

HEU fuel in accordance with the schedules planned by the Department of Energy to support U.S. non-proliferation policies and the licensee to support its academic mission.

IV

Accordingly, pursuant to Sections 51, 53, 57, 101, 104, 161b, 161i, and 161o of the Atomic Energy Act of 1954, as amended, and to Commission regulations in 10 CFR 2.202 and 10 CFR 50.64, *It is hereby ordered that:*

Facility Operating License No. R-87 is modified by adding the following license condition:

2.B.(4) Pursuant to the Act and 10 CFR Part 70, "Domestic Licensing of Special Nuclear Material," to receive and possess, but not use in the reactor, in addition to the amount specified under License Condition 2.B.(2), up to 4.0 kilograms of contained uranium-235 in the form of reactor fuel, at enrichments less than 20 percent.

This Order will be effective 20 days after the date of publication of this Order in the **Federal Register**.

V

Pursuant to the Atomic Energy Act of 1954, as amended, any person adversely affected by this Order may submit an answer to this Order, and may request a hearing on this Order, within 20 days of the date of this Order. Any answer or request for a hearing shall set forth the matters of fact and law on which the person adversely affected, relies and the reasons why the Order should not have been issued. Any answer or request for a hearing shall be filed: (1) By first class mail addressed to the Office of the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemaking and Adjudications Staff; or (2) by courier, express mail, and expedited delivery services to the Office of the Secretary, Sixteenth Floor, One White Flint North, 11555 Rockville Pike, Rockville, Maryland, 20852, Attention: Rulemaking and Adjudications Staff. Because of possible delays in delivery of mail to the United States Government Offices, it is requested that answers and/or requests for hearing be transmitted to the Secretary of the Commission either by e-mail addressed to the Office of the Secretary, U.S. Nuclear Regulatory Commission, HEARINGDOCKET@NRC.GOV; or by facsimile transmission addressed to the Office of the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC, Attention: Rulemakings and Adjudications Staff at 301-415-1101 (the verification number is 301-415-1966). Copies of the request for hearing must also be sent to the Director, Office

of Nuclear Reactor Regulation and to the Assistant General Counsel for Materials Litigation and Enforcement, Office of the General Counsel, with both copies addressed to the U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and the NRC requests that a copy also be transmitted either by facsimile transmission to 301-415-3725 or by e-mail to OGCMailCenter@nrc.gov.

If a person requests a hearing, he or she shall set forth in the request for a hearing with particularity the manner in which his or her interest is adversely affected by this Order and shall address the criteria set forth in 10 CFR 2.309.

If a hearing is requested by a person whose interest is adversely affected, the Commission shall issue an Order designating the time and place of any hearing. If a hearing is held, the issue to be considered at such hearing shall be whether this Order should be sustained.

In accordance with 10 CFR 51.10(d) this Order is not subject to Section 102(2) of the National Environmental Policy Act, as amended. The NRC staff notes, however, that with respect to environmental impacts associated with the changes imposed by this Order as described in the safety evaluation, the changes would, if imposed by other than an Order, meet the definition of a categorical exclusion in accordance with 10 CFR 51.22(c)(9). Thus, pursuant to either 10 CFR 51.10(d) or 51.22(c)(9), no environmental assessment nor environmental impact statement is required.

For further information see the letter from the licensee dated May 25, 2007 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML071500054), the application for conversion and safety analysis report (ADAMS Accession No. ML062400495 and ML070920272), the NRC staff's request for additional information (ADAMS Accession No. ML070680273), the licensee's reply (ADAMS Accession No. ML071410299) and the cover letter to the licensee and the staff's safety evaluation dated June 21, 2007 (ADAMS Accession No. ML071550409), available for public inspection at the Commission's Public Document Room (PDR), located at One White Flint North, Public File Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible electronically from the ADAMS Public Electronic Reading Room on the Internet at the NRC Web site, <http://www.nrc.gov/reading-rm/adams.html>. Persons who do not have access to ADAMS or who have problems in accessing the documents in ADAMS should contact the NRC PDR reference staff by

telephone at 1-800-397-4209 or 301-415-4737 or by e-mail to pdr@nrc.gov.

Dated this 21st day of June 2007.

For the Nuclear Regulatory Commission.

James T. Wiggins,

Acting Director, Office of Nuclear Reactor Regulation.

[FR Doc. E7-12565 Filed 6-27-07; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

Notice of Electronic Distribution Initiative Pilot Program

The Office of Nuclear Reactor Regulation (NRR) at the U.S. Nuclear Regulatory Commission (NRC) is implementing a pilot program to test the feasibility of its electronic distribution initiative (EDI). The EDI seeks to provide a more effective and efficient method of communication with internal and external stakeholders. The EDI is an alternative to paper copy (hardcopy) distribution of correspondence and is replacing hardcopy distribution with distribution via electronic mail (e-mail).

Currently, the NRR staff provides paper copies for reactor licensing activities to the addressee and each entity on the carbon copy list, otherwise known as the Service List. In the future, the NRR staff intends to provide those on the Service List via e-mail an electronic link to licensing documents which are available publicly in the NRC's Agencywide Documents Access and Management System. The addressees will continue to receive the official NRC hardcopy. The distribution of documents containing safeguards, proprietary or security-related information, or other information that is withheld from public disclosure will not be affected by this initiative at the present time.

The EDI pilot program will begin July 1 and end September 30, 2007. Exelon Generation Company, LLC (Exelon), one of the NRC's licensees, has agreed to participate in this pilot program. The Exelon plants included are: Byron Station, Units 1 and 2; Braidwood Station, Units 1 and 2; Clinton Power Station, Unit 1; Dresden Nuclear Power Station, Units 2 and 3; LaSalle County Station, Units 1 and 2; and Quad Cities Nuclear Power Station, Units 1 and 2.

The NRR staff plan to expand the EDI to include all the operating reactor licensees, with the goal for implementation to begin in January 2008.

Dated at Rockville, Maryland, this 21st day of June 2007.

For the Nuclear Regulatory Commission.

Russell A. Gibbs,

Chief, Plant Licensing Branch III-2, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.

[FR Doc. E7-12563 Filed 6-27-07; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

Draft Regulatory Guide: Issuance, Availability

The U.S. Nuclear Regulatory Commission (NRC) has issued for public comment a draft of a revised 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.

The draft regulatory guide, entitled "Guidance on Monitoring and Responding to Reactor Coolant System Leakage," is temporarily identified by its task number, DG-1173, which should be mentioned in all related correspondence.

General Design Criterion (GDC) 14, "Reactor Coolant Pressure Boundary," as set forth in Appendix A, "General Design Criteria for Nuclear Power Plants," to Title 10, Part 50, of the *Code of Federal Regulations* (10 CFR Part 50), "Domestic Licensing of Production and Utilization Facilities", requires that the reactor coolant pressure boundary (RCPB) shall be designed, fabricated, erected, and tested so as to have an extremely low probability of abnormal leakage, of rapidly propagating failure, and of gross rupture. As a result, these nuclear components are normally designed to the criteria established in Section III of the Boiler and Pressure Vessel Code promulgated by the American Society of Mechanical Engineers.

During the design phase, degradation-resistant materials are normally specified for reactor coolant system components. However, materials can degrade as a result of the complex interaction of the materials, the stresses they encounter, and the normal and upset operating environments in which they are used. Such material degradation could lead to the leakage of the reactor coolant. Consequently, GDC 30, "Quality of Reactor Coolant Pressure Boundary," of Appendix A to 10 CFR

Part 50, requires that means shall be provided for detecting and, to the extent practical, identifying the location of the source of reactor coolant leakage. Additionally, 10 CFR 50.55a, "Codes and Standards", requires the performance of inservice inspection and testing of nuclear power plant components. Thus, the concept of defense-in-depth is used to provide assurance that structural integrity of the RCPB is maintained. This guide describes methods that the staff of the U.S. Nuclear Regulatory Commission (NRC) considers acceptable for implementing these requirements, with regard to selecting reactor coolant leakage detection systems, monitoring for leakage, and responding to leakage. This guide applies to light-water cooled reactors.

The NRC staff is soliciting comments on Draft Regulatory Guide DG-1173. Comments may be accompanied by relevant information or supporting data, and should mention DG-1173 in the subject line. Comments submitted in writing or in electronic form will be made available to the public in their entirety through the NRC's Agencywide Documents Access and Management System (ADAMS). Personal information will not be removed from your comments. You may submit comments by any of the following methods.

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

E-mail comments to: NRCREP@nrc.gov. You may also submit comments via the NRC's rulemaking Web site at <http://ruleforum.llnl.gov>. Address questions about our rulemaking Web site to Carol A. Gallagher (301) 415-5905; e-mail CAG@nrc.gov.

Hand-deliver comments to: Rulemaking, Directives, and Editing 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: Rulemaking, Directives, and Editing Branch, Office of Administration, U.S. Nuclear Regulatory Commission at (301) 415-5144.

Requests for technical information about Draft Regulatory Guide DG-1173 may be directed to NRC Senior Program Manager, Makuteswara Srinivasan, at (301) 415-6356 or e-mail MXS5@nrc.gov.

Comments would be most helpful if received by 60 days from issuance of FRN. Comments received after that date will be considered if it is practical to do so, but the NRC is able to ensure

consideration only for comments received on or before this date. Although a time limit is given, comments and suggestions in connection with items for inclusion in guides currently being developed or improvements in all published guides are encouraged at any time.

Electronic copies of Draft Regulatory Guide DG-1173 are available through the NRC's public Web site under Draft Regulatory Guides in the Regulatory Guides document collection of the NRC's Electronic Reading Room at <http://www.nrc.gov/reading-rm/doc-collections/>. Electronic copies are also available in ADAMS (<http://www.nrc.gov/reading-rm/adams.html>), under Accession #ML071070410.

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

Dated at Rockville, Maryland, this 20th day of June, 2007.

For the U.S. Nuclear Regulatory Commission.

Jimi T. Yerokun,

Chief, Risk Applications and Special Projects Branch, Division of Risk Assessment and Special Projects, Office of Nuclear Regulatory Research.

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NUCLEAR REGULATORY COMMISSION

Guidance for Electronic Submissions to the NRC; Report Available for Comment

AGENCY: Nuclear Regulatory Commission.

ACTION: Announcement of issuance for public comment, availability.