

U.S. Nuclear Regulatory Commission Statement of Regulatory Priorities for Fiscal Year 2019

I. Introduction

Under the authority of the Atomic Energy Act of 1954, as amended, and the Energy Reorganization Act of 1974, as amended, the U.S. Nuclear Regulatory Commission (NRC) regulates the possession and use of source, byproduct, and special nuclear material. Our regulatory mission is to license and regulate the Nation's civilian use of byproduct, source, and special nuclear materials to ensure adequate protection of public health and safety, and promote the common defense and security. As part of our mission, we regulate the operation of nuclear power plants and fuel-cycle facilities; the safeguarding of nuclear materials from theft and sabotage; the safe transport, storage, and disposal of radioactive materials and wastes; the decommissioning and safe release for other uses of licensed facilities that are no longer in operation; and the medical, industrial, and research applications of nuclear material. In addition, we license the import and export of radioactive materials.

As part of our regulatory process, we routinely conduct comprehensive regulatory analyses that examine the costs and benefits of contemplated regulations. We have developed internal procedures and programs to ensure that we impose only necessary requirements on our licensees and to review existing regulations to determine whether the requirements imposed are still necessary.

Our regulatory priorities for fiscal year (FY) 2019 reflect our safety and security mission and will enable us to achieve our two strategic goals described in NUREG-1614, Volume 7, "Strategic Plan: Fiscal Years 2018-2022" (<https://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1614/v7/>) (1) to ensure the safe use of radioactive materials, and (2) to ensure the secure use of radioactive materials.

II. Regulatory Priorities

This section contains information on some of our most important and significant regulatory actions that we are considering issuing in proposed or final form during FY 2019. For additional information on these regulatory actions and on a broader spectrum of our upcoming regulatory actions, see our portion of the Unified Agenda of Regulatory and Deregulatory Actions. We also provide additional information on planned rulemaking and petition for rulemaking activities, including priority and schedule, on our Web site at <https://www.nrc.gov/about-nrc/regulatory/rulemaking/rules-petitions.html>.

A. Proposed Rules

American Society of Mechanical Engineers 2015-2017 Code Editions Incorporation by Reference (RIN 3150-AJ74; NRC-2016-0082): This proposed rule would amend the NRC's regulations to incorporate by reference the 2015 and 2017 Editions of the American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code and the 2015 and 2017 Editions of the ASME Operation and Maintenance of Nuclear Power Plants (OM Code).

Advanced Power Reactor (APR) 1400 (KEPCO/KHNP) Design Certification (RIN 3150-AJ67; NRC-2015-0224): This proposed rule would amend the NRC's regulations in Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52, "Licenses, Certifications, and Approvals for Nuclear Power Plants," by adding a new appendix for the initial certification of the APR1400

standard plant design (Korea Electric Power Corporation and Korea Hydro & Nuclear Power Co., Ltd).

Cyber Security for Fuel Facilities (RIN 3150-AJ64; NRC-2015-0179): This proposed rule would add cyber security requirements to the NRC's regulations applicable to certain nuclear fuel-cycle facility applicants and licensees. This proposed rule would assure that these fuel-cycle facilities adequately detect, protect against, and respond to a cyber attack capable of causing one or more of the consequences of concern defined in the proposed rule.

Low-Level Radioactive Waste Disposal (RIN 3150-AI91; NRC-2011-0012): This supplemental proposed rule would require licensees for low-level radioactive waste disposal facilities under 10 CFR Part 61, "Licensing Requirements for Land Disposal of Radioactive Waste," to conduct site-specific analyses, including an intruder assessment, and make additional changes to the current regulations to reduce ambiguity and facilitate implementation.

Regulatory Improvements for Production or Utilization Facilities Transitioning to Decommissioning (RIN 3150-AJ59; NRC-2015-0070): This proposed rule would amend the NRC's regulations that relate to the decommissioning of production and utilization facilities.

Approval of American Society of Mechanical Engineers Code Cases, Revision 39 (RIN 3150-AJ94; NRC-2017-0025): This proposed rule would incorporate by reference into 10 CFR 50.55a, "Codes and standards," the ASME Code cases that the NRC finds to be acceptable or conditionally acceptable.

B. Final Rules

The following rulemaking activities meet the requirements of a significant regulatory action in Executive Order 12866, "Regulatory Planning and Review," because they are likely to have an annual effect on the economy of \$100 million or more.

Mitigation of Beyond Design Basis Events (RIN 3150-AJ49; NRC-2011-0189, NRC-2014-0240): This final rule would enhance mitigation strategies for nuclear power reactors to respond to beyond-design-basis external events.

Revision of Fee Schedules: Fee Recovery for FY 2019 (RIN 3150-AJ99; NRC-2017-0032): This final rule would amend the NRC's fee schedules for licensing, inspection, and annual fees charged to its applicants and licensees.