

NUCLEAR REGULATORY COMMISSION**10 CFR Parts 50 and 140**

RIN 3150-AF79

Financial Protection Requirements for Permanently Shutdown Nuclear Power Reactors**AGENCY:** Nuclear Regulatory Commission.**ACTION:** Proposed rule: request to solicit additional public comment.

SUMMARY: On October 30, 1997, the Nuclear Regulatory Commission (NRC) published for comment proposed amendments to its regulations to allow licensees of permanently shutdown nuclear power reactors to reduce onsite and offsite insurance coverage under certain conditions (62 FR 58690). In a late comment letter submitted on April 17, 1998, the Nuclear Energy Institute (NEI) argued that the required level of onsite insurance coverage should be lowered to \$25 million. In NEI's view, \$25 million would be adequate for on-site cleanup costs for radioactive liquid spills. The NRC proposed rulemaking would require \$50 million insurance coverage. The NRC used a postulated rupture of a 450,000 gallon borated water storage tank as the defining event for determining the required insurance coverage. NEI also proposed that the requirement for onsite insurance be eliminated if less than 1000 gallons of contaminated liquid were onsite.

NEI based its recommendation on a model that apportioned the removal of the contaminated soil to various disposal facilities according to the degree of contamination. Hence, under the NEI's model, some soil would be sent to a Barnwell type facility, some to a lower cost facility like Envirocare, and some soil could be left on site under the Commission's decommissioning regulation. NEI stated that under this type of parceling of contaminated soil, \$25 million of onsite insurance coverage would be more than adequate to cover cleanup of any postulated radioactive spill. NEI further stated that there has never been a spill in the operating history of commercial nuclear power plants that resulted in remediation costs of \$50 million. However, NEI did not provide any specific cost figures, estimates of the amount or degree of soil contamination, or analyses, to support

its recommendation to lower the onsite insurance coverage to \$25 million.

The NRC is requesting public comment on the potential cost of cleanup of the on-site spill from a large vessel (>1000 gal) containing radioactive liquid and the appropriate level of insurance coverage. The NRC also has requested NEI to provide further information supporting its assessment of the costs of cleaning up a large (>1000 gal) on-site spill of radioactive material and its basis for recommending that onsite coverage should be reduced to zero when there is less than 1000 gallons of radioactive liquid on site.

DATES: The comment period expires November 9, 1998.

ADDRESSES: Send comments by mail addressed to the Secretary, U.S. Nuclear Regulatory Commission, Attention: Rulemakings and Adjudications Staff, Washington, DC 20555-0001.

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

You may also provide comments by way of the NRC's interactive rulemaking web site through the NRC home page (<http://www.nrc.gov>). This site provides the capability to upload comments as files (any format) if your web browser supports that function. For information about the interactive rulemaking site, contact Ms. Carol Gallagher, 301-415-5905, e-mail CAG@nrc.gov.

Certain documents related to this rulemaking, including NEI's comments, may be examined at the NRC Public Document Room, 2120 L Street NW. (Lower Level), Washington, DC. These documents also may be viewed and downloaded electronically through the interactive rulemaking website established by NRC for this rulemaking.

FOR FURTHER INFORMATION CONTACT: George J. Mencinsky, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone: (301) 415-3093, e-mail GJM@nrc.gov.

Dated at Rockville, Maryland, this 15th day of September, 1998.

For the Nuclear Regulatory Commission.

Jack W. Roe,

Acting Director, Division of Reactor Program Management, Office of Nuclear Reactor Regulation.

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DEPARTMENT OF HEALTH AND HUMAN SERVICES**Food and Drug Administration****21 CFR Part 10**

[Docket No. 98N-0361]

Administrative Practices and Procedures; Internal Agency Review of Decisions; Companion Document to Direct Final Rule; Correction

AGENCY: Food and Drug Administration, HHS.

ACTION: Proposed rule; correction.

SUMMARY: The Food and Drug Administration (FDA) is correcting a proposed rule that appeared in the **Federal Register** of June 16, 1998 (63 FR 32772). The document proposed to amend the FDA regulations governing the review of agency decisions by inserting a statement that sponsors, applicants, or manufacturers of drugs (including biologics) or devices may request review of a scientific controversy by an appropriate scientific advisory panel, or an advisory committee. The document was published with an error. This document corrects that error.

FOR FURTHER INFORMATION CONTACT: Silvia R. Fasce, Office of Policy (HF-27), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-2996.

SUPPLEMENTARY INFORMATION: In FR Doc. 98-15814, appearing on page 32772 in the **Federal Register** of Tuesday, June 16, 1998, the following correction is made:

1. On page 32773, in the third column, under the authority citation for 21 CFR part 10, in the second line, "1451-4161" is corrected to read "1451-1461".

Dated: September 16, 1998.

William K. Hubbard,

Associate Commissioner for Policy Coordination.

[FR Doc. 98-25365 Filed 9-22-98; 8:45 am]

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