

# Supplement to Fuel Cycle Program Integrated Schedule October 2022

This supplement provides a public version of the purpose, brief overview, and background documentation available for the regulatory activities being tracked on the Fuel Cycle Cumulative Effects of Regulation Integrated Schedule. Links to the background documents have been included where possible.

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## RULEMAKINGS

<b>Integrated Low-Level Radioactive Waste Disposal Rulemaking (SECY-20-0098)</b>	
Key Contacts	Irene Wu (301-415-1951), Cardelia Maupin (301-415-4127), and Priya Yadav (301-415-6667)
Purpose	The NRC was formerly implementing two Commission-directed rulemaking activities, which were in different stages: (1) the 10 CFR Part 61 low level radioactive waste disposal rulemaking, and (2) development of a regulatory basis for the disposal of Greater-Than-Class-C (GTCC) waste rule. As these two rulemaking efforts would both amend 10 CFR Part 61 and have related proposed requirements, the Commission has directed staff to consolidate and integrate these two efforts into one proposed rule based on expected cost savings, consideration of stakeholder input, and efficiencies.
Key Information	<ul style="list-style-type: none"> <li>• The NRC published the proposed 10 CFR Part 61 rule in the <i>Federal Register</i> on March 26, 2015 (<a href="#">80 FR 16081</a>).</li> <li>• The Commission directed the staff to make certain substantive revisions to the draft final rule and to publish it as a supplemental proposed rule.</li> <li>• A draft regulatory basis for the disposal of GTCC waste was issued in the <i>Federal Register</i> on July 22, 2019 (<a href="#">84 FR 35037</a>).</li> <li>• The rulemaking plan to consolidate and integrate the 10 CFR Part 61 and GTCC waste rulemakings was sent to the Commission on October 21, 2020 via SECY-20-0098.</li> <li>• In SRM-SECY-20-0098, dated April 5, 2022, the Commission directed the NRC staff to issue a new proposed rule that consolidates and integrates criteria for the licensing and disposal of GTCC waste and 10 CFR Part 61 rulemaking activities.</li> </ul>
Related Documents	<ul style="list-style-type: none"> <li>• SECY-20-0098 (<a href="#">ML20143A165</a>)</li> <li>• SECY-20-0098 - Enclosure 1 - Differing Views on Agreement State Regulation of GTCC Waste (<a href="#">ML20143A166</a>)</li> <li>• SRM-SECY-20-0098 (<a href="#">ML22095A227</a>)</li> </ul>
Meeting Information	<ul style="list-style-type: none"> <li>• None scheduled</li> </ul>

<b>Part 73: Enhanced Security of SNM (SECY-19-0095)</b>	
Key Contact	Marshall Kohen (301-287-3689) and Irene Wu (301-415-1951)
Purpose	The Commission disapproved staff's recommendation to discontinue this rulemaking and instead directed the NRC staff to prepare a notation vote paper with a full range of options.
Key Information	<ul style="list-style-type: none"> <li>• Staff is evaluating the pros and cons of multiple options to inform a recommendation to the Commission in response to SRM-SECY-19-0095.</li> <li>• In January 2015, following several years of technical work and stakeholder outreach, the staff completed a final regulatory basis that includes material attractiveness and dilution as critical aspects of a rulemaking that would provide a more graded approach to security for SNM.</li> <li>• In April 2016, the Commission directed the NRC staff to suspend efforts on the Enhanced Security of SNM rulemaking. In August 2018, the Commission directed the staff to resume rulemaking with the exclusive scope of making generally applicable the post 9/11 security orders.</li> <li>• Staff provided recommendations to discontinue the rulemaking to the Commission in SECY-19-0095.</li> <li>• In August 2021, the Commission disapproved the staff's recommendation to discontinue the rulemaking in SRM-SECY-19-0095. In the SRM, the Commission directed the staff to provide a notation vote paper containing options on enhanced security of SNM and the potential regulatory, resource, and timing impacts of the options.</li> <li>• On April 19, 2022, the staff conducted a public meeting to discuss the staff's consideration of options for a potential rulemaking on the security of SNM. Staff presented 4 initial primary options: 1-Status Quo, 2-Resume rulemaking using the bulk of the 2015 regulatory basis, 3-Limited regulatory revision considering only Category II SNM, and 4-Revise Category I and II regulations to be more performance-oriented, while still in line with the philosophy of the 2015 regulatory basis (material attractiveness/dilution). Options 2-4 could also include consideration of spent nuclear fuel in the scope; those materials were intentionally omitted from the 2015 regulatory basis, having been deferred to separate rulemaking activities.</li> </ul>

<p>Related Documents</p>	<ul style="list-style-type: none"> <li>• "Security-Related Rulemaking to Update 10 CFR Parts 73 and 26" <a href="http://www.nrc.gov/security/domestic/phys-protect/reg-initiatives/10cfr73.html">http://www.nrc.gov/security/domestic/phys-protect/reg-initiatives/10cfr73.html</a>.</li> <li>• SRM-SECY-09-0123 – "Material Categorization and Future Fuel Cycle Facility Security-Related Rulemaking," dated July 8, 2010 (<a href="#">ML101890711</a>).</li> <li>• SRM-COMSECY-05-0058 – "Schedule and Resources for Security Rulemakings," dated November 16, 2005.</li> <li>• Part 73: Final Regulatory Basis (<a href="#">ML14321A007</a>). The notice was published on April 22, 2015.</li> <li>• Scope reduced to codifying post-9/11 security orders (see SRM-COMKLS-18-0003).</li> <li>• Draft Revised Regulatory Basis was published in the <i>Federal Register</i> (<a href="#">84 FR 6980</a>) on March 1, 2019 for public comment. Comment period closed April 19, 2019.</li> <li>• SECY-19-0095 – "Discontinuation of Rulemaking - Enhanced Security of Special Nuclear Material," released to the public on Oct 17, 2019 (<a href="#">ML19157A082</a>).</li> <li>• SRM-SECY-19-0095 – "Staff Requirements – SECY-19-0095 – Discontinuation of Rulemaking – Enhanced Security of Special Nuclear Material," dated August 4, 2021 (<a href="#">ML21217A065</a>).</li> </ul>
<p>Meeting Information</p>	<ul style="list-style-type: none"> <li>• None scheduled.</li> </ul>

<b>Part 73 - Enhanced Weapons Rulemaking (SECY-18-0058)</b>	
Key Contact	Stewart Schneider (301-415-4123) and Phil Brochman (301-287-3691).
Purpose	This rulemaking will: (1) implement NRC's authority under the section 161A of the Atomic Energy Act of 1954 (AEA), as amended, for access to enhanced weapons and associated firearms background checks for applicants at power reactor facilities, Independent Spent Fuel Storage Installations, Category I strategic special nuclear material facilities, and licensees transporting spent nuclear fuel; (2) revise and update physical security event notification requirements for all licensees subject to the physical security requirements of 10 CFR Part 73; and (3) add requirements for reporting suspicious activities to only selected licensees subject to 10 CFR Part 73.
Key Information	<ul style="list-style-type: none"> <li>• These regulations implementing Section 161A are consistent with the provisions of the Firearms Guidelines, Revision 2, the NRC published with the approval of the U.S. Attorney General on March 8, 2019 (<a href="#">84 FR 8546</a>).</li> <li>• On January 27, 2022, the Commission issued SRM-SECY-18-0058 approving the final rule (<a href="#">ML22026A406</a>). The staff is engaged in post-SRM activities to incorporate the Commission's SRM direction into the final rule and supporting guidance documents. The staff estimates publishing the final rule and supporting guidance in December 2022.</li> </ul>

<p>Related Documents</p>	<ul style="list-style-type: none"> <li>• Proposed rule in the <i>Federal Register</i> (<a href="#">71 FR 62664</a>), to implement the Firearms Guidelines as part of the larger proposed power reactor security rule.</li> <li>• SRM-SECY-10-0085, “Proposed Rule: Enhanced Weapons, Firearms Background Checks and Security Event Notifications (RIN: 3150-AI49),” dated October 19, 2010 (<a href="#">ML102920342</a>).</li> <li>• The NRC published the proposed enhanced weapons rule in the <i>Federal Register</i> (<a href="#">76 FR 6200</a>) for public comment on February 3, 2011.</li> <li>• The NRC published the first supplemental proposed rule (<a href="#">78 FR 2214</a>) to add at reactor independent spent fuel storage installation facilities as a class of designated facilities under Title 10 of the <i>Code of Federal Regulations</i> (10 CFR) 73.18(c), that would be eligible to apply for Section 161A authority.</li> <li>• SRM SECY-12-0125, dated November 21, 2012 (<a href="#">ML12326A653</a>), the Commission directed the NRC staff to revise the Firearms Guidelines accordingly and to publish a supplemental proposed enhanced weapons rule for public comment.</li> <li>• On June 25, 2014, the NRC published the Firearms Guidelines, Revision 1, in the <i>Federal Register</i> (<a href="#">79 FR 36100</a>).</li> <li>• On September 22, 2015, the NRC published a second supplemental proposed rule (<a href="#">80 FR 57106</a>), to conform the rulemaking with the 2014 Firearms Guidelines, which is in accordance with the Commission’s direction in SRM-SECY-12-0125.</li> <li>• On May 22, 2018, the draft final rule, <i>Federal Register</i> Notice (FRN), Environmental Assessment, and a history of the rulemaking (SECY-18-0058) were sent to the Commission (<a href="#">ML16264A000</a>).</li> <li>• NEI (Bill Pitesa) August 22, 2018, comments on the rulemaking (<a href="#">ML18236A763</a>).</li> <li>• NEI letter, “Enhanced Weapons Rulemaking,” dated May 8, 2010 (<a href="#">ML20132A234</a>)</li> <li>• On March 8, 2019, the NRC published the Firearms Guidelines, Revision 2, in the <i>Federal Register</i> (<a href="#">84 FR 8546</a>).</li> <li>• NRC response to NEI letter, “Enhanced Weapons Rulemaking,” dated July 10, 2020 (<a href="#">ML20154K720</a>)</li> </ul>
<p>Meeting Information</p>	<ul style="list-style-type: none"> <li>• None scheduled.</li> </ul>

<b>Part 73: Cyber Security Rulemaking (SECY-17-0099)</b>	
Key Contact	Irene Wu (301-415-1951) and James Downs (301-415-7744).
Purpose	The Commission directed the NRC staff to proceed with a proposed rulemaking to implement cyber security into Part 73 for certain fuel cycle facilities. The Commission directed the rulemaking to be a high priority, expedited rulemaking that uses a graded, consequence based regulatory approach and is informed by industry's voluntary efforts.
Key Information	<ul style="list-style-type: none"> <li>• The NRC staff published SECY-14-0147, "Cyber Security for Fuel Cycle Facilities," in December 2014, which proposed three options to implement cyber security. These options included orders, rulemaking, or continuation of voluntary initiatives.</li> <li>• The Commission provided SRM-SECY-14-0147, "Staff Requirements – SECY-14-0147 – Cyber Security for Fuel Cycle Facilities" in March 2015, which directed the NRC staff to proceed with rulemaking.</li> <li>• The NRC published the Regulatory Basis and Comment Resolution document for the cyber security proposed rulemaking on March 3, 2016 (<a href="#">ML15355A461</a>).</li> <li>• The NRC staff provided draft proposed rule language (<a href="#">ML16131A115</a>) for discussion at a public meeting on May 19, 2016.</li> <li>• The NRC staff provided Revised Preliminary Draft Proposed Rule Language and Related Draft Regulatory Guide (<a href="#">ML16221A078</a>) for discussion at a public meeting on August 25, 2016.</li> <li>• The NRC developed updated versions of the Revised Preliminary Draft Proposed Rule Language and Related Draft Regulatory Guide (<a href="#">ML16273A130</a>) to address stakeholder comments. These updates were made publicly available to support a presentation to the Advisory Committee on Reactor Safeguards (ACRS) sub-committee on November 2, 2016.</li> <li>• An update to the Draft Regulatory Guide (<a href="#">ML17031A018</a>) was made publicly available to support a presentation to the ACRS sub-committee on February 23, 2017.</li> <li>• The draft proposed rule package due date to the Commission was extended to September 30, 2017. This is to accommodate the Committee to Review Generic Requirements (CRGR) review.</li> <li>• The staff briefed the full ACRS committee on June 8, 2017 on the draft proposed rule package (<a href="#">ML17145A325</a>).</li> <li>• The Cyber Security Rulemaking Working Group briefed the CRGR on June 27 and July 12, 2017. The CRGR endorsed the Proposed Rule and Draft Regulatory Guide with comments via letter dated August 2, 2017 (<a href="#">ML17200A101</a>).</li> <li>• The proposed rule package was provided to the Office of the Executive Director for Operations (OEDO) on September 7, 2017.</li> <li>• The proposed rule package was submitted to the Commission on October 4, 2017, as SECY-17-0099 (<a href="#">ML17018A218</a>). The proposed rule package consists of the Commission paper, <i>Federal Register</i> notice (FRN), Draft Regulatory Analysis, Draft Backfit Analysis, and Draft Environmental Assessment.</li> <li>• The staff is awaiting Commission direction.</li> </ul>

<p>Related Documents</p>	<ul style="list-style-type: none"> <li>• June 2012 – SECY-12-0088, “Cyber Security Roadmap” (<a href="#">ML12135A050</a>).</li> <li>• December 2014 – SECY-14-0147, "Cyber Security for Fuel Cycle Facilities" (non-public).</li> <li>• March 2015 – SRM-SECY-14-0147, “Staff Requirements - SECY-14-0147 - Cyber Security for Fuel Cycle Facilities” (<a href="#">ML15083A175</a>).</li> <li>• Commissioner Baran's Vote on SECY-14-0147 - Cyber Security for Fuel Cycle Facilities (<a href="#">ML15118A921</a>).</li> <li>• Commissioner Ostendorff's Vote on SECY-14-0147 - Cyber Security for Fuel Cycle Facilities (<a href="#">ML15132A632</a>).</li> <li>• August 27, 2015 – “Draft Regulatory Basis - Cyber Security at Fuel Cycle Facilities” (<a href="#">ML15198A019</a>).</li> <li>• September 4, 2015 – “<i>Federal Register</i> Notice for Draft Regulatory Basis for Cyber Security at Fuel Cycle Facilities [Package]” (<a href="#">ML15198A024</a>).</li> <li>• "Documents to Support December 10, 2015, Public Meeting on Cyber Security for Fuel Cycle Facilities [Package]” (<a href="#">ML15344A296</a>).</li> <li>• February 18, 2016, “Summary of Public Meeting to Discuss Fuel Cycle Cyber Security Proposed Rule Concepts” (<a href="#">ML16054A160</a>).</li> <li>• March 17, 2016, “Public Meeting Summary Regarding [Concepts for the] Proposed Cyber Security Rulemaking at Fuel Cycle Facilities” (<a href="#">ML16092A124</a>).</li> <li>• Draft proposed rule text to support the May 19, 2016, public meeting (<a href="#">ML16131A115</a>).</li> <li>• Revised Preliminary Draft Proposed Rule Language and Related Draft Regulatory Guide (<a href="#">ML16221A078</a>) to support the August 25, 2016 Public Meeting.</li> <li>• Updated Preliminary Draft Proposed Rule Language and Related Draft Regulatory Guide (<a href="#">ML16273A130</a>) to support the November 2, 2016, ACRS sub-committee briefing.</li> <li>• Updated Draft Regulatory Guide (<a href="#">ML17031A018</a>) to support February 23, 2017, ACRS sub-committee briefing.</li> <li>• The NRC staff prepared a draft regulatory guide, “Cyber Security Programs for Nuclear Fuel Cycle Facilities,” (DG-5062) (<a href="#">ML17145A340</a>).</li> <li>• SECY-17-0099, submitted October 4, 2017, contains the Commission Paper, FRN, Draft Regulatory Analysis, Draft Backfit Analysis, and Draft Environmental Assessment (<a href="#">ML17018A218</a>).</li> </ul>
<p>Meeting Information</p>	<ul style="list-style-type: none"> <li>• None scheduled. Additional public meetings will be conducted, as needed.</li> </ul>



<b>Decommissioning Financial Assurance for Sealed and Unsealed Radioactive Material (PRM-30-66; NRC-2017-0031; SECY-19-0125)</b>	
Key Contact	Adam Schwartzman (301-415-8172) and Greg Trussell (301-415-6244)
Purpose	Amend NRC regulations to add radionuclides and corresponding possession values not currently listed in 10 CFR Part 30 Appendix B for calculating a licensee's decommissioning funding requirement to possess a radionuclide with a half-life greater than 120 days. It would also apply a uniform and more risk-informed method for setting possession values for all radionuclides listed in Appendix B. The rule will apply to all entities, including those in Agreement States, licensed to possess sealed or unsealed byproduct or special nuclear material with a half-life greater than 120 days.
Key Information	<ul style="list-style-type: none"> <li>• The Commission approved initiation of rulemaking in Staff Requirements Memorandum, dated 10/13/2020 (SRM-SECY-19-0125), to provide specific possession values for radionuclides that are not currently listed in Appendix B to Title 10, Code of Federal Regulations (CFR) Part 30, "Rules of General Applicability to Domestic Licensing of Byproduct Material"</li> <li>• Current schedule <ul style="list-style-type: none"> <li>○ The regulatory basis published for comment on April 28, 2022</li> <li>○ Estimated schedule for proposed rule to publish is September of 2023 and for the final rule in December of 2024..</li> </ul> </li> </ul>
Related Documents	<ul style="list-style-type: none"> <li>• SECY-19-0125 (<a href="#">ML18292A434</a>)</li> <li>• SRM-SECY-19-0125 (<a href="#">ML20287A249</a>)</li> <li>• Summary of January 7, 2021, public meeting (<a href="#">ML21028A786</a>)</li> <li>• Transcript of January 7, 2021, public meeting (<a href="#">ML21026A343</a>)</li> <li>• January 7, 2021, public meeting staff presentation (<a href="#">ML21005A004</a>)</li> <li>• Regulatory basis (<a href="#">ML21235A480</a>), notice was published on April 28, 2022 (87 FR 25157)</li> </ul>
Meeting Information	<ul style="list-style-type: none"> <li>• There will be a public meeting during the proposed rule comment period.</li> </ul>

**Proposed Rulemaking - Alternatives to the Use of Credit Ratings (RIN 3150-AJ92, SECY-16-009, SECY-20-0056)**

Key Contact	Gregory Trussell (301-415-6445)
Purpose	Amend NRC regulations to remove any use or reference to bond rating, as mandated by the Dodd-Frank Act of 2010. The proposed rule would amend NRC’s regulations for approved financial assurance mechanisms for decommissioning, specifically for parent and self-company guarantees that require bond ratings issued by credit rating agencies. This proposed rule would implement the provisions of the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010 (“The Dodd-Frank Act”). The Dodd-Frank Act directed agencies to amend their regulations to remove any reference to or requirements of reliance on credit ratings. Applicants and licensees who are required to provide decommissioning financial assurance may be impacted. The rule would remove bond rating requirements and rely instead on new creditworthiness criteria that demonstrates an adequate capacity to provide full and timely payment of the amount guaranteed.
Key Information	<ul style="list-style-type: none"> <li>• The EDO approved the staff’s Evaluation Plan and Alignment Agreement on May 21, 2021.</li> <li>• On July 29, 2022, the Commisison approved publication of the proposed rule with SRM-SECY-22-0033.</li> <li>• The publication of the proposed rule in the <i>federal register</i> is on hold awaiting OMB approval of three information collection renewals for parts 30,40 and 70.</li> </ul>
Related Documents	<ul style="list-style-type: none"> <li>• SECY-16-0009 (<a href="#">ML16028A189</a>)</li> <li>• SRM-SECY-16-0009 (<a href="#">ML16104A158</a>)</li> <li>• October 30, 2019, Public Meeting Notice (<a href="#">ML19276F107</a>)</li> <li>• Summary of October 30, 2019, Public Meeting (<a href="#">ML19322A692</a>)</li> <li>• SECY-20-0056 (<a href="#">ML20097C507</a>)</li> <li>• Advance Notice of Proposed Rulemaking - <a href="#">85 FR 82950</a> (<a href="#">ML20097C510</a>)</li> <li>• Summary of February 8, 2021, Public Meeting (<a href="#">ML21042B831</a>)</li> <li>• EDO Evaluation Plan and Alignment Agreement (<a href="#">ML21140A372</a>) non-publicly available.</li> <li>• SRM-SECY-22-0033 (<a href="#">ML22210A167</a>)</li> </ul>
Meeting Information	<ul style="list-style-type: none"> <li>• Public meeting conducted on February 8, 2021 (see summary above)</li> <li>• There will be a public meeting during the proposed rule comment period.</li> </ul>

<b>Harmonization of Transportation Safety Requirements with International Atomic Energy Agency Standards (RIN 3150-AJ85; NRC-2016-0179) - Part 71 (SECY-16-0093, SECY-20-0102)</b>	
Key Contact	James Firth (301-415-6628)
Purpose	Amend the NRC regulations regarding the packaging and transportation of radioactive material to make them compatible with those of the International Atomic Energy Agency. The rule would harmonize domestic regulations for Type B and fissile radioactive material transportation packaging with the 2012 and 2018 Editions of the IAEA Safety Standards Regulations for the Safe Transport of Radioactive Material. This rulemaking would address knowledge gained in scientific and technical advances and affect the package design requirements and transportation of radioactive material.
Key Information	<ul style="list-style-type: none"> <li>• On October 30, 2020, the proposed rule was provided to the Commission with SECY-20-0102, "Proposed Rule: Harmonization of Transportation Safety Requirements with International Atomic Energy Agency Standards (RIN 3150-AJ85; NRC-2016-0179)" (<a href="#">ML20101F914</a>)</li> <li>• <i>Federal Register</i> Notice (<a href="#">81 FR 83171</a>) published November 21, 2016</li> <li>• <i>Federal Register</i> Notice (<a href="#">84 FR 14898</a>) published April 12, 2019</li> <li>• On July 20, 2021, the Commission approved publication of the proposed rule. The publication of the proposed rule is being coordinated with the U.S. Department of Transportation</li> <li>• Proposed rule published on September 12, 2022 with notice of publication of draft regulatory guide DG-7011 for comment <ul style="list-style-type: none"> <li>○ Proposed rule and draft regulatory guide comment periods end: November 28, 2022</li> </ul> </li> <li>• Information collection comment period ends: November 14, 2022</li> </ul>
Related Documents	<ul style="list-style-type: none"> <li>• SECY-16-0093 (<a href="#">ML16158A164</a>)</li> <li>• SRM-SECY-16-0093 (<a href="#">ML16235A182</a>)</li> <li>• Draft Regulatory Basis (<a href="#">ML18262A185</a>)</li> <li>• SECY-20-0102 (<a href="#">ML20101F921</a>)</li> <li>• SECY-20-0102 - Enclosure 1: <i>Federal Register</i> Notice (<a href="#">ML20237F546</a>)</li> <li>• SECY-20-0102 - Enclosure 2: Regulatory Analysis (<a href="#">ML20101F922</a>)</li> <li>• SECY-20-0102 - Enclosure 3: Environmental Assessment (<a href="#">ML20101F917</a>)</li> <li>• SRM-SECY-20-0102 (<a href="#">ML21201A039</a>)</li> <li>• Proposed rule (<a href="#">87 FR 55708</a>, September 12, 2022)</li> <li>• Draft Regulatory Guide DG-7011 (<a href="#">ML22223A085</a>)</li> <li>• OMB supporting statement (ML22209A052)</li> </ul>
Meeting Information	<ul style="list-style-type: none"> <li>• A public meeting is scheduled for October 26, 2022</li> </ul>

<b>Radioactive Source Security and Accountability Rulemaking (SRM-SECY-17-0083)</b>	
Key Contacts	Andrew Carrera (301-415-1078) and Anita Gray (301-415-7036)
Purpose	The U.S. Nuclear Regulatory Commission (NRC) is proposing to amend its regulations to require safety and security equipment to be in place before granting a license in order to address concerns related to an applicant obtaining a valid license using a fictitious company or by providing false information. The regulations would also be revised to require licensees transferring category 3 quantities of radioactive material to verify licenses through the NRC's License Verification System or by contacting the regulatory authority to confirm that the licensee is authorized to receive the type, form, and quantity of radioactive material to be transferred. Additionally, this rulemaking would require a more stringent license verification method for licensees relying upon an oral certification to process an emergency shipment of radioactive material. Finally, this rulemaking would remove the obsolete method of obtaining sources of information compiled by a reporting service.
Key Information	<ul style="list-style-type: none"> <li>Consistent with direction in SRM-SECY-17-0083, the RSSA rulemaking would (a) require safety and security equipment to be in place for all applicants before NRC would issue a license and (b) license verification for licensees transferring category 3 quantities of radioactive material through the License Verification System (LVS) or by contacting the regulatory authority for the licensee.</li> <li>The rulemaking would resolve related concerns raised by the 2016 report by Government Accountability Office regarding category 3 quantities of radioactive material.</li> <li>The staff intends to submit a draft proposed rule to the Commission for approval by December 2022. Assuming approval by the Commission, the NRC plans to publish the proposed rule in the Federal Register in early 2023.</li> </ul>
Related Documents	<ul style="list-style-type: none"> <li>SRM-COMJMB-16-0001 (ML16292A812)</li> <li>SECY-17-0083 - (ML17188A255)</li> <li>SRM-SECY-17-0083 (ML21355A290)</li> <li>SECY-22-0065 (ML22103A248)</li> </ul>
Meeting Information	<ul style="list-style-type: none"> <li>None scheduled</li> </ul>

**Background:**

In response to the staff requirements memorandum (SRM) for COMJMB-16-0001, "Proposed Staff Re-Evaluation of Category 3 Source Accountability," dated October 18, 2016 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML16292A812), the NRC staff provided the results of the re-evaluation of category 3 source security and accountability in SECY-17-0083, "Re-evaluation of Category 3 Source Security and Accountability in Response to SRM-COMJMB-16-0001," dated August 18, 2017 (ADAMS Accession No. ML17188A255). In SECY-17-0083, the NRC staff presented recommendations to the Commission, including pursuing rulemaking to revise 10 CFR Part 30, "Rules of General Applicability to Domestic Licensing of Byproduct Material," 10 CFR Part 40, "Domestic Licensing of Source Material," and 10 CFR Part 70, "Domestic Licensing of Special Nuclear Material," to require safety and security equipment to be

in place for all unknown applicants prior to issuing a license. The rulemaking would help ensure the validity and non-malicious intent of applicants. The NRC staff also recommended pursuing rulemaking to clarify the methods for license verification of transfers involving quantities of radioactive material below the category 2 threshold. Specifically, the NRC staff recommended pursuing revision of 10 CFR Parts 30, 31, 32, 40, and 70 to: (1) require that the oral certification license verification method be confirmed by using one of the other acceptable methods in those parts (e.g., copy of license, verification through the regulatory authority); and (2) remove the reporting service license verification method. The Commission approved these recommendations for rulemaking in SRM-SECY-17-0083, dated December 21, 2021 (ADAMS Accession No. ML21355A290). Additionally, the Commission directed the staff to require license verification through the LVS or the regulatory authority for licensees transferring category 3 quantities of radioactive material.

In SECY-22-0065, "Evaluation of the U.S. Nuclear Regulatory Commission's General License Program for Devices Containing Radioactive Materials in Response to SRM-SECY-17-0083," dated July 8, 2022 (ADAMS Accession No. ML22103A248), the staff identified that some generally licensed devices contain category 3 quantities of radioactive materials are used in accordance with 10 CFR 31.5, "Certain detecting, measuring, gauging, or controlling devices and certain devices for producing light or an ionized atmosphere." The staff indicated in the paper that it would address the license verification requirement for the transfer of all category 3 quantities, including those category 3 quantities contained in generally licensed devices, in this rulemaking.

## OTHER ACTIVITIES

<b>ANS 57.11 - Integrated Safety Assessment Standard</b>	
Key Contact	TBD
Purpose	American Nuclear Society (ANS) is developing an integrated safety assessment (ISA) standard that would provide guidelines for licensees to perform an ISA.
Key Information	<ul style="list-style-type: none"> <li>• The Nonreactor Nuclear Facilities Consensus Committee has selected a new working group chair.</li> <li>• A proposed path forward by the ANS working group is to issue the standard for trial use only.</li> <li>• The timeline for ANS is controlled by ANS consensus standards process.</li> <li>• Due to staffing issues, no NMSS staff is leading this effort. A new NMSS staff will be assigned once hired.</li> </ul>
Related Documents	<ul style="list-style-type: none"> <li>• <a href="http://www2.ans.org">www2.ans.org</a> (search ANS 57.11)  <a href="http://www2.ans.org/standards/committees/nfsc/calendar/files/ans-57-11pins(2)-fornfscapproval.doc">http://www2.ans.org/standards/committees/nfsc/calendar/files/ans-57-11pins(2)-fornfscapproval.doc</a></li> </ul>
Meeting Information	<ul style="list-style-type: none"> <li>• None scheduled.</li> </ul>

<b>Regulatory Information Conference</b>	
Key Contact	Jonathan Rowley (301-415-4053).
Purpose	The Regulatory Information Conference (RIC) is a forum that promotes open dialogue to learn valuable information about NRC activities related to the regulation of nuclear power plants, other nuclear facilities, and nuclear safety research. In addition, the RIC offers an environment to interact with nuclear industry leaders and share ideas, perspectives, and experiences on matters related to nuclear safety and regulation.
Key Information	<ul style="list-style-type: none"> <li>• The RIC is held annually.</li> <li>• March 2022 RIC: <ul style="list-style-type: none"> <li>- DFM had one session within this virtual RIC.</li> <li>- The session focused on Risk for Dry Cask Storage System</li> <li>- The session hosted 231 participants.</li> </ul> </li> </ul>
Related Documents	<ul style="list-style-type: none"> <li>• Link to the NRC public website on the RIC: <a href="https://www.nrc.gov/public-involve/conference-symposia/ric/">https://www.nrc.gov/public-involve/conference-symposia/ric/</a>.</li> </ul>
Meeting Information	<ul style="list-style-type: none"> <li>• The 35<sup>th</sup> Annual RIC will held March 14-16, 2023.</li> </ul>

<b>Development of a Smarter Fuel Cycle Licensing Program</b>	
Key Contact	Matthew Bartlett (301-415-7154).
Purpose	Improve the effectiveness and efficiency of the fuel licensing program to be consistent with the NMSS Office Director, DFM division management memoranda, Smarter Licensing Action Plan, and other agency improvement activities (e.g., Risk-informed 2 Decision-Making (RIDM)).
Key Information	<ul style="list-style-type: none"> <li>• On March 13, 2019, the staff introduced the initiative at the NRC Regulatory Information Conference.</li> <li>• The staff created a working group to lead and execute this effort.</li> <li>• Starting on April 26, 2019, the NRC staff issued a charter for building a smarter fuel cycle licensing program, and directed the established Working Group, to seek and evaluate input from stakeholders (<a href="#">ML19115A011</a>).</li> <li>• On April 30, 2020, the NRC staff issued a report that included recommendations for addressing the collected suggestions from both internal and external stakeholders (<a href="#">ML20099F354</a>).</li> <li>• The working group also issued the public action plan in July 10, 2020 (<a href="#">ML20184A267</a>).</li> <li>• The NRC staff has incorporated the near- and mid-term recommendations into the DFM Division Instructions (DI) <ul style="list-style-type: none"> <li>- LIC-FM-1, "Overview and Expectations of the Certification and Licensing Process;"</li> <li>- LIC-FM-2, "Acceptance Review Process;"</li> <li>- LIC-FM-3, "Requests for Additional Information;" and</li> <li>- LIC-FM-4, "Safety Evaluation Reports."</li> </ul> </li> <li>• Each DI also includes an appendix that provides a summary of the smarter licensing recommendations implemented in the document and the DI section number(s) where the recommendation is incorporated. The final DIs will be made publicly available once they are approved for distribution.</li> </ul>



<p>Related Documents</p>	<ul style="list-style-type: none"> <li>• NRC presentation dated April 2, 2019, presented at Cumulative Effects of Regulation public meeting (<a href="#">ML19091A051</a>).</li> <li>• NRC meeting summary for April 2, 2019 public meeting (<a href="#">ML19106A349</a>).</li> <li>• Nuclear Energy Institute letter dated April 12, 2019 (<a href="#">ML19114A288</a>).</li> <li>• URENCO USA letter dated April 24, 2019 (<a href="#">ML19115A349</a>).</li> <li>• NRC charter for a smarter licensing program working group dated April 26, 2019 (<a href="#">ML19115A011</a>).</li> <li>• NRC public meeting presentation dated May 21, 2019 (<a href="#">ML19135A614</a>).</li> <li>• NRC meeting summary for May 21, 2019, public meeting (<a href="#">ML19163A267</a>).</li> <li>• NRC public meeting presentation dated August 8, 2019 (<a href="#">ML19199A479</a>).</li> <li>• NRC meeting summary for August 8, 2019, public meeting (<a href="#">ML19227A158</a>).</li> <li>• NRC meeting summary for September 25, 2019, Cumulative Effects of Regulation public meeting (<a href="#">ML19274D398</a>).</li> <li>• NRC public meeting presentation dated November 15, 2019 (<a href="#">ML19318F609</a>).</li> <li>• NRC meeting summary for November 15, 2019, public meeting (<a href="#">ML19338C823</a>).</li> <li>• NRC internal memo "Working Group Recommendations for Building a Smarter Fuel Cycle Licensing Program – Final Draft Report," February 25, 2020 (<a href="#">ML20056C852</a>).</li> <li>• NRC Meeting Notice: Meeting to provide an overview of the draft reports for Building a Smarter Fuel Cycle Licensing and Oversight Program (<a href="#">ML20052E707</a>).</li> <li>• NRC public meeting presentation dated March 5, 2020 (<a href="#">ML20065H300</a>).</li> <li>• NEI Letter, "Industry Comments on Near Final Fuel Cycle Smarter Program Working Group Reports Post March 5, 2020 NRC Public Meeting," March 17, 2020 (<a href="#">ML20097E050</a>).</li> <li>• "Working Group Recommendations for Building a Smarter Fuel Cycle Licensing Program - Final Report," was issued on April 30, 2020 (<a href="#">ML20099F354</a>).</li> <li>• "Public Version of the Smarter Licensing Action Plan and Project Status," July 10, 2020 (<a href="#">ML20184A267</a>).</li> <li>• July 2021 - Smarter Licensing One Pager Status Update (<a href="#">ML21200A100</a>)</li> <li>• October 2021 - Smarter Licensing One Pager Status Update (<a href="#">ML21322A318</a>)</li> </ul>
<p>Meeting Information</p>	<ul style="list-style-type: none"> <li>• None scheduled.</li> </ul>

## NUREG-2159, Revision 1 – Material Control & Accounting Guidance for Special Nuclear Material of Moderate Strategic Significance

Key Contact	Suzanne Ani (301-415-7336).
Purpose	Guidance for material control and accounting at fuel cycle facilities that possess special nuclear material of moderate strategic significance (Category II facilities).
Key Information	<ul style="list-style-type: none"> <li>• NRC issued draft NUREG-2159, “Acceptable Standard Format and Content for the Fundamental Nuclear Material Control Plan Required for Special Nuclear Material of Moderate Strategic Significance,” in 2013 in anticipation of a planned rulemaking for 10 CFR Part 74, “Material Control and Accounting of Special Nuclear Material.” The draft was written to the proposed revisions of Part 74.</li> <li>• The Commission terminated the rulemaking in 2019, and the draft NUREG-2159 was not finalized.</li> <li>• The NRC staff revised the draft consistent with the existing requirements of 10 CFR Part 74 (ADAMS Accession No. ML21263A119).</li> <li>• The revised draft was issued for public comment on September 23, 2021 (86 FR 52926).</li> <li>• Original 60-day public comment period extended for an additional 14 days, ending on December 3, 2021, per stakeholder (NEI) request.</li> <li>• NRC received four comment submissions, 17 comments total.</li> <li>• The final draft of the NUREG which addresses public comments was completed in March 2022.</li> <li>• Congressional Review Act (CRA) process was completed May 2022.</li> <li>• Final version of the NUREG was noticed in the <i>Federal Register</i> on July 8, 2022 (ADAMS Accession No. ML22175A029).</li> </ul>
Related Documents	<ul style="list-style-type: none"> <li>• Proposed guidance for fuel cycle facility material control and accounting plans, <i>Federal Register</i> 78, 67224, November 8, 2013.</li> <li>• Discontinuation of rulemaking, amendments to material control and accounting regulations, <i>Federal Register</i> 84, 3232, July 8, 2019.</li> <li>• Issuance of final version of NUREG-2159 in the <i>Federal Register</i> (87 FR 40868), July 8, 2022.</li> </ul>
Meeting Information	<ul style="list-style-type: none"> <li>• None.</li> </ul>

<b>Very Low Safety Significance Issues Resolution (VLSSIR)</b>	
Key Contact	Stephen Koenick (301-415-6631).
Purpose	Implement process enhancements to mitigate (risk-inform) impact of identified issues that are not clearly in the licensing basis that are of low safety significant issues, but may involve excessive effort to resolve.
Key Information	<ul style="list-style-type: none"> <li>• 2019 – 2020: Office of Nuclear Reactor Regulation (NRR) led an effort on LSSI resolution <ul style="list-style-type: none"> <li>○ Provided approach and recommendations (subsequently approved by NRR Office Director) on approach to address these issues</li> <li>○ Implemented concept and used a handful of times</li> <li>○ NMSS representative on NRR team determined that the concept could also apply in NMSS with some modifications <ul style="list-style-type: none"> <li>▪ Identified activities pursuing similar intent over multiple business lines</li> </ul> </li> </ul> </li> <li>• 2020-2022: NMSS working team formed with staff across business lines and with regional inspectors to share insights on implementing a consistent approach while recognizing differences in business lines</li> <li>• Accomplishments: Developed draft screening criteria for issues of very low safety significance for use by inspection staff; Conducted table-top exercises across business lines to test screening criteria; added conceptual enabling guidance in IMCs (SFST and FC). Alignment with NRR to adopt consistent approach across NRC.</li> <li>• Current status (May 2022): Continued effort to incorporate high-level “enabling” guidance into IMCs – that are currently being updated; piloting use of VLSSIR process in DFM (SFST business line); soliciting industry input for examples that can be dispositioned through VLSSIR; leveraging lessons learned from VLSSIR implementation in NRR and developing supplemental guidance related to documenting VLSSIR within inspection reports. Staff focus on VLSSIR first and will then look to consider how to leverage NRR implementation of Risk-informed process for evaluation (RIPE) to be used in materials licensing activities (RIPE-M).</li> </ul>
Related Documents	<ul style="list-style-type: none"> <li>• None</li> </ul>
Meeting Information	<ul style="list-style-type: none"> <li>• None planned at this time.</li> </ul>