

Proposed Rules

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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.

NUCLEAR REGULATORY COMMISSION

10 CFR Part 20

[Docket No. PRM-20-24]

Petition for Rulemaking; University of Cincinnati

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of receipt of petition for rulemaking.

SUMMARY: The Nuclear Regulatory Commission (NRC) is docketing, as a petition for rulemaking, a document dated April 7, 1996, and filed with the Commission by the University of Cincinnati. The petition was assigned Docket No. PRM-20-24 on April 15, 1996. The petitioner requests that the Commission amend its regulations to authorize specified visitors of radiation patients, as members of the public, to receive up to 500 mrem per year. In this document, the NRC is announcing the receipt of the petition and requesting public comment on the suggested amendment.

DATES: Submit comments by September 4, 1996.

Comments received after this date will be considered if it is practical to do so. However, assurance of consideration cannot be given except as to comments received on or before this date.

ADDRESSES: Submit comments to the Nuclear Regulatory Commission, Attention: Docketing and Service Branch, Office of the Secretary, Washington, DC 20555-001. For a copy of the petition, write to the Rules Review Section, Rules Review and Directives Branch, Division of Freedom of Information and Publications Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Deliver comments to 11555 Rockville Pike, Rockville, Maryland, between 7:30 a.m. and 4:15 p.m. on Federal workdays.

For information on submitting comments electronically, see

“Electronic Access” under the Supplementary Information section of this notice.

FOR FURTHER INFORMATION CONTACT: Michael T. Lesar, Chief, Rules Review Section, at the same address as above or by telephone, 301-415-7163, or toll free, 1-800-368-5642, or E-mail, MTL@NRC.GOV.

SUPPLEMENTARY INFORMATION:

Background

In § 20.1301(a)(1), each licensee is required to conduct operations so that the total effective radiation dose limit for members of the public does not exceed 0.1 rem (1 millisievert) in a year. The dose equivalent must be exclusive of the dose contributions from background radiation, any medical administration the individual has received, voluntary participation in medical research programs, and the licensee's disposal of radioactive material into sanitary sewerage in accordance with § 20.2003. The current regulations state in § 20.1301(c) that a licensee or license applicant may apply for prior NRC authorization to operate up to an annual dose limit for an individual member of the public of 0.5 rem (5 mSv).

Petitioner's Request

The petitioner states that, as recommended in a report from the National Committee on Radiation Protection (NCRP 91), the proposed amendment would permit a small population of the general public to be infrequently exposed to an annual exposure limit of 500 mrem total effective dose equivalent. The petitioner presents the following specific recommendations concerning the requested amendment:

1. The individuals to whom the 500 mrem annual limit applies would be specified visitors of radiation therapy patients hospitalized under 10 CFR 35.75 or specified visitors of radiation therapy patients receiving temporary brachytherapy implants under 10 CFR 35.400.

2. The dose limit is not requested for all visitors of all radiation therapy patients hospitalized under 10 CFR 35.75 or receiving a temporary implant under 10 CFR 35.400. The dose limit would apply only to specified visitors determined by the physician to be necessary for the emotional and/or physical support of the patient (e.g., parents of children, elderly patients who need support from a familiar individual, etc.).

3. The specified visitors would be limited to adult (18 or older) non-pregnant individuals who are members of the family or are individuals with a significant personal relationship to the patient.

4. The specified visitors would be instructed by the licensee or authorized user to maintain their exposure as low as reasonable achievable (ALARA). The instruction would emphasize the radiation safety precautions of time, distance and shielding.

5. The dose limit would apply only to dose received while the patient is hospitalized under 10 CFR 35.75 and/or receiving a temporary brachytherapy implant under 10 CFR 35.400. A personnel monitor (pocket dosimeter, film badge, TLD or electronic dosimeter) would document compliance.

The Petitioner's Proposed Amendment

The petitioner proposes that § 20.1301 be amended to permit specified visitors of radiation patients to be exposed to an exposure limit of 500 mrem total effective dose per year.

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 (BBS) on FedWorld. The bulletin board may be accessed using a personal computer, a modem, and one of the commonly available communications software packages, or directly via Internet. Background documents on this petition also are available for downloading and viewing on the bulletin board.

If using a personal computer and modem, the NRC rulemaking subsystem on FedWorld can be accessed directly by dialing the toll-free number 800 303-9672. Set communication software parameters as follows: parity to none, data bits to 8, and stop bits to 1 (N,8,1). Using the 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.” Users will find the “FedWorld On-line User's Guides” particularly helpful. 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 also can 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 FedWorld main 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 on-line main menu. The NRC on-line area also can be accessed directly by typing "/go nrc" at a FedWorld command line. If NRC is accessed from FedWorld's main menu, the user may return to FedWorld by selecting the "Return to FedWorld" option from the NRC on-line main menu. However, if NRC at FedWorld is accessed by using NRC's toll-free number, the user will have full access to all NRC systems but not to the main FedWorld system.

If FedWorld is contacted using Telnet, the user will see the NRC area and menus, including the rules menu. Although the user will be able to download documents and leave messages, he or she will not be able to write comments or upload files (comments). If FedWorld is contacted using File Transfer Program (FTP), all files can be accessed and downloaded but uploading files is not allowed—the user will see only a list of files without descriptions (normal gopher look). An index file is available that lists all files within a subdirectory, with descriptions of those files. There is a 15-minute time limit for FTP access.

Although FedWorld also can be accessed through the Worldwide Web, like FTP, that mode only provides access for downloading files and does not display the NRC rules menu.

For more information on NRC bulletin boards call Mr. Arthur Davis, Systems Integration and Development Branch, NRC, Washington, DC 20555-0001, telephone (301)415-5780; E-mail AXD3@nrc.gov.

Single copies of this petition may be obtained by written request or telefax ((301)415-5144) from the Rules Review Section, Rules Review and Directives Branch, Division of Freedom of Information and Publications Services, Office of Administration, Mail Stop T6-D59, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Certain documents related to this petition, including comments received, may be examined at the NRC Public Document Room, 2120 L Street NW. (Lower Level), Washington, DC. These same documents also may be viewed and downloaded electronically via the Electronic Bulletin Board established by NRC for this petition as indicated above.

Dated at Rockville, MD., the 17th day of June, 1996.

For the Nuclear Regulatory Commission.
John C. Hoyle,
Secretary of the Commission.
[FR Doc. 96-15837 Filed 6-20-96; 8:45 am]
BILLING CODE 7590-01-P

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

25 CFR Part 2

RIN 1076-AD50

Appeals From Administrative Actions

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Proposed rule.

SUMMARY: The Bureau of Indian Affairs is proposing to amend its regulations on appeals. We are proposing this amendment as part of the President's National Performance Review regulatory reform initiative. The proposal will enhance its usability by clarifying the language.

DATES: Comments must be received on or before September 19, 1996.

ADDRESSES: Mail comments to Deborah Maddox, Director of the Office of Tribal Services, Bureau of Indian Affairs, 1849 C Street, NW, MS 4603-MIB, Washington, D.C. 20240. Comments may be hand delivered to the same address from 9:00 a.m. to 4:00 p.m. Monday through Friday.

FOR FURTHER INFORMATION CONTACT: Deborah Maddox, Office of Tribal Services at 202-208-3463.

SUPPLEMENTARY INFORMATION: The authority to issue rules and regulations is vested in the Secretary of the Interior by 5 U.S.C. § 301 and sections 463 and 465 of the Revised Statutes, 25 U.S.C. §§ 2 and 9. The proposed rule has been written to facilitate its use by the general public, tribes, and individual Indians affected by the rule. No substantive revisions are proposed in this rule.

Public Participation Statement

Publication of the proposed rule by the Department of the Interior (Department) provides the public an opportunity to participate in the rulemaking process. Interested persons may submit written comments regarding the proposed rule to the location identified in the "addresses" section of this document.

Executive Order 12778

The Department has certified to the Office of Management and Budget (OMB) that these proposed regulations

meet the applicable standards provided in sections 2(a) and 2(b)(2) of Executive Order 12778.

Executive Order 12866

This proposed rule is not a significant regulatory action under Executive Order 12866 and has not been reviewed by the Office of Management and Budget.

Regulatory Flexibility Act

This proposed rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*).

Executive Order 12630

The Department has determined that this proposed rule does not have "significant takings" implications. The proposed rule does not pertain to "taking" of private property interests, nor does it impact private property.

Executive Order 12612

The Department has determined that this proposed rule does not have significant federalism effects because it pertains solely to Federal-tribal relations and will not interfere with the roles, rights and responsibilities of states.

NEPA Statement

The Department has determined that this proposed rule does not constitute a major Federal action significantly affecting the quality of the human environment and that no detailed statement is required under the National Environmental Policy Act of 1969.

Unfunded Mandates Act of 1995

This rule imposes no unfunded mandates on any governmental or private entity and is in compliance with the provisions of the Unfunded Mandates Act of 1995.

Paperwork Reduction Act of 1995

This rule has been examined under the Paperwork Reduction Act of 1995 and has been found to contain no information collection requirements.

Drafting Information

The primary author of this document is Kimberly Toyekoyah, Bureau of Indian Affairs, Department of the Interior.

List of Subjects in 25 CFR Part 2

Indians-law, Indians—administrative practice and procedure, Indians—administrative appeals.

For the reasons given in the preamble, part 2 of title 25, chapter I of the Code of Federal Regulations is proposed to be revised as set forth below.