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Dated: March 16, 2010.

**Andrew L. Bates,**  
*Federal Advisory Committee Management  
Officer.*

[FR Doc. 2010-6205 Filed 3-19-10; 8:45 am]

**BILLING CODE 7590-01-P**

## NUCLEAR REGULATORY COMMISSION

[NRC-2010-0114]

### Draft Regulatory Guide: Issuance, Availability

**AGENCY:** Nuclear Regulatory  
Commission.

**ACTION:** Notice of issuance and  
availability of Draft Regulatory Guide,  
DG-8040, "Health Physics Surveys  
During Enriched Uranium-235  
Processing and Fuel Fabrication."

#### FOR FURTHER INFORMATION CONTACT:

Tyrone Naquin, U.S. Nuclear Regulatory  
Commission, Washington, DC 20555-  
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#### 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) is  
temporarily identified by its task  
number, DG-8040, which should be  
mentioned in all related  
correspondence. DG-8040 is proposed  
Revision 2 of Regulatory Guide 8.24,  
dated October 1979. This guide specifies  
the types and frequencies of surveys  
that are acceptable to the staff of the  
NRC for the protection of workers in  
plants licensed by the NRC to process  
enriched uranium and fabricate  
uranium fuel.

Title 10, Section 20.1501(a), of the  
*Code of Federal Regulations* (10 CFR  
20.1501(a)) requires that each licensee  
make or cause to be made such surveys  
as may be necessary for it to comply  
with the regulations in that part. As

used in 10 CFR Part 20, "Standards for  
Protection Against Radiation," the term  
"survey" refers to an evaluation of the  
radiation hazards incident to the  
production, use, release, disposal, or  
presence of radioactive materials or  
other sources of radiation under a  
specific set of conditions.

This guide does not relate to the  
processing of uranium-233, nor does it  
deal specifically with the following  
aspects of an acceptable occupational  
health physics program that are closely  
related to surveys: (1) The number and  
qualification of the health physics staff,  
(2) instrumentation, including types,  
numbers of instruments, limitations of  
use, accuracy, and calibration, (3)  
personnel dosimetry, and (4) bioassay.  
Guidance on bioassay for uranium  
appears in Regulatory Guide 8.11,  
"Applications of Bioassay for Uranium."

##### II. Further Information

The NRC staff is soliciting comments  
on DG-8040. Comments may be  
accompanied by relevant information or  
supporting data and should mention  
DG-8040 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).

Comments would be most helpful if  
received by May 3, 2010. 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.

**ADDRESSES:** You may submit comments  
by any one of the following methods.  
Please include Docket ID NRC-2010-  
0115 in the subject line of your  
comments. Comments submitted in  
writing or in electronic form will be  
posted on the NRC Web site and on the  
Federal rulemaking Web site  
[Regulations.gov](http://www.regulations.gov). Because your  
comments will not be edited to remove  
any identifying or contact information,  
the NRC cautions you against including  
any information in your submission that  
you do not want to be publicly  
disclosed.

The NRC requests that any party  
soliciting or aggregating comments  
received from other persons for  
submission to the NRC inform those  
persons that the NRC will not edit their  
comments to remove any identifying or  
contact information, and therefore, they  
should not include any information in

their comments that they do not want  
publicly disclosed.

**Federal Rulemaking Web site:** Go to  
<http://www.regulations.gov> and search  
for documents filed under Docket ID  
NRC-2010-0115. Address questions  
about NRC dockets to Carol Gallagher  
301-492-3668; e-mail  
[Carol.Gallagher@nrc.gov](mailto:Carol.Gallagher@nrc.gov).

**Mail comments to:** Michael T. Lesar,  
Chief, Rulemaking and Directives  
Branch (RDB), Office of Administration,  
Mail Stop: TWB-05-B01M, U.S.  
Nuclear Regulatory Commission,  
Washington, DC 20555-0001, or by fax  
to RDB at (301) 492-3446.

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**NRC's Public Document Room (PDR):**  
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the public can gain entry into ADAMS,  
which provides text and image files of  
NRC's public documents. If you do not  
have access to ADAMS or if there are  
problems in accessing the documents  
located in ADAMS, contact the NRC's  
PDR reference staff at 1-800-397-4209,  
301-415-4737, or by e-mail to  
[pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov). DG-8040 is  
available electronically under ADAMS  
Accession Number ML092150040. In  
addition, electronic copies of DG-8040  
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/>

**Federal Rulemaking Web site:** Public  
comments and supporting materials  
related to this notice can be found at  
<http://www.regulations.gov> by searching  
on Docket ID: NRC-2010-0115.

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Dated at Rockville, Maryland, this 10th day  
of March 2010.

For the Nuclear Regulatory Commission.

**Andrea D. Valentin,**  
*Chief, Regulatory Guide Development Branch,  
Division of Engineering, Office of Nuclear  
Regulatory Research.*

[FR Doc. 2010-6196 Filed 3-19-10; 8:45 am]

**BILLING CODE 7590-01-P**