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Dated: March 16, 2010.

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

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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:

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Commission, Washington, DC 20555-
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mail Tyrone.Naquin@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) 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
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.

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.

You can access publicly available
documents related to this notice using
the following methods:

NRC's Public Document Room (PDR):
The public may examine and have
copied for a fee publicly available
documents at the NRC's PDR, Room O1
F21, One White Flint North, 11555
Rockville Pike, Rockville, Maryland.

**NRC's Agencywide Documents Access
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Publicly available documents created or
received at the NRC are available
electronically at the NRC's Electronic
Reading Room at [http://www.nrc.gov/
reading-rm/adams.html](http://www.nrc.gov/reading-rm/adams.html). From this page,
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. 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/](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.*

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