



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

January 9, 2023

The Honorable Ben Cardin
Chairman, Committee on Small Business
and Entrepreneurship
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), as required by the Small Business Regulatory Enforcement Fairness Act of 1996, I am reporting the status of the agency's provision of compliance guides to small entities for rules that affect them.

The agency directs much of its regulatory activity to NRC licensees that are not considered small entities under the size standards in § 2.810 of Title 10 of the *Code of Federal Regulations*, "NRC size standards." However, a few rules do have a significant impact on a substantial number of small entities. The NRC has posted a complete list of those rules and their corresponding guidance documents on the agency's website at <https://www.nrc.gov/about-nrc/regulatory/rulemaking/flexibility-act/small-entities.html>.

Since our last report on this matter dated December 6, 2021, the NRC has issued two new rules that have a significant impact on a substantial number of small entities. The first final rule, "Receipts-Based NRC Size Standards" (87 FR 8943; February 17, 2022), effective on March 21, 2022, updated the NRC's small entity size standards. The second final rule, "Revision of Fee Schedules; Fee Recovery for Fiscal Year 2022" (87 FR 37197; June 22, 2022), effective on August 22, 2022, is an annual rule change that amends the licensing, inspection, and annual fees that the NRC charges to its applicants and licensees. These fee changes potentially impact the finances of the NRC's applicants and licensees, which include a substantial number of small entities.

If you have any questions or concerns on this matter, please contact me or have your staff contact Eugene Dacus, Director of the Office of Congressional Affairs, at (301) 415-1776.

Sincerely,

Christopher T. Hanson

cc: Committee Ranking Member

Identical letter sent to:

The Honorable Ben Cardin
Chairman, Committee on Small Business
and Entrepreneurship
United States Senate
Washington, DC 20510
cc: Committee Ranking Member

Chair, Committee on Small Business
United States House of Representatives
Washington, DC 20515
cc: Committee Ranking Member

The Honorable Thomas R. Carper
Chairman, Committee on Environment
and Public Works
United States Senate
Washington, DC 20510
cc: Senator Shelley Moore Capito

Chair, Committee on Energy and Commerce
United States House of Representatives
Washington, DC 20515
cc: Committee Ranking Member