

SUPPLEMENTARY INFORMATION: On September 2, 2004, the Church filed an R&PP Act application for 5 acres of public land to be developed as a church and related facilities. These related facilities include a multipurpose building (a worship center, offices, classrooms, nursery, kitchen, restrooms, utility/storage rooms, and a lobby), sidewalks, landscaped areas, paved parking areas, and off site improvements. Additional detailed information pertaining to this application, plan of development, and site plan is in case file N-79030 located in the BLM Las Vegas Field Office at the above address. A Notice of Realty Action was previously published and the land segregated with a slightly different legal description on July 28, 2005 (70 FR 43704). The Church proposes to use the following described public land for a church and related facilities:

Mount Diablo Meridian, Nevada

T. 23 S., R. 61 E.,
Sec. 11, SE^{1/4}NE^{1/4}NW^{1/4}SE^{1/4},
NE^{1/4}SE^{1/4}NW^{1/4}SE^{1/4},
Containing 5 acres, more or less.

Churches are a common applicant under the "public purposes" provision of the R&PP Act. The Church is an Internal Revenue Service registered non-profit organization and is therefore, a qualified applicant under the R&PP Act. The land is not required for any federal purpose.

The lease/conveyance is consistent with the Las Vegas Resource Management Plan, dated October 5, 1998, and would be in the public interest. The lease/patent, when issued, will be subject to the provisions of the R&PP Act and applicable regulations of the Secretary of the Interior, and will contain the following reservations to the United States:

1. A right-of-way thereon for ditches or canals constructed by the authority of the United States, Act of August 30, 1890 (43 U.S.C. 945).

2. All minerals shall be reserved to the United States, together with the right to prospect for, mine and remove such deposits from the same under applicable law and such regulations as the Secretary of the Interior may prescribe and will be subject to:

1. An easement in favor of Clark County for roads, public utilities and flood control purposes.

2. All valid existing rights documented on the official public land records at the time of lease/patent issuance.

On May 4, 2006, the land described above will be segregated from all other forms of appropriation under the public

land laws, including the general mining laws, except for lease/conveyance under the R&PP Act, leasing under the mineral leasing laws, and disposals under the mineral material disposal laws.

Comments

Classification Comments: Interested parties may submit comments involving the suitability of the land for a church and related facilities. Comments on the classification are restricted to whether the land is physically suited for the proposal, whether the use will maximize the future use or uses of the land, whether the use is consistent with local planning and zoning, or if the use is consistent with State and Federal programs.

Application Comments: Interested parties may submit comments regarding the specific use proposed in the application and plan of development, whether the BLM followed proper administrative procedures in reaching the decision, or any other factor not directly related to the suitability of the land for R&PP use.

Any adverse comments will be reviewed by the State Director. In the absence of any adverse comments, the classification of the land described in this notice will become effective July 3, 2006. The lands will not be offered for lease/conveyance until after the classification becomes effective.

On May 4, 2006, the R&PP classification and segregation will terminate and the following lands will be opened to the operation of the public land laws:

Mount Diablo Meridian, Nevada

T. 23 S., R. 61 E.,
Sec. 11, NW^{1/4}SE^{1/4}NW^{1/4}SE^{1/4}.

Authority: 43 CFR Part 2741.

Sharon DiPinto,

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Las Vegas, NV.*

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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 1.201, "Guidelines for Categorizing Structures, Systems, and Components in Nuclear Power Plants According to Their Safety Significance," which is being issued for trial use, describes a method that the NRC staff considers acceptable for use in complying with the Commission's requirements in Title 10, section 50.69, of the *Code of Federal Regulations* (§ 50.69), with respect to the categorization of structures, systems, and components (SSCs) that are considered in risk-informing special treatment requirements. This categorization method uses the process that the Nuclear Energy Institute (NEI) described in Revision 0 of its guidance document NEI 00-04, "10 CFR 50.69 SSC Categorization Guideline," dated July 2005.¹ Specifically, this process determines the safety significance of SSCs and categorizes them into one of four risk-informed safety class (RISC) categories.

The NRC has promulgated regulations to permit power reactor licensees and license applicants to implement an alternative regulatory framework with respect to "special treatment," where special treatment refers to those requirements that provide increased assurance beyond normal industrial practices that SSCs perform their design-basis functions. Under this framework, licensees using a risk-informed process for categorizing SSCs according to their safety significance can remove SSCs of low safety significance from the scope of certain identified special treatment requirements.

The genesis of this framework stems from Option 2 of SECY-98-300, "Options for Risk-Informed Revisions to 10 CFR Part 50, 'Domestic Licensing of Production and Utilization Facilities,'" dated December 23, 1998.² In that Commission paper, the NRC staff recommended developing risk-informed approaches to the application of special treatment requirements to reduce

¹ NEI 00-04, "10 CFR 50.69 SSC Categorization Guideline," is available through the NRC's Agencywide Documents Access and Management System (ADAMS), <http://www.nrc.gov/reading-rm/adams/web-based.html>, under Accession #ML052910035.

² Commission papers cited in this notice are available through the NRC's public Web site at <http://www.nrc.gov/reading-rm/doc-collections/commission/secys/>, and the related **Federal Register** notices are available through the **Federal Register** Web site sponsored by the Government Printing Office (GPO) at <http://www.gpoaccess.gov/fr/index.html>.

NUCLEAR REGULATORY COMMISSION

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 NRCs regulations, techniques that the staff uses in

unnecessary regulatory burden related to SSCs of low safety significance by removing such SSCs from the scope of special treatment requirements. The Commission subsequently approved the NRC staff's rulemaking plan and issuance of an Advanced Notice of Proposed Rulemaking (ANPR) as outlined in SECY-99-256, "Rulemaking Plan for Risk-Informing Special Treatment Requirements," dated October 29, 1999.

The Commission published the ANPR in the **Federal Register** (65 FR 11488) on March 3, 2000, and subsequently published a proposed rule for public comment (68 FR 26511) on May 16, 2003. Then, on November 22, 2004, the Commission adopted a new section, referred to as § 50.69, within Title 10, part 50, of the *Code of Federal Regulations*, on risk-informed categorization and treatment of SSCs for nuclear power plants (69 FR 68008).

The NRC issued a draft of this guide, Draft Regulatory Guide DG-1121, for public review and comment as part of the § 50.69 rulemaking package in May 2003. The staff subsequently received and addressed public comments in developing the previous revision of this guide, which the agency published in January 2006, and has since incorporated additional stakeholder comments in preparing the current revision. However, since this is a new regulatory approach to categorizing SSCs, and to ensure that the final guidance adequately addresses lessons learned from the initial applications, the NRC decided to issue this guide for trial use. Therefore, this trial regulatory guide does not establish any final staff positions for purposes of the Backfit Rule, 10 CFR 50.109, and may continue to be revised in response to experience with its use. As such, any changes to this trial guide prior to staff adoption in final form will not be considered to be backfits as defined in 10 CFR 50.109(a)(1). This will ensure that the final regulatory guide adequately addresses lessons learned from regulatory review of pilot and follow-on applications, and that the guidance is sufficient to enhance regulatory stability in the review, approval, and implementation of probabilistic risk assessments (PRAs) and their results in the risk-informed categorization process required by § 50.69.

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 1 of Regulatory Guide 1.201 may be directed to Donald G. Harrison at (301) 415-3587 or via e-mail to *DGH@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 1 of Regulatory Guide 1.201 are also available in the NRC's Agencywide Documents Access and Management System (ADAMS) at <http://www.nrc.gov/reading-rm/adams.html>, under Accession #ML061090627.

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*. 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*; 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 1st day of May, 2006.

For the U.S. Nuclear Regulatory Commission.

Brian W. Sheron,
Director, Office of Nuclear Regulatory Research.

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NUCLEAR REGULATORY COMMISSION

Report to Congress on Abnormal Occurrences; Fiscal Year 2005; Dissemination Of Information

Section 208 of the Energy Reorganization Act of 1974 (Pub. L. 93-438) defines an abnormal occurrence (AO) as an unscheduled incident or event which the U.S. Nuclear Regulatory Commission (NRC) determines to be significant from the standpoint of public health or safety. The Federal Reports Elimination and Sunset Act of 1995 (Pub. L. 104-66) requires that AOs be reported to Congress annually. During fiscal year 2005, 9 events that occurred at facilities licensed or otherwise regulated by the NRC and/or Agreements States were determined to be AOs. The report describes three events at facilities licensed by the NRC. All three events occurred at medical institutions. The first event involved a patient who received the incorrect dose distribution while undergoing therapeutic brachytherapy¹ treatment. The second event involved an infant who was administered the incorrect diagnostic dosage of technetium-99m. The third event involved three patients who received unintended radiation doses to the skin of their thighs while undergoing therapeutic treatment. The report also addresses 6 AOs at facilities licensed by Agreement States. [Agreement States are those States that have entered into formal agreements with the NRC pursuant to section 274 of the Atomic Energy Act (AEA) to regulate certain quantities of AEA licensed material at facilities located within their borders.] Currently, there are 34 Agreement States. During Fiscal Year 2005, Agreement States reported six events that occurred at Agreement State-licensed facilities, including five therapeutic medical events and one diagnostic medical event. All six events met the criteria for AO categorization. As required by section 208, the

¹ Brachytherapy means a method of radiation therapy in which sources are used to deliver a radiation dose at a distance of up to a few centimeters by placement of sources on the body surface, in natural body cavities, or by placement directly in tissues.