

Rulemaking Innovation: A Grassroots Initiative to Reimagine the Product Development Cycle

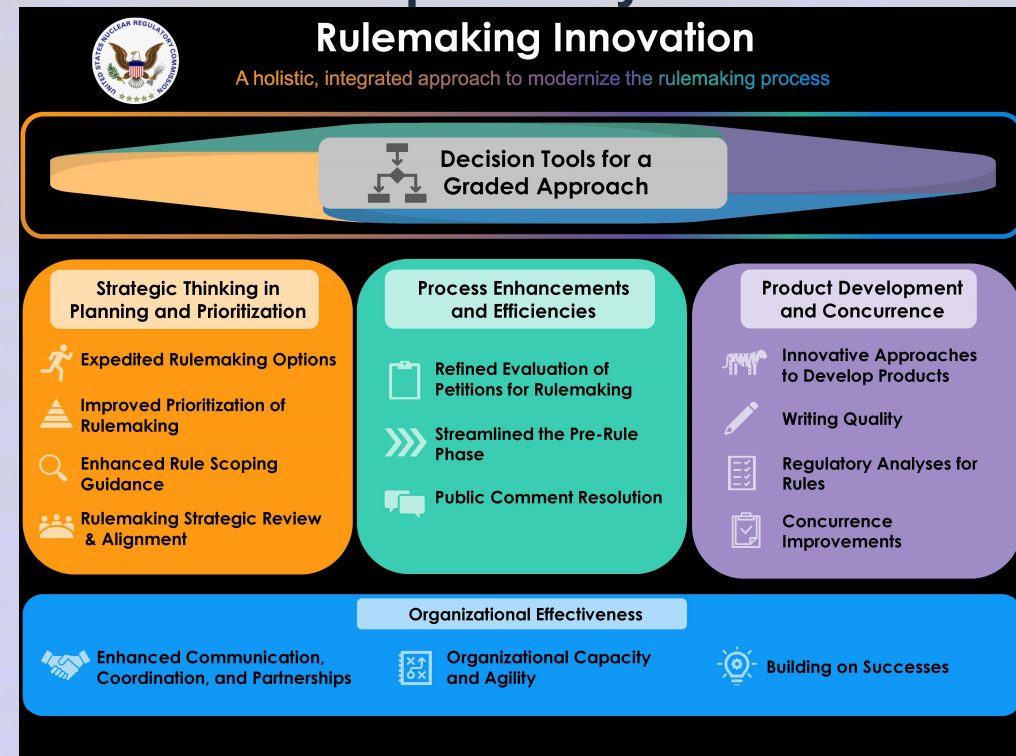
Office of Nuclear Material
Safety and Safeguards

Overview

Staff-initiated effort to transform the rulemaking process to align with the agency's vision of becoming a modern, risk-informed regulator.

A holistic, integrated review to identify opportunities for improving quality, timeliness, and stakeholder engagement.

This infographic summarizes the activities under this effort. The full report is titled ["Rulemaking Process Innovation at the U.S Nuclear Regulatory Commission" \(ADAMS Accession No. ML20198M408\)](#).



Innovating the Full Rulemaking Product Development Cycle

Improvements and enhancements identified and implemented to support the full process, from initiating rulemaking, to developing and reviewing rulemaking products, to highlighting successful outcomes.

The next slides highlight several examples of recently completed tools and resources.

October 2020



Innovating

the Full Rulemaking Product Development Cycle

DECISION TOOLS

Rulemaking Initiation

Tools to guide the decisionmaking process for engaging in rulemaking and identifying the most appropriate path forward.



PRODUCT DEVELOPMENT

Get to Know Agile

Applying Agile Concepts

Overview of agile concepts and how to implement them at the NRC.



REVIEW AND CONCURRENCE

Modernizing Concurrence

Best practices for streamlining and shortening project schedules.



BUILDING ON SUCCESSES

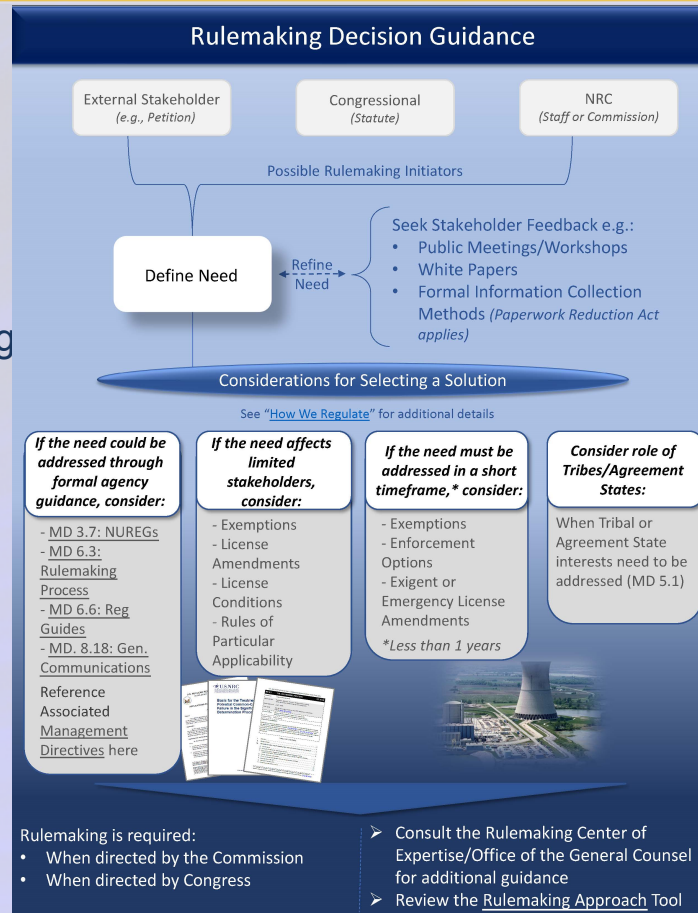
Rulemaking Highlights

Summaries of recent actions to provide greater public awareness and transparency.



Decision Tools

Two decision tools help guide the decisionmaking process for entering rulemaking and identifying the most appropriate development approach; they are available on the NRC Rulemaking Process [public Web page](#).



Engaging in Rulemaking

The first tool helps to determine whether rulemaking is the appropriate solution to meet a regulatory need. It includes—

- when to engage in rulemaking
- potential nonrulemaking options available
- resources and references

Decision Tools

Rulemaking Approach

The second tool provides guidance on developing a tailored approach to meet the regulatory need in a risk-informed manner, with consideration of—

- the complexity of the issues involved
- anticipated external interest
- effective stakeholder involvement



Product Development

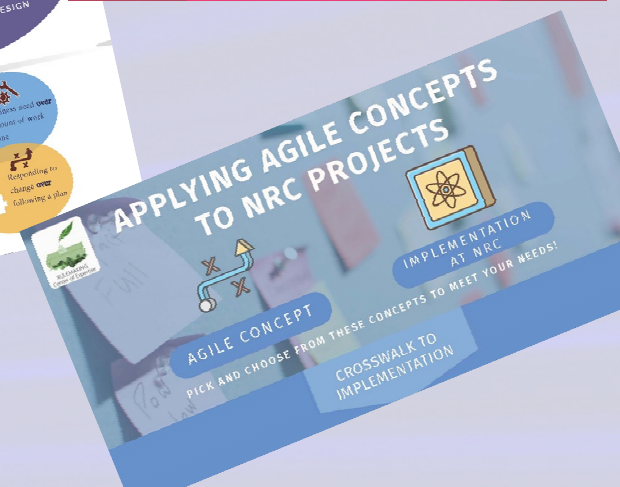
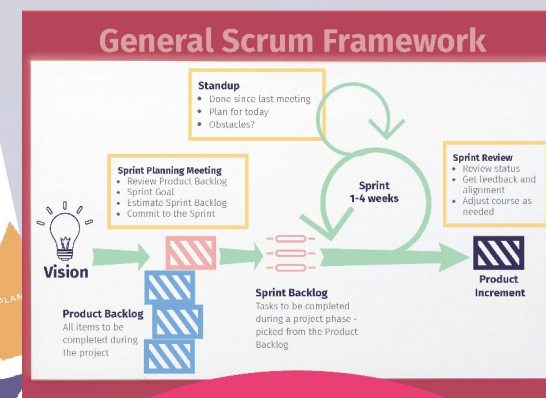
Exploring application of Agile project management concepts (in particular, the Scrum framework) to achieve improved outcomes, including—

- minimizing late redirections
- increasing quality
- reducing resource needs
- improving timeliness

Key concepts summarized in two infographics:

- “Get to Know Agile”—basic concepts, overview of benefits, and additional resources
- “Applying Agile Concepts to NRC Projects”—tips for applying Agile concepts to the NRC environment

The NRC staff is identifying and implementing opportunities to apply concepts to rulemaking projects.





Modernizing Reviews

Thorough review helps ensure high-quality products that are technically and legally sound, meet applicable requirements, and gain broad support.

Focused effort to streamline the concurrence process while sustaining coordination needs.

Leveraging new technology tools and encouraging adaptation to evolving practices.

Tailored approach based on specific project needs.

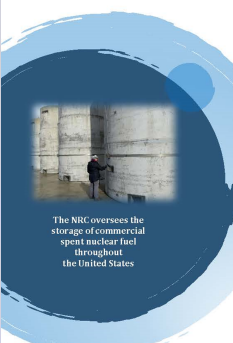


Rulemaking Highlights

High-level summaries of recently completed rulemaking actions featured on the NRC's [public Web site](#).

Case study format illustrates how rulemaking activities contributed to the agency's mission and how the staff applied specific innovations and efficiency measures.

Provides enhanced transparency in the NRC's rulemaking process.



The NRC oversees the storage of commercial spent nuclear fuel throughout the United States.

U.S. NRC: Rulemaking Highlights

Spent Fuel Storage

What is the change?

- In an application for an amended Certificate of Compliance (certificate) requesting approval of a cask system used to store spent fuel, as a pilot, TN Americas, LLC (the vendor) used a new approach recently [endorsed](#) by the NRC which provides for more simplified certificates.
- In September 2020, the NRC issued the amended certificate to TN Americas, using this new approach. For these types of amendments, the NRC uses a [direct final rule](#) process.

What is the impact?

The new approach, which involves simplifying the certificate, places the primary focus of the certificate on safety related items and allows non-safety related or duplicative items to either be relocated to other regulatory documents or removed, as appropriate. After a vendor applies for streamlining the format and content of a certificate and NRC approves the changes, this streamlined format would allow vendors of spent fuel storage systems to be able to make some non-safety changes through an existing regulatory process rather than having to request an amended certificate, which would require rulemaking. Reducing the need for rulemakings that are not necessary for safety saves resources for both the vendors and the NRC. This pilot confirmed the feasibility of this new approach.

What made this innovative?

Prior to this pilot, the NRC had been considering conducting a broader rulemaking to revise the regulations which govern the format and content of these certificates. In confirming the feasibility of this new approach with this specific amendment, the NRC has achieved the goal of using a more streamlined approach for addressing certificate amendments without having to embark on a broader rulemaking to achieve the improvements.


Innovative Rulemaking for Modern Technology
Issue: 2020-03

Review the Rulemaking Documents:

- [Direct Final Rule TN Americas Pilot Amendment](#)
 - [Correction](#)
 - [Confirmation of Effective Date](#)
- [Discontinuation of Rulemaking FRN](#)

View Our Spent Fuel Website

View Our NRC Rulemaking website



Spent fuel dry storage casks



The NRC oversees the storage of commercial spent nuclear fuel throughout the United States.

U.S. NRC: Rulemaking Highlights

Digital Personnel Dosimeters

What is the change?

- The NRC revised its regulations, effective June 16, 2020, to allow industrial radiographic, welder, and well logging digital dosimetry tags to be used in place of other personal devices or replaced by unattended multi-sensor dosimeters which are needed to meet safety requirements.
- The rulemaking made NRC regulations for personnel dosimetry simpler for all NRC licensees.
- The new regulations also provide a consistent regulatory framework for the NRC's equipment sources.

What is the impact?

Previously, NRC regulated industrial radiographic, welder, and well logging licensees to use a digital personal dosimeter unless the licensee could demonstrate the reliability of an unattended industrial radiographic sensor that was used in place of the individual's personal dosimeter. This new approach allows use of digital dosimetry devices that a licensee may allow the individual to return to work sooner, and enables the licensee to make any appropriate adjustments.

What made this innovative?

Based on the licensee public input, NRC revised the regulations using a streamlined process called [Direct Final Rulemaking](#).

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Spent fuel dry storage casks

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[The Rulemaking Process Public Web Site](#)

