

NUCLEAR REGULATORY COMMISSION

[NRC-2009-0275]

Draft Regulatory Guide: Issuance, Availability**AGENCY:** Nuclear Regulatory Commission.**ACTION:** Notice of issuance and availability of Draft Regulatory Guide, DG-1222.**FOR FURTHER INFORMATION CONTACT:**Jeffrey Hixon, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone: (301) 251-7639 or e-mail to Jeffrey.Hixon@nrc.gov.**SUPPLEMENTARY INFORMATION:****I. Introduction**

The U.S. Nuclear Regulatory Commission (NRC) is issuing for public comment a draft guide in the agency's "Regulatory Guide" series. This series was 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 (DG), entitled, "Control of Preheat Temperature for Welding of Low-Alloy Steel," is temporarily identified by its task number, DG-1222, which should be mentioned in all related correspondence. DG-1222 is proposed Revision 1 of Regulatory Guide 1.50, dated May 1973.

General Design Criterion 1, "Quality Standards and Records," of Appendix A, "General Design Criteria for Nuclear Power Plants," to Title 10, Part 50, "Domestic Licensing of Production and Utilization Facilities," of the *Code of Federal Regulations* (10 CFR Part 50) requires that structures, systems, and components important to safety be designed, fabricated, erected, and tested to quality standards commensurate with the importance of the safety function to be performed. Appendix B, "Quality Assurance Criteria for Nuclear Power Plants and Fuel Reprocessing Plants," to 10 CFR Part 50 requires that measures be established to ensure control of materials and of special processes such as welding and that proper process monitoring be performed. This guide describes an acceptable method of implementing these requirements with regard to the control of welding for low-alloy steel components during initial

fabrication. This guide applies to light-water-cooled reactors.

II. Further Information

The NRC staff is soliciting comments on DG-1222. Comments may be accompanied by relevant information or supporting data and should mention DG-1222 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:

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

2. *Federal e-Rulemaking Portal:* Go to <http://www.regulations.gov> and search for documents filed under Docket ID [NRC-2009-0275]. Address questions about NRC dockets to Carol Gallagher, 301-492-3668; e-mail Carol.Gallagher@nrc.gov.

3. *Fax comments to:* Rulemaking and Directives Branch, Office of Administration, U.S. Nuclear Regulatory Commission at (301) 492-3446.

Requests for technical information about DG-1222 may be directed to the NRC contact, Jeffrey Hixon at (301) 251-7639 or e-mail to Jeffrey.Hixon@nrc.gov.

Comments would be most helpful if received by August 31, 2009. 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 DG-1222 are available through the NRC's public Web site under Draft Regulatory Guides in the "Regulatory Guides" 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 No. ML090750343.

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.resource@nrc.gov.

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Dated at Rockville, Maryland, this 25th day of June 2009.

For the Nuclear Regulatory Commission.

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

[FR Doc. E9-15785 Filed 7-2-09; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[NRC-2009-0274]

Draft Regulatory Guide: Issuance, Availability**AGENCY:** Nuclear Regulatory Commission.**ACTION:** Notice of issuance and availability of Draft Regulatory Guide, DG-1223.**FOR FURTHER INFORMATION CONTACT:**Jeffrey Hixon, U. S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone: (301) 251-7639 or e-mail to Jeffrey.Hixon@nrc.gov.**SUPPLEMENTARY INFORMATION:****I. Introduction**

The U.S. Nuclear Regulatory Commission (NRC) is issuing for public comment a draft guide in the agency's "Regulatory Guide" series. This series was 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 (DG), entitled, "Control of Electroslag Weld Properties," is temporarily identified by its task number, DG-1223, which should be mentioned in all related correspondence. DG-1223 is proposed Revision 1 of Regulatory Guide 1.34, dated December 1972.

General Design Criterion 1, "Quality Standards and Records," of Appendix A, "General Design Criteria for Nuclear Power Plants," to Title 10, Part 50, "Domestic Licensing of Production and Utilization Facilities," of the *Code of Federal Regulations* (10 CFR part 50) requires that structures, systems, and components important to safety be

designed, fabricated, erected, and tested to quality standards commensurate with the importance of the safety function to be performed. Appendix B, "Quality Assurance Criteria for Nuclear Power Plants and Fuel Reprocessing Plants," to 10 CFR part 50 requires that measures be established to ensure materials control and control of special processes such as welding and that proper testing be performed. This guide describes an acceptable method of implementing these requirements with regard to the control of weld properties when fabricating electroslag welds for nuclear components made of ferritic or austenitic materials. This guide applies to light-water reactors.

II. Further Information

The NRC staff is soliciting comments on DG-1223. Comments may be accompanied by relevant information or supporting data and should mention DG-1223 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:

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

2. *Federal e-Rulemaking Portal:* Go to <http://www.regulations.gov> and search for documents filed under Docket ID [NRC-2009-0274]. Address questions about NRC dockets to Carol Gallagher, 301-492-3668; e-mail Carol.Gallagher@nrc.gov.

3. *Fax comments to:* Rulemaking and Directives Branch, Office of Administration, U.S. Nuclear Regulatory Commission at (301) 492-3446.

Requests for technical information about DG-1223 may be directed to the NRC contact, Jeffrey Hixon at (301) 251-7639 or e-mail to Jeffrey.Hixon@nrc.gov.

Comments would be most helpful if received by August 31, 2009. 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 DG-1223 are available through the NRC's public Web site under Draft Regulatory Guides in

the "Regulatory Guides" 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 No. ML090750626.

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.resource@nrc.gov.

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Dated at Rockville, Maryland, this 25th day of June, 2009.

For the Nuclear Regulatory Commission.

Mark P. Orr,

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

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NUCLEAR REGULATORY COMMISSION

[Docket No. 70-36; NRC-2009-0278]

Notice of License Amendment Request of Westinghouse Electric Company LLC for Hematite Decommissioning Project, Festus, MO and Opportunity To Request a Hearing

AGENCY: U.S. Nuclear Regulatory Commission.

ACTION: Notice of license amendment request and opportunity to request a hearing.

DATES: A request for a hearing must be filed by September 4, 2009.

FOR FURTHER INFORMATION CONTACT: John J. Hayes, Project Manager, Materials Decommissioning Branch, Division of Waste Management and Environmental Protection, Office of Federal and State Materials and Environmental Management Programs, U.S. Nuclear Regulatory Commission, Two White Flint North, Mail Stop T8F5, 11545 Rockville Pike, Rockville, Maryland 20852-2738 Telephone: (301) 415-5928; fax number: (301) 415-5928; e-mail: john.hayes@nrc.gov.

SUPPLEMENTARY INFORMATION:

I. Introduction

By letter dated May 21, 2009, the U.S. Nuclear Regulatory Commission (NRC)

received a license amendment application from Westinghouse Electric Company LLC (WEC or the licensee), pertaining to its planned disposal of NRC-licensed source, byproduct and special nuclear material. Regarding this material, WEC seeks approval, pursuant to 10 CFR 20.2002, of proposed disposal procedures which are not otherwise authorized by NRC regulations. WEC holds NRC License No. SNM-00033, which authorizes the licensee to conduct decommissioning activities at its former fuel cycle facility located in Festus, Missouri. The amendment request seeks authorization allowing WEC to transfer decommissioning waste to U.S. Ecology Idaho, Inc., a Resource Conservation and Recovery Act (RCRA) Subtitle C disposal facility located near Grand View, Idaho. This facility is regulated by the Idaho Department of Environmental Quality, and is not an NRC-licensed facility. Pursuant to 10 CFR 30.11 and 70.17, WEC's application also requested exemptions from the licensing requirements of 10 CFR 30.3 and 70.3 for the byproduct and special nuclear material it seeks to transfer. These exemptions are necessary because the disposal of byproduct and special nuclear material must occur at a facility licensed to possess such material, and the U.S. Ecology Idaho facility has no NRC license.

An NRC administrative review, documented in a letter to Westinghouse dated June 19, 2009, found the alternate disposal application acceptable to begin a technical review. If the NRC approves the Westinghouse request, the approval will be documented in an amendment to NRC License No. SNM-00033. However, before approving the proposed amendment, the NRC will need to make the findings required by the Atomic Energy Act of 1954, as amended, and the National Environmental Policy Act. These findings will be documented, respectively, in a Safety Evaluation Report (SER), and in a separate environmental assessment performed by the NRC.

III. Opportunity To Request a Hearing

The NRC hereby provides notice that this is a proceeding on an application for a license amendment as described above. In accordance with the general requirements in Subpart C of 10 CFR Part 2, as amended on January 14, 2004 (69 FR 2182), any person whose interest may be affected by this proceeding and who desires to participate as a party must file a written request for a hearing and a specification of the contentions which the person seeks to have litigated in the hearing.