

# Rules and Regulations

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## NUCLEAR REGULATORY COMMISSION

### 10 CFR Parts 1, 20, 30, 40, 55, 70, and 73

RIN 3150-A180

[NRC-2010-0083]

#### NRC Region II Address and Main Telephone Number Changes

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Final rule.

**SUMMARY:** The Nuclear Regulatory Commission (NRC) is amending its regulations to update the street address for its Region II office and to update the main telephone number. The Region II office move and telephone number change will take effect on April 12, 2010. Also, the relevant regulations that govern communications are amended to reflect that Virginia is now an Agreement State. This document is necessary to inform the public of these changes to the NRC's regulations.

**DATES:** This rule is effective May 27, 2010.

**FOR FURTHER INFORMATION CONTACT:** Judy G. Coleman, Deputy Director, Division of Resource Management and Administration, U.S. Nuclear Regulatory Commission, 245 Peachtree Center Avenue, NE., Suite 1200, Atlanta, GA 30303-1257, telephone 404-562-4824 or 404-997-4824, E-mail [Judy.Coleman@nrc.gov](mailto:Judy.Coleman@nrc.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

The NRC is amending its regulations at 10 CFR Parts 1, 20, 30, 40, 55, 70, and 73 to update the NRC Region II office street address and office main telephone number. The physical location of the NRC Region II office has changed.

Because these amendments constitute minor administrative corrections to the

regulations, the Commission finds that the notice and comment provisions of the Administrative Procedure Act are unnecessary and is exercising its authority under 5 U.S.C. 553(b)(B) to publish these amendments as a final rule. The amendments are effective 30 days after publication in the **Federal Register**. These amendments do not require action by any person or entity regulated by the NRC. Also, the final rule does not change the substantive responsibilities of any person or entity regulated by the NRC.

#### Summary of Changes

##### *Change in Street Address for Region II, USNRC*

The street address of the NRC Region II office has been changed. The new address is incorporated into the following sections of the NRC's regulations: § 1.5(b)(2), Appendix D to 10 CFR Part 20, §§ 30.6(b)(2)(ii), 40.5(b)(2)(ii), 55.5(b)(2)(ii), 70.5(b)(2)(ii), and Appendix A to 10 CFR Part 73.

##### *Change in Region II Main Telephone Number*

The telephone number for requesting NRC information has been changed. The new telephone number is incorporated into Appendix D to 10 CFR Part 20 and Appendix to Part 73 of the NRC's regulations.

##### *Virginia Is Now an Agreement State*

In §§ 30.6(b)(2)(ii), 40.5(b)(2)(ii), and 70.5(b)(2)(ii), Virginia no longer appears because it is now an Agreement State.

#### Environmental Impact: Categorical Exclusion

The NRC has determined that this final rule is the type of action described in categorical exclusion 10 CFR 51.22(c)(2). Therefore, neither an environmental impact statement nor an environmental assessment has been prepared for this rule.

#### Paperwork Reduction Act Statement

This final rule does not contain information collection requirements and, therefore, is not subject to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

#### Public Protection Notification

The NRC may not conduct or sponsor, and a person is not required to respond to, a request for information or an information collection requirement

unless the requesting document displays a currently valid OMB control number.

#### Backfit Analysis

The NRC has determined that the backfit rule does not apply to this final rule; therefore, a backfit analysis is not required for this final rule because these amendments are administrative in nature and do not involve any provisions that would impose backfits as defined in 10 CFR Chapter I.

#### Congressional Review Act (CRA)

Under the CRA of 1996, the NRC has determined that this action is not a major rule and has verified this determination with the Office of Information and Regulatory Affairs of OMB.

#### List of Subjects

##### *10 CFR Part 1*

Organization and functions (government agencies).

##### *10 CFR Part 20*

Byproduct material, Criminal penalties, Licensed material, Nuclear materials, Nuclear power plants and reactors, Occupational safety and health, Packaging and containers, Radiation protection, Reporting and recordkeeping requirements, Source material, Special nuclear material, Waste treatment and disposal.

##### *10 CFR Part 30*

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

##### *10 CFR Part 40*

Criminal penalties, Government contracts, Hazardous materials transportation, Nuclear materials, Reporting and recordkeeping requirements, Source material, Uranium.

##### *10 CFR Part 55*

Criminal penalties, Manpower training programs, Nuclear power plants and reactors, Reporting and recordkeeping requirements.

##### *10 CFR Part 70*

Criminal penalties, Hazardous materials transportation, Material

control and accounting, Nuclear materials, Packaging and containers, Radiation protection, Reporting and recordkeeping requirements, Scientific equipment, Security measures, Special nuclear material.

10 CFR Part 73

Criminal penalties, Export, Hazardous materials transportation, Import, Nuclear materials, Nuclear power plants and reactors, Reporting and recordkeeping requirements, Security measures.

■ For the reasons set out in the preamble and under the authority of the Atomic Energy Act of 1954, as amended; 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 1, 20, 30, 40, 55, 70, and 73.

PART 1—STATEMENT OF ORGANIZATION AND GENERAL INFORMATION

■ 1. The authority citation for Part 1 continues to read as follows:

Authority: Sec. 23, 16181, 68 Stat. 925, 948, as amended (42 U.S.C. 2033, 2201); sec. 29, Pub. L. 85-256, 71 Stat. 759, Pub. L. 95-209, 91 Stat. 1483 (42 U.S.C. 2039); sec. 191 Pub. L. 87-615, 76 Stat. 409 (42 U.S.C. 2241); secs. 201, 203, 204, 205, 209, 88 Stat. 1242, 1244, 1245, 1246, 1248, as amended (42 U.S.C. 5841, 5843, 5844, 5845, 5849); 5 U.S.C. 552, 553; Reorganization Plan No. 1 of 1980, 45 FR 40561, June 16, 1980.

■ 2. In § 1.5, revise paragraph (b)(2) to read as follows:

§ 1.5 Location of principal offices and Regional Offices.

\* \* \* \* \*

(b) \* \* \*

(2) Region II, USNRC, 245 Peachtree Center Avenue, NE., Suite 1200, Atlanta, GA 30303-1257.

\* \* \* \* \*

PART 20—STANDARDS FOR PROTECTION AGAINST RADIATION

■ 3. The authority citation for Part 20 continues to read as follows:

Authority: Secs. 53, 63, 65, 81, 103, 104, 161, 182, 186, 68 Stat. 930, 933, 935, 936, 937, 948, 953, 955, as amended, sec. 1701, 106 Stat. 2951, 2952, 2953 (42 U.S.C. 2073, 2093, 2095, 2111, 2133, 2134, 2201, 2232, 2236, 2297f), secs. 201, as amended, 202, 206, 88 Stat. 1242, as amended, 1244, 1246 (42 U.S.C. 5841, 5842, 5846); sec. 1704, 112 Stat. 2750 (44 U.S.C. 3504 note); sec. 651(e), Pub. L. 109-58, 119 Stat. 806-810 (42 U.S.C. 2014, 2021, 2021b, 2111).

■ 4. In Appendix D to Part 20, in the second column of the table, revise the address for Region II as set forth below;

and in the third column of the table, revise the first telephone number for Region II to read “(404) 997-4000”.

Appendix D to Part 20—United States Nuclear Regulatory Commission Regional Offices

\* \* \* \* \*

USNRC, Region II, 245 Peachtree Center Avenue, NE., Suite 1200, Atlanta, GA 30303-1257.

\* \* \* \* \*

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

■ 5. The authority citation for Part 30 continues to read as follows:

Authority: Secs. 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); sec. 1704, 112 Stat. 2750 (44 U.S.C. 3504 note); Energy Policy Act of 2005, Pub. L. No. 109-58, 119 Stat. 549 (2005).

Section 30.7 also issued under Pub. L. 95-601, sec. 10, 92 Stat. 2951 as amended by Pub. L. 102-486, sec. 2902, 106 Stat. 3123 (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).

■ 6. Section 30.6(b)(2)(ii) is revised to read as follows:

§ 30.6 Communications.

\* \* \* \* \*

(b) \* \* \*

(2) \* \* \*

(ii) Region II. The regional licensing program involves all Federal facilities in the region and non-Federal licensees in the following Region II non-Agreement States and territories: West Virginia, Puerto Rico, and the Virgin Islands. All mailed or hand-delivered inquiries, communications, and applications for a new license or an amendment, renewal, or termination request of an existing license specified in paragraph (b)(1) of this section must use the following address: U.S. Nuclear Regulatory Commission, 245 Peachtree Center Avenue, NE., Suite 1200, Atlanta, GA 30303-1257. Where e-mail is appropriate, it should be addressed to RidsRgn2MailCenter@nrc.gov.

\* \* \* \* \*

PART 40—DOMESTIC LICENSING OF SOURCE MATERIAL

■ 7. The authority citation for Part 40 continues 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); sec. 193, 104 Stat. 2835, as amended by Pub. L. 104-134, 110 Stat. 1321, 1321-349 (42 U.S.C. 2243); sec. 1704, 112 Stat. 2750 (44 U.S.C. 3504 note); Energy Policy Act of 2005, Pub. L. No. 109-59, 119 Stat. 594 (2005).

Section 40.7 also issued under Pub. L. 95-601, sec. 10, 92 Stat. 2951 as amended by Pub. L. 102-486, sec. 2902, 106 Stat. 3123 (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).

■ 8. Section 40.5(b)(2)(ii) is revised to read as follows:

§ 40.5 Communications.

\* \* \* \* \*

(b) \* \* \*

(2) \* \* \*

(ii) Region II. The regional licensing program involves all Federal facilities in the region and non-Federal licensees in the following Region II non-Agreement States and territories: West Virginia, Puerto Rico, and the Virgin Islands. All mailed or hand-delivered inquiries, communications, and applications for a new license or an amendment, renewal, or termination request of an existing license specified in paragraph (b)(1) of this section must use the following address: U.S. Nuclear Regulatory Commission, Region II, 245 Peachtree Center Avenue, NE., Suite 1200, Atlanta, GA 30303-1257. Where e-mail is appropriate, it should be addressed to RidsRgn2MailCenter@nrc.gov.

\* \* \* \* \*

PART 55—OPERATORS' LICENSES

■ 9. The authority citation for Part 55 continues to read as follows:

Authority: Secs. 107, 161, 182, 68 Stat. 939, 948, 953, as amended, sec. 234, 83 Stat. 444, as amended (42 U.S.C. 2137, 2201, 2232, 2282); secs. 201, as amended, 202, 88 Stat. 1242, as amended, 1244 (42 U.S.C. 5841, 5842); sec. 1704, 112 Stat. 2750 (44 U.S.C. 3504 note).

Sections 55.41, 55.43, 55.45, and 55.59 also issued under sec. 306, Pub. L. 97-425, 96 Stat. 2262 (42 U.S.C. 10226).

Section 55.61 also issued under secs. 186, 187, 68 Stat. 955 (42 U.S.C. 2236, 2237).

■ 10. In § 55.5, revise paragraph (b)(2)(ii) to read as follows:

**§ 55.5 Communications.**

\* \* \* \* \*

(b) \* \* \*  
(2) \* \* \*

(ii) If the nuclear power reactor is located in Region II, submissions must be made to the Regional Administrator of Region II. Submissions by mail or hand delivery must be addressed to the Regional Administrator at U.S. Nuclear Regulatory Commission, 245 Peachtree Center Avenue, NE., Suite 1200, Atlanta, Georgia 30303-1257. Where e-mail is appropriate, it should be addressed to

*RidsRgn2MailCenter@nrc.gov.*

\* \* \* \* \*

**PART 70—DOMESTIC LICENSING OF SPECIAL NUCLEAR MATERIAL**

■ 11. The authority citation for Part 70 continues 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, 2297f); secs. 201, as amended, 202, 204, 206, 88 Stat. 1242, as amended, 1244, 1245, 1246 (42 U.S.C. 5841, 5842, 5845, 5846). Sec. 193, 104 Stat. 2835 as amended by Pub.L. 104-134, 110 Stat. 1321, 1321-349 (42 U.S.C. 2243); sec. 1704, 112 Stat. 2750 (44 U.S.C. 3504 note); Energy Policy Act of 2005, Pub. L. No. 109-58, 119 Stat. 194 (2005).

Sections 70.1(c) and 70.20a(b) also issued under secs. 135, 141, Pub. L. 97-425, 96 Stat. 2232, 2241 (42 U.S.C. 10155, 10161).

Section 70.7 also issued under Pub. L. 95-601, sec. 10, 92 Stat. 2951 as amended by Pub. L. 102-486, sec. 2902, 106 Stat. 3123 (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 70.81 also issued under secs. 186, 187, 68 Stat. 955 (42 U.S.C. 2236, 2237). Section 70.82 also issued under sec. 108, 68 Stat. 939, as amended (42 U.S.C. 2138).

■ 12. Section 70.5(b)(2)(ii) is revised to read as follows:

**§ 70.5 Communications.**

\* \* \* \* \*

(b) \* \* \*  
(2) \* \* \*

(ii) *Region II.* The regional licensing program involves all Federal facilities in the region and non-Federal licensees in the following Region II non-Agreement States and territories: West Virginia, Puerto Rico, and the Virgin Islands. All mailed or hand-delivered inquiries, communications, and applications for a new license or an amendment, renewal, or termination request of an existing license specified in paragraph (b)(1) of this section must use the following address: U.S. Nuclear Regulatory

Commission, Region II, 245 Peachtree Center Avenue, NE., Suite 1200, Atlanta, GA 30303-1257. Where e-mail is appropriate, it should be addressed to *RidsRgn2MailCenter@nrc.gov.*

\* \* \* \* \*

**PART 73—PHYSICAL PROTECTION OF PLANTS AND MATERIALS**

■ 13. The authority citation for Part 73 continues to read as follows:

**Authority:** Secs. 53, 161, 149, 68 Stat. 930, 948, as amended, sec. 147, 94 Stat. 780 (42 U.S.C. 2073, 2167, 2169, 2201); sec. 201, as amended, 204, 88 Stat. 1242, as amended, 1245, sec. 1701, 106 Stat. 2951, 2952, 2953 (42 U.S.C. 5841, 5844, 2297f); sec. 1704, 112 Stat. 2750 (44 U.S.C. 3504 note); Energy Policy Act of 2005, Pub. L. 109-58, 119 Stat. 594 (2005).

Section 73.1 also issued under secs. 135, 141, Pub. L. 97-425, 96 Stat. 2232, 2241 (42 U.S.C. 10155, 10161). Section 73.37(f) also issued under sec. 301, Pub. L. 96-295, 94 Stat. 789 (42 U.S.C. 5841 note). Section 73.57 is issued under sec. 606, Pub. L. 99-399, 100 Stat. 876 (42 U.S.C. 2169).

■ 14. In Appendix A to Part 73, first table, second column, and second table, “Classified Mailing Address” second column, revise the address for Region II as set forth below; and in the third column of the first table, revise the first telephone number for Region II to read “(404) 997-4000”.

**Appendix A to Part 73—U.S. Nuclear Regulatory Commission Offices and Classified Mailing Addresses**

\* \* \* \* \*

USNRC, Region II, 245 Peachtree Center Avenue, NE., Suite 1200, Atlanta, GA 30303-1245.

\* \* \* \* \*

**Classified Mailing Address**

\* \* \* \* \*

USNRC, P.O. Box 56267, Atlanta, GA 30343.

\* \* \* \* \*

Dated at Rockville, Maryland, this 20th day of April 2010.

For the Nuclear Regulatory Commission.

**Michael T. Lesar,**

*Chief, Rulemaking, Announcements and Directives Branch, Division of Administrative Services, Office of Administration.*

[FR Doc. 2010-9584 Filed 4-26-10; 8:45 am]

**BILLING CODE 7590-01-P**

**DEPARTMENT OF ENERGY****10 CFR Part 430**

[Docket Number EE-2006-BT-STD-0129]

RIN 1904-AA90

**Energy Conservation Program: Energy Conservation Standards for Residential Water Heaters, Direct Heating Equipment, and Pool Heaters***Correction*

In rule document 2010-7611 beginning on page 20112 in the issue of Friday, April 16, 2010 make the following correction:

On page 20113, in the third column, in the first full paragraph, in the ninth line, “April 15, 2013” should read “April 16, 2013”.

[FR Doc. C1-2010-7611 Filed 4-26-10; 8:45 am]

**BILLING CODE 1505-01-D**

**DEPARTMENT OF TRANSPORTATION****14 CFR Part 97**

[Docket No. 30719 ; Amdt. No. 3369]

**Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule.

**SUMMARY:** This rule establishes, amends, suspends, or revokes Standard Instrument Approach Procedures (SIAPs) and associated Takeoff Minimums and Obstacle Departure Procedures for operations at certain airports. These regulatory actions are needed because of the adoption of new or revised criteria, or because of changes occurring in the National Airspace System, such as the commissioning of new navigational facilities, adding new obstacles, or changing air traffic requirements. These changes are designed to provide safe and efficient use of the navigable airspace and to promote safe flight operations under instrument flight rules at the affected airports.

**DATES:** This rule is effective April 27, 2010. The compliance date for each SIAP, associated Takeoff Minimums, and ODP is specified in the amendatory provisions.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of April 27, 2010.