

This page provides an abstract, justification, and target dates for a potential rule that the U.S. Nuclear Regulatory Commission (NRC) has prioritized in its Common Prioritization of Rulemaking listing.

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Enhanced Weapons for Spent Fuel Storage Installations and Transportation -- Section 161A Authority (Rev. 2)				
Abstract				
<p>This rule would amend the Commission's regulations by implementing the new authority in Section 161A of the Atomic Energy Act of 1954, as amended for access to covered weapons, enhanced weapons, and associated firearms background checks at facilities storing spent nuclear fuel (SNF) and high-level radioactive waste (HLW) and the associated transportation security escort activities for the transport of SNF, HLW, and Category I strategic special nuclear material (SSNM) (from aged SNF) to such storage facilities. This rulemaking supports a potential national strategy for the secure transportation and storage of SNF at a consolidated interim storage facility. There is significant public interest in this rulemaking because one of the authorities allowed under Section 161A is the authority to use certain weapons that would be otherwise prohibited by other State, local or other Federal laws (known as preemption authority). This rulemaking is a follow-on to the initial enhanced weapons rulemaking (RIN AI49) that implements Section 161A authority for several classes of facilities (i.e., power reactor), Category I strategic special nuclear material (SSNM, and at-reactor independent spent fuel storage installation).</p>				
Justification				
<p>This rule scores 36 points (15, 6, 10, 5) because of the following reasons: A) Significant contributor toward one or more goals (security strategies 1); B) Moderate contributor toward one strategy (regulatory effectiveness strategy 2); C) Significant contributor toward one or more considerations or the Commission has provided specific direction and priority/schedule on the rulemaking; and D) There is significant interest in this rule from industry and stakeholders.</p>				
Start Dates	Reg Basis Completed	PR Sent to Comm/EDO	FR Sent to Comm/EDO	Publication Date
08/15/2008	11/30/2016	03/01/2018	07/02/2019	01/30/2020