

proposed changes to 10 CFR 50.54(q) can be found at the Federal e-Rulemaking Portal (<http://www.regulations.gov>) by searching on Docket ID: NRC-2008-0122.

## II. Further Information

The NRC staff is soliciting comments on DG-1237. Comments may be accompanied by relevant information or supporting data, and should mention DG-1237 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 the comments. Comments may be submitted by any of the following methods:

1. *Mail to:* Rulemaking and Directives Branch, Mail Stop: TWB-05-B01M, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

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

Requests for technical information about DG-1237 may be directed to Steven F. LaVie at (301) 415-1081 or e-mail to [Steven.LaVie@nrc.gov](mailto:Steven.LaVie@nrc.gov).

Comments would be most helpful if received by September 1, 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-1237 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. ML090080534.

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](mailto:pdr.resource@nrc.gov).

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Dated at Rockville, Maryland, this 7th day of May 2009.

For the Nuclear Regulatory Commission.

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

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 40-08502-MLR; ASLBP No. 09-887-01-MLR-BD01]

### Cogema Mining, Inc.; Establishment of Atomic Safety and Licensing Board

Pursuant to delegation by the Commission dated December 29, 1972, published in the **Federal Register**, 37 FR 28,710 (1972), and the Commission's regulations, see 10 CFR 2.104, 2.300, 2.303, 2.309, 2.311, 2.318, and 2.321, notice is hereby given that an Atomic Safety and Licensing Board (Board) is being established to preside over the following proceeding:

### Cogema Mining, Inc. Irigaray and Christensen Ranch Facilities (License Renewal for Source Materials License SUA-1341)

This Board is being established in response to requests for hearing that were filed pursuant to a Notice of Request to Renew Source Materials License SUA-1341, COGEMA Mining, Inc., Irigaray and Christensen Ranch Facilities, Johnson and Campbell Counties, WY, and Opportunity to Request a Hearing dated February 9, 2009 (74 FR 6436). Requests for hearing dated April 10, 2009 were filed by: (1) The Powder River Basin Resource Council; and (2) the Oglala Delegation of the Great Sioux Nation Treaty Council (Oglala Delegation), which also seeks "leave to make filings by e-mail due to problems with the NRC's EIE document system encountered by [petitioner's counsel] due to computer system and software incompatibilities" (Pet. for Hearing at 125).<sup>1</sup>

*The Board is comprised of the following administrative judges:*

<sup>1</sup> The Oglala Delegation's request to make filings by email was initially directed to the Commission. The Secretary of the Commission, in turn, referred the hearing request to the Chief Administrative Judge of the ASLBP for appropriate action. Absent instructions to the contrary, such broad referrals result in the entire hearing request, and all its issues, being referred to a Board for resolution. The Oglala Delegation's request to make filings by e-mail should therefore be resolved by the Board.

Alex S. Karlin, Chair, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001;

Paul B. Abramson, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001;

William M. Murphy, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

Unless otherwise authorized by the Board, all correspondence, documents, and other materials shall be filed in accordance with the NRC E-Filing Rule, which the NRC promulgated in August 2007 (72 FR 49,139).

Issued at Rockville, Maryland, this 12th day of May 2009.

**E. Roy Hawkens**,

*Chief Administrative Judge, Atomic Safety and Licensing Board Panel.*

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## NUCLEAR REGULATORY COMMISSION

### Office of Nuclear Security and Incident Response

[NRC-2008-0122]

### Interim Staff Guidance: Emergency Planning for Nuclear Power Plants; Solicitation of Public Comment

**AGENCY:** Nuclear Regulatory Commission (NRC).

**ACTION:** Announcement of issuance for public comment, availability.

**SUMMARY:** The Office of Nuclear Security and Incident Response (NSIR) is soliciting public comment on its proposed Interim Staff Guidance (ISG) NSIR/DPR-ISG-01, "Emergency Planning for Nuclear Power Plants." This ISG would provide guidance for addressing new emergency planning (EP) requirements for nuclear power plants based on proposed changes to EP regulations in Title 10, "Energy," Part 50, "Domestic Licensing of Production and Utilization Facilities," of the *Code of Federal Regulations* (10 CFR Part 50), specifically Section 50.47, "Emergency Plans," and Appendix E, "Emergency Planning and Preparedness for Production and Utilization Facilities" (reference RIN 3150-A110). The NRC staff will modify the ISG as necessary for consistency with the final EP rule as part of the overall comment resolution process for the ISG and EP rule changes. Additional guidance on topics not directly related to the EP final rule, such