

2022 National State Liaison Officer Conference Presentation: Nonemergency Event Notifications Rulemaking

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Background

- The NRC requires all operating nuclear power reactors to report to the NRC emergency and certain non-emergency events.
- In 2018, NEI submitted a petition for rulemaking to eliminate all non-emergency event reports.
- In 2020, the NRC staff recommended rulemaking.
- In 2021, the Commission directed the NRC staff to pursue rulemaking with certain conditions.

Rulemaking Process

A TYPICAL RULEMAKING PROCESS



Regulatory Basis

- A “regulatory basis” document helps the NRC decide whether rulemaking is the right solution to the problem being addressed.
- A regulatory basis document:
 - Discusses the scope of the problem and possible options
 - Considers legal, policy, technical, and cost-benefit analysis
 - Identifies the preferred regulatory action
- Possible options:
 - Maintain status quo
 - Revise regulations
 - Revise guidance
 - Other?

Public Meetings

- The NRC staff held public meetings in November and December 2021 on this rulemaking.
- Feedback was requested on issues to be considered in the regulatory basis.
- Several SLOs attended these public meetings.
- All feedback was documented in the meeting summary.
- NRC is considering all feedback it received as it develops the regulatory basis.

Project Status / Next Steps

- The NRC staff is developing a regulatory basis.
- There will be a public comment opportunity later this year.
- A proposed rule and final rule would follow if the regulatory basis recommends moving forward through rulemaking.

References

- 10 CFR 50.72(b), “Immediate notification requirements for operating nuclear power reactors”
 - <https://www.ecfr.gov/current/title-10/chapter-I/part-50/subject-group-ECFReadbe827381d095/section-50.72>
- The rulemaking process (from NRC’s public Web site)
 - <https://www.nrc.gov/about-nrc/regulatory/rulemaking/rulemaking-process.html>
- PRM-50-116, “Elimination of Immediate Notification Requirements for Operating Nuclear Power Reactors,” dated August 2, 2018
 - ADAMS Accession No. ML18247A204
- SECY-20-0109, “Petition for Rulemaking and Rulemaking Plan on Immediate Notification Requirements for Nonemergency Events (PRM-50-116; NRC-2018-0201),” dated November 30, 2020
 - ADAMS Accession No. ML20073G008
- SRM-SECY-20-0109, “Petition for Rulemaking and Rulemaking Plan on Immediate Notification Requirements for Nonemergency Events,” dated July 28, 2021
 - ADAMS Accession No. ML21209A947
- November 2021 public meeting summary
 - ADAMS Accession No. ML21341B452
- December 2021 public meeting summary
 - ADAMS Accession No. ML21350A033

Questions?