



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

October 5, 2020

ALL AGREEMENT AND NON-AGREEMENT STATES  
STATE LIAISON OFFICERS

NOTICE OF REQUEST FOR COMMENT: REACTOR VESSEL MATERIAL SURVEILLANCE  
PROGRAM RULEMAKING (STC-20-071)

**Purpose:** To inform interested stakeholders of the U.S. Nuclear Regulatory Commission's (NRC) publication of a direct final rule on the reactor vessel material surveillance program requirements for commercial light-water power reactors.

**Background:** The NRC is proposing to amend its regulations in Appendix H, "Reactor Vessel Material Surveillance Program Requirements," to Title 10 of the *Code of Federal Regulations* (10 CFR) Part 50, "Domestic Licensing of Production and Utilization Facilities." These changes would amend the requirements associated with the testing of specimens contained within surveillance capsules and reporting the surveillance test results and are a nonmandatory relaxation from the current requirements. Licensees would have the option to comply with the revisions that reduce testing requirements for specified surveillance capsule specimens or that extend the allowable period for submitting surveillance test results to the NRC. This direct final rule also would clarify the requirements for the design of surveillance programs and the withdrawal schedules for reactor vessels purchased after 1982. These changes would reduce regulatory burden, with no effect on public health and safety.

The NRC is using the direct final rulemaking process, which is a process reserved for non-controversial rulemakings. In this process, a proposed rule and final rule are published concurrently. The public has the opportunity to comment on the proposed rule during the associated public comment period. If no significant adverse comments are received, the final rule becomes effective on the date published in the original notice. If any significant adverse comments are received, the published final rule would be withdrawn. The NRC would revise the final rule to address public comments and publish it as a separate issuance in the *Federal Register*.

For more general information about the NRC, what we regulate, how we regulate, and our rulemaking process, please visit our Web site at <https://www.nrc.gov> or view our Information Digest NUREG-1350 (<https://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1350/>). For more specific information about the direct final rule process, please visit our Direct Final Rule Web site (<https://www.nrc.gov/about-nrc/regulatory/rulemaking/rulemaking-process/direct-final-rule.html>).

**Discussion:** The NRC published a direct final rule revising the reactor vessel material surveillance program requirements in the *Federal Register* on October 2, 2020 (85 FR 62199—direct final rule; 85 FR 62234—proposed rule). Comments on the proposed rule are due by

November 2, 2020. The *Federal Register* notices contain details on how to submit comments. The rule will become effective on February 1, 2021, unless significant adverse comments are received. The *Federal Register* notices (both the proposed rule and direct final rule) and documents related to this rulemaking are posted on the Federal e-Rulemaking Portal <https://www.regulations.gov> under Docket ID [NRC-2017-0151](#).

If you have any questions regarding the reactor vessel material surveillance program rulemaking or this correspondence, please contact the individual named below:

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Sincerely,

John R. Tappert, Director  
Division of Rulemaking, Environmental,  
and Financial Support  
Office of Nuclear Materials Safety  
and Safeguards

Enclosures:  
As stated

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SURVEILLANCE PROGRAM RULEMAKING (STC-20-071)

DATED: October 5, 2020

**ADAMS Accession No.: ML19253A194** \*via e-mail

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| DATE   | 8/15/2019     | 9/12/2019         | 8/28/2020           | 10/2/20      |

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