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PROMOTES RULES
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NUCLEAR REGULATORY COMMISSION

10 CFR Part 9

Charges for the Production of Records

DOCKETED
USNRC

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AGENCY: Nuclear Regulatory Commission.

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

ACTION: Final rule.

SUMMARY: The Nuclear Regulatory Commission (NRC) is amending its regulations by revising the charges for copying records publicly available at the NRC Public Document Room in Washington, DC. The amendments are necessary in order to reflect the change in copying charges resulting from the Commission's award of a new contract for the copying of records.

EFFECTIVE DATE: JUN 18 1985

FOR FURTHER INFORMATION CONTACT: John Philips, Chief, Rules and Procedures Branch, Division of Rules and Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Telephone: 301-492-7086.

SUPPLEMENTARY INFORMATION: The NRC maintains a Public Document Room (PDR) at its headquarters at 1717 H Street, NW, Washington, DC. The PDR contains an extensive collection of publicly available technical and administrative records that the NRC receives or generates. Requests by the public for the reproduction of records at the PDR have traditionally been accommodated by a copying service contractor selected by the NRC. The schedule of reproduction charges to the public established in the copying service contract is set forth in 10 CFR 9.14 of the Commission's regulations. The NRC has recently awarded

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a new copying service contract. The revised fee schedule reflects the changes in copying charges to the public that have resulted from the awarding of the new contract for the reproduction of records at the PDR.

Because these are amendments dealing with agency practice and procedures, the notice provisions of the Administrative Procedure Act do not apply pursuant to 5 U.S.C. 553(b)(A). In addition, the PDR users were notified on June 3, 1985, that the new contract was being awarded and that the new prices would go into effect on June 10, 1985. The amendments are effective upon publication in the Federal Register. Good cause exists to dispense the usual 30-day delay in the effective date because the amendments are of a minor and administrative nature dealing with agency procedures.

REGULATORY FLEXIBILITY ACT

5 U.S.C. 552(a)(4)(A) requires the NRC, as a Federal agency, to promulgate regulations ". . . specifying a uniform schedule of fees applicable to all constituent units of such agency." (emphasis added). Therefore, no analysis of any differential impacts on small entities is necessary.

PAPERWORK REDUCTION ACT STATEMENT

This final rule contains no information collection requirements and therefore is not subject to the requirements of the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.).

LIST OF SUBJECTS IN 10 CFR PART 9

Freedom of information, Penalty, Privacy, Reporting and recordkeeping requirements, Sunshine Act.

For the reasons set out in the preamble and under the authority of the

Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974, as amended, and 5 U.S.C. 553, the NRC is adopting the following amendments to 10 CFR Part 9.

PART 9 -- PUBLIC RECORDS

1. The authority citation for Part 9 is revised to read as follows:

Authority: Sec. 161, 68 Stat. 948, as amended (42 U.S.C. 2201); sec. 201, 88 Stat. 1242, as amended (42 U.S.C. 5841).

Subpart A also issued under 5 U.S.C. 552 and 31 U.S.C. 9710. Subpart B also issued under 5 U.S.C. 552a. Subpart C also issued under 5 U.S.C. 552b.

2. In §9.14, paragraphs (a)(1) and (b)(1) are revised and paragraph (f) is added to read as follows:

§9.14 Charges for production of records.

(a)(1) Charges for the copying of records at the NRC Public Document Room (PDR), 1717 H Street, NW, Washington, DC by the copying service contractor are as follows:

(i) Five cents per page for paper copy to paper copy, except for engineering drawings and any other records larger than 17 x 11 inches for which the charges vary as follows depending on the reproduction process that is used: Xerographic process--\$1.25 per square foot for large documents or engineering drawings (random size up to 24 inches in width and with variable length) reduced or full size; Photographic process--\$7.00 per square foot for large documents or engineering drawings (random size exceeding 24 inches in width up to a maximum size of 42 inches in length) full size only.

(ii) Five cents per page for microform to paper copy, except for engineering drawings and any other records larger than 17 x 11 inches for which

the charge is \$1.25 per square foot or \$2.60 for a reduced size print (18 x 24 inches).

(iii) Seventy-five cents per microfiche to microfiche.

(iv) One dollar per aperture card to aperture card.

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(b) * * *

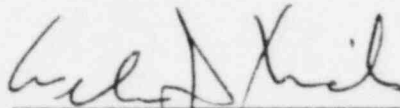
(1) Sizes up to 8½ x 14 inches made on office copying machines--\$0.05 per page of copy.

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(f) Charges for production of records in Local Public Document Rooms. Charges for the reproduction of NRC documents located in NRC Local Public Document Rooms (LPDRs) may vary according to location.

Dated at Bethesda, Maryland, this 11th day of June 1985.

For the Nuclear Regulatory Commission.



William J. Dircks,
Executive Director for Operations