

that are not within the NRC's control. However, the NRC will continue to work to enhance the capabilities of the Electronic Information Exchange (EIE) process in the hope of accommodating some of the current exceptions to electronic transmissions. Since the draft was issued, the EIE capabilities have been enhanced to allow the submission of proprietary, privacy, and official-use-only information. For example, in the proposed guidance, fingerprint cards were listed as an exception to transmission via EIE. Under the current guidance, fingerprints can be transmitted via EIE.

Comment 3: The guidance limits the versions of software formats that may be submitted. In some cases the software versions prescribed by the NRC are not the current versions. The NRC should try to keep up with the latest versions of software.

Response: In the Federal environment, upgrades to the latest software can take time. However, the NRC agrees to take steps to ensure the timely approval of the most current versions of software for making submissions to the agency. However, based on National Archives and Records Administration (NARA) guidance documents issued subsequent to publication of the NRC's draft guidance, NRC is restricting the software format versions that are acceptable for submissions to the agency to the current and two prior versions. The guidance has been updated to incorporate this change.

Comment 4: Several commenters stated that versions of software should not be dictated and that there should be no restrictions on the use of versions of software.

Response: The NRC is required to transfer permanent records to NARA in an approved format. NARA currently does not allow submission of documents created using proprietary software. Thus, documents must be converted to an acceptable publicly available format.

Therefore, the NRC must require submitters to provide electronic information in one of the NARA-approved formats.

NARA further restricts formats by only accepting documents converted using the current version or the two previous versions of the software. The NRC is adopting the same approach for submissions to the agency.

The NRC has decided that only documents in one of the NARA-approved PDF formats (see Section 2.1 of the guidance document) or in one of the formats listed for transfer of spreadsheets that are intended for

further calculations by the NRC staff are acceptable for electronic submission to the NRC.

Comment 5: Some comments stated that the use of a three-digit numeric prefix in file names is too prescriptive, complicates production of documents, and is unnecessary.

Response: The NRC has several years of experience reviewing and attempting to capture documents submitted to the agency in electronic form. NRC has learned that, in many instances, it is almost impossible to decipher the correct order in which to capture the files to duplicate the document on the transfer medium. Each document submitted to the NRC is created differently, according to the business needs of the creating entity and the level of expertise in the use of the capture software by the individual who creates the document. In many instances the file structure, use of folders, other formatting conventions used, and the relationships between files cannot be determined. Microsoft Explorer and other file management tools further complicate the situation by reordering the file structure. Thus, the file structure of the document cannot be duplicated in the NRC's systems. As a result, the NRC is unable to capture these submissions in its electronic document/records management system. These submissions are currently managed outside of NRC's electronic document management systems as individual objects, maintained on the transfer medium provided. This creates migration and transfer issues that have to be managed on an individual basis. The use of the three-digit prefix is an effort to simplify document capture, ensure correct ordering of files, and increase the accuracy and fidelity of the information captured in the NRC's electronic systems.

For these reasons, the NRC will continue to require a three-digit prefix on all files submitted electronically.

Comment 6: Most comments received included remarks about the maximum file size that can be submitted electronically to the NRC. These comments all requested that the file size limit be increased.

Response: The NRC contracted for a study to evaluate the most logical file size limit based on receipt and capture of incoming files and issues related to access, retrieval, and transfer via the Internet. This study concluded that the optimal file size limit for use by the NRC is 50MB. Therefore, the NRC is modifying its guidance to raise the file size limit for both EIE and CD-ROM submissions to 50MB per file. The NRC had previously proposed a 20MB limit.

Additionally, the NRC has discovered that small files are problematic because large numbers of small files require significant resources to capture and profile in electronic document management systems. Therefore, the NRC encourages submitters to combine files that are parts of larger documents to create 50MB files that can be more economically and efficiently managed.

Comment 7: Several comments stated that the resolution standards for images provided to the NRC are too high.

Response: The resolution standards included in the draft guidance were based on the NRC's experience with images and requirements identified by Adobe to ensure that images can be migrated. This proposed guidance was developed by the NRC before the availability of Government-wide guidance from NARA. Since the draft guidance was published, NARA has issued standards for the transfer of scanned images and PDF documents to NARA. The NRC is adopting these standards in Section 2.5 of the guidance so that the agency can comply with the NARA transfer requirements. The NARA guidance specifies higher resolution levels than proposed originally by the NRC for some image forms. The NRC's original proposed standard was 300 dots per inch (dpi) for Bi-tonal (Black and White) and 200 dpi for Color and Grayscale. The revised standard is 300 dpi for all three.

Comment 8: Several comments stated that the NRC should specify a standard format for submission of documents on CD-ROM that would allow for the upload of the documents into NRC systems.

Response: The NRC agrees. A new section has been added to the guidance (Section 2.14) to cover requirements for segmenting large documents, and another (Section 4.3) has been revised to cover requirements for the accompanying transmittal letter to facilitate the capture of CD-ROM submissions in ADAMS and other NRC systems.

IV. Section-by-Section Analysis

Well over 100 of our regulations are being amended by this final rule. However, we are making only a very few kinds of changes, and so an analysis of each and every amended section would be highly repetitious and, more important, would obscure the aims and forms of the amendments. Therefore, rather than describe each amended section, we will describe only the typical changes we are making and why we are making them.