



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

AUG 25 1989

MEMORANDUM FOR: Catherine R. Mattsen
Office of Nuclear Regulatory Research

FROM: David L. Meyer, Chief
Regulatory Publications Branch
Division of Freedom of Information
and Publications Services

SUBJECT: REVIEW OF FINAL RULE ON DISPOSAL OF WASTE OIL
BY INCINERATION

The Regulatory Publications Branch has reviewed the draft copy of the final rule that would permit the onsite incineration of slightly contaminated waste oils generated at licensed nuclear power plants. We have enclosed a marked copy of the rule that presents our comments. In the marked copy, we have made changes to portions of the preamble and codified text. These changes are necessary to meet the publication requirements of the Office of the Federal Register.

Although the Summary paragraph mentions that this rule partially grants a petition for rulemaking (PRM-20-15), there is very little discussion of the petition in the Supplementary Information section of the rule. Because the proposed and final rules respond to this petition, you should provide a more detailed discussion of the issues raised by the petition. The discussion should include a brief summation of the issues raised by the petition, a specific indication of the parts of the petition that are granted by the final rule, and an indication of the reasons why the NRC is acting favorably on these issues. In this discussion, you should state specifically the remaining issues of the petition which are not being granted as part of this action. If these issues are denied as a result of this action, the Supplementary Information section must contain a specific statement that accomplishes this denial and provide sufficient supporting information to explain and justify the action. If the remaining issues in the petition are not resolved by this rulemaking action, this discussion must contain a clear statement indicating that these issues remain unresolved and that the NRC will publish a future document resolving these issues.

We suggest that the discussion of comments in the Supplementary Information section of the final rule be organized and formatted to present the discussion within the context of the specific issues raised by the commenters. Headings could be used to present each topic, the commenters' position on the issue, and NRC's response to and resolution of the issue raised.

In response to a recent request from the Office of Information and Regulatory Affairs, OMB, we have added a Regulation Identifier Number (RIN: 3150-AC14) to

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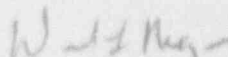
the heading of the final rule. The RIN will make it easier for the public and agency officials to track the publication history of a regulatory action throughout its life cycle.

The Environmental Impact Statement at page 16 should be changed, as marked, to reflect the issuance of the final rule.

We have provided the Records and Reports Management Branch of the Office of Information Resources Management a copy of this rule to review for compliance with the Paperwork Reduction Act. You should consult Brenda Shelton (28132) to ensure that the statement concerning information collection requirements is appropriate.

We have also made minor editorial comments in the Regulatory Analysis which accompanies this rule.

If you have any questions concerning our comments, please contact Michael T. Lesar on extension 27758 or Alzonja Shepard on extension 27651.



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Office of Administration

Enclosure: As stated