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[Proposed Rules]  
[Page 29357]  
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Proposed Rules

Federal Register

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

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[[Page 29357]]

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NUCLEAR REGULATORY COMMISSION

10 CFR Parts 50 and 70

**Criticality Accident Requirements; Public Meeting**

AGENCY: U.S. Nuclear Regulatory Commission.

ACTION: Notice of public meeting.

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SUMMARY: The Nuclear Regulatory Commission (NRC) has initiated a rulemaking to provide light-water nuclear power reactor licensees with greater flexibility in meeting the requirement that licensees authorized to possess more than a small amount of special nuclear material (SNM), maintain a **criticality** monitoring system in each area where the material is handled, used, or stored. This action is taken as a result of the experience gained in processing and evaluating a number of exemption requests from power reactor licensees and NRC's safety assessments in response to these requests that concluded that the likelihood of **criticality** was negligible.

On December 3, 1997 (62 FR 63825), the Nuclear Regulatory Commission published in the Federal Register a direct final rule amending its regulations that would have provided persons licensed to construct or operate light-water nuclear power reactors with the option of either meeting the **criticality** accident requirements of paragraph (a) of 10 CFR 70.24 in handling and storage areas for SNM, or electing to comply with requirements that would be incorporated into 10 CFR part 50 at Sec. 50.68. The direct final rule would have become effective on February 17, 1998. Significant adverse comments were received from the public, resulting in the staff withdrawing the rule. In an attempt to better understand the focus of the public comments, the staff is conducting a public meeting.

DATES: The meeting will be held on Monday, June 8, 1998.

ADDRESSES: The meeting will be held at the NRC Headquarters, 11555 Rockville Pike, Rockville, MD 20852, in room O-10B-11, starting at 1:00 pm.

SUPPLEMENTARY INFORMATION: The Nuclear Regulatory Commission (NRC) is

proposing to amend its regulations to provide persons licensed to construct or operate light-water nuclear power reactors with the option of either meeting the **criticality** accident requirements of paragraph (a) of 10 CFR 70.24 in handling and storage areas for SNM, or electing to comply with certain requirements that would be incorporated into 10 CFR part 50. These are generally the requirements that the NRC has used to grant specific exemptions to the requirements of 10 CFR 70.24. In addition, the NRC is proposing to revise the current text of the section relating to seeking specific exemptions from regulations in 10 CFR 70.24(d) which provided that a licensee could seek an exemption to all or part of 10 CFR 70.24 for good cause because it is redundant to 10 CFR 70.14(a). A new section, 10 CFR 70.24 (d) may be added to clarify that the requirements in paragraph (a) through (c) of 10 CFR 70.24 do not apply to holders of a construction permit or operating license for a nuclear power reactor issued pursuant to 10 CFR part 50, or combined licenses issued under 10 CFR part 52, if the holders comply with the requirements of 10 CFR 50.68 (b). It is proposed that exemptions acquired under 10 CFR 70.24 after the issuance of the operating license will still be valid if the option selected is 10 CFR 70.24 or if the 10 CFR 70.24 exemptions were explicitly renewed when the 10 CFR part 50 operating license was issued.

The meeting will be open to the public, on a space available basis. The agenda for the workshop will focus on a discussion of the public comments received and the above regulatory issues. Members of the public who are unable to attend the workshop can obtain copies of the papers developed by the staff through NRC's Public Document Room (U.S. Nuclear Regulatory Commission, Attention: NRC Public Document Room, Washington, DC 20555-0001) or on the Internet via NRC's Technical Conference Forum (<http://techconf.llnl.gov/noframe.html>).

Dated at Rockville, Maryland this 21st day of May, 1998.

For the Nuclear Regulatory Commission.

Thomas H. Essig,  
Acting Chief, Generic Issues and Environmental Projects Branch,  
Division of Reactor Program Management, Office of Nuclear Reactor  
Regulation.

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