

Subpart H of 10 CFR Part 72 establishes requirements for physical protection for the independent storage of spent nuclear fuel and high-level radioactive waste and refers to 10 CFR 73.51 to define the requirements for physical protection of spent nuclear fuel stored under a specific license issued pursuant to 10 CFR part 72. The Trojan ISFSI has an NRC-approved security plan to protect the spent nuclear fuel stored there from radiological sabotage and diversion as required by 10 CFR part 72, subpart H.

Pursuant to 10 CFR 50.12, "Specific exemptions," the Commission may, upon application by any interested person or upon its own initiative, grant exemptions from the requirements of the regulations of these parts, which are authorized by law, will not present an undue risk to the public health and safety, and are consistent with the common defense and security. Additionally, 10 CFR 50.12 states that the Commission will not consider granting an exemption to 10 CFR part 50 unless special circumstances are present. Special circumstances are present when application of the regulation in the particular circumstances would not serve the underlying purpose of the rule and when compliance would result in costs significantly in excess of those incurred by others similarly situated. Also, pursuant to 10 CFR 73.5, "Specific exemptions," the Commission may grant exemptions from the regulations in this part as it determines are authorized by law and will not endanger life or property, and are otherwise in the public interest.

### III.

The Commission has determined that the existing 10 CFR part 73 requirements need to be maintained at the Trojan Nuclear Plant until the spent fuel located in the spent fuel pool is physically relocated from the defueled site to the new security area at the ISFSI. With the completion of the spent fuel movement into the ISFSI, there will no longer be any special nuclear material located within the 10 CFR part 50 licensed site. At that time, the potential for radiological sabotage or diversion of special nuclear material at the 10 CFR part 50 licensed site would be eliminated. The security requirements of 10 CFR part 73, as applicable to a 10 CFR part 50 license site, presume that the purpose of the facility is to possess and utilize special nuclear material. Therefore, the continued application of the 10 CFR part 73 requirements to the Trojan facility would no longer be necessary to

achieve the underlying purpose of the rule. Additionally, with the transfer of the special nuclear material to the ISFSI, the 10 CFR part 50 licensed site would be comparable to a source and byproduct licensee in terms of the level of security needed to protect the public health and safety. The continued application of 10 CFR part 73 security requirements would cause the licensee to expend significantly more funds for security requirements than other source and byproduct facilities. Therefore, compliance with 10 CFR part 73 would result in costs significantly in excess of those incurred by others similarly situated. Based on the above, the NRC has determined that the removal of all special nuclear material from the 10 CFR part 50 licensed site constitutes special circumstances. The security of the special nuclear material will be maintained following relocation of the spent nuclear fuel to the 10 CFR part 72 licensed ISFSI since new assurance objectives and general performance requirements will be in place to protect the spent fuel by the security requirements in 10 CFR part 72. Therefore, protection of the special nuclear material will continue following relocation of the spent nuclear fuel from the 10 CFR part 50 licensed site.

### IV.

Accordingly, the Commission has determined that, pursuant to 10 CFR 50.12(a), an exemption is authorized by law, will not endanger life or property or the common defense and security, and is otherwise in the public interest based on the continued maintenance of appropriate security requirements for the special nuclear material. Additionally, special circumstances are present based on the relocation of the spent nuclear fuel from the 10 CFR part 50 site to the 10 CFR part 72 site. Therefore, the Commission hereby grants Portland General Electric Company an exemption from the requirements of 10 CFR 50.54(p) at the Trojan Nuclear Plant.

Accordingly, the Commission has determined that, pursuant to 10 CFR 73.5, an exemption is authorized by law, will not endanger life or property or the common defense and security, and is otherwise in the public interest based on the maintenance of appropriate security requirements for the special nuclear material under the 10 CFR part 72 license. Therefore, the Commission hereby grants Portland General Electric Company an exemption from the requirements of 10 CFR part 73 at the Trojan Nuclear Plant.

Pursuant to 10 CFR 51.32, the Commission has determined that this

exemption will not have a significant on the quality of the human environment (64 FR 46422).

This exemption is effective upon completion of the transfer of the spent nuclear fuel at the Trojan Nuclear Plant to the Trojan independent spent fuel storage installation.

Dated at Rockville, Maryland, this 2nd day of February 2000.

For the Nuclear Regulatory Commission.

**John A. Zwolinski,**

*Director, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.*

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## NUCLEAR REGULATORY COMMISSION

### Risk-Informed Revisions to Technical Requirements of 10 CFR Part 50

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of public workshop.

**SUMMARY:** The Nuclear Regulatory Commission has instructed its staff to explore changes to specific technical requirements of 10 CFR part 50, to incorporate risk-informed attributes. The staff is studying the ensemble of technical requirements contained in 10 CFR part 50 (and its associated implementing documents, such as regulatory guides and standard review plan sections) to (1) identify individual or sets of requirements potentially meriting change; (2) prioritize which of these requirements (or sets of requirements) should be changed; and (3) develop the technical bases to an extent that is sufficient to demonstrate the feasibility of changing the requirements. This work will result in recommendations to the Commission on specific regulatory changes that should be pursued. Public participation in the development of these recommendations will be obtained via workshops, information on a web site, and other means.

**SUPPLEMENTARY INFORMATION:** This notice serves as notification of a public workshop to provide for the exchange of information with all stakeholders regarding the staff's efforts to risk-inform the technical requirements of 10 CFR part 50. The subject of the workshop will be to discuss the preliminary work being performed by the NRC staff on risk-informing the technical requirements of 10 CFR part 50. The meeting will focus on the overall framework of the risk-informing process, the criteria used to identify and

prioritize candidate regulations and design basis accidents (DBAs), the results of the staff's initial efforts in risk-informing two trial implementation issues (i.e., 10 CFR 50.44 and special treatment rules), the preliminary results of the selection of additional candidate requirements and DBAs to be examined, and discussion of preliminary issues associated with the development and implementation of the entire process.

Initial documents covering some of the above topics will be available on the part 50 technical requirements web site between one and two weeks prior to the workshop and will be placed in the public document room. Each of these documents will contain a list of preliminary issues for discussion. The address for the Part 50 technical requirements web site is as follows: <http://nrc-part50.sandia.gov> This web site can also be accessed from the NRC web site (<http://www.nrc.gov>), by selecting "Nuclear Reactors," and then "Risk-Informed Part 50 (Option 3)."

The part 50 technical requirements web site currently contains some pertinent background information, located under the "Related Sites" page (e.g., SECY-98-300, SECY-99-256 and SECY-99-264).

### Workshop Meeting Information

The staff intends to conduct a workshop to provide for an exchange of information related to the risk-informed revisions to the technical requirements of 10 CFR part 50. Persons other than NRC staff and NRC contractors interested in making a presentation at the workshop should notify Alan Kuritzky, Office of Nuclear Regulatory Research, MS: T10-E50, U.S. Nuclear Regulatory Commission, Washington D.C. 20555-0001, (301) 415-6255, email: [ask1@nrc.gov](mailto:ask1@nrc.gov).

Date: February 24-25, 2000.

### Agenda

Preliminary agenda is as follows (a final agenda will be available at the workshop):

Thursday, February 24, 2000 (8:00 a.m.–Noon)

#### NRC Presentations:

- Introduction (Background and Objectives)
- Framework for Risk-Informing Regulatory Requirements and DBAs
- Process and Criteria for Identifying and Prioritizing Candidate Regulations and DBAs
- Preliminary Results of Selection of Candidate Regulations and DBAs
- Trial Implementation of 10 CFR 50.44
- Trial Implementation of Special Treatment Requirements
- Future Activities

Thursday, February 24, 2000 (1:00 p.m.–5:00 p.m.)

#### Stakeholder Presentations

##### Open Discussion:

- Framework for Risk-Informing Regulatory Requirements and DBAs
- Process and Criteria for Identifying and Prioritizing Candidate Regulations and DBAs
- Preliminary Results of Selection of Candidate Regulations and DBAs
- Trial Implementation of 10 CFR 50.44
- Trial Implementation of Special Treatment Requirements

Friday, February 25, 2000 (8:00 a.m.–Noon)

##### Continued Discussion (as needed)

##### Future Activities

##### Wrap-Up/Summary

Location: NRC Auditorium, 11545 Rockville Pike, Rockville, Maryland 20852.

Registration: No registration fee for workshop; however, notification of attendance is requested so that adequate space, materials, etc., for the workshop can be arranged. Notification of attendance should be directed to Alan Kuritzky, Office of Nuclear Regulatory Research, MS: T10-E50, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, (301) 415-6255, email: [ask1@nrc.gov](mailto:ask1@nrc.gov).

##### FOR FURTHER INFORMATION CONTACT:

Alan Kuritzky, Office of Nuclear Regulatory Research, MS: T10-E50, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, (301) 415-6255, email: [ask1@nrc.gov](mailto:ask1@nrc.gov).

Dated this 7th day of February 2000.

For the Nuclear Regulatory Commission.

**Mark A. Cunningham,**

*Probabilistic Risk Analysis Branch, Division of Risk Analysis and Applications, Office of Nuclear Regulatory Research.*

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## OFFICE OF MANAGEMENT AND BUDGET

### Accounting for Social Insurance

**AGENCY:** Office of Management and Budget.

**ACTION:** Notice of document availability.

**SUMMARY:** This Notice indicates the availability of Statement of Federal Financial Accounting Standards (SFFAS) No. 17, "Accounting for Social Insurance." The statement was recommended by the Federal Accounting Standards Advisory Board (FASAB) and adopted in its entirety by the Office of Management and Budget (OMB).

**ADDRESSES:** Copies of SFFAS No. 17, "Accounting for Social Insurance," may

be obtained for \$12.00 each from the Superintendent of Documents, Government Printing Office, Washington, DC 20402-9325 (telephone 202-512-1800), Stock No. 041-001-00540-4.

##### FOR FURTHER INFORMATION CONTACT:

James Short (telephone: 202-395-3124), Office of Federal Financial Management, Office of Management and Budget, 725 17th Street, N.W., Room 6025, Washington, DC 20503.

##### SUPPLEMENTARY INFORMATION:

This Notice indicates the availability of the seventeenth Statement of Federal Financial Accounting Standards (SFFAS), "Accounting for Social Insurance." The standard was recommended by the Federal Accounting Standards Advisory Board (FASAB) and adopted in its entirety by the Office of Management and Budget (OMB) on November 19, 1999.

Under a Memorandum of Understanding among the General Accounting Office, the Department of the Treasury, and OMB on Federal Government Accounting Standards, the Comptroller General, the Secretary of the Treasury, and the Director of OMB decide upon accounting principles and standards after considering the recommendations of FASAB. After agreement to specific principles and standards, a notice of document availability is published in the **Federal Register** and distributed throughout the Federal Government.

On September 30, the FASAB Principals signed a revised MOU agreeing that future FASAB statements will become final 90 days after FASAB has submitted a proposed standard to each of the three FASAB Principals, so long as no Principal objects during the 90-day period. OMB, GAO, and Treasury would continue to have veto power over any FASAB action and, in addition, they would maintain their statutory authority to establish and adopt accounting standards for the Federal Government.

Under this new agreement, FASAB will be responsible for the **Federal Register** notification process for future statements. Since this statement and one other were undergoing final review by September 30, they will be processed under the previous procedures. The other statement will be forwarded by OMB within the next few weeks for publication in the **Federal Register**.

Under a Memorandum of Understanding among the General Accounting Office, the Department of the Treasury, and OMB on Federal Government Accounting Standards, the Comptroller General, the Secretary of