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This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

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DEPARTMENT OF AGRICULTURE

Office of Environmental Quality

7 CFR Part 3100

Cultural and Environmental Quality; Change of Chapter and Part Names

AGENCY: Office of Environmental Quality, United States Department of Agriculture.

ACTION: Change of chapter and part names.

SUMMARY: On July 30, 1979, the Office of the Secretary, Department of Agriculture, published at 44 FR 44802-44803 final regulations setting forth policies and procedures for compliance with the National Environmental Policy Act. Pursuant to Secretary's Memorandum No. 1890 (Revised) (July 23, 1979), responsibility to administer those regulations is given to the Office of Environmental Quality (OEQ). Additionally OEQ will administer regulations for the enhancement, protection, and management of cultural resources with regard to Department of Agriculture activities, for which proposed regulations were published on July 9, 1979, at 44 FR 40258-40259.

In these previous publications Chapter XXXI was designated as "CULTURAL AND ENVIRONMENTAL QUALITY" and Part 3100 as "ENVIRONMENTAL MATTERS." As the two sets of regulations mentioned above are separate Subparts of Part 3100, Chapter XXXI and Part 3100 of Title 7 are changed to read as follows:

CHAPTER XXXI—OFFICE OF ENVIRONMENTAL QUALITY

PART 3100—CULTURAL AND ENVIRONMENTAL QUALITY

EFFECTIVE DATE: September 26, 1979.

FOR FURTHER INFORMATION CONTACT:

Barry R. Flamm, Director, Office of Environmental Quality, USDA, Washington, D.C. 20250, Phone (202) 447-3965.

Dated: September 20, 1979.

Barry R. Flamm,

Director, Office of Environmental Quality.

[FR Doc. 79-29800 Filed 9-25-79; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

10 CFR Parts 40 and 150

Uranium Mill Tailings Licensing

AGENCY: Nuclear Regulatory Commission.

ACTION: Final regulations with request for comments; corrections.

SUMMARY: On August 24, 1979, the U.S. Nuclear Regulatory Commission published in the Federal Register (44 FR 50012) final regulations entitled, "Uranium Mill Tailings Licensing," along with a request for comments. Inadvertent and typographical errors in the published regulations are identified and corrected herein.

ADDRESSES: Written comments should be submitted to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Branch. Copies of comments on these amendments may be examined in the Commission's Public Document Room at 1717 H Street, NW., Washington, D.C.

FOR FURTHER INFORMATION CONTACT: Don F. Harmon, Office of Standards Development, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555 (phone 301/443-5910) or Hubert J. Miller, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555 (phone 301/427-4103).

SUPPLEMENTARY INFORMATION: On August 24, 1979, the U.S. Nuclear Regulatory Commission published in the Federal Register (44 FR 50012) final regulations entitled, "Uranium Mill Tailings Licensing," along with a request for comments. Inadvertent and typographical errors in the published regulations are identified and corrected as follows.

1. Page 50012, column 3 line 52 is corrected to read, "until November 8, 1981, for the".

2. Page 50013, column 1, line 4 is corrected to read, "commitments of resources. The".

3. Page 50013, column 2, line 5 is corrected to read, "make the amendments to 10 CFR §§ 40.1".

4. Page 50013, column 2, penultimate line is corrected to read, "Part are issued pursuant to the Atomic".

5. Page 50014, column 1, lines 2 and 3 are corrected to read, "Radiation Control Act of 1978 (92 Stat. 3021), any State or any political".

6. Page 50014, column 1, line 11 is corrected to read, "(1) With the exception of 'byproduct'".

7. Page 50014, column 1, line 15 is corrected to read, "meaning when used in the regulations in".

8. Page 50014, column 1, line 19 is corrected to read, "byproduct material as defined in this".

9. Page 50014, column 2, § 150.3(c) is corrected to read, "§ 150.3(c) 'Byproduct material' means (1) any radioactive material (except special nuclear material) yielded in or made radioactive by exposure to the radiation incident to the process of producing or utilizing special nuclear material; or (2) the tailings or wastes produced by the extraction or concentration of uranium or thorium from any ore processed primarily for its source material content, including discrete surface wastes resulting from solution extraction processes. Underground ore bodies depleted by such solution extraction operations do not constitute 'byproduct material' within the definition."

(Secs. 11e-(2), 81, 83, 84, 161b, 161o, 174; Publ. L. No. 83-703, 68 Stat. 948 et seq. (42 U.S.C. 2014e, (2), 2111, 2113, 2114, 2201b, 2201j))

Dated at Washington, D.C. this 13th day of September.

For the Nuclear Regulatory Commission,
Lee V. Gossick,

Executive Director for Operations.

[FR Doc. 79-29794 Filed 9-25-79; 8:45 am]

BILLING CODE 7590-01-M

10 CFR Part 50

Domestic Licensing of Production and Utilization Facilities; Fracture Toughness Requirements for Nuclear Power Reactors

AGENCY: U.S. Nuclear Regulatory Commission.

ACTION: Final rule.

SUMMARY: The Nuclear Regulatory Commission (NRC) is amending its regulations specifying fracture toughness and material surveillance program requirements for nuclear reactors to permit greater flexibility in meeting certain of these requirements and to simplify others by substituting references to National Standards that have already been incorporated by reference into the NRC's Regulations.

EFFECTIVE DATE: October 26, 1979.

FOR FURTHER INFORMATION CONTACT: Dr. P. N. Randall, Office of Standards Development, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, 301-443-5997.

SUPPLEMENTARY INFORMATION: On March 28, 1979, the Nuclear Regulatory Commission published in the *Federal Register* (44 FR 18513) proposed amendments to its regulations, 10 CFR Part 50, "Licensing of Production and Utilization Facilities," which would amend Appendix G, "Fracture Toughness Requirements," with regard to material toughness requirements for bolts, and would amend Appendix H, "Reactor Vessel Material Surveillance Program Requirements," with regard to the location and method of attachment of surveillance capsule holders in the reactor vessel. Interested persons were invited to submit written comments by May 14, 1979. There were four adverse comments. All of them opposed adoption of the proposed rule on the grounds that the accident at Three Mile Island Unit 2 on March 28, 1979 had demonstrated that there should be no relaxation of regulatory requirements. None of the comments addressed the specific technical issues covered by the proposed rule. In response to these comments, the Commission has no reason to believe that the investigation of that accident will raise any question about these technical issues. Furthermore, the Commission believes that the proposed amendments will not reduce present safety margins. Therefore, after consideration of the comments, the Commission has adopted the amendments to Appendices G and H, 10 CFR Part 50, described below. The language of the amendments is unchanged from that of the proposed rule.

In Appendix G to 10 CFR Part 50, paragraph IV.A.4 contains requirements for the material toughness of bolts that are very similar to present ASME Code requirements. Paragraph IV.A.4 is deleted, and paragraph IV.A.3 is revised to add language requiring compliance with the pertinent ASME Code requirements for bolts. As an additional revision of paragraph IV.A.3, the requirements for piping, pumps and valves are clarified by referencing a different paragraph in the ASME Code than is presently referenced. This newly referenced paragraph contains the specific fracture toughness requirements of those components.

In Appendix H to 10 CFR Part 50, paragraph II.C.2 is revised in two respects. The prohibition against attachment of surveillance capsules to the vessel wall is deleted because, for some vessel designs, the advantages of attachment to the wall (fewer problems in achieving the desired lead factor and the structural integrity of the capsule holder) outweigh the disadvantage of concern for vessel integrity. Language is added to require that, if capsule holders are attached to the vessel wall, the attachments must meet ASME Code requirements for construction and inspection of permanent structural attachments to reactor vessels.

The fixed limits on lead factor (the ratio of neutron flux at the capsule to the maximum flux at the vessel inner wall) of greater than 1 but less than 3 are deleted. Enforcement of the present requirement would require modification of certain designs that have satisfactorily met all surveillance and structural requirements in service. Safety concerns are satisfied by retention of the general requirement on lead factor.

Copies of the abstract of comments and staff response, and copies of the value/impact analysis supporting the rule, are available for public inspection at the Commission's Public Document Room at 1717 H Street, NW., Washington, D.C. Single copies may be obtained on request from the Office of Standards Development, U.S. Nuclear Regulatory Commission, Washington, D.C. 20550, Attention: P. N. Randall.

Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974, as amended, and sections 552 and 553, title 5 of the United States Code, the following amendments to 10 CFR Part 50 are published as a document subject to codification.

Appendix G [Amended]

1. Appendix G to 10 CFR Part 50 is amended by deleting paragraph IV.A.4

and revising paragraph IV.A.3 to read as follows:

IV. Fracture Toughness Requirements.
A. * * *

3. Materials for piping, pumps, and valves shall meet the requirements of paragraph NB-2332 of the ASME Code. Materials for bolting and other fasteners shall meet the requirements of paragraph ND-2333 of the ASME Code.

Appendix H [Amended]

2. Appendix H to 10 CFR Part 50 is amended by revising paragraph II.C.2. to read as follows:

II. Surveillance Program Criteria.
* * *

C. The Surveillance program shall meet the following requirements:

2. Surveillance specimen capsules shall be located near the inside vessel wall in the beltline region, so that the specimen irradiation history duplicates to the extent practicable, within the physical constraints of the system, the neutron spectrum, temperature history, and maximum neutron fluence experienced by the reactor vessel inner surface. If the capsule holders are attached to the vessel wall or to the vessel cladding, construction and inservice inspection of the attachments and attachment welds shall be done according to the requirements for permanent structural attachments to reactor vessels given in the ASME Code,² Sections III and XI. The design and location of the capsules shall permit insertion of replacement capsules. Accelerated irradiation capsules may be used in addition to the required number of surveillance capsules specified in paragraph II.C.3.

(Secs. 103, 104, 161i, Pub. L. 83-703; 68 Stat. 936, 937, 948 (42 U.S.C. 2133, 2134, 2201(i)); sec. 201, Pub. L. 93-438, 88 Stat. 1242, as amended (42 U.S.C. 5841).)

Dated at Washington, D.C. this 13th day of September 1979.

For the Nuclear Regulatory Commission,
Lee V. Gossick,

Executive Director for Operations.

[FR Doc. 79-29795 Filed 9-25-79; 8:45 am]

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**OFFICE OF THE SPECIAL
REPRESENTATIVE FOR TRADE
NEGOTIATIONS**

15 CFR Parts 2004 and 2008

**Regulations to Implement E.O. 12065—
Office of Special Representative for
Trade Negotiations Security Program**

AGENCY: Office of the Special Representative for Trade Negotiations.

² Defined in paragraph II.A of Appendix G to 10 CFR Part 50.