amount to be recovered for FY 1993 is approximately \$518.9 million.

## Authorization to Prepare Radiopharmaceutical Reagent Kits and Elute Radiopharmaceutical Generators; Use of Radiopharmaceuticals for Therapy; Extension of Expiration Date - Parts 30 and 35

On May 6, 1993 (58 FR 26938), the NRC published an amendment to its regulations that would extend the expiration date of the interim final rule (August 23, 1990; 55 FR 34513) related to the preparation and therapeutic use of radiopharmaceuticals from August 23, 1993, to December 31, 1994. The proposed extension would allow licensees to continue to use byproduct material under the provisions of the interim final rule until the NRC completes a related rulemaking to address broader issues for the medical use of byproduct material (including those issues address by the interim final rule).

### FSAR Update Submittals - Parts 50 and 54

On May 14, 1993 (58 FR 28523), the NRC published an amendment to its regulations that would amend the power reactor safety regulations in order to consistently apply the requirement that nuclear power plant licensees submit final safety analysis report updates annually or six months after each refueling outage.

### **Operator's Licenses - Part 55**

On May 20, 1993 (58 FR 29366), the NRC published an amendment to its regulations that would delete the requirement that each licensed operator at power, test, and research reactors pass a comprehensive requalification written examination and an operating test conducted by the NRC during the term of the operator's 6-year license as a prerequisite for license renewal.

# Emergency Planning Licensing Requirements for Independent Spent Fuel Storage Facilities (ISFSI) and Monitored Retrievable Storage Facilities (MRS) - Part 72

On May 24, 1993 (58 FR 29795), the NRC published an amendment to its regulations that would provide, as directed by the Nuclear Waste Policy Act of 1982, for the emergency planning licensing requirements for independent storage facilities and monitored retrievable storage facilities. The proposed rule would ensure that local authorities would be notified in the event of an accident so that they may take appropriate action.

## Interim Storage of Spent Fuel in an Independent Spent Fuel Storage Installation; Site-Specific License to a Qualified Applicant - Parts 2 and 72

On June 3, 1993 (58 FR 31478), the NRC published an amendment to its regulations in which the Director of Nuclear Material Safety and Safeguards would be able to issue a site-specific license to a qualified applicant for the interim storage of spent fuel in an independent spent fuel storage installation following satisfactory completion of NRC safety and environmental reviews and after any public hearing on the application.

# Whistleblower Protection for Nuclear Power Plant Employees - Parts 19, 30, 40, 50, 60, 61, 70, 72, and 150

On June 15, 1993 (58 FR 33042), the NRC published an amendment to its regulations regarding the protection of employees who provide information to the NRC or to their employers concerning safety issues. The proposed rule would conform current regulations to reflect the new nuclear whistleblower protection provisions of the Energy Policy Act of 1992, which was enacted on October 24, 1992.

# Preparation, Transfer for Commercial Distribution, and Use of Byproduct Material for Medical Use - Parts 30, 32, and 35

On June 17, 1993 (58 FR 33396), the NRC published an amendment to its regulations regarding the medical use of byproduct material. The proposed rule would provide greater flexibility by allowing properly qualified nuclear pharmacists and authorized users who are physicians greater discretion to prepare radioactive drugs containing byproduct material for medical use. The proposed rule would also allow research involving human subjects and byproduct material and the medical use of radiolabeled biologics.

# Production and Utilization Facilities; Emergency Planning and Preparedness--Exercise Requirements - Part 50

On June 28, 1993 (58 FR 34539), the NRC published an amendment to its regulations that would revise NRC's emergency planning regulations. The proposed rule would update and clarify ambiguities that have arisen in the implementation of the Commission's emergency planning exercise requirements.

# Notification of Spent Fuel Management and Funding Plans by Licensees of Prematurely Shut Down Power Reactors - Part 50

On June 30, 1993 (58 FR 34947), the NRC published an amendment to its regulations that would clarify the timing of notification to the NRC of spent fuel management and funding plans by licensees of nuclear power reactors that have been shut down before the expected end of their operating lives. The proposed rule would require that a licensee submit notification either within 2 years after permanently ceasing operation of its licensed power reactor or no later than 5 years before the reactor operating license expires, whichever event occurs first.

# Disposal of High-Level Radioactive Wastes in Geologic Repositories; Investigation and Evaluation of Potentially Adverse Conditions - Part 60

On July 9, 1993 (58 FR 36902), the NRC published an amendment that would clarify its regulations with respect to the consideration of certain defined geologic and other conditions that, if present, are potentially adverse to the ability of a geologic repository to meet the prescribed performance objectives with respect to isolation of high-level radioactive waste.

### **Equal Access to Justice Act: Implementation - Part 12**

On August 2, 1993 (58 FR 41061), the NRC published an amendment to its regulations that would add new provisions to implement the Equal Access to Justice Act.

## Notification of Events at Independent Spent Fuel Storage Installations and the Monitored Retrievable Storage Installation - Part 72

On September 14, 1993 (58 FR 48004), the NRC published an amendment to its regulations that would revise licensee reporting requirements regarding the notification of events related to radiation safety at independent spent fuel storage installations and a monitored retrievable storage installation.

#### Informal Hearing Procedures for Materials Licensing Adjudications - Part 2

On September 29, 1993 (58 FR 50858), the NRC published an amendment to its regulations that would provide that requests for a hearing in certain material license proceedings be filed within 30 days of actual notice of the amendment application.

## Restoration of the Generic Exemption from Annual Fees for Nonprofit Educational Institutions - Part 171

On September 29, 1993 (58 FR 50859), the NRC published an amendment to its regulations that would address the question on whether nonprofit educational institutions should receive a generic exemption from annual fees.

#### ADVANCE NOTICES OF PROPOSED RULEMAKING

### Medical Use of Byproduct Material; Training and Experience Criteria - Part 35

On October 9, 1992 (57 FR 46522), a document was published that withdrew an advance notice of proposed rulemaking on the training and experience criteria for all individuals who use byproduct material for clinical procedures in the practice of medicine (May 25, 1988; 53 FR 18845).

### **Licensing of Source Material - Part 40**

On October 28, 1992 (57 FR 48749), an advance notice of proposed rulemaking was published in which the NRC announced that it is considering amending its regulations governing

the licensing of source material and mill tailings. The contemplated rulemaking would consider revisions to improve control of source material through more specific regulation and to update the applicable requirements to conform with the revised standards for protection against radiation.

## Radioactive Waste Below Regulatory Concern; Generic Rulemaking, Withdrawal - Parts 2 and 20

On August 24, 1993 (57 FR 44620), a document was published that withdrew an advance notice of proposed rulemaking concerning the submittal of petitions for disposal of radioactive waste streams below regulatory concern that was set out in the Commission's regulations (December 2, 1986; 51 FR 43367).