and time-out problems associated with submitter's internet service providers. The second major change is to provide information regarding a new Meta-System Help Desk, which is being established to handle specific questions about electronic filing and portable document format (PDF) creation associated with general or adjudicatory (E-Filing) submissions, as well as to provide information regarding the various components of the agency's adjudicatory information technology/information management infrastructure, including the Licensing Support Network, the Electronic Hearing Docket, and the Digital Data Management System. The new Meta-System Help Desk, which will open on November 10, 2008, will operate on weekdays (excluding Federal Holidays) between 8 a.m. and 8 p.m. Eastern Time. The Meta-System Help Desk can be contacted by telephone at 1–866–672–7640 or by e-mail at *MSHD.Resource@nrc.gov.* The Public Document Room staff, which previously responded to EIE questions, is still available to answer general questions about accessing agency documents within ADAMS or on the NRC's public Web site.

FOR FURTHER INFORMATION CONTACT: For questions about the Guidance document: Thomas Smith, Information Management Specialist, Information and Records Services Division, Office of Information Services, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001. Telephone: 301–415–7043; *e-mail: thomas.smith@nrc.gov.* For questions about the *Meta-System Help Desk:* Ron Deavers, Project Manager, Business Process and Project Management Branch, Business Process Improvement and Applications Division, Office of Information Services, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, *Telephone:* 301–415–7301; *e-mail: ron.deavers@nrc.gov.*

SUPPLEMENTARY INFORMATION: Documents related to this guidance, are available electronically at the NRC's Electronic Submittals Web page at *http://www.nrc.gov/site-help/e-submittals.html.*

Dated at Rockville, MD this 5th day of November 2008.

For the Nuclear Regulatory Commission.

Joseph J. Holonich,

Director, Information and Records Services Division, Office of Information Services.

[FR Doc. E8–26805 Filed 11–10–08; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 040–01957 (Terminated)]

Notice of Completion of Remediation at the Homer Laughlin China Co. Site In Newell, WV

AGENCY: United States Nuclear Regulatory Commission (NRC).

ACTION: Notice of Completion of Remediation at the Homer Laughlin China Co. site in Newell, West Virginia.

FOR FURTHER INFORMATION CONTACT: John Nicholson, Health Physicist, Decommissioning Branch, Division of Nuclear Materials Safety, Region I, 475 Allendale Road, King of Prussia, PA 19406; telephone 610–337–5236; fax number 610–337–5269 or by *e-mail: john.nicholson@nrc.gov.*

Background

The Homer Laughlin China Company (HLC) operates on the banks of the Ohio River in Newell, West Virginia, located in the state's northern panhandle. HLC's 37-acre site contains a number of plant buildings and structures used in the production of commercial and retail tableware.

In 1959, the NRC's Predecessor agency, the Atomic Energy Commission (AEC) issued License No. SUB–81 authorizing possession at the site of 100,000 pounds of source material for use as a glazing agent (up to 20% uranium) in the production of ceramic tableware. The finished glazed ceramic tableware products were exempt from licensing requirements. The AEC license was terminated in 1972, based upon an HLC letter stating that all remaining licensed materials had been returned to their supplier. A routine review of the terminated license file by the Oak Ridge National Laboratory (ORNL), under contract to the NRC, later determined that there was no record of a licensee closeout survey or any confirmatory survey. Based on the terminated license's possession limit and the results of the ORNL review, the NRC determined that a further assessment of HLC's site for residual radioactivity was needed.

Thus, in 1994, it was found that approximately 500 pounds of depleted uranium oxide (U_3O_8) sand was still on HLC's site. A contractor was hired to survey areas where licensed materials were used and stored, and to provide a radiological characterization of the site. Several additional areas of fixed and removable contamination exceeding NRC guidelines for unrestricted use were identified during the characterization survey. The HLC committed to package and dispose of the bulk source material, limit access to contaminated areas, and submit a decommissioning plan (DP). The NRC approved the DP in 1995, and HLC and its contractor began implementing the DP.

Discussion

The HLC did not complete decommissioning in some of the production areas because it was unable to remove fixed contamination (which exceeded NRC unrestricted release guidelines) from surfaces of equipment and structures using conventional remediation techniques. After consultation with NRC, HLC developed a risk assessment to demonstrate that the residual fixed contamination would meet the NRC release criteria. At various times during the period 1996–2004, HLC provided additional information to NRC refining its computer-based risk analysis, to demonstrate that the regulatory standard of 25 mrem/yr for unrestricted release (established in 10 CFR Part 20, Subpart E in 1997) would be met.

In March 2005, the NRC accepted HLC's revised risk assessment (ML043090164). The NRC determined that this analysis would be acceptable, pending removal of all radioactive waste from the site and review of the final survey results from the waste storage area. The uranium oxide sand and the waste material from decommissioning activities remained on site until final disposal options could be assessed. The materials were packaged and were stored in a posted and infrequently-used area of the plant. After further characterization of the waste was performed and cost estimates for disposal were obtained, HLC arranged for disposal of the waste. The waste was removed in July 2008, and sent to Waste Control Specialists, Inc. (WCS) in Texas. The waste storage area was surveyed after the waste was removed. An NRC inspector observed the waste removal and radiological survey activities. The survey results were forwarded to the NRC in September 2008. NRC staff reviewed the survey results and performed independent, bounding calculations that demonstrated that the dose rate to a worker from potential residual activity would be less than the 25 millirem/year unrestricted release standard.

Conclusion

Based on the above, the NRC staff finds that a reasonable effort had been made by HLC to eliminate residual radioactive contamination at its site and that NRC regulatory requirements are

satisfied. The NRC thus concludes that: (1) Radioactive material above release limits has been properly disposed; (2) reasonable effort has been made to eliminate residual radioactive contamination; and (3) surveys and associated documentation, demonstrate that the site meets the requirements for unrestricted release set forth in 10 CFR Part 20, Subpart E.

Further Information: Additional relevant information is 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 Agency-wide Documents Access and Management System's (ADAMS) Public Electronic Reading Room on the Internet at the NRC Web site, *http://www.nrc.gov/reading-rm/adams.html* (ML043090164, ML072430077, ML072950154, ML073541298, ML080320468, ML082820580). Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS, should contact the NRC PDR Reference staff by telephone at 1–800–397–4209, 301–415–4737 or by e-mail to *pdr@nrc.gov.* The PDR reproduction contractor will copy documents for a fee.

Dated King of Prussia, Pennsylvania this 3rd day of November 2008.

For the Nuclear Regulatory Commission.

Raymond Lorson,

Chief, Decommissioning Branch, Division of Nuclear Materials Safety, Region I.

[FR Doc. E8–26806 Filed 11–10–08; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

Draft Regulatory Guide: Issuance, Availability

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of Issuance and Availability of Draft Regulatory Guide, DG–1187.

FOR FURTHER INFORMATION CONTACT: Jacob Philip, U. S. Nuclear Regulatory Commission, Washington, DC 20555–0001, *telephone:* (301) 415–6211 or e-mail to *Jacob.Philip@nrc.gov.*

SUPPLEMENTARY INFORMATION:

I. Introduction

The U.S. Nuclear Regulatory Commission (NRC) has issued for public comment a draft regulatory 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), titled, ''Concrete Radiation Shields and Generic Shield Testing for Nuclear Power Plants,'' is temporarily identified by its task number, DG–1187, which should be mentioned in all related correspondence. DG–1187 is proposed Revision 1 of Regulatory Guide 1.69.

This guide describes a method that the staff of the NRC considers acceptable for use in complying with the regulations for concrete radiation shields for nuclear power plants.

As stated in Title 10, Section 20.1201, ''Occupational Dose Limits for Adults,'' of the Code of Federal Regulations (10 CFR 20.1201), licensees shall control the occupational dose to individual adults to the limits stated therein. Furthermore, 10 CFR 20.1101(b) provides that licensees shall use, to the extent practicable, procedures and engineering controls based upon sound radiation principles to achieve occupational doses and doses to members of the public that are as low as reasonably achievable. General Design Criterion 1, ''Quality Standards and Records,'' of Appendix A, ''Quality Design Criteria for Nuclear Power Plants,'' to 10 CFR part 50, ''Licensing of Production and Utilization Facilities,'' 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 design control and inspection and test controls. Appendix B also requires that activities affecting quality be accomplished under suitably controlled conditions. This guide describes some bases acceptable to the NRC staff for implementing the above requirements with regard to the design and construction of concrete radiation shields in nuclear power plants.

II. Further Information

The NRC staff is soliciting comments on DG–1187. Comments may be accompanied by relevant information or supporting data, and should mention DG–1187 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, Directives, and Editing Branch, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

2. *E-mail comments to: nrcrep.resource@nrc.gov.*

3. *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.

4. *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 DG–1187 may be directed to Jacob Philip at (301) 415–6211 or e-mail to *Jacob.Philip@nrc.gov.*

Comments would be most helpful if received by January 9, 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–1187 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. ML082190117.

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 5th day of November, 2008.