

study conducted by PNNL for the NRC, entitled "Environmental Effects of Extending Fuel Burnup Above 60 GWD/MTU" (NUREG/CR-6073, PNL-13257, January 2001, ADAMS Accession No. ML010310298). The details of the staff's safety evaluation will be provided in the amendment that will be issued as part of the letter to the licensee approving the amendment.

#### *Environmental Impacts of the Alternatives to the Proposed Action*

As an alternative to the proposed action, the staff considered denial of the proposed action (i.e., the "no-action" alternative). Denial of the application would result in no change in current environmental impacts. The environmental impacts of the proposed action and the alternative action are similar.

#### *Alternative Use of Resources*

The action does not involve the use of any different resources than those previously considered in the Final Environmental Statement for Kewaunee Power Station, dated December 1972.

#### *Agencies and Persons Consulted*

In accordance with its stated policy, on June 12, 2008, the staff consulted with the Wisconsin State official, Mr. Jeff Kitsemel, of the Public Service Commission, regarding the environmental impact of the proposed action. The State official had no comments.

#### **Finding of No Significant Impact**

On the basis of the environmental assessment, the NRC concludes that the proposed action will not have a significant effect on the quality of the human environment. Accordingly, the NRC has determined not to prepare an environmental impact statement for the proposed action.

For further details with respect to the proposed action, see the licensee's letter dated July 2, 2007 (ADAMS Accession No. ML071860075). Documents may be examined, and/or copied for a fee, at the NRC'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 Agencywide Documents Access and Management System (ADAMS) Public Electronic Reading Room on the Internet at the NRC Web site, <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 PDR

Reference staff by telephone at 1-800-397-4209 or 301-415-4737, or send an e-mail to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov).

Dated at Rockville, Maryland, this day of June 2008.

For the Nuclear Regulatory Commission.

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## **NUCLEAR REGULATORY COMMISSION**

### **Notice of Issuance of Regulatory Guide**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of Issuance and Availability of Regulatory Guide 6.4, Revision 3.

#### **FOR FURTHER INFORMATION CONTACT:**

Mark Orr, Regulatory Guide Development Branch, Division of Engineering, Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone (301) 415-6373 or e-mail to [Mark.Orr@nrc.gov](mailto:Mark.Orr@nrc.gov).

#### **SUPPLEMENTARY INFORMATION:**

#### **I. Introduction**

The U.S. Nuclear Regulatory Commission (NRC) is issuing a revision to an existing guide in the agency's "Regulatory Guide" series. This series was developed to describe and make available to the public information such as methods that are acceptable to the NRC staff for implementing specific parts of the agency'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.

Revision 3 of Regulatory Guide 6.4, "Verification of Containment Properties of Sealed Radioactive Sources," was issued with a temporary identification as Draft Regulatory Guide DG-6005. This guide directs the reader to the type of information acceptable to the NRC staff to evaluate and verify the containment properties of sealed radioactive sources. The NRC licenses the manufacture and distribution of devices containing radioactive byproduct material under Title 10, Part 32, "Specific Domestic Licenses to Manufacture or Transfer Certain Items Containing Byproduct Material," of the Code of Federal Regulations (10 CFR Part 32). The regulations require, in part, that each application for a specific

license to distribute devices containing byproduct material include information on procedures for prototype tests and the results of such tests to demonstrate that the source or device will maintain its integrity during the most severe conditions that are likely to be encountered under normal or accidental conditions of handling, storage, use, and disposal of the sealed radioactive source.

This regulatory guide endorses the methods and procedures for evaluation and verification of the containment properties of sealed radioactive sources contained in the current revision of NUREG-1556, Volume 3, "Consolidated Guidance about Materials Licenses: Applications for Sealed Source and Device Evaluation and Registration" as a process that has been found acceptable to the NRC staff for meeting the regulatory requirements. Since the publication of Revision 2 of Regulatory Guide 6.4 in August 1980, the NRC has revised the requirements for byproduct material containments in 10 CFR Part 32 to implement a risk-informed, performance-based approach to regulation. NUREG-1556 incorporates this revised approach.

#### **II. Further Information**

In January 2008, DG-6005 was published with a public comment period of 60 days from the issuance of the guide. No comments were received and the public comment period closed on April 18, 2008. Electronic copies of Regulatory Guide 6.4, Revision 3 are available through the NRC's public Web site under "Regulatory Guides" at <http://www.nrc.gov/reading-rm/doc-collections/>.

In addition, regulatory guides are available for inspection at the NRC's Public Document Room (PDR), which is located at Room O-1F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852-2738. 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) 397-4209, by fax at (301) 415-3548, and by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

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Dated at Rockville, Maryland, this 18th day of June 2008.

For the Nuclear Regulatory Commission.

**Stephen C. O'Connor,**

*Acting Chief, Regulatory Guide Development Branch, Division of Engineering, Office of Nuclear Regulatory Research.*

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