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(Authority: (5 U.S.C. 552(a)).

Dated at Rockville, Maryland, this 30th day of November, 2005.

For the Nuclear Regulatory Commission,  
**Carl J. Paperiello,**

*Director, Office of Nuclear Regulatory Research.*

[FR Doc. E5-6981 Filed 12-6-05; 8:45 am]

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## **NUCLEAR REGULATORY COMMISSION**

### **Final Regulatory Guide; Issuance, Availability**

The U.S. Nuclear Regulatory Commission (NRC) has issued a revision to an existing guide in the agency's Regulatory Guide Series. This series has been developed to describe and make available to the public such information as methods that are acceptable to the NRC staff for implementing specific parts of the NRC'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 8.7, entitled "Instructions for Recording and

Reporting Occupational Radiation Dose Data," describes an acceptable program for the preparation, retention, and reporting of records of occupational radiation doses in accordance with Title 10, part 20, of the *Code of Federal Regulations* (10 CFR part 20), "Standards for Protection Against Radiation." Section 20.1502 establishes "Conditions Requiring Individual Monitoring of External and Internal Occupational Dose." Specifically, 10 CFR 20.1502 requires licensees to provide radiation monitoring for all occupationally exposed individuals who might receive a dose in excess of the specified percentage of the limits defined in 10 CFR 20.1201, 1207, or 1208. To augment that provision, 10 CFR 20.2106, "Records of Individual Monitoring Results," requires licensees to maintain records of the radiation exposures of all individuals for whom personnel monitoring is required pursuant to 10 CFR 20.1502. Also, according to 10 CFR 20.2104, "Determination of Prior Occupational Dose," licensees shall determine the dose in the current monitoring year for all persons who must be monitored, and attempt to obtain the records of cumulative occupational radiation dose. In addition, 10 CFR 20.2104(b) requires that, prior to permitting an individual to participate in a planned special exposure, licensees shall determine the internal and external doses from all previous planned special exposures, and record all previous doses in excess of the limits received during the lifetime of the individual. Licensees are required to maintain prior dose records on NRC Form 4 or its equivalent. Further, 10 CFR 20.2206, "Reports of Individual Monitoring," requires certain licensees to submit to the NRC an annual report of the results of individual monitoring. Licensees are required to record these annual reports on NRC Form 5 or its equivalent.

The NRC is issuing this revision to make the guide consistent with a recent change to 10 CFR 20.2206, which allows electronic submittal of licensees' annual occupational radiation dose data via the NRC's Radiation Exposure Information and Reporting System (REIRS) for Radiation Workers (a secure Web site) at <http://www.reirs.com>. Other changes include updating NRC Forms 4 and 5, and clarifying and improving the guide to reflect licensees' input and experience since the NRC issued Revision 1 of Regulatory Guide 8.7 in 1992.

The NRC previously solicited public comment on this revised guide by publishing a **Federal Register** notice (70 FR 25865) concerning Draft Regulatory

Guide DG-8029 on May 16, 2005. Following the closure of the public comment period on July 12, 2005, the staff considered all stakeholder comments in the course of preparing Revision 2 of Regulatory Guide 8.7. In particular, the Nuclear Energy Institute (NEI) suggested that the NRC consider deferring this revision until the completion of an anticipated rulemaking related to collection, reporting, and posting of information (as specified in 10 CFR parts 19, 20, and 50). However, since Regulatory Guide 8.7 is already out of date (in relation to 10 CFR 20.2206) and is used by materials licensees as well as reactor licensees, the staff decided to proceed with the current revision. When the agency completes the aforementioned rulemaking, the staff will once again update Regulatory Guide 8.7, as appropriate. The staff's responses to all comments received are available in the NRC's Agencywide Documents Access and Management System (ADAMS) at <http://www.nrc.gov/reading-rm/adams.html>, under Accession #ML053320145.

The NRC staff encourages and welcomes comments and suggestions in connection with improvements to published regulatory guides, as well as items for inclusion in regulatory guides that are currently being developed. You may submit comments by any of the following methods.

*Mail comments to:* Rules and Directives Branch, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

*Hand-deliver comments to:* Rules and Directives Branch, Office of Administration, U.S. Nuclear Regulatory Commission, 11555 Rockville Pike, Rockville, Maryland 20852, between 7:30 a.m. and 4:15 p.m. on Federal workdays.

*Fax comments to:* Rules and Directives Branch, Office of Administration, U.S. Nuclear Regulatory Commission at (301) 415-5144.

Requests for technical information about Revision 2 of Regulatory Guide 8.7 may be directed to Sheryl A. Burrows at (301) 415-6086 or by e-mail to [SAB2@nrc.gov](mailto:SAB2@nrc.gov).

Regulatory guides are available for inspection or downloading through the NRC's public Web site in the Regulatory Guides document collection of the NRC's Electronic Reading Room at <http://www.nrc.gov/reading-rm/doc-collections/>. Electronic copies of Revision 2 of Regulatory Guide 8.7 are also available in the NRC's Agencywide Documents Access and Management System (ADAMS) at <http://>

[www.nrc.gov/reading-rm/adams.html](http://www.nrc.gov/reading-rm/adams.html), under Accession #ML052970092.

In addition, regulatory guides are available for inspection at the NRC's Public Document Room (PDR), which is located at 11555 Rockville Pike, Rockville, Maryland; 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) 397-4205, by fax at (301) 415-3548, and by e-mail to [PDR@nrc.gov](mailto:PDR@nrc.gov). Requests for single copies of draft or final guides (which may be reproduced) or for placement on an automatic distribution list for single copies of future draft guides in specific divisions should be made in writing to the U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Reproduction and Distribution Services Section; by e-mail to [DISTRIBUTION@nrc.gov](mailto:DISTRIBUTION@nrc.gov); or by fax to (301) 415-2289. Telephone requests cannot be accommodated.

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(Authority: (5 U.S.C. 552(a)).

Dated at Rockville, Maryland, this 30th day of November, 2005.

For the U.S. Nuclear Regulatory Commission.

**Carl J. Paperiello,**

*Director, Office of Nuclear Regulatory Research.*

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## SECURITIES AND EXCHANGE COMMISSION

### Proposed Collection; Comment Request

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of Filings and Information Services, Washington, DC 20549.

*Extension:* Form 12b-25; OMB Control No. 3235-0058; SEC File No. 270-71.

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) the Securities and Exchange Commission ("Commission") is soliciting comments on the collection of information summarized below. The Commission plans to submit this existing collection of information to the Office of Management and Budget for extension and approval.

The purpose of Form 12b-25 is to provide notice to the Commission and the marketplace that a public company

will be unable to timely file a required periodic report. If all filing conditions are met, the company is granted an automatic filing extension. Form 12b-25 is filed by publicly held companies. Approximately 7,799 issuers file Form 12b-25 and it takes approximately 2.5 hours per response for a total of 19,498 burden hours.

Written comments are invited on: (a) Whether this proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted in writing within 60 days of this publication.

Please direct your written comments to R. Corey Booth, Director/Chief Information Officer, Office of Information Technology, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549.

Dated: November 30, 2005.

**Jonathan G. Katz,**

*Secretary.*

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## SECURITIES AND EXCHANGE COMMISSION

### Proposed Collection; Comment Request

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of Filings and Information Services, Washington, DC 20549.

*Extension:* Rule 18f-3; SEC File No. 270-385; OMB Control No. 3235-0441

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520), the Securities and Exchange Commission (the "Commission") is soliciting comments on the collections of information summarized below. The Commission plans to submit these existing collections of information to the Office of Management and Budget ("OMB") for extension and approval.

Section 18(f)(1)<sup>1</sup> of the Investment Company Act of 1940<sup>2</sup> (the "Investment Company Act") prohibits registered open-end management investment companies ("funds") from issuing any senior security. Rule 18f-3 under the Act<sup>3</sup> exempts from section 18(f)(1) a fund that issues multiple classes of shares representing interests in the same portfolio of securities (a "multiple class fund") if the fund satisfies the conditions of the rule. In general, each class must differ in its arrangement for shareholder services or distribution or both, and must pay the related expenses of that different arrangement.

The rule includes one requirement for the collection of information. A multiple class fund must prepare, and fund directors must approve, a written plan setting forth the separate arrangement and expense allocation of each class, and any related conversion features or exchange privileges ("rule 18f-3 plan").<sup>4</sup> Approval of the plan must occur before the fund issues any shares of multiple classes and whenever the fund materially amends the plan. In approving the plan, a majority of the fund board, including a majority of the fund's independent directors, must determine that the plan is in the best interests of each class and the fund as a whole.

The requirement that the fund prepare and directors approve a written rule 18f-3 plan is intended to ensure that the fund compiles information relevant to the fairness of the separate arrangement and expense allocation for each class, and that directors review and approve the information. Without a blueprint that highlights material differences among classes, directors might not perceive potential conflicts of interests when they determine whether the plan is in the best interests of each class and the fund. In addition, the plan may be useful to Commission staff in reviewing the fund's compliance with the rule.

There are approximately 1,142 multiple class funds.<sup>5</sup> Based on a review of typical rule 18f-3 plans, the Commission's staff estimates that the 1,142 funds together make an average of 571 responses each year to prepare and approve a written rule 18f-3 plan, requiring approximately 10 hours per response and a total of 5,710 burden hours per year in the aggregate.<sup>6</sup> The

<sup>1</sup> 15 U.S.C. 80a-18(f)(1).

<sup>2</sup> 15 U.S.C. 80a.

<sup>3</sup> 17 CFR 270.18f-3.

<sup>4</sup> Rule 18f-3(d).

<sup>5</sup> This estimate is based on data from Form N-SAR, the semi-annual report that funds file with the Commission.

<sup>6</sup> The estimate reflects the assumption that each multiple class fund prepares and approves a rule