

List of Subjects

10 CFR Part 19

Criminal penalties, Environmental protection, Nuclear materials, Nuclear power plants and reactors, Occupational safety and health, Radiation protection, Reporting and recordkeeping requirements, Sex discrimination.

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.

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 19 and 20.

PART 19—NOTICES, INSTRUCTIONS AND REPORTS TO WORKERS: INSPECTION AND INVESTIGATIONS

1. The authority citation for part 19 continues to read as follows:

Authority: Secs. 53, 63, 81, 103, 104, 161, 186, 68 stat. 930, 933, 935, 936, 937, 948, 955, as amended, sec. 234, 83 Stat. 444, as amended, sec. 1701, 106 Stat. 2951, 2952, 2953 (42 U.S.C. 2073, 2093, 2111, 2133, 2134, 2201, 2236, 2282, 2297f); sec. 201, 88 Stat. 1242, as amended (42 U.S.C. 5841). Pub. L. 95-601, sec. 10, 92 Stat. 2951 (42 U.S.C. 5851).

2. Section 19.12 is revised to read as follows:

§ 19.12 Instruction to workers.

(a) All individuals who in the course of employment are likely to receive in a year an occupational dose in excess of 100 mrem (1 mSv) shall be—

- (1) Kept informed of the storage, transfer, or use of radiation and/or radioactive material;
- (2) Instructed in the health protection problems associated with exposure to radiation and/or radioactive material, in precautions or procedures to minimize exposure, and in the purposes and functions of protective devices employed;
- (3) Instructed in, and required to observe, to the extent within the workers control, the applicable provisions of Commission regulations and licenses for the protection of personnel from exposure to radiation and/or radioactive material;
- (4) Instructed of their responsibility to report promptly to the licensee any

condition which may lead to or cause a violation of Commission regulations and licenses or unnecessary exposure to radiation and/or radioactive material;

(5) Instructed in the appropriate response to warnings made in the event of any unusual occurrence or malfunction that may involve exposure to radiation and/or radioactive material; and

(6) Advised as to the radiation exposure reports which workers may request pursuant to § 19.13.

(b) In determining those individuals subject to the requirements of paragraph (a) of this section, licensees must take into consideration assigned activities during normal and abnormal situations involving exposure to radiation and/or radioactive material which can reasonably be expected to occur during the life of a licensed facility. The extent of these instructions must be commensurate with potential radiological health protection problems present in the work place.

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), secs. 201, as amended, 202, 206, 88 stat. 1242, as amended, 1244, 1246 (42 U.S.C. 5841, 5842, 5846).

4. In § 20.1003, the definitions of “Member of the public” “Occupational dose,” and “Public dose” are revised to read as follows:

§ 20.1003 Definitions.

* * * * *

Member of the public means any individual except when that individual is receiving an occupational dose.¹

* * * * *

Occupational dose means the dose received by an individual in the course of employment in which the individual’s assigned duties involve exposure to radiation and/or to radioactive material from licensed and unlicensed sources of radiation, whether in the possession of the licensee or other person. Occupational dose does not include dose received from background radiation, as a patient from medical practices, from voluntary participation in medical research programs, or as a member of the public.

* * * * *

¹ Except as delineated in other parts of 10 CFR chapter I.

Public dose means the dose received by a member of the public from exposure to radiation and/or radioactive material released by a licensee, or to any other source of radiation under the control of a licensee. It does not include occupational dose or doses received from background radiation, as a patient from medical practices, or from voluntary participation in medical research programs.

* * * * *

5. In § 20.2104, the introductory text of paragraph (a) is revised to read as follows:

§ 20.2104 Determination of prior occupational dose.

(a) For each individual who is likely to receive in a year, an occupational dose requiring monitoring pursuant to § 20.1502 the licensee shall—

* * * * *

6. Section 20.2205 is added to read as follows:

§ 20.2205 Reports to individuals of exceeding dose limits.

When a licensee is required, pursuant to the provisions of §§ 20.2203, 20.2204, or 20.2206, to report to the Commission any exposure of an identified occupationally exposed individual, or an identified member of the public, to radiation or radioactive material, the licensee shall also provide a copy of the report submitted to the Commission to the individual. This report must be transmitted at a time no later than the transmittal to the Commission.

Dated at Rockville, Maryland, this 30th day of June, 1995.

For the Nuclear Regulatory Commission.

James M. Taylor,
Executive Director for Operations.

[FR Doc. 95-17023 Filed 7-12-95; 8:45 am]

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DEPARTMENT OF LABOR

Occupational Safety and Health Administration

29 CFR Parts 1915 and 1926

RIN 1218-AB25

Occupational Exposure to Asbestos; Corrections

AGENCY: Occupational Safety and Health Administration, Labor.

ACTION: Corrections to final rule.

SUMMARY: The Occupational Safety and Health Administration (OSHA) is correcting the final asbestos standards published in the **Federal Register** on August 10, 1994 (59 FR 40964).

EFFECTIVE DATE: July 13, 1995.

FOR FURTHER INFORMATION CONTACT: Mr. Richard Liblong, Director of Information and Consumer Affairs, Occupational Safety and Health Administration, U.S. Department of Labor, Room N3647, 200 Constitution Avenue NW., Washington, DC 20210, telephone (202) 219-8151.

SUPPLEMENTARY INFORMATION: On June 29, 1995, OSHA issued a corrections document, correcting and clarifying certain provisions of the final asbestos standards in general industry, construction and shipyard employment that were issued on August 10, 1994. Several typographical errors were discovered and one correction was inadvertently omitted from this document.

The standard and this correction document are issued under the authority of sections 4, 6(b), 8(c), and 8(g) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 653, 655, 657); section 107, Contract Work Hours and Safety Standards Act (Construction Safety Act, 40 U.S.C. 333); section 41, Longshore and Harbor Workers' Compensation Act (33 U.S.C. 941); and 29 CFR part 1911.

Correction of Publication

The following corrections are made to the final rule for Occupational Exposure to Asbestos published in the **Federal Register** on August 10, 1994 (59 FR 40964) and corrected in the **Federal Register** on June 29, 1995 (59 FR 33974).

PART 1915—[CORRECTED]

1. On page 41080, in § 1915.1001, paragraph (b), in the definition of "Class III asbestos work," line 2 from the top of the third column, the words "may be" are corrected to read "is likely to be".

2. The definition of "Disturbance" in paragraph (b) of § 1915.1001, on page 41080, in the third column, in the **Federal Register** document of August 10, 1994 and corrected in the **Federal Register** document of June 29, 1995 on page 33988 is further corrected by removing the first two sentences and adding a new sentence in its place to read as follows:

§ 1915.1001 Asbestos.

* * * * *

(b) * * *

Disturbance means activities that disrupt the matrix of ACM or PACM, crumble or pulverize ACM or PACM, or generate visible debris from ACM or PACM. * * *

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PART 1926—[CORRECTED]

3. The definition of "Class III asbestos work" in paragraph (b) of § 1926.1101, on page 41132, in the second column, in the **Federal Register** document of August 10, 1994 and corrected in the **Federal Register** document of June 29, 1995 on page 33995 is further corrected. The words "may be" are corrected to read "is likely to be".

4. The definition of "Disturbance" in paragraph (b) of § 1926.1101, on page 41132, in the third column, in the **Federal Register** document of August 10, 1994 and corrected in the **Federal Register** document of June 29, 1995 on page 33996 is further corrected by removing the first two sentences and adding a new sentence in its place to read as follows:

§ 1926.1101 Asbestos.

* * * * *

(b) * * *

Disturbance means activities that disrupt the matrix of ACM or PACM, crumble or pulverize ACM or PACM, or generate visible debris from ACM or PACM. * * *

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Signed at Washington, DC this 10th day of July, 1995.

Joseph A. Dear,

Assistant Secretary, Occupational Safety and Health Administration.

[FR Doc. 95-17194 Filed 7-12-95; 8:45 am]

BILLING CODE 4510-26-M

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Part 925

Missouri Regulatory Program

AGENCY: Office of Surface Mining Reclamation and Enforcement (OSM), Interior.

ACTION: Final rule; approval of amendment.

SUMMARY: OSM is approving, with certain exceptions and additional requirements, a proposed amendment to the Missouri regulatory program (hereinafter referred to as the "Missouri program") under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). Missouri proposed revisions to rules pertaining to definitions, topsoil redistribution, impoundment design, disposal of coal processing and noncoal waste, backfilling and grading, coal exploration, fish and wildlife plan, permit approval findings, notice of violations, and eligibility for small

operators assistance. The amendment is intended to revise the State program to be consistent with the corresponding Federal regulations and SMCRA, clarify ambiguities, and improve operational efficiency.

EFFECTIVE DATE: July 13, 1995.

FOR FURTHER INFORMATION CONTACT: Michael C. Wolfrom, Telephone: (816) 374-6405.

SUPPLEMENTARY INFORMATION:

I. Background on the Missouri Program

On November 21, 1980, the Secretary of Interior conditionally approved the Missouri program. General background information on the Missouri program, including the Secretary's findings, the disposition of comments, and the conditions of approval of the Missouri program can be found in the November 21, 1980, **Federal Register** (45 FR 77017). Subsequent actions concerning Missouri's program and program amendments can be found at 30 CFR 925.12, 925.15, and 925.16.

II. Proposed Amendment

By letter dated February 10, 1995 (administrative record No. MO-612), Missouri submitted a proposed amendment to its program pursuant to SMCRA (30 U.S.C. 1201 *et seq.*). Missouri submitted the proposed amendment with the intent of satisfying the required program amendments at 30 CFR 925.16(b)(4), (p)(9), and (q)(1) through (q)(5), and at its own initiative to improve its program. The amendment also contains nonsubstantive revisions to eliminate editorial and typographical errors and to accomplish necessary recodification required by the addition or deletion of provisions. The provisions of 10 Code of State Regulations (CSR) that Missouri proposed to revise were: (1) 10 CSR 40-3.030(4) to require that contamination of topsoil be prevented during redistribution; (2) 10 CSR 40-3.040(10)(B)5 to reference the January 1991, U.S. Natural Resources Conservation Service (formerly the Soil Conservation Service) technical document, Practice Standards 378, concerning impoundment design; (3) 10 CSR 40-3.110(3)(A)1 to clarify that the requirements of this section apply to coal seams, combustible materials, and acid- and toxic-forming materials, to require that coal processing waste and noncoal waste be covered in accordance with the regulations for disposal of coal processing waste at 10 CSR 40-3.080, and to delete the existing requirement that exposed coal seams and combustible materials, including coal processing waste, be covered with a