

REGULATIONS AND AMENDMENTS PUT INTO EFFECT - FY 1988

Regional Nuclear Materials Licensing for the United States Navy - Parts 30, 40, and 70

On October 16, 1987 (52 FR 38391), the NRC published an amendment to its regulations concerning the domestic licensing of source, byproduct, and special nuclear material. The amendment, effective December 1, 1987, transfers the authority for administering the United States Navy license from Headquarters to NRC Region II.

Modification of General Design Criterion 4 Requirements for Protection Against Dynamic Effects of Postulated Pipe Ruptures - Part 50

On October 27, 1987 (52 FR 41288), the NRC published an amendment to its regulations to broaden the scope of a recent modification to General Design Criterion 4. The amendment, effective November 27, 1987, allows the removal of numerous pipe whip restraints and jet impingement barriers, as well as other related changes, in all reactor types.

Minor Nomenclature Amendment; Statement of Organization and General Information - Part 150

On October 30, 1987 (52 FR 41699), the NRC published an amendment to its regulations, effective immediately, that corrects references in its regulations to a now defunct unit of the agency.

Evaluation of the Adequacy of Off-Site Emergency Planning for Nuclear Power Plants at the Operating License Review Stage Where State and/or Local Governments Decline To Participate in Off-Site Emergency Planning - Part 50

On November 3, 1987 (52 FR 42078), the NRC published an amendment to its regulations to provide criteria for the evaluation at the operating license review stage of utility-prepared emergency plans in situations in which state and/or local governments decline to participate further in emergency planning. The rule, effective December 3, 1987, recognizes that Congress did not intend that the absence of state or local government participation in off-site emergency planning should preclude licensing of a substantially completed nuclear power plant where there is a utility-prepared emergency plan that provides reasonable assurance of adequate protection to the public.

Uranium Mill Tailings Regulations; Ground-Water Protection and Other Issues - Part 40

On November 13, 1987 (52 FR 43553), the NRC published an amendment to its regulations governing the disposal of uranium mill tailings. The amendment, effective December 14, 1987, incorporates into existing NRC regulations the ground-water protection regulations published by the Environmental Protection Agency for these wastes.

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

On November 20, 1987 (52 FR 44593), the NRC published an amendment to its regulations, effective immediately, that revised the fee schedule charged 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.

Domestic Licensing of Byproduct, Source, and Special Nuclear Material; Revision of List of Non-Agreement States in Region III - Parts 30, 40, and 70

On December 18, 1987 (52 FR 48092), the NRC published an amendment to its regulations, effective immediately, that reflects the status of Illinois and Iowa as Agreement States.

Revision of Freedom of Information Act Regulations; Conforming Amendments - Parts 2 and 9

On December 31, 1987 (52 FR 49350), the NRC published an amendment to its Freedom of Information Act (FOIA) regulations necessary to conform these provisions to the requirements of the Freedom of Information Reform Act of 1986. The final rule, effective February 1, 1988, reduces the repetition of statutory requirements and informs the public of procedural changes to the FOIA regulations.

Completeness and Accuracy of Information - Parts 2, 30, 40, 50, 55, 60, 61, 70, 71, 72, 110, and 150

On December 31, 1987 (52 FR 49362), the NRC published an amendment to its regulations that codifies the obligations of licensees and applicants for licenses to provide the Commission with complete and accurate information, to maintain accurate records, and to provide for disclosure of information identified by licensees as significant for licensed activities. This action, effective February 1, 1988, reflects the need for NRC to receive complete, accurate, and timely communications from its licensees and license applicants.

General Criteria for Security Personnel - Part 73

On January 7, 1988 (53 FR 403), the NRC published an amendment to its regulations concerning physical fitness qualifications for security personnel. The amendment, effective February 8, 1988, deletes the scheduling requirement that the medical examination be conducted within the 30 days preceding the physical fitness test.

Revision of Headquarters Office Locations - Part 1

On January 22, 1988 (53 FR 1744), the NRC published an amendment to its regulations, effective immediately, announcing the revised location of some of the NRC's Headquarters Offices.

Change of Region I Address - Parts 1, 20, 30, 40, 55, 70, and 73

On February 10, 1988 (53 FR 3861), the NRC published an amendment to its regulations, effective immediately, announcing the new address of its Region I Office in King of Prussia, Pennsylvania.

Relocation of NRC Offices - NMSS, OI, and GPA - Parts 30, 40, 60, 61, 70, 71, 72, 73, 74, and 110

On February 12, 1988 (53 FR 4109), the NRC published an amendment to its regulations, effective immediately, to indicate that the Office of Nuclear Material Safety and Safeguards, the Office of Investigations, and portions of the Office of Governmental and Public Affairs have relocated at One White Flint North in Rockville, Maryland.

Relocation of Office of Nuclear Reactor Regulation - Parts 4, 15, 19, 20, 21, 50, 53, 55, 73, 75, 81, 140, 150, and 170

On March 1, 1988 (53 FR 6137), the NRC published an amendment to its Regulations, effective immediately, announcing the relocation of the Office of Nuclear Reactor Regulation.

Reconsideration of Enforcement Policy Revision Involving Reopening Closed Cases - Part 2

On March 23, 1988 (53 FR 9429), the NRC published an amendment to its regulations that clarified its policy on reopening closed enforcement actions. The amendment, effective immediately, emphasized that the decision to reopen a case is to be made on a case-by-case basis.

Revision to Ex Parte and Separation of Functions Rules Applicable to Formal Adjudicatory Proceedings - Parts 0 and 2

On March 31, 1988 (53 FR 10360), the NRC published an amendment to its rules of practice concerning ex parte communications and separation of functions in formal adjudicatory proceedings. The amendment, effective April 29, 1988, incorporates requirements imposed by the Government in the Sunshine Act on ex parte communications into existing regulations. The amendment also allows members of the NRC staff to serve as confidential advisors to the Commission with respect to a contested proceeding so long as the staff members do not serve as investigators or litigators in the proceeding.

Revision of Telephone Numbers for Environmental Inquiries - Part 51

On April 25, 1988 (53 FR 13399), the NRC published an amendment to its regulations pertaining to environmental matters. The amendment, effective immediately, indicates the revised telephone numbers that enable prospective applicants or petitioners to consult with members of the NRC staff.

Codes and Standards for Nuclear Power Plants - Part 50

On May 5, 1988 (53 FR 16051), the NRC published an amendment to its regulations, effective immediately, to incorporate by reference the most recent addenda to pertinent portions of the American Society of Mechanical Engineers Boiler and Pressure Vessel Code (ASME Code). These provisions specify rules for the construction of light-water-cooled nuclear power plant components and requirements for the inservice inspection of these components.

Addresses for Personal Delivery of Communications - Parts 1, 110, and 171

On May 19, 1988 (53 FR 17915), the NRC published an amendment to its regulations, effective immediately, that indicates an additional address for the personal delivery of communications.

Retention Periods for Records - Parts 4, 11, 25, 30, 31, 32, 34, 35, 40, 50, 60, 61, 70, 71, 73, 74, 75, 95, and 110

On May 27, 1988 (53 FR 19240), the NRC published an amendment to its regulations that establishes a definite retention period for each record that an applicant or licensee is required to maintain. The amendment, effective July 26, 1988, also establishes a uniform standard acceptable to the NRC for the condition of a record throughout each specified retention period.

Revision of Backfitting Process for Power Reactors - Part 50

On June 6, 1988 (53 FR 20603), the NRC published an amendment to its regulations which governs the backfitting of nuclear power plants. The amendment, effective July 6, 1988, is intended to clarify when economic costs may be considered in backfitting nuclear power plants.

Diagnostic Misadministration Report Form - Part 35

On June 9, 1988 (53 FR 21627), the NRC published an amendment to its regulations for the medical use of byproduct material to indicate the form to be used for reporting diagnostic misadministrations. This amendment, effective immediately, is intended to inform the public of the development and availability of the form that medical licensees must use to meet the reporting requirements.

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

On June 13, 1988 (53 FR 21979) the NRC published an amendment to its regulations to revise the fee schedule charges 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. The amendment, effective immediately, complies with current regulations in Parts 11 and 25 which provide that NRC will publish fee adjustments, concurrent with notification of any changes in the rate charged the NRC by the Office of Personnel Management (OPM), for conducting the investigations.

Station Blackout - Part 50

On June 21, 1988 (53 FR 23203), the NRC published an amendment to its regulations to require that light-water-cooled nuclear power plants be capable of withstanding a total loss of alternating current (ac) electric power for a specified duration and maintaining reactor core cooling during that period. The amendment, effective July 21, 1988, is intended to provide further assurance that a loss of both offsite power and onsite emergency ac power systems will not adversely affect the public health and safety.

General Requirements for Decommissioning Nuclear Facilities - Parts 30, 40, 50, 51, 70, and 72

On June 27, 1988 (53 FR 24018), the NRC published an amendment to its regulations to set forth technical and financial criteria for decommissioning licensed nuclear facilities. The amended regulations address decommissioning planning needs, timing, funding methods, and environmental review requirements. The amendment, effective July 27, 1988, also contains a response to a petition for rulemaking (PRM-50-22), concerning decommissioning financial assurance, initially filed by the Public Interest Research Group (PIRG), et al. on July 5, 1977.

Control of Aerosols and Gases - Part 35

On July 22, 1988 (53 FR 27665), the NRC published an amendment to its regulations governing the medical uses of byproduct material that removed the requirement that radioactive aerosols be administered to patients only in rooms that are at negative pressure relative to surrounding rooms. The amendment, effective August 22, 1988, developed in response to PRM-35-6, allows the use of radioactive aerosols in locations such as intensive care units, critical care units, and patients' rooms.

Revision of Fee Schedule - Part 171

On August 12, 1988 (53 FR 30423), the NRC published an amendment to its regulations, on an interim basis, to revise the annual charges for licensed power reactors for Fiscal Year 1988. This action, effective September 12, 1988, is necessary to provide for the timely collection of fees as required by recently enacted legislation.

Implementation of the Use of SF-86, "Questionnaire for Sensitive Positions" - Parts 11 and 25

On August 16, 1988 (53 FR 30829), the NRC published an amendment to its regulations, effective September 15, 1988, to change the forms required to request an NRC personnel security clearance or material access authorization for NRC licensee personnel, licensee contractors, and other persons when an Office of Personnel Management (OPM) background investigation is necessary. The OPM has stipulated the use of the SF-86, "Questionnaire for Sensitive Positions" as the basis for their background investigations.

Facility Form Nuclear Liability Insurance Policy; Miscellaneous Amendments - Part 140

On August 18, 1988 (53 FR 31282), the NRC published an amendment to its regulations, effective September 19, 1988, making several minor changes in the Facility Form nuclear liability insurance policy furnished as evidence of financial protection.

Licensing Requirements for the Independent Storage of Spent Nuclear Fuel and High-Level Radioactive Waste - Parts 2, 19, 20, 21, 51, 70, 72, 73, 75 and 150

On August 19, 1988 (53 FR 31651), the NRC published an amendment to its regulations, effective September 19, 1988, to provide for licensing the storage of spent nuclear fuel and high-level radioactive waste in a monitored retrievable storage facility. The Nuclear

Waste Policy Act of 1982, as amended, requires that monitored retrievable storage facilities for spent nuclear fuel and high-level radioactive waste be subject to licensing by the Nuclear Regulatory Commission.

Restrictions Against Ownership of Certain Security Interests by Members of Advisory Committee on Nuclear Waste; Gifts, Entertainment, and Favors - Part 0

On September 13, 1988 (53 FR 35301), the NRC published an amendment to its regulations governing the ownership by NRC employees of stocks, bonds, and other security interests in companies that fall within any one of five reactor-related or fuel cycle-licensed categories. The amendment, effective immediately, will add to the group of affected employees those special Government employees who serve as members of the Advisory Committee on Nuclear Waste. The NRC is also amending its regulations on acceptance of gifts, entertainment, and favors to permit acceptance of travel expenses from an otherwise prohibited source when proffered in connection with a job interview and to permit acceptance of food and refreshments at widely attended events sponsored by certain groups whose membership is composed of prohibited sources.

Emergency Core Cooling Systems; Revisions to Acceptance Criteria - Part 50

On September 16, 1988 (53 FR 35996), the NRC published an amendment to its regulations, effective October 17, 1988, to allow the use of alternative methods to demonstrate that the emergency core cooling system would protect the nuclear reactor core during a postulated design basis loss-of-coolant accident.

Emergency Planning and Preparedness Requirements for Nuclear Power Plant Fuel Loading and Low-Power Testing - Part 50

On September 23, 1988 (53 FR 36955), the NRC published an amendment to its regulations, effective October 24, 1988, to establish more clearly what emergency planning and preparedness requirements are needed for fuel loading and low power testing of nuclear power plants.

REGULATIONS AND AMENDMENTS PROPOSED

Basic Quality Assurance in Radiation Therapy - Part 35

On October 2, 1987 (52 FR 36942), the NRC published a notice of proposed rulemaking that would amend its regulations concerning the medical use of byproduct material. The proposed rule would require medical licensees to implement certain quality assurance steps so that the chance of a therapy misadministration is reduced. The proposed rule would provide better patient safety and form the basis for enforcement action in case of a therapy misadministration.

Retention Periods for Records - Parts 4, 11, 25, 30, 31, 32, 34, 35, 40, 50, 60, 61, 70, 71, 73, 74, 75, 95, and 110

On October 28, 1987 (52 FR 41442), the NRC published a notice of proposed rulemaking that would establish a definite retention period for each record that an NRC applicant or licensee for a materials or facility license is required to maintain. The proposed rule is expected to reduce the overall recordkeeping burden for NRC applicants and licensees.

Criteria and Procedures for Emergency Access to Non-Federal and Regional Low-Level Waste Disposal Facilities - Part 62

On December 15, 1987 (52 FR 47578), the NRC published a notice of proposed rulemaking that would establish procedures and criteria for fulfilling its responsibilities concerning responding to requests for emergency access to operating, non-Federal or regional, low-level radioactive waste disposal facilities. The proposed rule is intended to address situations where a grant of emergency access may be necessary if a generator of low-level radioactive waste is denied access to operating disposal facilities and the lack of access could result in a serious and immediate threat to public health and safety.

Control of Aerosols and Gases - Part 35

On December 16, 1987 (52 FR 47726), the NRC published a notice of proposed rulemaking that would amend its regulations governing the medical uses of byproduct material. The proposed rule would remove the requirement that radioactive aerosols be administered to patients only in rooms that are at negative pressure relative to surrounding rooms. The proposed rule would allow physicians greater latitude in administering necessary clinical procedures to their patients.

Safeguards Requirement for Fuel Facilities Possessing Formula Quantities of Strategic Special Nuclear Material - Part 73

On December 31, 1987 (52 FR 49418), the NRC published a notice of proposed rulemaking that would amend its physical protection and security personnel performance regulations for fuel facilities possessing formula quantities of strategic special nuclear material to a level equivalent to the protection in place at comparable Department of Energy facilities. The proposed rule would provide greater assurance that physical protection measures at these fuel facilities can provide the capability to protect against the design basis threat.

Alternative Method for Leakage Rate Testing - Part 50

On February 29, 1988 (53 FR 5985), the NRC published a notice of proposed rulemaking that would clarify the requirements of its regulations applicable to the leakage testing of containments of light-water-cooled nuclear power plants. The proposed rule would explicitly permit the use of a statistical data analysis technique that the NRC considers to be an acceptable method of calculating containment leakage rates.

Safety Requirements for Industrial Radiographic Equipment - Part 34

On March 15, 1988 (53 FR 8460), the NRC published a notice of proposed rulemaking that would amend regulations applicable to industrial radiography. Licensees would be required to use radiographic exposure devices and associated equipment that provide additional safety features and radiographers would be required to wear pocket alarm dosimeters. The proposed requirements are intended to reduce radiation exposures to radiographic personnel and the general public that may result from the use of radiographic equipment.

Licensee Announcements of Inspectors - Part 50

On March 18, 1988 (53 FR 8924), the NRC published a notice of proposed rulemaking that would ensure that the presence of NRC inspectors on power reactor sites is not communicated to license and contractor personnel without the expressed permission of the inspector. The proposed rule would allow NRC inspectors to observe ongoing activities as they are being performed without advanced notification to affected personnel.

Facility Form Nuclear Liability Insurance Policy; Miscellaneous Amendments - Part 140

On April 27, 1988 (53 FR 15049), the NRC published a notice of proposed rulemaking that would make several minor changes in the Facility Form nuclear liability insurance policy furnished as evidence of financial protection. The proposed rule would conform NRC's regulations to endorsements to the Facility Form policy submitted by the two nuclear insurance pools that make available a single insurance policy to cover onsite worker claims.

NEPA Review Procedures for Geologic Repositories for High-Level Waste - Parts 2, 51, and 60

On May 5, 1988 (53 FR 16131), the NRC published a notice of proposed rulemaking that would revise its procedures for implementing the National Environmental Policy Act (NEPA). The proposed rule would address the Commission's rule under NEPA in connection with a license submitted by the Department of Energy (DOE) with respect to a geologic repository for high-level radioactive waste. The proposed rule reflects provisions of the Nuclear Waste Policy Act of 1982 requiring the Commission to adopt the DOE's environmental impact statement to the extent practicable.

Emergency Planning and Preparedness Requirements for Nuclear Power Plant Fuel Loading and Initial Low-Power Operations - Part 50

On May 9, 1988 (53 FR 16435), the NRC published a notice of proposed rulemaking that would establish more clearly the emergency planning and preparedness requirements that are needed for fuel loading and lower power operation of nuclear power plants. The proposed rule would require NRC findings on an applicant's onsite plan and only those offsite elements of the plan which would reasonably be expected to be needed in the event of a radiological emergency at low power.

Disposal of Radioactive Wastes - Part 61

On May 18, 1988 (53 FR 17709), the NRC published a notice of proposed rulemaking that would require disposal of "greater-than-Class C" low-level radioactive wastes in a deep geologic repository unless disposal elsewhere has been approved by the Commission. The proposed amendments would obviate the need for altering classifications of radioactive wastes as high-level or low-level.

Transportation Regulations; Compatibility With the International Atomic Energy Agency (IAEA) - Part 71

On June 8, 1988 (53 FR 21550), the NRC published a notice of proposed rulemaking that would amend its regulations for the safe transportation of radioactive material to make them compatible with those of the International Atomic Energy Agency (IAEA) and thus with those of most major nuclear nations. These regulations would apply to all NRC specific licensees who place byproduct, source, or special nuclear material in transit.

Revision of Fee Schedules - Parts 170 and 171

On June 27, 1988 (53 FR 24077), the NRC published a notice of proposed rulemaking that would amend its regulations by revising its fee schedules in 10 CFR Parts 170 and 171. This revision is necessary both to update the current fees and to implement the most recent fee legislation enacted by the Congress.

Licensee Action During National Security Emergency - Part 50

On July 19, 1988 (53 FR 27174), the NRC published a notice of proposed rulemaking that would amend its regulations to allow a licensee to take action that departs from approved technical specifications in a national security emergency. The amendment is necessary to specify in the regulations that in a national security emergency a licensee is permitted to take a needed action although it may deviate from technical specifications.

Reasserting NRC's Authority for Approving Onsite Low-Level Waste Disposal in Agreement States - Part 150

On August 22, 1988 (53 FR 31880), the NRC published a notice of proposed rulemaking that would amend its regulations to reassert NRC's jurisdiction for onsite low-level waste disposal for waste generated onsite at all reactors licensed by NRC in Agreement States. The proposed rule is necessary to (1) provide a more centralized and consistent regulatory review of all onsite waste management activities and (2) avoid duplication of regulatory effort by the NRC and Agreement States. The uniform review procedures which will accrue from the proposed rule are intended to provide greater assurance that onsite radioactive material will not present a health hazard at a later date after the site is decommissioned.

Early Site Permits; Standard Design Certifications; and Combined Licenses for Nuclear Power Reactors - Part 52

On August 23, 1988 (53 FR 32060), the NRC published a notice of proposed rulemaking that would add a new part to its regulations which would provide for issuance of early site permits, standard design certifications, and combined construction permits and conditional operating licenses for nuclear power reactors. The proposed rule sets out the review procedures and licensing requirements that would apply to applications for these new licenses and certifications. The proposed action is intended to achieve the early resolution of licensing issues. This would enhance the safety and reliability of nuclear power plants and reduce the complexity and uncertainty of the licensing process.

Disposal of Waste Oil by Incineration - Part 20

On August 29, 1988 (53 FR 32914), the NRC published a notice of proposed rulemaking that would permit the onsite incineration of slightly contaminated waste oils generated at licensed nuclear power plants without the need to specifically amend existing Part 50 operating licenses. This proposed action would help ensure that the limited capacity of licensed regional low-level waste burial grounds is used more efficiently while maintaining releases from operating nuclear power plants at levels which are "as low as is reasonably achievable" as required by 10 CFR part 50, Appendix I. This proposed rule, if promulgated, would constitute a partial granting of a petition for rulemaking (PRM-20-5) submitted by Edison Electric Institute and Utility Nuclear Waste Management Group.

Extension of Time for the Implementation of the Decontamination Priority and Trusteeship Provisions of Property Insurance Requirements - Part 50

On September 19, 1988 (53 FR 36338), the NRC published a notice of proposed rulemaking that would amend the implementation schedule for the stabilization and decontamination priority and trusteeship provisions of its property insurance regulations contained in 10 CFR 50.54(w)(5)(i) by changing the effective date from October 4, 1988 to April 4, 1990.

Fitness-for-Duty Program - Part 26

On September 22, 1988 (53 FR 36795), the NRC published a notice of proposed rulemaking that would create a new part in its regulations requiring licensees authorized to operate nuclear power reactors to implement a fitness-for-duty program. The general objective is to provide reasonable assurance that nuclear power plant personnel are not under the influence of any substance, legal or illegal, or mentally or physically impaired from any cause which in any way adversely affects their ability to safely and competently perform their duties.

ADVANCE NOTICES OF PROPOSED RULEMAKING

Comprehensive Quality Assurance in Medical Use and a Standard of Care - Part 35

On October 2, 1987 (52 FR 36949), the NRC published an advance notice of proposed rulemaking on a contemplated amendment that would require licensees offering teletherapy or brachytherapy services to implement a comprehensive quality assurance program to reduce the chance of misadministrations. The advance notice of proposed rulemaking requests public comment on the extent to which additional radiopharmaceutical quality assurance requirements are needed.

Regulation of Uranium Enrichment Facilities - Part 76

On April 22, 1988 (53 FR 13276), the NRC published an advance notice of proposed rulemaking on a contemplated amendment that would add new regulations for uranium enrichment facilities. The advance notice of proposed rulemaking requests public comment on whether a separate set of regulations is desirable for uranium enrichment licensing.

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

On May 25, 1988 (53 FR 18845), the NRC published an advance notice of proposed rulemaking that requests comments on the training and experience criteria for all individuals who use byproduct material for clinical procedures in the practice of medicine. Comments submitted on the advance notice of proposed rulemaking will help the NRC ensure that its training and experience criteria reflect the evolution of medical practice without compromising public health and safety.

Custody and Long-Term Care of Uranium Mill Tailings Sites - Part 40

On August 25, 1988 (53 FR 32396), the NRC published an advance notice of proposed rulemaking considering general licenses that would permit NRC to license the custody and long-term care of decommissioned uranium or thorium mill tailings sites after remedial actions under the Uranium Mill Tailings Radiation Control Act have been completed. Although the notice was published as an advance notice of proposed rulemaking, the full text of a proposed rule was included and a proposed rule may not be necessary.

Nuclear Plant License Renewal - Part 50

On August 29, 1988 (53 FR 32919), the NRC published an advance notice of proposed rulemaking to develop regulations for extending nuclear power plant licenses beyond 40 years. In order to inform the public, industry, and other government agencies of its activities and to solicit comments on various regulatory options and issues developed thus far, the Commission is promulgating this notice and requesting comments on NUREG-1317 "Regulatory Options for Nuclear Plant License Renewal."