

actions are in compliance with the Commission's regulations.

Further information on the overall decommissioning guidance consolidation and updating project can be found in the **Federal Register** notice publishing the plan for the project (66 FR 21793).

Dated at Rockville, MD, this 20th day of September, 2002.

For the Nuclear Regulatory Commission

**Larry W. Camper,**

*Chief, Decommissioning Branch, Division of Waste Management, Office of Nuclear Material Safety and Safeguards.*

[FR Doc. 02-24440 Filed 9-25-02; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

### Office of Nuclear Material Safety and Safeguards Consolidated Decommissioning Guidance: Characterization, Survey, and Determination of Radiological Criteria; Notice of Availability

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of availability and request for public comment.

**SUMMARY:** The Nuclear Regulatory Commission's (NRC) Office of Nuclear Material Safety and Safeguards (NMSS) is announcing the availability of a draft document "Consolidated NMSS Decommissioning Guidance: Characterization, Survey, and Determination of Radiological Criteria" (NUREG-1757, Vol. 2), for public comment. This document provides guidance for compliance with the radiological criteria for termination of licenses. The guidance is intended for NRC staff, licensees, and the public. The guidance is being developed in response to the NMSS performance goals, in the NRC's Strategic Plan, of: (1) making NRC activities and decisions more effective, efficient, and realistic; and (2) reducing unnecessary regulatory burden on stakeholders. NRC is seeking public comment in order to receive feedback from the widest range of interested parties and to ensure that all information relevant to developing the document is available to the NRC staff. This draft document is being issued for comment only and is not intended for interim use. The NRC will review public comments received on the draft document. In response to those comments, suggested changes will be incorporated, where appropriate, and a final document will be issued for use.

**DATES:** Comments on this draft document should be submitted by December 26, 2002. Comments received after that date will be considered to the extent practicable.

**ADDRESSES:** NUREG-1757, Volume 2, is available for inspection and copying for a fee at the Commission's Public Document Room, U.S. NRC's Headquarters Building, 11555 Rockville Pike (First Floor), Rockville, Maryland. NUREG-1757, Volume 2, is also available electronically from the ADAMS Electronic Reading Room on the NRC Web site at: <http://www.nrc.gov/reading-rm/adams.html>, and on the NRC Web site at: <http://www.nrc.gov/reading-rm/doc-collections/nuregs/staff>.

A free single copy of NUREG-1757, Volume 2, will be available to interested parties until the supply is exhausted. Such copies may be requested by writing to the U.S. Nuclear Regulatory Commission, Distribution Services, Washington, DC 20555-0001 or submitting e-mail to [distribution@nrc.gov](mailto:distribution@nrc.gov).

Members of the public are invited and encouraged to submit written comments to: Duane W. Schmidt, Project Manager, Office of Nuclear Material Safety and Safeguards, Mail Stop T-7F27, U. S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Hand-deliver comments to: 11555 Rockville Pike, Rockville, MD, between 7:30 a.m. and 4:15 p.m., Federal workdays. Comments may also be sent electronically to [decomcomments@nrc.gov](mailto:decomcomments@nrc.gov). Copies of comments received may be examined at the ADAMS Electronic Reading Room on the NRC web site, and in the NRC Public Document Room, 11555 Rockville Pike, Room O-1F21, Rockville, MD 20852. The NRC Public Document Room is open from 7:45 a.m. to 4:15 p.m., Monday through Friday, except on Federal holidays.

**FOR FURTHER INFORMATION, CONTACT:** Duane W. Schmidt, Mail Stop T-7F27, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Telephone: (301) 415-6919; Internet: [dws2@nrc.gov](mailto:dws2@nrc.gov).

**SUPPLEMENTARY INFORMATION:** As part of its redesign of the materials license program, NMSS is consolidating and updating numerous decommissioning guidance documents into a three-volume NUREG report. The three volumes are as follows: (1) Decommissioning Process for Materials Licensees; (2) Characterization, Survey, and Determination of Radiological Criteria; and (3) Financial Assurance, Recordkeeping, and Timeliness. Volume

2 of this NUREG series, entitled "Consolidated NMSS Decommissioning Guidance: Characterization, Survey, and Determination of Radiological Criteria," is the second of these three volumes and, when finalized, is intended for use by applicants, licensees, NRC license reviewers, other NRC personnel, and Agreement State staff.

The approaches to license termination described in Volume 2 of NUREG-1757 will help to identify the information (subject matter and level of detail) needed to terminate a license by considering the wide range of radioactive materials users licensed by NRC. Volume 2 of the NUREG addresses compliance with the radiological criteria for license termination of the License Termination Rule (10 CFR part 20, subpart E) and incorporates the risk-informed and performance-based alternatives of the rule. Volume 2 updates and builds upon the risk-informed approach used in the NMSS Decommissioning Standard Review Plan (NUREG-1727, September 2000), and, in whole or in part, incorporates the parts of NUREG-1727 that provide guidance for demonstrating compliance with Subpart E. This draft Volume 2 describes and makes available to the public (1) methods acceptable to the NRC staff in implementing specific parts of the Commission's regulations; (2) techniques and criteria used by the staff in evaluating decommissioning actions; and (3) guidance to licensees responsible for decommissioning NRC-licensed sites.

When published as a final report, the guidance in draft NUREG-1757, Volume 2, should be used by fuel cycle, fuel storage, materials, and reactor licensees in preparing decommissioning license amendment requests, decommissioning plans, and related compliance documents. Other NRC licensees, e.g., uranium recovery facilities, may find this information useful, but they are not the subject of this NUREG. When finalized, NRC staff will use the policies and procedures discussed in Volume 2 to evaluate a licensee's decommissioning actions. This NUREG will not substitute for regulations, and compliance with it will not be required. Methods and solutions different from those in this NUREG will be acceptable, if they provide a basis for concluding that the decommissioning actions are in compliance with the Commission's regulations.

Further information on the overall decommissioning guidance consolidation and updating project can be found in the **Federal Register** notice publishing the plan for the project (66 FR 21793).

Commentors are encouraged to submit their written comments to the addresses listed above. To ensure efficient and complete comment resolution, commentors are requested to reference the section, page, and line numbers of the document to which the comment applies, if possible.

Dated at Rockville, MD, this 20th day of September, 2002.

For the Nuclear Regulatory Commission.

**Larry W. Camper,**

*Chief, Decommissioning Branch, Division of Waste Management, Office of Nuclear Material Safety and Safeguards.*

[FR Doc. 02-24441 Filed 9-25-02; 8:45 am]

BILLING CODE 7590-01-P

## SECURITIES AND EXCHANGE COMMISSION

### **Issuer Delisting; Notice of Application of Environmental Safeguards, Inc., To Withdraw Its Common Stock, \$.001 Par Value, From Listing and Registration on the American Stock Exchange LLC File No. 1-13869**

September 20, 2002.

Environmental Safeguards, Inc., a Nevada corporation ("Issuer"), has filed an application with the Securities and Exchange Commission ("Commission"), pursuant to section 12(d) of the Securities Exchange Act of 1934 ("Act")<sup>1</sup> and Rule 12d2-2(d) thereunder,<sup>2</sup> to withdraw its Common Stock, \$.001 par value ("Security"), from listing and registration on the American Stock Exchange LLC ("Amex" or "Exchange").

The Issuer stated in its application that it has met the requirements of Amex Rule 18 by complying with all applicable laws in effect in the state of Nevada, in which it is incorporated, and with the Amex's rules governing an issuer's voluntary withdrawal of a security from listing and registration.

The Board of Directors ("Board") of the Issuer unanimously approved a resolution on August 30, 2002 to withdraw the Issuer's Security from listing on the Amex. The Board considered the critical cash needs, annual cost, and the questionable value to the shareholders in making its decision to withdraw the Security from listing on the Amex. The Board felt that it is in the best interest of the shareholders to voluntarily withdraw from the Amex and seek quotation of its Security on the OTC Bulletin Board. The Issuer's application relates solely to the Security's withdrawal from listing

on the Amex and from registration under section 12(b) of the Act<sup>3</sup> and shall not affect its obligation to be registered under section 12(g) of the Act.<sup>4</sup>

Any interested person may, on or before October 11, 2002, submit by letter to the Secretary of the Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549-0609, facts bearing upon whether the application has been made in accordance with the rules of the Amex and what terms, if any, should be imposed by the Commission for the protection of investors. The Commission, based on the information submitted to it, will issue an order granting the application after the date mentioned above, unless the Commission determines to order a hearing on the matter.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>5</sup>

**Jonathan G. Katz,**

*Secretary.*

[FR Doc. 02-24474 Filed 9-25-02; 8:45 am]

BILLING CODE 8010-01-M

## SECURITIES AND EXCHANGE COMMISSION

### **Issuer Delisting; Notice of Application of KBK Capital Corporation To Withdraw Its Common Stock, \$.01 par Value, From Listing and Registration on the American Stock Exchange LLC File No. 1-14152**

September 20, 2002.

KBK Capital Corporation, a Delaware corporation ("Issuer"), has filed an application with the Securities and Exchange Commission ("Commission"), pursuant to section 12(d) of the Securities Exchange Act of 1934 ("Act")<sup>1</sup> and Rule 12d2-2(d) thereunder,<sup>2</sup> to withdraw its Common Stock, \$.01 par value ("Security"), from listing and registration on the American Stock Exchange LLC ("Amex" or "Exchange").

The Issuer stated in its application that it has met the requirements of Amex Rule 18 by complying with all applicable laws in effect in the state of Delaware, in which it is incorporated, and with the Amex's rules governing an issuer's voluntary withdrawal of a security from listing and registration.

The Board of Directors ("Board") of the Issuer approved a resolution on

August 22, 2002 to withdraw the Issuer's Security from listing on the Amex. In making the decision to withdraw its Security from the Amex, the Board notes that the Security is held by less than three hundred (300) persons. In addition, there is low trading volume in the Security, and the extent and nature of the Security is erratic and thin. The Board states that it is not in the best interest of the Issuer to continue to be subject to the limitations and cost associated with maintaining the listing requirements for its Security. The Issuer's application relates solely to the Security's withdrawal from listing on the Amex and from registration under section 12(b) of the Act,<sup>3</sup> and shall not affect its obligation to be registered under section 12(g) of the Act.<sup>4</sup>

Any interested person may, on or before October 11, 2002, submit by letter to the Secretary of the Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549-0609, facts bearing upon whether the application has been made in accordance with the rules of the Amex and what terms, if any, should be imposed by the Commission for the protection of investors. The Commission, based on the information submitted to it, will issue an order granting the application after the date mentioned above, unless the Commission determines to order a hearing on the matter.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>5</sup>

**Jonathan G. Katz,**

*Secretary.*

[FR Doc. 02-24473 Filed 9-25-02; 8:45 am]

BILLING CODE 8010-01-M

## SECURITIES AND EXCHANGE COMMISSION

### **Issuer Delisting; Notice of Application of KBK Capital Corporation to Withdraw Its Common Stock, \$.01 Par Value, from Listing and Registration on the Pacific Exchange, Inc., File No. 1-14152**

September 20, 2002.

KBK Capital Corporation, a Delaware corporation ("Issuer"), has filed an application with the Securities and Exchange Commission ("Commission"), pursuant to section 12(d) of the Securities Exchange Act of 1934 ("Act")<sup>1</sup> and Rule 12d-2(d)

<sup>3</sup> 15 U.S.C. 78l(b).

<sup>4</sup> 15 U.S.C. 78l(g).

<sup>5</sup> 17 CFR 200.30-3(a)(1).

<sup>1</sup> 15 U.S.C. 78l(d).

<sup>2</sup> 17 CFR 240.12d2-2(d).

<sup>3</sup> 15 U.S.C. 78l(b).

<sup>4</sup> 15 U.S.C. 78l(g).

<sup>5</sup> 17 CFR 200.30-3(a)(1).

<sup>1</sup> 15 U.S.C. 78l(d).

<sup>1</sup> 15 U.S.C. 78l(d).

<sup>2</sup> 17 CFR 240.12d2-2(d).