

## Congressional Review Act Summary

AGENCY: U.S. Nuclear Regulatory Commission

TITLE OF ACTION: Reactor Vessel Material Surveillance Program  
(Appendix H to 10 CFR Part 50)

TYPE OF ACTION: Final Rule

LEVEL OF SIGNIFICANCE: Non-Major

AGENCY IDENTIFICATION: 3150

RIN AND/OR DOCKET ID: 3150-AK07 / NRC-2017-0151

DATE OF ISSUANCE: September 24, 2020; effective 120 days after publication

STATUTORY OR  
JUDICIAL DEADLINE: None

### DESCRIPTION OF ACTION:

The U.S. Nuclear Regulatory Commission (NRC) is amending its regulations in Appendix H to 10 CFR Part 50 related to reactor vessel material surveillance program requirements for commercial light-water power reactors.

Specifically, this final rule makes optional the testing of specimens that do not provide meaningful information to assess the integrity of the reactor vessel. This final rule also extends from 1 year to 18 months the period for licensees to submit the report of test results to the NRC. Lastly, this final rule removes the potential to misinterpret the regulations as requiring the use of an edition of the American Society for Testing and Materials International (ASTM) E185 that is not currently incorporated by reference. These revisions reduce the regulatory burden on licensees and the NRC, with no effect on public health and safety. The reactor vessel material surveillance program will continue to be effective at predicting, in advance, the changes in reactor vessel material properties resulting from the cumulative effects of radiation.

### ANALYSIS

- **Is there an annual effect on the economy of \$100 million or more?**

There is not an annual effect on the economy of \$100 million or more. This final rule is projected to result in a cost-justified change based on net averted costs to the industry and the NRC. The estimated net benefits to the industry and the NRC range from \$701,000 using a 7-percent discount rate to \$940,000 using a 3-percent discount rate.

The NRC estimates are based on the following assumptions:

- Effective year of final rule is 2020
- 40 surveillance capsule withdrawals will occur between the years 2020 and 2041

- Industry cost per test ranging from \$2,682 to \$8,046
- Industry cost to submit a report extension request equal to \$21,457
- NRC hourly staff rate equal to \$129
- **Is there a major increase (typically 10% - 20%) in costs for consumers, individual industries, Federal, State, or local government agencies or geographical regions?**

There is no major increase in costs for consumers, individual industries, or geographical regions.

This final rule achieves the objective of maximizing the burden reduction for the reactor vessel material surveillance program, while maintaining a comparable level of safety. Specifically, this final rule reduces the costs for licensees associated with the testing of specimens contained within surveillance capsules, and reporting the surveillance test results. Licensees will realize a savings because the final rule reduces the testing of some specimens and makes optional the testing of other specimens. Also, by extending the reporting period from 1 year to 18 months, the need for licensees to submit extension requests to the reporting requirements will be substantially reduced, and the NRC will realize averted costs from reviewing and approving these requests.

- **Is there a significant adverse effect on competition, employment, investment, productivity, innovation, or on the ability of U.S.-based enterprises to compete with foreign-based enterprises in domestic and export markets?**

There is no significant adverse effect on competition, employment, investment, productivity, innovation, or on the ability of U.S.-based enterprises to compete with foreign-based enterprises in domestic and export markets.

The licensees affected by this final rule are U.S. based entities. This final rule will have a positive effect on licensees because the revised requirements are based on the best available knowledge from research and operational experience. As a result, the revised requirements are coherent, logical, and practical, and thus are readily understood and easily applied.

## SUMMARY

The NRC believes that this final rule to revise the reactor vessel material surveillance program requirements is not a major rule under the Congressional Review Act. The revised requirements will lend stability for the design and implementation of these programs. This final rule affects NRC licensees and is legally binding.

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