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NUCLEAR REGULATORY COMMISSION

Draft Standard Review Plans on
Antitrust and Financial Qualifications and
Decommissioning Funding Assurance

AGENCY: Nuclear Regulatory Commission.

ACTION: Draft Standard Review Plans.

SUMMARY: The NRC is seeking public comment on Draft Standard Review Plans (SRPs) on Antitrust and Financial Qualifications and Decommissioning Funding Assurance. The Draft SRP on Antitrust Reviews reflects current staff practice in carrying out the antitrust mandate required by the Atomic Energy Act in review of construction permit and operating license applications, amendment applications, and in antitrust enforcement actions. The Draft SRP on Financial Qualifications and Decommissioning Funding Assurance provides procedures used to evaluate initial license applications and license transfer applications with respect to financial qualifications and to determine if licensees are complying with NRC requirements for ensuring that adequate decommissioning funds are available. The SRPs are being published to obtain public comments and do not reflect the Commission's final positions. The public comments will be considered in evaluating whether the NRC review process in this area should be changed. The Draft SRPs will be available on NRC electronic bulletin boards and in the NRC's Public Document Room.

DATE: The public is invited to submit comments on the draft SRPs by March 15, 1997. Comments received after this date will be considered if it is practical to do so, but assurance of consideration cannot be given except as to comments received on or before this date. On the basis of the submitted comments, the

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Commission will determine whether to modify the draft SRPs before issuing them in final form.

ADDRESSES: Mail comments to: Secretary, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Branch.

Deliver comments to: 11555 Rockville Pike, Rockville, Maryland, between 7:45 a.m. and 4:15 p.m., Federal workdays.

Comments may be submitted electronically, in either ASCII text or WordPerfect format (version 5.1 or later), by calling the NRC electronic Bulletin Board (BBS) on FedWorld. The bulletin board may be accessed by using a personal computer, a modem, and one of the commonly available communications software packages, or directly via Internet.

If using a personal computer and modem, the NRC-EDIN subsystem on FedWorld can be accessed directly by dialing the toll free number (800) 303-9672. Communication software parameters should be set as follows: parity to none, data bits to 8, and stop bits to 1 (N,8,1). Using ANSI or VT-100 terminal emulation, the NRC-EDIN subsystem can then be accessed by selecting the "Rules Menu" option from the "NRC Main Menu." Many NRC subsystems and data bases also have a "Help/Information Center" option that is tailored to the particular subsystem.

The NRC subsystem on FedWorld can also be accessed by a direct dial telephone number for the main FedWorld BBS, (703) 321-3339, or by using Telnet via Internet: fedworld.gov. If using (703) 321-3339 to contact FedWorld, the NRC subsystem will be accessed from the main FedWorld menu by selecting the "Regulatory, Government Administration and State Systems," then selecting "Regulatory Information Mail." At that point, a menu will be displayed that has an option "U.S. Nuclear Regulatory Commission" that will take you to the NRC Online main menu. The NRC Online area also can be accessed directly by typing "/go nrc" at a FedWorld command line. If you access NRC from FedWorld's main menu, you may return to FedWorld by selecting the "Return to FedWorld" option from the NRC Online Main Menu. However, if you access NRC at FedWorld by using the NRC's toll-free number, you will have full access to all NRC systems, but you will not have access to the main FedWorld system.

If you contact FedWorld using Telnet, you will see the NRC area and menus, including the NRC-EDIN Menu. Although you will be able to download documents and leave messages, you will not be able to write comments or upload files (comments). If you contact FedWorld using FTP, all files can be accessed and downloaded but uploads are not allowed; all you will see is a list of files without descriptions (normal Gopher look). An index file listing all files within a subdirectory, with descriptions, is available. There is a 15-minute time limit for FTP access.

Although FedWorld can also be accessed through the World Wide Web, like FTP that mode only provides access for downloading files and does not display the NRC-EDIN Menu.

For more information on NRC bulletin boards call Mr. Arthur Davis, Systems Integration and Development Branch, NRC, Washington, DC 20555.

telephone (301) 415-5780; e-mail AXD3@nrc.gov.

Examine copies of comments received at: The NRC Public Document Room, 2120 L Street NW (Lower Level), Washington, DC.

FOR FURTHER INFORMATION CONTACT: Robert S. Wood, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555, telephone (301) 415-1255, e-mail RSW1@nrc.gov; or for the Antitrust SRP, Michael J. Davis, telephone (301) 415-1016, e-mail MJD1@nrc.gov.

SUPPLEMENTARY INFORMATION:

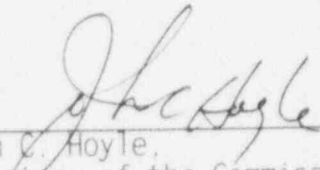
The Draft Standard Review Plan on Antitrust describes the procedures used by the NRC staff to implement the antitrust review and enforcement prescribed in Sections 105 and 186 of the Atomic Energy Act of 1954, as amended and will replace the original NUREG-0970. These procedures are principally covered by the Commission's Rules and Regulations in 10 CFR Sections 2.101, 2.102, 2.2, 50.33a, 52.77, 50.80, and 50.90. These procedures set forth the steps and criteria the staff applies in the antitrust review of combined construction permit/operating license applications and amendments to construction permits, operating licenses, and combined licenses. In addition, the procedures describe how the staff enforces compliance by licensees with antitrust license conditions.

The Draft Standard Review Plan on Power Reactor Licensee Financial Qualifications and Decommissioning Funding Assurance describes the process the NRC staff uses to review the financial qualifications and methods of providing decommissioning funding assurance required of power reactor licensees. This draft SRP will be used as the basis for reviews as the electric utility

industry moves from an environment of rate regulation toward greater competition. The NRC is concerned that rate deregulation and disaggregation resulting from various restructuring actions involving power reactor licensees could have adverse effects on the protection of public health and safety.

Dated at Rockville, Maryland, this 20th day of December, 1996.

For the Nuclear Regulatory Commission.



John C. Hoyle,
Secretary of the Commission.