

Weapons Division, China Lake to Unrestricted Use, dated February 8, 2008 (ML080650464), and

9. New World Technology, Final Status Survey Report, Building 5, Michelson Laboratory, Room 1613, Naval Air Warfare Center Weapons Division, China Lake, CA, dated November 16, 2007 (ML080650470, ML080650474, and ML080650481).

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Dated at King of Prussia, Pennsylvania this 1st day of July 2008.

For the Nuclear Regulatory Commission.

Marie Miller,

Chief, Materials Security and Industrial Branch, Division of Nuclear Materials Safety, Region I.

[FR Doc. E8-15793 Filed 7-10-08; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

### Notice of Issuance of Regulatory Guide

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of Issuance and Availability of Regulatory Guide 6.5, Revision 1.

#### FOR FURTHER INFORMATION CONTACT:

Mark Orr, Regulatory Guide Development Branch, Division of Engineering, Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone (301) 415-6373 or e-mail to [Mark.Orr@nrc.gov](mailto:Mark.Orr@nrc.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Introduction

The U.S. Nuclear Regulatory Commission (NRC) is issuing a revision to an existing guide in the agency's "Regulatory Guide" series. This series was developed to describe and make available to the public information such as methods that are acceptable to the NRC staff for implementing specific parts of the agency's regulations, techniques that the staff uses in evaluating specific problems or postulated accidents, and data that the

staff needs in its review of applications for permits and licenses.

Revision 1 of Regulatory Guide 6.5, "General Safety Standards for Installations Using Nonmedical Sealed Gamma-Ray Sources," was issued with a temporary identification as Draft Regulatory Guide DG-6006. This guide directs the reader to the type of information acceptable to the NRC staff to approve the initial transfer of devices containing byproduct material to persons generally licensed under Title 10, Section 31.5, "Certain Detecting, Measuring, Gauging, or Controlling Devices, and Certain Devices for Producing Light or an Ionized Atmosphere," of the *Code of Federal Regulations* (10 CFR 31.5) or equivalent regulations of an Agreement State.

The requirements for transferring gamma-ray sources to general licensees appear in 10 CFR 32.51, "Byproduct Material Contained in Devices for Use Under § 31.5; Requirements for License to Manufacturer, or Initially Transfer". One method of complying with the requirements of 10 CFR 32.51 appears in NUREG-1556, Volume 3, "Consolidated Guidance about Materials Licenses: Applications for Sealed Source and Device Evaluation and Registration."

This regulatory guide endorses the description of the information to be submitted in the application for the initial transfer and installation of sealed gamma-ray sources contained in the current revision of Volume 3 of NUREG-1556 as a method acceptable to the NRC staff.

##### II. Further Information

In January 2008, DG-6006 was published with a public comment period of 60 days from the issuance of the guide. No comments were received and the public comment period closed on April 18, 2008. Electronic copies of Regulatory Guide 6.5, Revision 1 are available through the NRC's public Web site under "Regulatory Guides" at <http://www.nrc.gov/reading-rm/doc-collections/>.

In addition, regulatory guides are available for inspection at the NRC's Public Document Room (PDR), which is located at Room O-1F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852-2738. The PDR's mailing address is USNRC PDR, Washington, DC 20555-0001. The PDR can also be reached by telephone at (301) 415-4737 or (800) 397-4209, by fax at (301) 415-3548, and by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

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Dated at Rockville, Maryland, this 3rd day of July, 2008.

For the Nuclear Regulatory Commission.

Stephen C. O'Connor,

Acting Chief, Regulatory Guide Development Branch, Division of Engineering, Office of Nuclear Regulatory Research.

[FR Doc. E8-15787 Filed 7-10-08; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

### Notice of Issuance of Regulatory Guide

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of Issuance and Availability of Regulatory Guide 10.5, Revision 2.

#### FOR FURTHER INFORMATION CONTACT:

Mark Orr, Regulatory Guide Development Branch, Division of Engineering, Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone (301) 415-6373 or e-mail to [Mark.Orr@nrc.gov](mailto:Mark.Orr@nrc.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Introduction

The U.S. Nuclear Regulatory Commission (NRC) is issuing a revision to an existing guide in the agency's "Regulatory Guide" series. This series was developed to describe and make available to the public information such as methods that are acceptable to the NRC staff for implementing specific parts of the agency's regulations, techniques that the staff uses in evaluating specific problems or postulated accidents, and data that the staff needs in its review of applications for permits and licenses.

Revision 2 of Regulatory Guide 10.5, "Applications for a Type A License of Broad Scope," was issued with a temporary identification as Draft Regulatory Guide DG-0015. This guide directs the reader to the type of information needed by the NRC staff to evaluate an application for a Type A license of broad scope for byproduct material. Title 10, Part 33, "Specific Domestic Licenses of Broad Scope for Byproduct Material," of the *Code of Federal Regulations* (10 CFR Part 33) regulates this type of license.

This regulatory guide endorses the methods and procedures contained in the current revision of NUREG-1556, Volume 11, "Consolidated Guidance about Materials Licenses: Program-Specific Guidance about Licenses of Broad Scope," as a process that the NRC staff finds acceptable for meeting the

regulatory requirements of 10 CFR Part 33.

Volume 11 of NUREG-1556 is not intended to be used alone. Because broad-scope licensees may be involved in many different program areas (e.g., medicine, research and development, manufacturing and distribution), Volume 11 frequently refers the user to other more program-specific guidance documents in the NUREG-1556 series. A single document containing all of the guidance that might be required by a broad-scope licensee or an applicant for a broad-scope license would be unwieldy and may become obsolete as guidance in the individual program areas is revised. Volume 11 of NUREG-1556 takes a more risk-informed, performance-based approach to the information needed to support an application for a specific license of broad scope. Applicants should consider the entire NUREG-1556 series when preparing broad-scope license applications. NRC staff will use applicable portions of the complete NUREG-1556 series when reviewing applications.

## II. Further Information

In January 2008, DG-0015 was published with a public comment period of 60 days from the issuance of the guide. No comments were received and the public comment period closed on April 18, 2008. Electronic copies of Regulatory Guide 10.5, Revision 2 are available through the NRC's public Web site under "Regulatory Guides" at <http://www.nrc.gov/reading-rm/doc-collections/>.

In addition, regulatory guides are available for inspection at the NRC's Public Document Room (PDR), which is located at Room O-1F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852-2738. The PDR's mailing address is USNRC PDR, Washington, DC 20555-0001. The PDR can also be reached by telephone at (301) 415-4737 or (800) 397-4209, by fax at (301) 415-3548, and by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

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Dated at Rockville, Maryland, this 3rd day of July, 2008.

For the Nuclear Regulatory Commission.

**Stephen C. O'Connor,**

*Acting Chief, Regulatory Guide Development Branch, Division of Engineering, Office of Nuclear Regulatory Research.*

[FR Doc. E8-15788 Filed 7-10-08; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

### Notice of Issuance of Regulatory Guide

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of Issuance and Availability of Regulatory Guide 6.1, Revision 2.

#### FOR FURTHER INFORMATION CONTACT:

Mark Orr, Regulatory Guide Development Branch, Division of Engineering, Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone (301) 415-6373 or e-mail to [Mark.Orr@nrc.gov](mailto:Mark.Orr@nrc.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Introduction

The U.S. Nuclear Regulatory Commission (NRC) has issued revisions to existing guides in the agency's "Regulatory Guide" series. This series was developed to describe and make available to the public information such as methods that are acceptable to the NRC staff for implementing specific parts of the agency's regulations, techniques that the staff uses in evaluating specific problems or postulated accidents, and data that the staff needs in its review of applications for permits and licenses.

Revision 2 of Regulatory Guide 6.1, "Leak Testing Radioactive Brachytherapy Sources," was issued with a temporary identification as Draft Regulatory Guide DG-6003. This guide directs the reader to methods and procedures acceptable to the staff of the NRC for leak testing radioactive brachytherapy sources. Possession and use of brachytherapy sources is an activity requiring a license pursuant to Title 10, section 30.3, "Activities Requiring License," of the *Code of Federal Regulations* (10 CFR 30.3). The requirements in 10 CFR 35.67, "Requirements for Possession of Sealed Sources and Brachytherapy Sources," state in part, that the sources are to be periodically leak tested and that the test be capable of detecting the presence of 185 becquerel (Bq) (0.005 microcurie ( $\mu$ Ci)) of radioactive material in the sample. The regulations also require that the source be immediately withdrawn from use if the test reveals the presence of 185 Bq (0.005  $\mu$ Ci) or more of removable contamination.

This regulatory guide endorses the methods and procedures for leak testing radioactive brachytherapy sources contained in the current revisions of NUREG-1556, Volume 3, "Consolidated Guidance about Materials Licenses:

Applications for Sealed Source and Device Evaluation and Registration," and NUREG-1556, Volume 9, "Consolidated Guidance about Materials Licenses: Program-Specific Guidance about Medical Use Licenses" as a process that the NRC staff has found to be acceptable for meeting the regulatory requirements.

## II. Further Information

In January 2008, DG-6003 was published with a public comment period of 60 days from the issuance of the guide. No comments were received and the public comment period closed April 18, 2008. Electronic copies of Regulatory Guide 6.1, Revision 2 are available through the NRC's public Web site under "Regulatory Guides" at <http://www.nrc.gov/reading-rm/doc-collections/>.

In addition, regulatory guides are available for inspection at the NRC's Public Document Room (PDR), which is located at Room O-1F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852-2738. The PDR's mailing address is USNRC PDR, Washington, DC 20555-0001. The PDR can also be reached by telephone at (301) 415-4737 or (800) 397-4209, by fax at (301) 415-3548, and by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

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Dated at Rockville, Maryland, this 3rd day of July, 2008.

For the Nuclear Regulatory Commission:

**Stephen C. O'Connor,**

*Acting Chief, Regulatory Guide Development Branch, Division of Engineering, Office of Nuclear Regulatory Research.*

[FR Doc. E8-15794 Filed 7-10-08; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

### Notice of Issuance of Regulatory Guide

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of Issuance and Availability of Regulatory Guide 10.2, Revision 2.

#### FOR FURTHER INFORMATION CONTACT:

Mark Orr, Regulatory Guide Development Branch, Division of Engineering, Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone (301) 415-6373 or e-mail to [Mark.Orr@nrc.gov](mailto:Mark.Orr@nrc.gov).

#### SUPPLEMENTARY INFORMATION:

## I. Introduction

The U.S. Nuclear Regulatory Commission (NRC) is issuing a revision to an existing guide in the agency's "Regulatory Guide" series. This series was developed to describe and make available to the public information such as methods that are acceptable to the NRC staff for implementing specific parts of the agency's regulations, techniques that the staff uses in evaluating specific problems or postulated accidents, and data that the staff needs in its review of applications for permits and licenses.

Revision 2 of Regulatory Guide 10.2, "Guidance to Academic Institutions Applying for Specific Byproduct Material Licenses of Limited Scope," was issued with a temporary identification as Draft Regulatory Guide DG-0013. This guide directs the reader to the type of information sought by the NRC staff to evaluate an application from an academic institution for specific licenses of limited scope for the possession and use of byproduct material. It does not apply to applications for specific licenses of broad scope, licenses for source or special nuclear materials, or licenses for kilocurie irradiation sources. This guide identifies the general principles that the NRC staff will consider in evaluating an applicant's proposed radiation safety measures.

Title 10, Part 30, "Rules of General Applicability to Domestic Licensing of Byproduct Material," of the *Code of Federal Regulations* (10 CFR Part 30) provides the regulatory framework for a limited-scope byproduct material license. Other regulations pertaining to this type of license appear in 10 CFR Part 19, "Notices, Instructions and Reports to Workers: Inspection and Investigations" and 10 CFR Part 20, "Standards for Protection Against Radiation." The applicant should carefully study the regulations and submit all information requested.

This regulatory guide endorses the methods and procedures for limited scope byproduct material licensing contained in the current revision of NUREG-1556, Volume 7, "Consolidated Guidance about Materials Licenses: Program-Specific Guidance about Academic, Research, and Development, and Other Licenses of Limited Scope," as a process that the NRC staff has found acceptable for meeting the regulatory requirements.

Since the publication of Revision 1 of Regulatory Guide 10.2 in December 1976, the NRC has revised the requirements for byproduct material licenses to implement a risk-informed,

performance-based approach to regulation. Volume 7 of NUREG-1556 incorporates this revised approach.

## II. Further Information

In January 2008, DG-0013 was published with a public comment period of 60 days from the issuance of the guide. No comments were received and the public comment period closed on April 18, 2008. Electronic copies of Regulatory Guide 10.2, Revision 2 are available through the NRC's public Web site under "Regulatory Guides" at <http://www.nrc.gov/reading-rm/doc-collections/>.

In addition, regulatory guides are available for inspection at the NRC's Public Document Room (PDR), which is located at Room O-1F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852-2738. The PDR's mailing address is USNRC PDR, Washington, DC 20555-0001. The PDR can also be reached by telephone at (301) 415-4737 or (800) 397-4209, by fax at (301) 415-3548, and by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

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Dated at Rockville, Maryland, this 3rd day of July, 2008.

For the Nuclear Regulatory Commission,  
**Stephen C. O'Connor**,  
*Acting Chief, Regulatory Guide Development Branch, Division of Engineering, Office of Nuclear Regulatory Research.*  
 [FR Doc. E8-15786 Filed 7-10-08; 8:45 am]  
 BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-391]

### In the Matter of Tennessee Valley Authority (Watts Bar Nuclear Plant, Unit 2); Order

Tennessee Valley Authority (TVA, the permittee) is the current holder of Construction Permit No. CPPR-92, issued by the Atomic Energy Commission on January 23, 1973, for construction of the Watts Bar Nuclear Plant (WBN), Unit 2. Construction Permit CPPR-91 for construction of WBN Unit 1 was also issued on January 23, 1973, and Facility Operating License NPF-90 was issued for operation of Unit 1 on February 7, 1996. WBN Unit 2 is currently partially completed. These facilities are at the permittee's site on the west branch of the Tennessee River, approximately 50 miles northeast of Chattanooga, Tennessee.

On May 8, 2008, TVA filed a request pursuant to Section 50.55(b) of Title 10

of the Code of Federal Regulations (10 CFR 50.55(b)) for an extension of the construction permit completion date for WBN Unit 2 to March 31, 2013. This request superseded an earlier letter dated March 6, 2008. TVA requested this extension to the WBN Unit 2 construction permit for the following reasons, as stated in its application:

In a Record of Decision published in the *Federal Register* on August 15, 2007 (72 Fed. Reg. 45859), TVA stated that proceeding with the completion and operation of WBN Unit 2 is the best decision for TVA and the Tennessee Valley in terms of power supply, power price, generation mix, return on investment, use of existing assets, and avoidance of environmental impacts. TVA's Record of Decision explained, as mentioned above, the three-fold benefits of assuring future power supplies without environmental effects resulting from operation of fossil fuel generating plants (including increased emissions) avoiding even larger capital outlays associated with totally new construction, and avoiding the environmental impacts resulting from siting and constructing new power generating facilities elsewhere.

The NRC staff has prepared an Environmental Assessment and Finding of No Significant Impact, which was published in the *Federal Register* on June 27, 2008 (73 FR 36577). Pursuant to 10 CFR 51.32, the Commission has determined that extending the construction completion date will have no significant impact on the environment.

For further details regarding this action, see TVA's May 8, 2008, application, and the NRC staff's letter and safety evaluation of the requested extension dated July 7, 2008. Documents may be examined and/or copied for a fee at the NRC's Public Document Room, located at One White Flint North, 11555 Rockville Pike (first floor), and are accessible through the ADAMS Electronic Reading Room link at the NRC Web site, <http://www.nrc.gov>.

Any person adversely affected by this Order may request a hearing on this Order within 60 days of its issuance. Where good cause is shown, consideration will be given to extending the time to answer or request a hearing. A request for an extension of time must be directed to the Director, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, and must include a statement of good cause for the extension. Requirements for hearing requests are found in 10 CFR 2.309.

All documents filed in NRC adjudicatory proceedings, including a request for hearing, any motion or other document filed in the proceeding prior