need to be disseminated to U.S. audiences through monographs and utilization conferences.

Any program conducted under this priority must involve disabled people in the selection of topics and participants. Topics to be studied and resulting publications must focus on issues which are current priorities for the National Institute on Disability and Rehabilitation Research, such as traumatic brain injury, supported work, transition, rural rehabilitation, personal assistance services, and rehabilitation technology.

An absolute priority is proposed for a project which will:

- Develop and implement a plan for U.S. experts to study policies, practices, programs, and research results in other nations;
- Provide for the preparation of monographs on rehabilitation research topics by foreign or U.S. experts, who have benefitted from international exchanges;
- Conduct utilization conferences to disseminate information on selected topics of international significance to rehabilitation; and
- Evaluate the impact on practices in the United States of international exchanges of information and experts arranged for under the project.

Invitation to comment:

Interested parties are invited to submit comments and recommendations regarding these priorities. Written comments and recommendations may be sent to the address given at the beginning of this document. All comments received on or before February 11, 1987 will be considered before the Secretary issues final priorities. All comments submitted in response to these proposed priorities will be available for public inspection during and after the comment period in Room 3070, Mary E. Switzer Building, 330 C Street, SW., Washington, DC, between the hours of 8:30 a.m. and 4:00 p.m., Monday through Friday of each week except Federal holidays.

(20 U.S.C. 761a, 762)

(Catalog of Federal Domestic Assistance No. 84.133, National Institute of Handicapped Research)

Dated: December 9, 1986.

William J. Bennett,

Secretary of Education.

[FR Doc. 87-586 Filed 1-9-87; 8:45 am]

BILLING CODE 4000-01-M

Invitation To Submit Applications for New Awards Under the National Institute on Disability and Rehabilitation Research Programs of Research and Demonstration Projects (CFDA No. 84.133A) and Knowledge Dissemination and Utilization Projects (CFDA No. 84.133D) for Fiscal Year 1987

Purpose: Provides funding through grants or cooperative agreements to public and private agencies and organizations, including institutions of higher education, Indian tribes and tribal organizations, to support rehabilitation research or knowledge dissemination projects which meet the specifications in the proposed priorities published in this issue of the Federal **Register.** Potential applicants should assume that there will be no changes to the final priorities. If there are significant differences in the final priorities, applicants will be given an opportunity to amend their applications.

Deadline for Transmittal of Applications: The deadline for submission of applications is March 13, 1987.

Applications Available: January 20, 1987.

Available Funds: $2,875,000.

CFDA No.	Title of priority	Available funds	Estimated average award	Estimated number of awards	Anticipated project period
84.133A	Supported Employ. in Traumatic Brain Injury	$150,000	$75,000	2	36 months.
84.133A	Supported Employ. for Chronically Mentally Ill	75,000	75,000	1	36 months.
84.133A	Model Projects for Traumatic Brain Injury	1,200,000	300,000	4	60 months.
84.133A	New Rehab. Strategies for Traumatic Brain Injury	200,000	100,000	2	36 months.
84.133A	Personal Assistance Services	200,000	100,000	2	36 months.
84.133A	Traumatic Brain Injury in Young Children	100,000	100,000	1	36 months.
84.133D	Public Educ. in Traumatic Brain Injury	150,000	150,000	1	24 months.
84.133D	Least Restrict. Env./Deaf Students	150,000	150,000	1	36 months.
84.133D	Demographic Data Analysis	200,000	200,000	1	36 months.
84.133D	Database Network/Independent Living Centers	250,000	85,000	3	24 months.
84.133D	International Exchange/Experts	200,000	200,000	1	36 months.

Applicable Regulations: (a) Education Department General Administrative Regulations, 34 CFR Parts 74, 75, 77, and 78, (b) National Institute on Disability and Rehabilitation Research Regulations, 34 CFR Parts 350, 351, and 355, and (c) the final funding priorities for this program when they become effective.

For Applications or Information Contact: National Institute on Disability and Rehabilitation Research, U.S. Department of Education, 400 Maryland Avenue, SW., Switzer Building, Room 3070, Washington, DC. 20202. Telephone: (202) 732-1207; deaf and hearing impaired individuals may call (202) 732-1198 for TTY services.

Program Authority: 29 U.S.C. 760-762 and Pub. L. 99-506.

Dated: January 7, 1987.

Madeleine Will,

Assistant Secretary for Special Education and Rehabilitative Services.

[FR Doc. 87-587 Filed 1-9-87; 8:45 am]

BILLING CODE 4000-01-M

Monday
January 12, 1987

Part IV

Department of Education

Pell Grant Program; Deadline Dates for Receipt of Applications, Reports, and Other Documents for the 1986-87 Award Year; Notice

DEPARTMENT OF EDUCATION

Pell Grant Progam; Deadline Dates for Receipt of Applications, Reports, and Other Documents for the 1986-87 Award Year

AGENCY: Department of Education.

ACTION: Notice.

SUMMARY: The Secretary announces the deadline dates for the receipt of documents from persons applying for financial assistance under, and from institutions participating in, the Pell Grant Program during the 1986-87 award year.

SUPPLEMENTARY INFORMATION: The purpose of the Pell Grant Program is to assist students in the continuation of their training and education at the postsecondary level by providing financial aid to help pay for their educational costs. Authority for the Pell Grant Program is contained in section 411 of the Higher Education Act of 1965, as amended (20 U.S.C. 1070a). The regulations for the Pell Grant Program are codified in 34 CFR Part 690.

I. Applications for Determination of Expected Family Contribution—Table I

As a prerequisite to receiving a Pell Grant, each applicant is responsible for submitting to an institution of higher education—or to the Secretary of Education in the case of institutions participating under the Alternate Disbursement System (ADS)—a valid Student Aid Report (SAR) that states the amount of the student's expected family contribution (referred to on the SAR as the "SAI" [student aid index]) and the information used in calculating that amount. Therefore, each applicant must first submit to an agency listed in Table I of this notice his or her application for determining the expected family contribution. That application—referred to in this notice as the original application—must be submitted on one of the forms shown in Table I and be received by the designated agency at the agency's address shown in Table I no later than the deadline date, May 1, 1987, shown in Table I.

It should be noted that an application sent to the Federal Student Aid Programs must be received at the U.S. Postal facility indicated in the table. Individuals at the processing center are not authorized to personally accept hand delivered documents.

(Approved by the Office of Management and Budget under these OMB Control Numbers—Application: 1840-0110: Special Condition Application: 1840-0111)

TABLE I.—DEADLINE DATE FOR RECEIPT OF APPLICATION FORMS FOR DETERMINING EXPECTED FAMILY CONTRIBUTION: MAY 1, 1987

Type of form	Address for submission
Application for Federal Student Aid (AFSA):	
• Dependent form	Federal Student Aid Programs, P.O. Box 4120, Iowa City, IA 52244
• Independent form	Federal Student Aid Programs, P.O. Box 4121, Iowa City, IA 52244
Special condition application for Federal Student Aid:	
• Dependent form	Federal Student Aid Programs, P.O. Box 4122, Iowa City, IA 52244
• Independent form	Federal Student Aid Programs, P.O. Box 4123, Iowa City, IA 52244
Spanish application for Federal Student Aid and Spanish special condition application for Federal Student Aid:	
• Dependent form	Federal Student Aid Programs, P.O. Box 4124, Iowa City, IA 52244
• Independent form	Federal Student Aid Programs, P.O. Box 4125, Iowa City, IA 52244
Family Financial Statement (FFS).	ACT Student Need Analysis Services, P.O. Box 1000, Iowa City, IA 52243
Financial Aid Form (FAF)	College Scholarship Service, P.O. Box 6300, Princeton, NJ 08541, or, College Scholarship Service, Box 380, Berkeley, CA 94701
Pennsylvania Higher Education Assistance Agency (PHEAA).	Pennsylvania Higher Education, Assistance Agency, P.O. Box 3157, Harrisburg, PA 17105
Student Aid Application for California (SAAC).	College Scholarship Service, Box 70, Berkeley, CA 94701-0070

(34 CFR 690.12)

II. Other Documents—Table II

Once an applicant has filed his or her original application, additional information may be necessary. In some cases the agency receiving the original application (the processing agency) may request the information. In other cases, the applicant is responsible for initiating a request that additional or alternative information be considered.

The type of information and the forms to be used to report that information are listed in Table II of this notice. Each category designates an address to which the specified information or request must be sent, and the deadline date by which that information or request must be received at that address. The applicant must submit to the Federal Student Aid Programs, any changes that he or she wants to be reflected on his or her SAR. The following explains each category:

Correction Application—If an original application lacks sufficient information for it to be processed, the Secretary will send a correction application to the applicant. In addition, if an applicant has misreported his or her dependency status on the original application or his or her dependency status subsequently changes from the status reported on the original application, other than changes that are the result of a change in marital status, the applicant has the responsibility for requesting a correction application. The correction application may be obtained from the Federal processing agency, financial aid administrator, or Educational Opportunity Center counselors or by writing to Federal Student Aid Programs, P.O. Box 84, Washington, D.C. 20044. The correction application must be returned to the address listed in Table II and received at that address no later than the deadline date, July 30, 1987, shown in Table II.

Student Aid Report (SAR)

• *Correction/Verification of Information Requested by the Secretary*—If the Secretary returns an SAR to an applicant for correction or verification of correct information, the applicant must correct or verify the information and return the SAR to the appropriate address listed in Table II. The SAR must be received at that address no later than the deadline date, July 30, 1987, shown in Table II. A student attending an institution participating in the Pell Grant Electronic Pilot Program must submit that SAR, with the information corrected or verified, to the institution by July 30, 1987.

• *Correction of Inaccurate Information*—If the SAR reflects information that was inaccurate when the application was signed, the applicant must correct that information on the SAR and send the SAR to the address listed in Table II. The SAR must be received no later than the July 30, 1987 deadline date shown in Table II. A student attending an institution participating in the Pell Grant Electronic Pilot Program must be submit that SAR, with the information corrected, to the institution by July 30, 1987.

• *Recomputation of Student Aid Index*—An applicant may request on the SAR, that the Secretary recompute his or her student aid index, if—(1) The student believes a clerical or arithmetic error has occurred or (2) The student or his or her family has suffered a loss of or damage to assets resulting from a natural disaster in an area that has been declared a national disaster area by the President of the United States. The applicant must send the SAR to the address listed in Table II. The SAR must be received no later than the July 30, 1987 deadline date. A student attending an institution participating in the Pell Grant Electronic Pilot Program must submit a request for recomputation to the institution by July 30, 1987.

• *Request for Duplicate SAR*—If an applicant wishes to receive a duplicate SAR, the applicant may write to one of the addresses listed in Table II, or call one of the phone numbers listed in Table II. A written request must be received at either address no later than the July 30, 1987 deadline date. All telephone requests must also be made no later than July 30, 1987. It should be noted that a written request sent to the Iowa City application processing center must be received at the U.S. Postal facility indicated in Table II. Individuals at that site are not authorized to personally accept hand delivered documents.

(Approved by the Office of Management and Budget under OMB Control Number 1840–0132)

TABLE II.—DEADLINE DATES FOR RECEIPT OF OTHER DOCUMENTS: JULY 30, 1987

Type of form/information	Address for submission
Correction Application:	
Application for Federal Student Aid correction application:	
Dependent Form	Federal Student Aid Programs, P.O. Box 4120, Iowa City, IA 52244.
Independent Form	Federal Student Aid Programs, P.O. Box 4121, Iowa City, IA 52244.
Student Aid Report (SAR):	
Correction/Verification of Information Requested by the Secretary: Request for verification of corrected information.	Federal Student Aid Programs, P.O. Box 4126, Iowa City, IA 52244.
Correction of Inaccurate Information (except address correction): Request for correction of inaccurate information.	Federal Student Aid Programs, P.O. Box 4126, Iowa City, IA 52244.
Request for Correction of Address.	Federal Student Aid Programs, P.O. Box 4127, Iowa City, IA 52244.
Recomputation of Student Aid Index: Request for recomputation of a student aid index because of (1) clerical or arithmetic errors or (2) loss of or damage to assets in Presidentially-declared national disaster area.	Federal Student Aid Programs, P.O. Box 4126, Iowa City, IA 52244.
Request for Duplicate SAR: Request in writing or request by phone.	Federal Student Aid Programs, P.O. Box 4127, Iowa City, IA 52244, (319) 337-3738 or Federal Student Aid Programs, P.O. Box 84, Washington, DC 20044, (301) 984-4070.

(34 CFR 690.14, 690.39, 690.48)

Note.—Although the Pell application processing site will accept and process corrections through July 30, 1987, this does not extend the deadline by which the student must submit his or her valid SAR to the institution's financial aid office. If the student does not submit a valid SAR to the financial aid office, showing that he or she is eligible, by his or her last date of enrollment or June 30, 1987, whichever is earlier, he or she will not be eligible for a Pell Grant payment.

III. Verification Procedures and Deadline Dates—Regular Disbursement System (RDS) and Alternate Disbursement System (ADS)

The information provided on an application and included on an SAR may be subject to verification. In that case, in order to receive a Pell Grant award for the 1986–87 award year, the applicant—and his or her parents, if applicable—must submit the necessary verification documents in accordance with the following procedures. The documents must be received no later than the deadline dates specified below. These dates do not conflict with nor supersede the deadline dates specified in Tables I and II of this notice.

Verification of Information on Application. If an applicant is selected to have the information on his or her application verified under the verification procedures set forth in Subpart E of the Student Assistance General Provisions, and if the applicant attends an institution that participates in the Pell Grant Program under the Regular Disbursement System (RDS) or Alternate Disbursement System (ADS), he or she must submit the requested documents as specified below. The deadline date for completing the verification process is the earlier of 60 days from the applicant's last date of enrollment in the case of an applicant who leaves school because of graduation, completion of an academic term, or withdrawal, or September 1, 1987 for students attending RDS institutions. A student who will still be enrolled in a course of study at an RDS institution in the 1986–87 award year after September 1, 1987 must submit the requested documents by September 1, 1987. Students attending ADS institutions must adhere to the dates listed in Section IV.

This process in complete when the applicant has:

(1) Submitted all requested verification documents to his or her institution;

(2) Made all necessary corrections on Part 2 of the SAR;

(3) Signed and submitted the corrected Part 2 of the SAR to the Department of Education's processing center at the address indicated in the lower left hand corner on the back of Part 2 of the SAR—the same address indicated under the first four categories shown in Table II—by the deadline date listed for these categories in Table II; and

(4) Submitted to the institution the corrected/reprocessed SAR received from the Department of Education's processing center. (34 CFR 668.60)

IV. ADS Payment Procedures—Table III

Initial Request for Payment for an Award Year. The applicant who attends an institution participating in the Pell Grant Program under the Alternate Disbursement System (ADS) must comply with the deadline dates shown in Tables I and II. Additionally, in order to receive an initial Pell Grant payment for an award year, the applicant must submit a completed ED Form 304 and Part 3 (Pell Grant Payment Document) of the valid SAR (and a copy of the applicant's financial aid transcript or ED Form 304–1, if applicable), to the address listed in Table III. The documents must be received no later than the July 15, 1987 deadline date.

Additional or Corrected Request for Payment. A student attending an ADS institution must submit an additional or corrected request for payment on ED Form 304–1, and submit the form to the address listed in Table III. The document must be received by no later than the August 26, 1987 deadline date.

(Approved by the Office of Management and Budget under OMB Control Number 1840–0008.)

Receipt of Payment by Verified Students Attending ADS Institutions. If a student completes the verification process on or before June 15, 1987:

(1) The student's completed ED Form 304, Part 3 of the verified SAR (and a copy of the student's financial aid transcript, if applicable), must be received at the ADS payment processing site, as stated in § 690.61, on or before July 15, 1987; and

(2) All corrections to prior payment requests and/or additional payment requests (completed ED Forms 304–1) must be received at the ADS payment processing site as stated in § 690.61, on or before August 26, 1987.

If a student completes the verification process after June 15, 1987: The student's completed ED Form 304, Part 3 of the verified SAR (and a copy of the student's financial aid transcript, if applicable), and all additional payment requests must be received at the ADS payment processing site within 30 days after the date the student completed verification, or September 30, 1987, whichever is earlier. (34 CFR 668.60)

Note.—If a student has been unable to file an ED Form 304 because of delays caused by the verification process and the student has completed the first term or payment period at the institution, ADS procedures allow the student to apply for more than one disbursement at the same time. See pages 57–59 of the *1986–87 Alternate Disbursement*

System Handbook for instructions.

TABLE III.—DEADLINE DATES FOR RECEIPT OF ALTERNATE DISBURSEMENT SYSTEM FORMS

Type of form/ information	Address for submission	Deadline date
Initial Request for Payment for an Award Year: ED Form-304 "Request for Payment" and Part 3 of SAR (Payment Document) and a copy of the student's financial aid transcript or ED Form 304-1 (if applicable).	ADS Payment Processing Center, P.O. Box 8547, Silver Spring, MD 20907.	July 15, 1987.
Additional and/or Corrected Request for Payment for an Award Year: ED Form 304-1.	ADS Payment Processing Center, P.O. Box 8547, Silver Spring, MD 20907.	Aug. 26, 1987.

(34 CFR 690.61 and 690.95.)

Note.—ED Forms 304 and 304–1 do not apply to students enrolled in institutions that participate in the Pell Grant Program under the Regular Disbursement System (RDS).

V. Institutional Payment Summary (IPS)—Table IV

An institution participating in the Pell Grant Program under the Regular Disbursement System (RDS) is required to provide the Secretary with an Institutional Payment Summary (IPS) and Part 3 of the SARs (Payment Documents) by the deadline dates established in Table IV. This material should be sent to the following address, in the manner described below: Pell Grant Program, P.O. Box 1400, Merrifield, Virginia 22116–1400.

- Each institution must submit an IPS either with Student Payment Documents or with SAR Data Tapes reflecting the information contained on Part 3 of the SAR.
- An institution may submit an IPS without a batch of Payment Documents or SAR Data Tape, only under one of these circumstances:

(1) The institution has no Pell recipients, or

(2) The institution has no new Pell recipients or payment data changes to submit within a given reporting period for previously reported students.

An institution must submit two signed Institutional Payment Summaries. Photocopies of the IPS may be submitted provided that each copy contains the original handwritten signature of the institutional administrator officially responsible for the accuracy and completeness of the IPS. Although an institution may make a submission as often as necessary during each of the required reporting periods shown in Table IV, it must make *at least* one submission within each of those periods, even if it submits only an IPS under the conditions noted above. Submissions must be made no later than the deadline date for each reporting period noted in Table IV.

An institution participating in the Pell Grant Electronic Pilot must either:

(1) Submit the documents or data tapes to the above address in the manner described above; or

(2) Provide to the Pell Grant Central Disbursement System a properly certified and acceptable electronic payment data submission via the Pell Grant Electronic Pilot. This submission must be made at least once during each of the stated periods.

TABLE IV.—DEADLINE DATES FOR RECEIPT OF INSTITUTIONAL PAYMENT SUMMARY (IPS) DOCUMENTS

Reporting periods	Closing date
Institutions with a 1985–86 Pell Grant Authorization of $750,000 or more:	
July 1, 1986 thru Oct. 15, 1986	Oct. 15, 1986.
Oct. 16, 1986 thru Dec. 15, 1986	Dec. 15, 1986.
Dec. 16, 1986 thru Feb. 15, 1987	Feb. 16, 1987.
Feb. 16, 1987 thru April 15, 1987	April 15, 1987.
April 16, 1987 thru June 15, 1987	June 15, 1987.
June 16, 1987 thru Aug. 15, 1987	Aug. 17, 1987.
Institutions with a 1985–86 Pell Grant Authorization under $750,000:	
July 1, 1986 thru Dec. 15, 1986	Dec. 15, 1986.
Dec. 16, 1986 thru April 15, 1987	April 15, 1987.
April 16, 1987 thru Aug. 15, 1987	Aug. 17, 1987.

(34 CFR 690.83)

(Approved by the Office of Management and Budget under OMB Control Number IPS Form 1840–0540)

Failure of an institution to comply with these requirements may result in the initiation of a proceeding to fine, suspend, limit, or terminate the institution in accordance with Subpart G of the Student Assistance General Provisions regulations in 34 CFR Part 668.

VI. Submission to the Secretary of Student Aid Reports by Institutions

As noted above, Table IV requires an institution to submit at least one IPS (and SAR Payment Documents, if applicable) within each of the required reporting periods. However, because 34 CFR 690.83 requires an institution to submit 1986–87 SAR Payment Documents to the Secretary of Education by December 15, 1987, an institution with additional IPS's and Payment Documents may submit them until the end of the year.

Institutions will not be permitted to adjust their Pell Grant accounts after December 15, 1987 for award year 1986–87 or any award years prior to 1986–87 except under the circumstances listed below. This deadline has been established to permit an orderly closing of accounts from previous years.

- Adjustments are required by a program review of the institution's records by an official or employee of the Department of Education.
- Adjustments are required by an audit conducted under the requirements of 34 CFR 690.84.
- The institution is required to adjust a student's award because of a court order.
- The institution discovers that a student has been overpaid.
- Verification cases referred to the Department where the student has only received partial payment or no payment, and verification cannot be completed in time to meet the December 15 deadline.

Note.—This means that an institution will not be allowed to adjust its accounts for any underpayment it discovers after December 31 *unless* the case meets the conditions described above. If an institution discovers an underpayment, and submits to the Secretary 1986–87 Payment Documents or SAR's for years prior to 1986–87, no adjustment will be made; that is, the institution will not receive additional Pell Grant funds. If it appears that an adjustment must be made because of the above circumstances, the institution should contact an area desk representative at (202) 732–3795.

Application Forms and Information

Student aid application forms, correction application forms, and information brochures may be obtained through college and university financial aid administrators, Educational Opportunity Center counselors, or by writing to: Federal Student Aid Programs, P.O. Box 84, Washington, DC 20044.

Applicable Regulations

The regulations applicable to this program are the Pell Grant Program regulations in 34 CFR Part 690 and the Student Assistance General Provisions regulations in 34 CFR Part 668.

FOR FURTHER INFORMATION CONTACT: Joyce R. Coates, Program Specialist, Policy Section, Pell Grant Branch, Division of Policy and Program Development, Office of Student Financial Assistance, Office of Postsecondary Education, 400 Maryland Avenue, SW., (ROB–3, Room 4318), Washington, DC 20202. Telephone (202) 472–4300.

(20 U.S.C. 1070a)

(Catalog of Federal Domestic Assistance No. 84.063, Pell Grant Program)

Dated: January 2, 1987.

C. Ronald Kimberling,

Assistant Secretary for Postsecondary Education.

[FR Doc. 87–590 Filed 1–9–87; 8:45 am]

BILLING CODE 4000–01–M

federal register

Monday
January 12, 1987

Part V

Nuclear Regulatory Commission

10 CFR Parts 30, 40, 50, 61, 70 and 72
Bankruptcy Filing; Notification Requirements; Final Rule

NUCLEAR REGULATORY COMMISSION

10 CFR Parts 30, 40, 50, 61, 70, and 72

Bankruptcy Filing; Notification Requirements

AGENCY: Nuclear Regulatory Commission.

ACTION: Final rule.

SUMMARY: The Nuclear Regulatory Commission is amending its regulations to require that a licensee notify the appropriate Regional Administrator of the NRC in the event that the licensee is involved in bankruptcy proceedings. The amended regulations are necessary because a licensee's severe financial conditions could affect its ability to handle licensed radioactive material and the NRC must be notified so that appropriate measures to protect the public health and safety can be taken.

EFFECTIVE DATE: February 11, 1987.

FOR FURTHER INFORMATION CONTACT: Frank Cardile, Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, Washington, DC 20555, telephone (301) 443–7784.

SUPPLEMENTARY INFORMATION:

Discussion

Requirements established by the rule. The NRC is amending its regulations to provide requirements for notification in the event of bankruptcy involving licensees. Specifically, the regulations require each licensee to notify the appropriate regional office of the NRC, in writing, in the event a bankruptcy petition involving the licensee is filed under Title 11 (Bankruptcy) of the United States Code. A licensee would not be affected by these amendments unless and until a bankruptcy petition is filed. The rule prescribes the specific action that a licensee would be required to follow at that time. The required action includes notifying the NRC within a certain time period by supplying the information specified in the rule.

Need for the rule. A licensee who is experiencing severe economic hardship may not be capable of carrying out licensed activities in a manner which protects public health and safety. In particular, a licensee involved in bankruptcy proceedings can have problems affecting payment for the proper handling of licensed radioactive material and for the decontamination and decommissioning of the licensed facility in a safe manner. Improper materials handling or decontamination activities can result in the spread of contamination throughout a licensee's facility, potential for dispersion of contaminated material offsite, and problems affecting the licensee's waste disposal activities. Instances have occurred in which licensees filed for bankruptcy and the NRC has not been aware that this has happened. NRC inspectors have found, belatedly, that a licensee has vacated property and abandoned licensed material or has been unable to decontaminate its facility and properly dispose of the waste. In some cases, NRC inspectors have found significant amounts of radioactive contamination present at licensee sites and the potential for dispersal of the contaminated material offsite. Because of the potential risk to public health and safety if the facilities were left in their as-found condition, it was necessary for the Federal or State governments to take protective and remedial action and to expend substantial amounts of public funds for cleanup of the facilities because funds of the bankrupt licensee were no longer available. The NRC should be notified of these situations promplty, before they become more serious, so that it can take necessary actions to assure that the health and safety of the public is protected.

There is no current regulation requiring licensees to notify the NRC in cases of bankruptcy filings. Therefore, the NRC may not be aware of a significant financial problem for a particular licensee and thus also not be aware of potential public health and safety problems. Notifying the NRC in cases of bankruptcy will alert the Commission so that it may deal with potential hazards to the public health and safety posed by a licensee that does not have the resources to properly secure the licensed material or clean up possible contamination.

Background

On June 20, 1986, the Commission published a Notice of Proposed Rulemaking (51 FR 22531) that would require that a licensee notify the NRC in the event the licensee is involved in a bankruptcy filing. The comment period expired on July 21, 1986. The NRC indicated in the Notice that the proposed amendments applied to all licensees covered by 10 CFR Parts 30, 40, 50, 61, 70, and 72, including byproduct, source, and special nuclear material licensees, as well as production and utilization facility, low-level waste disposal facility, and independent spent fuel storage installation licensees.

Analysis of Public Comments

Eight comment letters were received on the proposed amendments. Four were from state agencies, two from private companies, one from a medical group, and one from an electric utility licensee. All of the state agencies indicated that they support the need for the rule and the method of implementation. Two of the state agencies specifically noted that they had experienced several cases of bankruptcy and that these bankruptcies had cost them significant amounts of time and effort due, in most cases, to the fact that they learned of the bankruptcies long after the action was filed. These agencies also noted that, in these situations, they found radioactive material either abandoned or in the possession of unauthorized persons. The comment letter from one of the private companies indicated that, based on their experience of having been in Chapter 11 status and based on their discussions with other companies who have been involved in bankruptcy situations, they agree there is a risk involved and the proposed rule is entirely justified.

The letter from the medical group indicated opposition to the rule. The commenter believed the rule affected only physicians and that, to be equitable, it should affect others such as engineers, plumbers, and tradesmen. In addition, the commenter stated that the regulation is voluminous. In response to this comment the Commission believes the commenter has misunderstood the regulation. As stated above, the regulation applies to all 10 CFR Parts 30, 40, 50, 61, 70 and 72 licensees which includes a wide variety of types of companies and individuals. In addition, the regulation is not voluminous or burdensome, but requires only a notification to the NRC of two pieces of information. The regulation is not as lengthy as it appears because the same requirement must be imposed on different parts of 10 CFR Chapter I. Therefore, the same language must be repeated six times.

The comment letter from the electric utility licensee indicated opposition to the rule as it applies to 10 CFR Part 50 licensees for the following reasons. The commenter believes that (1) the regulatory analysis supporting the rule relates to non-utility licensees and applying it to utilities for the sake of consistency is an inadequate basis for the amendment to Part 50; (2) it is an incorrect assumption that the act of filing a bankruptcy petition affects a utility licensee's ability to safely handle licensed material; (3) the amendment would further involve NRC in utility financial matters which is an area where NRC should proceed cautiously; and (4) NRC already possesses methods of monitoring a utility licensee's financial condition including the availability of credit agency ratings which can be monitored and including required submittals of financial statements under 10 CFR 50.71(b) which NRC could review and use to observe trends.

In response to this commenter, the regulatory analysis indicates other reasons for proceeding with this rulemaking besides consistency in the regulation. These reasons include the fact that there is some potential for reduction in public and occupation exposure, that there is an improvement in NRC's inspection and enforcement capabilities, and that the burden on industry and NRC is minimal. The amendment by itself would not further involve NRC in utility financial matters but would only make NRC aware of a specific situation. Actions taken in response to the situation are not treated in this rulemaking. Finally, it appears that a direct notification of bankruptcy would be a useful adjunct to the monitoring of trends or credit ratings as a means of alerting NRC to the situation.

The comment letter from the other private company indicated that the Supplementary Information and the text of the rule should make it clear that a licensee only has to notify the NRC if involved in a bankruptcy as a debtor. The commenter noted that a licensee might be involved as a creditor in a bankruptcy and should not have to worry about notifying the NRC in this situation. This commenter also suggested that the rule text be changed from "Each licensee shall notify . . . (NRC) of a petition for bankruptcy . . . by or against (i) *A* licensee" to "Each licensee shall notify . . . (NRC) of a . . . petition for bankruptcy . . . by or against (i) *The* licensee." In response to the first comment, the Commission believes that the rule text itself is clear in that it states the specific situations which would require a licensee to submit a notification to the NRC. The intent of the rule is that NRC be aware of severe financial situations which could affect a licensee's capability to handle radioactive material. Based on this intent, the rule states specifically that a licensee should notify the NRC if there is a filing of a petition for bankruptcy by or against the licensee, and entity controlling the licensee, or an affiliate of the licensee. It is these situations that the Supplementary Information is referring to when it discusses a licensee as being "involved" in a bankruptcy. Simply being listed as a creditor in the bankruptcy proceeding of an unrelated entity does not trigger the notification requirement. With regard to the second comment, the text of the rule has been changed accordingly.

Environmental Impact

Categorical Exclusion

The NRC has determined that this regulation is the type of action described in categorical exclusion 10 CFR 51.22(c)(3)(iii). Therefore, neither an environmental impact statement nor an environmental assessment has been prepared for this regulation.

Paperwork Reduction Act Statement

This final rule amends information collection requirements that are subject to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). These requirements were approved by the Office of Management and Budget under approval numbers Part 30—3150–0017, Part 40—3150–0020; Part 50—3150–0011; Part 61—3150–0135; Part 70—3150–0009; and Part 72—3150–0132.

Regulatory Analysis

The Commission has prepared a regulatory analysis on this final regulation. The analysis examines the costs and benefits of the alternatives considered by the Commission. The analysis is available for inspection in the NRC Public Document Room, 1717 H Street NW., Washington, DC. Single copies of the analysis may be obtained from Frank Cardile, U.S. Nuclear Regulatory Commission, Washington, DC, 20555, telephone (301) 443–7784.

Regulatory Flexibility Certification

In accordance with the Regulatory Flexibility Act of 1980, 5 U.S.C. 605(b), the Commission certifies that this rule does not have a significant economic impact on a substantial number of small entities. The rule amends 10 CFR Parts 30, 40, 50, 61, 70, and 72 to require that licensees notify the appropriate NRC Regional Office in the event of the commencement of a bankruptcy proceeding involving the licensee so that NRC is aware of this significant financial problem and can take necessary actions assuring that the health and safety of the public is protected. Because no action is required of a licensee by these amendments unless and until a bankruptcy petition is filed, there is no impact from this rule unless bankruptcy filing occurs. Even in the event of bankruptcy, the impact of this rule on licensees is small because the United States Code contains requirements regarding notification of creditors of bankruptcy. This rule requires one additional notification. In addition, the required action consists only of a notification by mail to the NRC, an action representing less than one-half person-hour of effort. The net overall cost of the industry is negligible.

Backfit Analysis

Backfit Analysis

10 CFR 50.109 (50 FR 38097; September 20, 1985) requires that an analysis be performed for backfits which the Commission seeks to impose on power reactor licensees. This rule requiring notification of bankruptcy does not require . . . "the modification of or addition to systems, structures, components, or design of a facility; or the design approval or manufacturing license for a facility; or the procedures or organization required to design, construct or operate a facility." The rule imposes requirements for administrative procedure action only, which procedural action, a notification, would have no direct bearing on the safe design or operation of a facility. Further, 10 CFR 50.109 is intended to apply only to more stringent safety or security requirements which are to be imposed on a licensee, and to assure that such new requirements meet a test of providing a substantial increase in overall protection of the public health and safety. 10 CFR 50.109 is not intended to apply to purely administrative rules which are not intended to increase protection to public health and safety or security. The new notification of bankruptcy requirements are not increased safety requirements but would provide increased assurance that the current level of safety attained under current regulation is maintained.

The requirement for notification of bankruptcy is appropriately considered as a request for information under 10 CFR 50.54(f), as information needed by the Commission to determine whether or not a license should be modified, suspended, or revoked. Under § 50.54(f) if is required to prepare the reason or reasons for the request prior to issuance to ensure that the burden to be imposed is justified in view of the potential safety significance of the issue to be addressed in the requested information. Because the factors listed in § 50.109(c) can be relevant and useful in an evaluation of safety significance, they have been used in this instance to evaluate these amendments to 10 CFR 50.

(1) The objective of the amendments is for NRC to have means in place so that it would be alerted and would have the opportunity to take necessary action to deal with potential hazards to the public health and safety that may occur

at a facility where a licensee is involved in bankruptcy proceedings. Although the likelihood of utility bankruptcy is small and in most instances NRC would be aware of it occuring, there is a potential that NRC may not be aware of a particular bankruptcy situation involving a licensee.

(2) The amendments require a licensee to notify the appropriate regional office of the NRC, in writing, in the event of the commencement of a bankruptcy proceeding involving the licensee. A licensee would not be affected by these amendments unless and until a bankruptcy petition is filed.

(3) The amendments improve NRC's inspection and enforcement capabilities in dealing promptly with the potential radiological consequences of a licensee's severe financial problems thus providing a benefit in protection of the public health and safety. In addition, although the level of risk to the public is small, NRC's timely involvement can result in some potential reduction in the risk of radiation exposure by reducing the likelihood that improper radioactive waste handling or decontamination will occur at a facility where a licensee is involved in bankruptcy proceedings.

(4) In a manner similar to that described in (3) above, although it would be small, the amendments result in some reduction in risk of radiological exposure of facility employees by reducing the potential for spread of contamination in the facility and resultant occupational exposure.

(5) The amendments impose requirements for administrative procedure action only, hence there is no equipment installation cost, no facility downtime cost, and no cost of construction delay. As indicated in (2), there is no action required of a licensee unless and until a bankruptcy petition is filed and hence there is no continuing cost associated with the backfit. Even in the event of bankruptcy the cost impact of this rule is negligible because the action required, namely a notice listing the location and date of the bankruptcy filing mailed to the NRC regional office, is minimal. As noted in (3) and (4) above, timely involvement of NRC in the situation can minimize potential for spread of contamination in the facility and therefore also minimize added cleanup costs which could then occur. This reduction in cost can be substantial compared to the small cost associated with the notification, resulting in net savings.

(6) The amendments are administrative and hence have no safety impact of changing plant or operational complexity.

(7) With regard to the resource burden on the NRC, no NRC activity is necessary unless and until a licensee submits a notification to the NRC. If a notice were submitted, the amount of time spent on actually reading and docketing of the notification would be minimal. By alerting NRC to the situation, this rule would put NRC in a better reactive mode and thereby could reduce NRC staff time involved in activities such as necessary enforcement actions and meetings with a concerned public regarding a contaminated facility. This reduction in staff time could be significantly greater than that spent in reading and docketing the notification, thus resulting in a net reduction in staff resources.

(8) The amendments apply to all power reactor licensees independent of facility type, design, and age.

(9) When the amendment is made effective, it will be a final action.

Backfit Determination

Based on the analysis as presented above, the Commission has determined that the new reporting requirements imposed by this rule have been adequately justified, namely the burden to be imposed is justified in view of the potential safety significance of the issue to be addressed in the requested information, and that the rule should be promulgated for the following reasons. The rule is considered warranted in order to provide the Commission sufficient notice so that it can take steps to prevent a decrease in the level of protection considered available under current regulations. The rule is also considered to save resources in bankruptcy circumstances. By reason of the rule, there is some, albeit small, potential for reduction in public and occupational exposure. The action required by this rule is administrative, resulting in no installation, downtime, or construction costs and no effect on plant or operational complexity. The burden on industry and NRC is minimal, and in fact this action would probably result in a net reduction in NRC resource expenditures. This action is justified for nonpower reactor and materials facilities based on an assessment of the costs and benefits in the Regulatory Analysis (Section 6.0), and imposing it for reactor plants also provides for consistency in the regulations.

List of Subjects

10 CFR Part 30

Byproduct material, Government contracts, Intergovernmental relations, Isotopes, Nuclear materials, Penalty, Radiation protection, Reporting and recordkeeping requirements.

10 CFR Part 40

Government contracts, Hazardous materials—transportation, Nuclear materials, Penalty, Reporting and recordkeeping requirements, Source material, Uranium.

10 CFR Part 50

Antitrust, Classified information, Fire prevention, Incorporation by reference, Intergovernmental relations, Nuclear power plants and reactors, Penalty, Radiation protection, Reactor siting criteria, Reporting and recordkeeping requirements.

10 CFR Part 61

Low-level waste, Nuclear materials, Penalty, Reporting and recordkeeping requirements, Waste treatment and disposal.

10 CFR Part 70

Hazardous materials—transportation, Nuclear materials, Packaging and containers, Penalty, Radiation protection, Reporting and recordkeeping requirements, Scientific equipment, Security measures, Special nuclear material.

10 CFR Part 72

Manpower training programs, Nuclear materials, Occupational safety and health, Reporting and recordkeeping requirements, Security measures, Spent fuel.

For the reasons set out in the preamble and under the authority of the Atomic Energy Act of 1954, as ameded, the Energy Reorganization Act of 1974, as amended, and 5 U.S.C. 552 and 553, the NRC is adopting the following amendments to 10 CFR Parts 30, 40, 50, 61, 70, and 72.

PART 30—RULES OF GENERAL APPLICABILITY TO DOMESTIC LICENSING OF BYPRODUCT MATERIAL

1. The authority citation for Part 30 is revised to read as follows:

Authority: Sections 81, 82, 161, 182, 183, 186, 68 Stat. 935, 948, 953, 954, 955, as amended, sec. 234, 83 Stat. 444, as amended (42 U.S.C. 2111, 2112, 2201, 2232, 2233, 2236, 2282); secs. 201, as amended, 202, 206, 88 Stat. 1242, as amended 1244, 1246 (42 U.S.C. 5841, 5842, 5846).

Section 30.7 also issued under Pub. L. 95-601, sec. 10, 92 Stat. 2951 (42 U.S.C. 5851). Section 30.34(b) also issued under sec. 184, 68 Stat. 954, as amended (42 U.S.C. 2234). Section 30.61 also issued under sec. 187, 68 Stat. 955 (42 U.S.C. 2237).

For the purposes of sec. 223, 68 Stat. 958, as amended (42 U.S.C. 2273); §§ 30.3, 30.34 (b) and (c), 30.41 (a) and (c), and 30.53 are issued under sec. 161b, 68 Stat. 948, as amended (42 U.S.C. 2201(b)); and §§ 30.6, 30.36, 30.51, 30.52, 30.55, and 30.56 (b) and (c) are issued under sec. 161o, 68 Stat. 950, as amended (42 U.S.C. 2201(o)).

2. Section 30.34 is amended by adding a new paragraph (h) to read as follows:

§ 30.34 Terms and conditions of licenses.

* * * * *

(h)(1) Each licensee shall notify the appropriate NRC Regional Administrator, in writing, immediately following the filing of a voluntary or involuntary petition for bankruptcy under any Chapter of Title 11 (Bankruptcy) of the United States Code by or against:

(i) The licensee;

(ii) An entity (as that term is defined in 11 U.S.C. 101(14)) controlling the licensee or listing the license or licensee as property of the estate; or

(iii) An affiliate (as that term is defined in 11 U.S.C. 101(2)) of the licensee.

(2) This notification must indicate:

(i) The bankruptcy in which the petition for bankruptcy was filed; and

(ii) The date of the filing of the petition.

PART 40—DOMESTIC LICENSING OF SOURCE MATERIAL

3. The authority citation for Part 40 is revised to read as follows:

Authority: Secs. 62, 63, 64, 65, 81, 161, 182, 183, 186, 68 Stat. 932, 933, 935, 948, 953, 954, 955, as amended, secs. 11e(2), 83, 84, Pub. L. 95-604, 92 Stat. 3033, as amended, 3039, sec. 234, 83 Stat. 444, as amended (42 U.S.C. 2014(e)(2), 2092, 2093, 2094, 2095, 2111, 2113, 2114, 2201, 2232, 2233, 2236, 2282); sec. 274, Pub. L. 86-373, 73 Stat. 688 (42 U.S.C. 2021); secs. 201, as amended, 202, 206, 88 Stat. 1242, as amended, 1244, 1246 (42 U.S.C. 5841, 5842, 5846); sec. 275, 92 Stat. 3021, as amended by Pub. L. 97-415, 96 Stat. 2067 (42 U.S.C. 2022).

Section 40.7 also issued under Pub. L. 95-601, sec. 10, 92 Stat. 2951 (42 U.S.C. 5851). Section 40.31(g) also issued under sec. 122, 68 Stat. 939 (42 U.S.C. 2152). Section 40.46 also issued under sec. 184, 68 Stat. 954, as amended (42 U.S.C. 2234). Section 40.71 also issued under sec. 187, 68 Stat. 955 (42 U.S.C. 2237).

For the purposes of sec. 223, 68 Stat. 958, as amended (42 U.S.C. 2273); §§ 40.3, 40.25(d)(1)-(3), 40.35(a)-(d), 40.41 (b) and (c), 40.46, 40.51 (a) and (c); and 40.63 are issued under sec. 161b, 68 Stat. 948, as amended (42 U.S.C. 2201(b)); and §§ 40.5, 40.25(c), (d)(3), and (4), 40.26(c)(2), 40.35(e), 40.42, 40.61, 40.62, 40.64, and 40.65 are issued under sec. 161o, 68 Stat. 950, as amended (42 U.S.C. 2201(o)).

4. Section 40.41 is amended by adding a new paragraph (f) to read as follows:

§ 40.41 Terms and conditions of licenses.

* * * * *

(f)(1) Each licensee shall notify the appropriate NRC Regional Administrator, in writing, immediately following the filing of a voluntary or involuntary petition for bankruptcy under any Chapter of Title 11 (Bankruptcy) of the United States Code by or against:

(i) The licensee;

(ii) An entity (as that term is defined in 11 U.S.C. 101(14)) controlling the licensee or listing the license or licensee as property of the estate; or

(iii) An affiliate (as that term is defined in 11 U.S.C. 101(2)) of the licensee.

(2) This notification must indicate:

(i) The bankruptcy court in which the petition for bankruptcy was filed; and

(ii) The date of the filing of the petition.

PART 50—DOMESTIC LICENSING OF PRODUCTION AND UTILIZATION FACILITIES

5. The authority citation for Part 50 is revised to read as follows:

Authority: Sec. 102, 103, 104, 105, 161, 182, 183, 186, 189, 68 Stat. 936, 937, 938, 948, 953, 954, 955, 956, as amended, sec. 234, 83 Stat. 1244, as amended (42 U.S.C. 2132, 2133, 2134, 2135, 2201, 2232, 2233, 2236); secs. 201, as amended, 202, 206, 88 Stat. 1242, as amended 1244, 1246 (42 U.S.C. 5841, 5842, 5846).

Section 50.7 also issued under Pub. L. 95-601, sec. 10, 92 Stat. 2951 (42 U.S.C. 5851). Section 50.10 also issued under secs. 101, 185, 68 Stat. 936, 955, as amended (42 U.S.C. 2131, 2235); sec. 102, Pub. L. 91-190, 83 Stat 853 (42 U.S.C. 4332). Sections 50.23, 50.35, 50.55, 50.56 also issued under sec. 185, 68 Stat. 955 (42 U.S.C. 2235). Sections 50.33a, 50.55a, and Appendix Q also issued under sec. 102, Pub. L. 91-190, 83 Stat. 853 (42 U.S.C. 4332). Sections 50.34, and 50.54 also issued under sec. 204, 88 Stat. 1245 (42 U.S.C. 5844). Sections 50.58, 50.91, and 50.92 also issued under Pub. L. 97-415, 96 Stat. 2073 (42 U.S.C. 2239). Section 50.78 also issued under sec. 122, 68 Stat. 939 (42 U.S.C. 2152). Sections 50.80-50-81 also issued under sec. 188, 68 Stat. 954, as amended (42 U.S.C. 2234). Section 50.103 also issued under sec. 108, 68 Stat. 939, as amended (42 U.S.C. 2138). Appendix F also issued under sec. 187, 68 Stat. 955 (42 U.S.C. 2237).

For the purposes of sec. 223, 68 Stat. 958, as amended (42 U.S.C. 2273); §§ 50.10(a), (b), and (c), 50.44, 50.46, 50.48, 50.54, and 50.80(a) are issued under sec. 161b, 68 Stat. 948, as amended (42 U.S.C. 2201(b)); §§ 50.10(b) and (c) and 50.54 are issued under sec. 161i, 68 Stat. 949, as amended (42 U.S.C. 2201(i)); and §§ 50.55(e), 50.59(b), 50.70, 50.71, 50.72, 50.73, and 50.78 are issued under sec. 161o, 68 Stat. 950, as amended (42 U.S.C. 2201(o)).

6. Remove the authority citations following §§ 50.2, 50.10, 50.21, 50.22, 50.23, 50.30, 50.33a, 50.34, 50.35, 50.38, 50.41, 50.42, 50.43, 50.44, 50.47, 50.53, 50.54, 50.55, 50.55a, 50.56, 50.70, 50.80, 50.103, and Appendices A, E, F, L, and Q.

7. Section 50-54 is amended by adding a new paragraph (cc) to read as follows:

§ 50.54 Conditions of licenses.

* * * * *

(cc)(1) Each licensee shall notify the appropriate NRC Regional Administrator, in writing, immediately following the filing of a voluntary or involuntary petition for bankruptcy under any Chapter of Title 11 (Bankruptcy) of the United States Code by or against:

(i) The licensee;

(ii) An entity (as that term is defined in 11 U.S.C. 101(14)) controlling the licensee or listing the license or licensee as property of the estate; or

(iii) An affiliate (as that term is defined in 11 U.S.C. 101(2)) of the licensee.

(2) This notification must indicate:

(i) The bankruptcy court in which the petition for bankruptcy was filed; and

(ii) The date of the filing of the petition.

PART 61—LICENSING REQUIREMENTS FOR LAND DISPOSAL OF RADIOACTIVE WASTE

8. The authority citation for Part 61 is revised to read as follows:

Authority: Secs. 53, 57, 62, 63, 65, 81, 161, 182, 183, 68 Stat. 930, 932, 933, 935, 948, 953, 954, as amended (42 U.S.C. 2073, 2077, 2092, 2093, 2095, 2111, 2201, 2232, 2233); secs. 202, 206, 88 Stat. 1244, 1246 (42 U.S.C. 5842, 5846); secs. 10 and 14, Pub. L. 95-601, 92 Stat. 2951 (42 U.S.C. 2021a and 5851).

For the purposes of sec. 223, 68 Stat. 958, as amended (42 U.S.C. 2273); Tables 1 and 2, §§ 61.3, 61.24, 61.25, 61.27(a), 61.41 through 61.43, 61.52, 61.53, 61.55, 61.56, and 61.61 through 61.63 are issued under sec. 161b, 68 Stat. 948, as amended (42 U.S.C. 2201(b); §§ 61.10 through 61.16, 61.24, and 61.80 are issued under sec. 161o, 68 Stat. 950, as amended (42 U.S.C. 2201(o)).

9. Section 61.24 is amended by adding a new paragraph (k) to read as follows:

§ 61.24 Conditions of licenses.

* * * * *

(k)(1) Each licensee shall notify the appropriate NRC Regional Administrator, in writing, immediately following the filing of a voluntary or involuntary petition for bankruptcy under any Chapter of Title 11 (Bankruptcy) of the United States Code by or against:

(i) The licensee;

(ii) An entity (as that term is defined in 11 U.S.C. 101(14)) controlling the licensee or listing the license or licensee as property of the estate; or

(iii) An affiliate (as that term is defined in 11 U.S.C. 101(2)) of the licensee.

(2) This notification must indicate:

(i) The bankruptcy court in which the petition for bankruptcy was filed; and

(ii) The date of the filing of the petition.

PART 70—DOMESTIC LICENSING OF SPECIAL NUCLEAR MATERIAL

10. The authority citation for Part 70 is revised to read as follows:

Authority: Secs. 51, 53, 161, 182, 183, 68 Stat. 929, 930, 948, 953, 954, as amended, sec. 234, 83 Stat. 444, as amended (42 U.S.C. 2071, 2073, 2201, 2232, 2233, 2282); secs. 201, as amended, 202, 204, 206, 88 Stat. 1242, as amended, 1244, 1245, 1246 (42 U.S.C 5841, 5842, 5845, 5846).

Section 70.7 also issued under Pub. L. 95-601, sec. 10, 92 Stat. 2951 (42 U.S.C. 5851). Section 70.21(g) also issued under sec. 122, 68 Stat. 939 (42 U.S.C. 2152). Section 70.31 also issued under sec. 57d, Pub. L. 93-377, 88 Stat. 475 (42 U.S.C. 2077). Sections 70.36 and 70.44 also issued under sec. 184, 68 Stat. 954, as amended (42 U.S.C. 2234). Section 70.61 also issued under secs. 186, 187, 68 Stat. 955 (42 U.S.C. 2236, 2237). Section 70.62 also issued under sec. 108, 68 Stat. 939, as amended (42 U.S.C. 2138).

For the purposes of sec. 223, 68 Stat. 958, as amended (42 U.S.C. 2273): §§ 70.3, 70.19(c), 70.21(c), 70.22 (a), (b), (d)–(k), 70.24 (a) and (b), 70.32(a) (3), (5), (6), (d), and (i), 70.36, 70.39 (b) and (c), 70.41(a), 70.42 (a) and (c), 70.56, 70.57 (b), (c), and (d), 70.58 (a)–(g)(3), and (h)–(j) are issued under sec. 161b, 68 Stat. 948, as amended (42 U.S.C. 2201(b)); §§ 70.7, 70.20a (a) and (d), 70.20b (c) and (e), 70.21(c), 70.24(b), 70.32 (a)(6), (c), (d), (e), and (g), 70.36, 70.51(c)–(g), 70.56, 70.57 (b) and (d), and 70.58 (a)–(g)(3) and (h)–(j) are issued under sec. 161i, 68 Stat. 949, as amended (42 U.S.C. 2201(i)); and §§ 70.5, 70.20b (d) and (e), 70.38, 70.51 (b) and (i), 70.52, 70.53, 70.54, 70.55, 70.58 (g)(4), (k), and (l), 70.59 and 70.60 (b) and (c) are issued under sec. 161o, 68 Stat. 950, as amended (42 U.S.C. 2201(o)).

11. Section 70.32 is amended by adding a new paragraph (a)(9) and the introductory text of paragraph (a) is republished to read as follows:

§ 70.32 Conditions of licenses.

(a) Each license shall contain and be subject to the following conditions:

* * * * *

(9)(i) Each licensee shall notify the appropriate NRC Regional Administrator, in writing, immediately following the filing of a voluntary or involuntary petition for bankruptcy under any Chapter of Title 11 (Bankruptcy) of the United States Code by or against:

(A) The licensee;

(B) An entity (as that term is defined in 11 U.S.C. 101(14)) controlling the licensee or listing the license or licensee as property of the estate; or

(C) An affiliate (as that term is defined in 11 U.S.C. 101(a)) of the licensee.

(ii) This notification must indicate:

(A) The bankruptcy court in which the petition for bankruptcy was filed; and

(B) The date of the filing of the petition.

* * * * *

PART 72—LICENSING REQUIREMENTS FOR THE STORAGE OF SPENT FUEL IN AN INDEPENDENT SPENT FUEL STORAGE INSTALLATION (ISFSI)

21. The authority citation for Part 72 is revised to read as follows:

Authority: Secs. 51, 53, 57, 62, 63, 65, 69, 81, 161, 182, 183, 184, 186, 187, 68 Stat. 929, 930, 932, 933, 934, 935, 948, 953, 954, 955, as amended, sec. 234, 83 Stat. 444, as amended (42 U.S.C. 2071, 2073, 2077, 2092, 2093, 2095, 2099, 2111, 2201, 2232, 2233, 2234, 2236, 2237, 2282); sec. 274, Pub. L. 86-373, 73 Stat. 688, as amended (42 U.S.C. 2021); secs. 201, as amended, 202, 206, 88 Stat. 1242, as amended, 1243, 1246, (42 U.S.C. 5841, 5842, 5846); Pub. L. 95-601, sec. 10, 92 Stat. 2951 (42 U.S.C. 5851); sec. 102, Pub. L. 91-190, 83 Stat. 853 (42 U.S.C. 4332).

Section 72.34 also issued under sec. 189, 68 Stat. 955 (42 U.S.C. 2239) sec. 134, Pub. L. 97.425, 96 Stat. 2230 (42 U.S.C. 10154).

For the purposes of sec. 223, 68 Stat. 958, as amended (42 U.S.C. 2273): §§ 72.6, 72.14, 72.15, 72.17(d), 72.19, 72.33(b)(1), (4), (5), (e), (f), 72.36(a) are issued under sec. 161b, 68 Stat. 948, as amended (42 U.S.C. 2201(b)); §§ 72.10, 72.15, 72.17(d), 72.33(c), (d)(1), (2), (e), 72.81, 72.83, 72.84(a), 72.91 are issued under sec. 161i, 68 Stat. 949, as amended (42 U.S.C. 2201(i)); and §§ 72.33(b)(3), (d)(3), (f), 72.35(b) 72.50–72.52, 72.53(a), 72.54(a), 72.55, 72.56, 72.80(c), 72.84(b) are issued under sec. 161o, 68 Stat. 950, as amended (42 U.S.C. 2201(o)).

13. Section 72.33 is amended by adding a new pragraph (b)(6) and the introductory text of paragraph (b) is republished to reads as follows:

§ 72.33 License conditions.

* * * * *

(b) Every license issued under this Part shall be subject to the following conditions, even if they are not explicitly stated herein:

* * * * *

(6)(i) Each licensee shall notify the appropriate NRC Regional Administrator, in writing, immediately following the filing of a voluntary or involuntary petition for bankruptcy under any Chapter of Title 11 (Bankruptcy) of the United States Code or against:

(A) The licensee;

(B) An entity (as that term is defined in 11 U.S.C. 101(14)) Controlling the licensee or listing the license or licensee as property of the estate; or

(C) An affiliate (as that term is defined in 11 U.S.C. 101(2)) of the licensee.

(ii) This notification must indicate:

(A) The bankruptcy court in which the petition for bankruptcy was filed; and

(B) The date of the filing of the petition.

* * * * *

Dated at Bethesda, Maryland, this 23rd day of December, 1986.

For the Nuclear Regulatory Commission.

Victor Stello, Jr.,

Executive Director for Operations.

[FR Doc. 87-571 Filed 1-9-87; 8:45 am]

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