

NUCLEAR REGULATORY COMMISSION

Office of New Reactors; Notice of Availability of the Final Interim Staff Guidance COL-ISG-02 on Financial Qualifications of Applicants

AGENCY: Nuclear Regulatory Commission (NRC).

ACTION: Notice of availability.

SUMMARY: The NRC is issuing its Final Interim Staff Guidance (ISG) COL-ISG-02. This COL-ISG provides guidance on financial qualifications for and combined license (COL) applicants. This COL-ISG summarizes the requirements under Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.33(f)(1) for COL applicants and corrects the information provided in Section C.IV.5.1 of Regulatory Guide 1.206, "COL Applications for Nuclear Power Plants (LWR Edition)."

The NRC staff issues ISGs to facilitate timely implementation of the current staff guidance and to facilitate activities associated with review of applications for design certifications and COLs for the Office of New Reactors. The NRC staff will also incorporate the approved DC/COL-ISGs into the next revision of the appropriate review guidance documents.

ADDRESSES: The NRC maintains an Agencywide Documents Access and Management System (ADAMS), which provides text and image files of NRC's public documents. These documents may be accessed through the NRC's Public Electronic Reading Room on the Internet at <http://www.nrc.gov/reading-rm/adams.html>. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS should contact the NRC Public Document Room (PDR) reference staff at 1-800-397-4209, 301-415-4737, or by e-mail at pdr@nrc.gov.

FOR FURTHER INFORMATION CONTACT: Mr. Arlon O. Costa, Acting Branch Chief, Financial, Policy and Rule Making Branch, Division of Policy and Rule Making, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone 301-415-6402 or e-mail at roc@nrc.gov.

SUPPLEMENTARY INFORMATION: COL-IGS-02 is posted on the agency's external web page (<http://www.nrc.gov/reading-rm/doc-collections/isg/>).

Dated at Rockville, Maryland, this 2nd day of May 2008.

For the Nuclear Regulatory Commission,
William D. Reckley,
Branch Chief Rulemaking, Guidance and Advanced Reactors Branch, Division of New Reactor Licensing, Office of New Reactors.
[FR Doc. E8-10248 Filed 5-7-08; 8:45 am]
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NUCLEAR REGULATORY COMMISSION

[Docket No. 070-00008]

Notice of Issuance of License Amendment for Termination of License SNM-00007 for Battelle Memorial Institute, West Jefferson, OH

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of availability.

FOR FURTHER INFORMATION CONTACT:

George M. McCann, Senior Health Physicist, Decommissioning Branch, Division of Nuclear Material Safety, Region III, U.S. Nuclear Regulatory Commission, 2443 Warrenton Road, Lisle, Illinois 60532; Telephone: (630) 829-9856; fax number: (630) 515-1259; e-mail: Mike.McCann@nrc.gov.

SUPPLEMENTARY INFORMATION:

I. Introduction

The Nuclear Regulatory Commission (NRC) is issuing a license amendment to terminate Special Nuclear Material License No. SNM-00007 issued to Battelle Memorial Institute (the licensee) and to authorize for unrestricted use its former North Nuclear Sciences Site, located near West Jefferson, Ohio. An NRC approved decommissioning plan (DP) (ML003711118), which references an U.S. Department of Energy Environmental Assessment, and Finding of No Significant Impact, was incorporated into the licensee's license by Amendment No. 23, on August 25, 2000 (ML010410001). These documents addressed the impacts of the licensee's actions to decommission its former byproduct and special nuclear materials research facilities and associated site, including final status survey plans and the licensee's intent to terminate license SNM-00007. In a letter dated August 3, 2006, (ML062200140) the licensee requested termination of its NRC radioactive source material license. The NRC's staff review of the Battelle Memorial Institute's termination request and final status surveys are documented in a Safety Evaluation Report. Based on the staff review, the NRC concluded that all licensable radioactive material has been removed from the licensee's former North Nuclear Sciences Site and

residual radioactive material attributable to licensed activities does not exceed NRC unrestricted use criteria.

II. Licensee Background and Staff Review Findings

The purpose of the amendment is to terminate Battelle Memorial Institute's special nuclear material license and authorize for unrestricted release the licensee's former Nuclear Sciences Site located near West Jefferson, Ohio.

Battelle's DP (ML003711118) was originally approved by the NRC during 1993, before implementation of the current NRC "License Termination Rule." The unrestricted release criterion cited in the DP was based on current regulatory guidance in effect at that time, that is, concentration and surface release tables, and consistent with criteria outlined in an NRC letter to the licensee dated April 17, 1992 (ML070180226). The licensee's DP was incorporated into NRC Special Nuclear Materials License No. SNM-00007 by License Amendment No. 23 on August 25, 2000 (ML010410001). This action was consistent with Title 10 of the Code of Federal Regulations (CFR), Part 20, Section 20.1401(b)(2), General provisions and scope, which states in part that "(b) The criteria in this subpart do not apply to sites which: (2) have previously submitted and received Commission approval on a license termination plan (LTP) or decommissioning plan that is compatible with the Site Decommissioning Management Program Action Plan criteria." Thus, the incorporation of the DP into Battelle Memorial Institute's license did not change the previously approved release criteria, but the licensee voluntarily implemented an administrative "as low as reasonably achievable" limit of 25 mrem per year dose limit throughout the West Jefferson North decommissioning project.

Historically, Battelle performed atomic energy research and development for the U.S. Department of Energy (DOE) and its predecessor agencies between 1943 and 1986 at its Columbus Laboratories sites. The licensee's special nuclear material license SNM-00007 authorized byproduct and special nuclear materials for commercial nuclear research activities at the same locations. Between the late 1980s and 1993, DOE and the NRC met to discuss coordination of the Battelle Columbus Laboratories Decommissioning Project. As a result, DOE decided to not impose DOE Orders where such orders would duplicate existing regulations which the project

was already required to follow. It was agreed that the DOE would maintain day-to-day operational responsibility for the decontamination and decommissioning project, and that the NRC would impose three statutory responsibilities, which were to: (1) Conduct periodic inspections; (2) approve the release criteria used; and (3) certify the final release of the Battelle site. The NRC met with DOE and the Ohio Department of Public Health on a number of occasions to ensure good communications and coordination between the respective agencies.

The NRC Safety Evaluation Report was issued in support of the license amendment. Based on this review, the NRC staff has determined that the licensee's final status surveys are adequate to demonstrate compliance with radiological criteria for license termination, and that Battelle Memorial Institute has demonstrated that the former nuclear research site's radiological condition complies with the radiological criteria for license termination. The NRC staff has reviewed the proposed amendment and has determined that the proposed termination will have no adverse effect on the public health and safety or the environment.

III. Further Information

Documents related to this action, including the application for amendment and supporting documentation, are available electronically at the NRC's Electronic Reading Room at <http://www.nrc.gov/reading-rm/adams.html>. From this site, you can access the NRC's Agencywide Document Access and Management System (ADAMS), which provides text and image files of NRC's public documents. The ADAMS accession numbers for the documents related to this notice are listed in the NRC Safety Evaluation Report (Accession No. ML081210718). If you do not have access to ADAMS or if there are problems in accessing the documents located in ADAMS, contact the NRC Public Document Room (PDR) Reference staff at 1-800-397-4209, 301-415-4737, or by e-mail to pdr@nrc.gov.

These documents may also be viewed electronically on the public computers located at the NRC's PDR, O 1 F21, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852. The PDR reproduction contractor will copy documents for a fee.

Dated at Lisle, Illinois, this 1st day of May 2008.

For the Nuclear Regulatory Commission.

Patrick L. Loudon,

Chief, Decommissioning Branch, Division of Nuclear Materials Safety, Region III.

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NUCLEAR REGULATORY COMMISSION

[Docket Nos. 70-7001 And 70-7002]

Paducah Gaseous Diffusion Plant; Portsmouth Gaseous Diffusion Plant; United States Enrichment Corporation; Notice of Request for Certificate Renewal and Opportunity for Comment

I. Receipt of Application and Availability of Documents

Notice is hereby given that the U. S. Nuclear Regulatory Commission (NRC or the Commission) has received by letters dated April 10, 2008, applications from the United States Enrichment Corporation (USEC) for the renewal of the 10 CFR Part 76 certificates of compliance for the gaseous diffusion plants (GDPs) located near Paducah, Kentucky and Piketon, Ohio. The NRC issued the initial certificates of compliance for the GDPs on November 26, 1996 and assumed regulatory oversight for the GDPs on March 3, 1997. The GDPs were last issued renewed certificates of compliance on December 29, 2003 and those certificates expire December 31, 2008. The USEC renewal requests are for a five-year period, extending from the current expiration date of December 31, 2008 to December 31, 2013. The USEC applications for renewal do not contain any other changes to the existing Application and Safety Analysis Report. The USEC application for the renewal of the Paducah Gaseous Diffusion Plant is based on USEC's previous application, as revised through Revision 111 dated April 4, 2008. No additional changes to the application are requested.

The USEC application for the renewal of the Portsmouth Gaseous Diffusion Plant is based on USEC's previous application, as revised through Revision 89 dated April 15, 2008. No additional changes to the application are requested.

Copies of the renewal application for certification (except for classified and proprietary portions which are withheld in accordance with 10 CFR 2.390, "Availability of Public Records") are available for inspection at NRC's Public Electronic Reading Room at <http://www.nrc.gov/reading-rm/adams.html> (ML081070220 and ML081070229).

Documents may also be examined and/or copied for a fee, at the NRC's Public Document Room, located at One White Flint North, 11555 Rockville Pike, Rockville, MD 20852.

II. Notice of Comment Period

Pursuant to 10 CFR 76.37(b), any interested party may submit written comments on the application for renewal of the certificate of compliance, for either the Paducah plant or the Portsmouth plant for consideration by the staff. To be certain of consideration, comments must be received by June 9, 2008.

Comments received after the due date will be considered, if it is practical to do so, but the Commission is able to assure consideration only for comments received on or before this date. Written comments on the application should be mailed to the Chief, Rules Review and Directives Branch, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555, or may be hand delivered to 11545 Rockville Pike, Rockville, MD 20852 between 7:45 a.m. and 4:15 p.m. Federal workdays. Comments should be legible and reproducible and include the name, affiliation (if any) and address of the comment provider. All comments received by the Commission will be made available for public inspection at the Commission's Public Document Room located in Rockville, MD.

In addition, the NRC will conduct public meetings, in the vicinity of both GDPs, in May and June of 2008. Notice of the meetings will be posted on the NRC Web site, <http://www.nrc.gov/public-involve/public-meetings/index.cfm>.

Following evaluation of USEC's applications for renewal and any public comments received, the NRC staff will issue a written Director's decision and publish notice of the decision in the **Federal Register**. Upon publication of the notice of decision, any person whose interest may be affected may then request review of the decision within 30 days, pursuant to 10 CFR 76.62(c) or 76.64(d), whichever applies.

III. Further Information

For further information, please contact Mr. Michael G. Raddatz, at (301) 492-3108 of the Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Dated at Rockville, Maryland, this 29th day of April, 2008.