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 35
[Docket No. PRM–35–20]

E. Russell Ritenour, Ph.D.; Receipt of Petition for Rulemaking

AGENCY: Nuclear Regulatory Commission.

ACTION: Petition for rulemaking; Notice of receipt.

SUMMARY: The Nuclear Regulatory Commission (NRC) has received and requests public comment on a petition for rulemaking dated September 10, 2006, filed by E. Russell Ritenour, Ph.D. (petitioner) on behalf of the American Association of Physicists in Medicine (AAPM). The petition has been docketed by the NRC and has been assigned Docket No. PRM–35–20. The petitioner is requesting that the NRC revise what it calls the “grandfather” pathway.

DATES: Submit comments by January 16, 2007. Comments received after this date will be considered if it is practical to do so, but assurance of consideration cannot be given except as to comments received on or before this date.

ADDRESSES: You may submit comments by any one of the following methods. Please include the following number (PRM–35–20) in the subject line of your comments. Comments on petitions submitted in writing or in electronic form will be made available for public inspection. Because your comments will not be edited to remove any identifying or contact information, the NRC cautions you against including personal information such as social security numbers and birth dates in your submission.

Mail comments to: Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Attention: Rulemaking and Adjudications staff.

E-mail comments to: SECY@nrc.gov. If you do not receive a reply e-mail confirming that we have received your comments, contact us directly at (301) 415–1966. You may also submit comments via the NRC’s rulemaking Web site at http://ruleforum.llnl.gov.

Supplementary Information:

The NRC has received a petition for rulemaking dated September 10, 2006, submitted by E. Russell Ritenour, Ph.D. (petitioner) on behalf of the American Association of Physicists in Medicine. The petitioner requests that the NRC amend 10 CFR part 35, “Medical Use of Byproduct Material.” Specifically, the petitioner requests that 10 CFR 35.57, “Training for experienced Radiation Safety Officer, teletherapy or medical physicist, authorized medical physicist, authorized user, nuclear pharmacist, and authorized nuclear pharmacist” be revised to recognize medical physicists certified by either the American Board of Radiology (ABR) or the American Board of Medical Physics (ABMP) on or before October 24, 2005, as “grandfathered for the modalities that they practiced as of October 24, 2005.” The NRC has determined that the petition meets the threshold sufficiency requirements for a petition for rulemaking under 10 CFR 2.802. The petition has been docketed as PRM–35–20. The NRC is soliciting public comment on the petition for rulemaking.

Discussion of the Petition

The petitioner notes that a revision of 10 CFR part 35 was published on April 24, 2002 (67 FR 20249), that contained new T&E requirements for individuals to become authorized as an RSO, AMP, authorized user (AU), and authorized nuclear pharmacist (ANP). The petitioner states that these requirements provide the following three pathways for an individual to become authorized:

1. An individual may be certified by a specialty board whose certification process is recognized by the NRC or an Agreement State as meeting NRC’s T&E requirements (a recognized board).
2. Approval based on an individual’s T&E (alternate pathway).
3. Identification of an individual’s listing on an existing NRC or Agreement State license. The petitioner refers to this option as the “grandfathering” pathway.

The petitioner states that the Advisory Committee on the Medical Uses of Isotopes (ACMUI) expressed the concern during briefings on February 2006.
NUCLEAR REGULATORY COMMISSION

10 CFR Part 51

[Docket No. PRM–51–10]

Massachusetts Attorney General;
Receipt of Petition for Rulemaking

AGENCY: Nuclear Regulatory Commission.

ACTION: Petition for rulemaking; notice of receipt.

SUMMARY: The Nuclear Regulatory Commission (NRC) is publishing for public comment a notice of receipt of a petition for rulemaking, dated August 25, 2006, which was filed with the Commission by Diane Curran on behalf of Massachusetts Attorney General. The petition was docketed by the NRC on September 19, 2006, and has been assigned Docket No. PRM–51–10. The petitioner requests that the NRC revoke certain regulations in their entirety, and revoke other regulations to the extent that these regulations, in the petitioner’s view, state, imply, or assume that the environmental impacts of storing spent nuclear fuel in high-density pools are not significant; issue a generic determination to clarify that the environmental impacts of high-density pool storage of spent fuel, will be considered significant; and require that any NRC licensing decision concerning high-density pool storage of spent nuclear fuel be accompanied by an environmental impact statement that addresses the environmental impacts of this storage and alternatives for avoiding or mitigating any environmental impacts. The petitioner is seeking the generic treatment of spent fuel pool hazards because he believes that a pool accident at any operating nuclear power plant in the New England and Mid-Atlantic states could significantly affect the health, environmental, and economic well-being of Massachusetts.

DATES: Submit comments by January 16, 2007. Comments received after this date will be considered if it is practical to do so, but the Commission is able to assure consideration only for comments received on or before this date.

ADDRESSES: You may submit comments on this petition by any one of the following methods. Please include PRM–51–10 in the subject line of your comments. Comments on petitions submitted in writing or in electronic form will be made available for public inspection. Because your comments will not be edited to remove any identifying or contact information, the NRC cautions you against including any