approximately 5,800 materials licensees use processes or have safety systems that are computer-controlled, thus minimizing potential Y2K impacts. Accordingly, there is no basis for requiring facility shutdown if a licensee cannot demonstrate ''Y2K compliance.''

NIRS presents no information or argument why those actions by the licensees and NRC described above are insufficient to address Y2K problems and to demonstrate that reasonable assurance of adequate protection will not be provided after December 1, 1999, so that facility shutdown is necessary.

VI. Public Information

NIRS requested in item (c) of its petition that NRC adopt regulations that would require that licensees make available to the public by December 1, 1999, all information related to the examination and repair, modification, and/or replacement of all computer systems, embedded chips, and other electronic equipment that may be date-sensitive. NIRS indicated that this rule provision is necessary in order to allow ''independent experts'' and the public to examine this information.

The NRC has already made available to the public substantial information on Y2K and the status of licensees' activities to address potential Y2K problems and will continue to make this information public. The audit reports of the NRC staff reviews of the 12 nuclear power plant-specific Y2K readiness project activities and documentation are publicly available both in the Public Document Rooms and the NRC Year 2000 Web site. The Y2K readiness information submitted in July 1999 by nuclear power plant licensees under GL 98–01, Supplement 1, is available to the public, as with any other correspondence that is received from licensees. The reports documenting the NRC staff audits of the six nuclear power plant-specific contingency planning activities and the results of the facility-specific Y2K program reviews of all operating nuclear power plants are also available to the public. The NRC inspection reports with Y2K information from Parts 30, 40, and 70 licensees and the licensees' responses to GL 98–03 have been placed in the PDR. Summaries of (1) inspection reports with Y2K information, (2) GL 98–03 responses, and (3) interviews with a cross-section of materials and fuel cycle licensees on Y2K issues are available on the NRC Year 2000 Web site.

In view of the information that has been made available and will be made available to the public, NIRS has not provided any basis for requiring licensees, by rule, to provide public access to Y2K information beyond that which the NRC has determined must be submitted to the NRC in furtherance of the NRC's regulatory oversight.

Conclusion

The rule proposed by NIRS is not needed because the Commission has determined that the activities taken by licensees to implement a systematic and structured facility-specific Y2K readiness program, together with the NRC's oversight of the licensees' implementation of these Y2K readiness programs, provide reasonable assurance of adequate protection to public health and safety.

For these reasons, the Commission denies the petition.

Dated at Rockville, Maryland, this 17th day of August, 1999.

For the Nuclear Regulatory Commission.

Andrew L. Bates,

Acting Secretary of the Commission.

[FR Doc. 99–21750 Filed 8–20–99; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

10 CFR Part 35

[Docket No. PRM–35–15]

Jeffery C. Angel; 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 filed by Jeffery C. Angel. The petition has been docketed by the Commission and has been assigned Docket No. PRM–35–15. The petitioner requests that the NRC amend its regulations concerning the medical use of byproduct material to prohibit the hand-held administration of radiopharmaceuticals by injection and to require the use of the Angel Shield, a device to administer radioactive substances. The petitioner requests that the NRC take this action to make the administration of radiopharmaceuticals by injection safer.

DATES: Submit comments by November 8, 1999. 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: Submit comments to: Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Attention: Rulemakings and Adjudications staff.

Deliver comments to 11555 Rockville Pike, Rockville, Maryland, between 7:30 am and 4:15 pm on Federal workdays.

For a copy of the petition, write to David L. Meyer, Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

You may also provide comments via the NRC's interactive rulemaking website at http://ruleforum.llnl.gov. This site provides the capability to upload comments as files (any format), if your web browser supports that function. For information about the interactive rulemaking website, contact Ms. Carol Gallagher, (301) 415–5905 (e-mail: CAG@nrc.gov).

FOR FURTHER INFORMATION CONTACT: David L. Meyer, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Telephone: 301–415–7162 or Toll-free: 1–800–368–5642 or E-mail: DLM1@NRC.GOV.

SUPPLEMENTARY INFORMATION:

Background

On June 29, 1999, the Nuclear Regulatory Commission (NRC) received a petition for rulemaking submitted by Jeffery C. Angel. The petitioner requests that the NRC amend its regulations concerning the medical use of byproduct material to prohibit the hand-held administration of radiopharmaceuticals by injection and require the use of the Angel Shield, a device to administer radioactive substances. The petitioner requests that the NRC take this action to make the administration of radiopharmaceuticals by injection safer. The petition has been docketed as PRM–35–15. The NRC is soliciting public comment on the petition for rulemaking.

The NRC's regulations governing the medical use of byproduct material appear in 10 CFR Part 35. Paragraph (c) of § 35.60 requires that an individual use a syringe radiation shield when administering a radiopharmaceutical by injection unless the use of the shield is contraindicated for that patient or human research subject.

Discussion

The petitioner states that the current practice of placing the radiopharmaceutical into a syringe radiation shield and delivering a hand-held injection places the person administering the substance in direct

and immediate contact with the radiopharmaceutical. The petitioner contends that this practice results in the unnecessary exposure of this individual to radiation. The petitioner asserts that the design and engineering of syringe radiation shields is not based on sound radiation protection principles. The petitioner further states that current syringe designs violate the fundamental radiation principles of time, shielding, and distance. The petitioner states that syringe radiation shields provide inadequate radiation protection because—

1. They are hand held, thereby placing an administrator in direct and immediate contact with the radioactive substance;

2. They must be light enough so that they are not cumbersome to work with and consequently, they do not incorporate enough shielding to protect administrators adequately; and

3. There is no shielding at the distal or proximal portions of the shield, which results in direct and unnecessary radiation exposure.

The petitioner refers to the provisions of 10 CFR 20.1101(b) that require licensees to use procedures and engineering controls based on sound radiation protection principles to achieve occupational dose rates that are as low as is reasonably achievable (ALARA).

The Petitioner's Request

The petitioner requests that the NRC amend its regulations concerning the medical use of byproduct material to prohibit the hand-held administration of radiopharmaceuticals by injection. As an alternative, the petitioner suggests that the NRC require the use of the Angel Shield, a radioactive substance administrator that eliminates the hand-held administration of radiopharmaceuticals by injection. The petitioner believes that radiation exposure rates would be immediately and substantially reduced through the use of the Angel Shield. The petitioner asserts that the Angel Shield reduces radiation exposure by—

1. Eliminating the hand-held injection of radiopharmaceuticals;

2. Encapsulating the syringe within the administrator completely thereby providing 360 degrees of protection;

3. Shielding 100 percent of low-energy emissions (140 kev) and 88 percent of high-energy emissions (511 kev);

4. Allowing for the remote administration of the radiopharmaceutical; and

5. Reducing the number of missed injections and subsequent multiple exposures.

The petitioner explains that the Angel Shield uses ½-inch lead walls that completely encapsulate the radiopharmaceutical. The petitioner further explains that the entire administration process is mechanized. This removes the occupational worker from direct and immediate contact with the radioactive substance. As a result, radiation exposure rates are substantially and immediately reduced.

The petitioner contends that the reduction of unnecessary radiation exposure when administering radiopharmaceuticals by injection is of critical importance as the practice of nuclear medicine evolves toward therapeutic applications and the administration of medium and high-energy radiopharmaceuticals. The petitioner states that the one of the NRC's primary duties is to establish regulations on the safe use of nuclear materials. The petitioner contends that prohibiting the hand-held administration of radiopharmaceuticals by injection and requiring the use of the Angel Shield makes the administration of radiopharmaceuticals safer and furthers the goals of ALARA by reducing occupational dose rates.

The Petitioner

The petitioner has been a nuclear medicine technologist for over twenty years and has been exposed to radiation on a recurrent daily basis. He invented a radioactive substance administrator, the Angel Shield, to protect himself and others from unnecessary radiation exposure when administering radiopharmaceuticals by injection.

Dated at Rockville, Maryland, this 17th day of August, 1999.

For the Nuclear Regulatory Commission.

Andrew L. Bates,

Acting Secretary of the Commission.

[FR Doc. 99–21792 Filed 8–20–99; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

10 CFR Part 50

[Docket No. PRM–50–66]

Nuclear Information and Resource Service; Petition for Rulemaking Denial

AGENCY: Nuclear Regulatory Commission.

ACTION: Petition for rulemaking; denial.

SUMMARY: The Nuclear Regulatory Commission (NRC) is denying a petition for rulemaking (PRM–50–66) from the Nuclear Information and Resource Service (NIRS). The petitioner requested that NRC amend its regulations to require licensees of operating nuclear power plant facilities to conduct a full-scale emergency planning exercise that involves coping with a date-sensitive, computer-related failure resulting from a Year 2000 (Y2K) issue. The petitioner requested that NRC take this action to ensure that licensees of nuclear facilities have developed and can implement adequate contingency and emergency plans to address potential major system failures that may be caused by a Y2K computer problem. NRC is denying the petition because the Commission has determined that the actions taken by the licensees to implement systematic and structured Y2K readiness contingency plans for critical Y2K dates in concert with existing required emergency response plans and procedures, and NRC's oversight of the licensees' implementation of these Y2K readiness contingency plans provide reasonable assurance of adequate protection to public health and safety.

ADDRESSES: Copies of the petition for rulemaking, the public comments received, and the NRC's letters to the petitioners are available for public inspection or copying in the NRC Public Document Room, 2120 L Street, NW. (Lower Level), Washington, DC, as well as NRC's rulemaking web site at http://ruleforum.llnl.gov.

FOR FURTHER INFORMATION CONTACT: Matthew Chiramal, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, telephone 301–415–2845, E-mail address mxc@nrc.gov.

SUPPLEMENTARY INFORMATION:

Background

NRC received three related petitions for rulemaking (PRM–50–65, PRM–50–66, and PRM–50–67), each dated December 10, 1998, submitted by the NIRS concerning various aspects of Y2K issues and nuclear safety. This petition (PRM–50–66) requested that NRC adopt regulations that would require facilities licensed by NRC under 10 CFR Part 50 to develop and implement adequate contingency and emergency plans to address potential system failures. The first petition (PRM–50–65) requested that NRC adopt regulations that would require facilities licensed by NRC under 10 CFR Parts 30, 40, 50, and 70 to be Y2K compliant. The third petition (PRM–50–67) requested that NRC adopt regulations that would require facilities licensed by NRC under 10 CFR Parts 50