

NUCLEAR REGULATORY COMMISSION

Office of New Reactors; Notice of Availability of the Final Interim Staff Guidance COL-ISG-02 on Financial Qualifications of Applicants

AGENCY: Nuclear Regulatory Commission (NRC).

ACTION: Notice of availability.

SUMMARY: The NRC is issuing its Final Interim Staff Guidance (ISG) COL-ISG-02. This COL-ISG provides guidance on financial qualifications for and combined license (COL) applicants. This COL-ISG summarizes the requirements under Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.33(f)(1) for COL applicants and corrects the information provided in Section C.IV.5.1 of Regulatory Guide 1.206, "COL Applications for Nuclear Power Plants (LWR Edition)."

The NRC staff issues ISGs to facilitate timely implementation of the current staff guidance and to facilitate activities associated with review of applications for design certifications and COLs for the Office of New Reactors. The NRC staff will also incorporate the approved DC/COL-ISGs into the next revision of the appropriate review guidance documents.

ADDRESSES: The NRC maintains an Agencywide Documents Access and Management System (ADAMS), which provides text and image files of NRC's public documents. These documents may be accessed through the NRC's Public Electronic Reading Room on the Internet at <http://www.nrc.gov/reading-rm/adams.html>. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS should contact the NRC Public Document Room (PDR) reference staff at 1-800-397-4209, 301-415-4737, or by e-mail at pdr@nrc.gov.

FOR FURTHER INFORMATION CONTACT: Mr. Arlon O. Costa, Acting Branch Chief, Financial, Policy and Rule Making Branch, Division of Policy and Rule Making, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone 301-415-6402 or e-mail at roc@nrc.gov.

SUPPLEMENTARY INFORMATION: COL-IGS-02 is posted on the agency's external web page (<http://www.nrc.gov/reading-rm/doc-collections/isg/>).

Dated at Rockville, Maryland, this 2nd day of May 2008.

For the Nuclear Regulatory Commission,
William D. Reckley,
Branch Chief Rulemaking, Guidance and Advanced Reactors Branch, Division of New Reactor Licensing, Office of New Reactors.
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NUCLEAR REGULATORY COMMISSION

[Docket No. 070-00008]

Notice of Issuance of License Amendment for Termination of License SNM-00007 for Battelle Memorial Institute, West Jefferson, OH

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of availability.

FOR FURTHER INFORMATION CONTACT:

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SUPPLEMENTARY INFORMATION:

I. Introduction

The Nuclear Regulatory Commission (NRC) is issuing a license amendment to terminate Special Nuclear Material License No. SNM-00007 issued to Battelle Memorial Institute (the licensee) and to authorize for unrestricted use its former North Nuclear Sciences Site, located near West Jefferson, Ohio. An NRC approved decommissioning plan (DP) (ML003711118), which references an U.S. Department of Energy Environmental Assessment, and Finding of No Significant Impact, was incorporated into the licensee's license by Amendment No. 23, on August 25, 2000 (ML010410001). These documents addressed the impacts of the licensee's actions to decommission its former byproduct and special nuclear materials research facilities and associated site, including final status survey plans and the licensee's intent to terminate license SNM-00007. In a letter dated August 3, 2006, (ML062200140) the licensee requested termination of its NRC radioactive source material license. The NRC's staff review of the Battelle Memorial Institute's termination request and final status surveys are documented in a Safety Evaluation Report. Based on the staff review, the NRC concluded that all licensable radioactive material has been removed from the licensee's former North Nuclear Sciences Site and

residual radioactive material attributable to licensed activities does not exceed NRC unrestricted use criteria.

II. Licensee Background and Staff Review Findings

The purpose of the amendment is to terminate Battelle Memorial Institute's special nuclear material license and authorize for unrestricted release the licensee's former Nuclear Sciences Site located near West Jefferson, Ohio.

Battelle's DP (ML003711118) was originally approved by the NRC during 1993, before implementation of the current NRC "License Termination Rule." The unrestricted release criterion cited in the DP was based on current regulatory guidance in effect at that time, that is, concentration and surface release tables, and consistent with criteria outlined in an NRC letter to the licensee dated April 17, 1992 (ML070180226). The licensee's DP was incorporated into NRC Special Nuclear Materials License No. SNM-00007 by License Amendment No. 23 on August 25, 2000 (ML010410001). This action was consistent with Title 10 of the Code of Federal Regulations (CFR), Part 20, Section 20.1401(b)(2), General provisions and scope, which states in part that "(b) The criteria in this subpart do not apply to sites which: (2) have previously submitted and received Commission approval on a license termination plan (LTP) or decommissioning plan that is compatible with the Site Decommissioning Management Program Action Plan criteria." Thus, the incorporation of the DP into Battelle Memorial Institute's license did not change the previously approved release criteria, but the licensee voluntarily implemented an administrative "as low as reasonably achievable" limit of 25 mrem per year dose limit throughout the West Jefferson North decommissioning project.

Historically, Battelle performed atomic energy research and development for the U.S. Department of Energy (DOE) and its predecessor agencies between 1943 and 1986 at its Columbus Laboratories sites. The licensee's special nuclear material license SNM-00007 authorized byproduct and special nuclear materials for commercial nuclear research activities at the same locations. Between the late 1980s and 1993, DOE and the NRC met to discuss coordination of the Battelle Columbus Laboratories Decommissioning Project. As a result, DOE decided to not impose DOE Orders where such orders would duplicate existing regulations which the project