

# **Industry / NRC Materials Programs Technical Information Exchange**

## **ASME Rulemaking Update**

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# ASME Code Case Rulemaking

- On March 6, 2023, a proposed rule was published in the *Federal Register* (88 FR 13717) (<https://www.govinfo.gov/content/pkg/FR-2023-03-06/pdf/2023-03742.pdf>) that proposes to incorporate by reference the draft Regulatory Guides (RGs) listed below.
- On March 20, 2023, staff held a public meeting to discuss the proposed rule. (ADAMS Accession No. ML23083B303).
- On May 3, 2023, the NRC published a notice in the Federal Register extending the public comment period for the proposed rule from May 5, 2023, to June 16, 2023 (88 FR 27712).
- Regulatory Guides and Code Cases considered
  - RG 1.84, Revision 40, “Design, Fabrication, and Materials Code Case Acceptability, ASME Section III” (DG-1405) (ADAMS Accession No. ML22195A282).
  - RG 1.147, Revision 21, “Inservice Inspection Code Case Acceptability, ASME Section XI, Division 1” (DG-1406) (ADAMS Accession No. ML22195A284).
  - RG 1.192, Revision 5, “Operation and Maintenance Code Case Acceptability, ASME OM Code” (DG-1407) (ADAMS Accession No. ML22196A063).
- Final Rule publication date is scheduled for 10/29/2024

# ASME Code Edition Rulemaking

- The NRC staff initiated preparation of a rulemaking to propose the incorporation by reference in 10 CFR 50.55a of the 2021 Edition of the ASME BPV Code and the 2022 Edition of the ASME OM Code
- The NRC staff is currently reviewing these Code editions to identify specific conditions for inclusion in 10 CFR 50.55a, and the current conditions in 10 CFR 50.55a that might need to be modified to reflect the new Code editions
- Proposed Rule publication date scheduled for 8/16/2023
- We expect to have a public meeting approximately 1 month after the publication date
- The comment period will be open for 75 days
- The Final Rule publication date is scheduled for 1/10/2025

# ASME Rulemaking Streamlining

- Recommendation #1:

- Create a new OMB Clearance for 10 CFR 50.55a to avoid schedule and process bottlenecks.

- Recommendation #2:

- Develop finalized guidance for when we do and don't need OMB clearance.

- Recommendation #3:

- Annual endorsement of unconditionally approved and non-contentious ASME Code Cases using a templated Direct Final Rule process.
  - A new regulatory guide will be created for ASME BPV Code Sections III and XI and ASME OM Code Cases that are incorporated through the Direct Final Rule process
  - Expected publication early 2025.

- Recommendation #4:

- Combined biennial rulemaking for endorsement of Section III, Section XI, and the OM Code editions and conditionally approved and potentially contentious ASME Code Cases.
  - The first of these combined rulemakings is expected to start in 2025, with expected publication in late 2026/early 2027