

[7590-01-P]

NUCLEAR REGULATORY COMMISSION

10 CFR Part 51

RIN: AF65

Environmental Report--Materials Licenses

AGENCY: Nuclear Regulatory Commission.

ACTION: Proposed rule.

SUMMARY: The Nuclear Regulatory Commission (NRC) is proposing to amend its regulations to eliminate the requirement that an environmental report must be submitted by uranium mill licensees at the time of license termination. The intent of this action is to remove an outdated and unnecessary reporting requirement.

DATE: Comments on the proposed rule must be received on or before (30 days after publication in the Federal Register).

ADDRESSES: Mail comments to: Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Docketing and Service Branch. Hand deliver comments to 11555 Rockville Pike, Maryland, between 7:45 a.m. and 4:15 p.m. on Federal workdays.

Copies of any comments received may be examined at the NRC Public Document Room, 2120 L street NW (Lower Level), Washington, DC.

For information on submitting comments electronically, see the discussion under Electronic Access in the Supplementary Information Section.

FOR FURTHER INFORMATION CONTACT: Joseph J. Mate, Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone (301) 415-6202, or e-mail JJM@NRC.GOV.

SUPPLEMENTARY INFORMATION:

For additional information, see the direct final rule published in the Rules section of this Federal Register.

Procedural Background

The NRC considers this action to be noncontroversial and routine. We are publishing this proposed rule concurrently with a final rule on the subject which will become effective on (60 days after publication in the Federal Register). However, if the NRC receives significant adverse comments on the proposed amendment in this notice by (30 days after publication in the Federal Register), the NRC will publish a document that withdraws the final rule. If the final rule is withdrawn, the NRC will address the comments received in response to the proposed revisions in this notice in a subsequent final rule. Absent significant modifications to the proposed revisions requiring republication, the NRC will not initiate a second comment period for this action if the final rule is withdrawn.

Electronic Access

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

Using a personal computer and modem, the NRC rulemaking subsystem on FedWorld can be accessed directly by dialing the toll free number: 1-800-303-9672. 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 rulemaking subsystem can then be accessed by selecting the "Rules Menu" option from the "NRC Main Menu." For further information about options available for NRC at FedWorld, consult the "Help/Information Center" from the "NRC Main Menu." Users will find the "FedWorld Online User's Guides" particularly helpful. Many NRC subsystems and databases 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 phone number for the main FedWorld BBS, 703-321-3339, or by using Telnet via the 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 Mall." 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 menu. The NRC Online area can also be accessed directly by typing

"/go nrc" at a FedWorld command line. If you access NRC from the FedWorld's main menu, you may return to FedWorld by selecting the "Return to Fedworld " option from the NRC Online Menu. However, if you access NRC at FedWorld by using 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 Rules 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 included. There is a 15-minute time limit for FTP access.

A rulemaking site also can be accessed through the NRC's home page on the World Wide Web (<http://www.nrc.gov>). This site provides the same access to rulemakings as the FedWorld bulletin board, and you will be able to upload files (comments) if that function is supported by your web browser.

For more information on NRC bulletin boards at FedWorld call Mr. Arthur Davis, Systems Integration and Development Branch, U.S. Nuclear Regulatory Commission, Washington, DC 20555, telephone (301) 415-5780; e-mail AXD3@nrc.gov. Information on the Rulemaking Web site can be obtained from Ms. Carol Gallagher, Division of Regulatory Applications, U.S. Nuclear Regulatory Commission, Washington, DC 20555, telephone (301) 415-5905; e-mail CAG@nrc.gov.

List of Subjects in 10 CFR Part 51

Administrative practice and procedure, Environmental impact statement, Environmental regulations assessment and reports, NEPA procedures, Nuclear materials, Nuclear power plants and reactors, Reporting and recordkeeping requirements.

For 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. 552 and 553, the NRC is proposing to adopt the following amendments to 10 CFR Part 51.

PART 51 - ENVIRONMENTAL PROTECTION REGULATIONS FOR DOMESTIC LICENSING AND RELATED REGULATORY FUNCTIONS

1. AUTHORITY: Sec. 161, 68 Stat. 948, as amended, sec. 1701, 106 Stat. 2951, 2952, 2953, (U.S.C. 2201, 2297f); secs. 201, as amended, 202, 88 Stat. 1242, as amended, 1244 (42 U.S.C. 5841, 5842). Subpart A also issued under National Environmental Policy Act of 1969, secs. 102, 104, 105, 83 Stat. 853-854, as amended (42 U.S.C. 4332, 4334, 4335); and Pub. L. 95-604, Title II, 92 Stat. 3033-3041; and sec. 193, Pub. L. 101-575, 104 Stat. 2835 (42 U.S.C. 2243). Sections 51.20, 51.30, 51.60, 51.80. and 51.97 also issued under secs. 135, 141, Pub. L. 97-425, 96 Stat. 2232, 2241, and sec. 148, Pub L. 100-203, 101 Stat. 1330-223 (U.S.C. 10155, 10161, 10168). Section 51.22 also issued under sec. 274, 73 Stat. 688, as amended by 92 Stat. 3036-3038 (42 U.S.C. 2021) and under Nuclear Waste Policy Act of 1982, sec 121, 96 Stat. 2228 (42

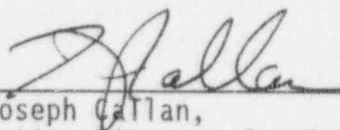
U.S.C. 10141). Sections 51.43, 51.67, and 51.109 also issued under Nuclear Waste Policy Act of 1982, sec 114(f), 96 Stat. 2216, as amended (42 U.S.C. 10134(f)).

§ 51.60 [Amended]

2. In § 51.60, paragraph (b)(3) is removed, paragraphs (b)(4), (5), and (6) are redesignated as paragraphs (b)(3), (4), and (5), and paragraph (a) is amended by revising the reference "paragraphs (b)(1) through (b)(6)" to read "paragraphs (b)(1) through (b)(5)."

Dated at Rockville, Maryland this 21 day of April, 1997.

For the Nuclear Regulatory Commission.



L. Joseph Callan,
Executive Director for Operations.