

# Supplement to Fuel Cycle Program Integrated Schedule

**November 2023**

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>Part 73 - Enhanced Security of SNM (SECY-19-0095)</b>	
Key Contact	Marshall Kohen (301-287-3689) and George Tartal (301-415-0016)
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>• In April and June, 2022, the staff conducted public meetings to discuss the staff's consideration of options at that time.</li> <li>• In September 2022, a one-year extension for the submission of the notation vote paper to the Commission was approved.</li> <li>• The staff has held three public meetings in 2023 (January, February and April) to engage stakeholders in dialogue, with each meeting focused on a specific topic to be addressed in the SECY paper. The staff is currently considering options regarding the following six major topics: Security for Category II SNM, security for Category I SNM, security for Category III SNM, security and material control and accounting for alternate nuclear material, the external radiation level exemption threshold, and security for spent nuclear fuel.</li> <li>• The SECY paper is scheduled to be transmitted to the Commission in November 2023.</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="https://www.nrc.gov/reading-rm/doc-collections/rulemaking-ruleforum/active/ruledetails.html?id=19">https://www.nrc.gov/reading-rm/doc-collections/rulemaking-ruleforum/active/ruledetails.html?id=19</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 (SRM-COMKLS-18-0003, limited access).</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> <li>• NEI letter, "Feedback on April 19, May 24, and June 1, 2022, Public Meetings on Options for Potential Codification of Post-September 11, 2001, Security Requirements Issued to NRC Licensees; [SECY-19-0095 and SECY-19-100; SRMs dated August 4, 2021]," dated July 12, 2022 (<a href="#">ML22182A453</a>)</li> <li>• National Organization of Test, Research and Training Reactors letter dated June 30, 2022 (<a href="#">ML22245A041</a>).</li> <li>• NEI letter, "Feedback on Current Staff Options for Potential Codification of New and Existing Security Requirements in 10 CFR Part 73 and the Self-Protection Standard Applicable to Spent Nuclear Fuel; [SECY-19-0095 and SECY-19-100; SRMs dated August 4, 2021; SECY-22-0098]," dated May 11, 2023 (<a href="#">ML23131A306</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>). On March 14, 2023, the final rule was published in the <i>Federal Register</i> (<a href="#">88 FR 15864</a>) and supporting guidance made publicly available. The compliance date for the final rule is January 8, 2024 (300 days after publication).</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>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 further ensure validity of license applicants. This proposed rule also would enhance the requirement for a licensee transferring category 3 quantities of radioactive material to verify that the recipient (transferee) is licensed to receive the type, form, and quantity of radioactive material to be transferred. This proposed rule would require the transferor licensee to conduct the verification through the NRC’s License Verification System or by contacting the license-issuing authority. The NRC also is proposing a more stringent follow-up verification method for licensees that process emergency shipments and to remove an obsolete verification method. In addition, the proposed rule would require that generally licensed devices containing category 3 quantities of byproduct material can only be transferred to licensees possessing a specific NRC or Agreement State license. Finally, the proposed rule would make conforming and other clarifying changes of a corrective or of a minor or nonpolicy nature (e.g., inclusive language, plain language, conforming and clarifying language, and reassignment and deletion of paragraphs). This rulemaking would affect applicants applying for a radioactive material license, as well as licensees who transfer category 3 quantities of radioactive material.
Key Information	<ul style="list-style-type: none"> <li>• Consistent with direction in SRM-SECY-17-0083, the Radioactive Source Security and Accountability (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 provided a draft proposed rule to the Commission on December 19, 2022 (SECY-22-0112). The draft proposed rule is currently under review by the Commission.</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> <li>• SECY-22-0112 (ML22277A809)</li> </ul>
Meeting Information	<ul style="list-style-type: none"> <li>• None scheduled</li> </ul>

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.

<b>Integrated Low-Level Radioactive Waste Disposal Rulemaking (SECY-20-0098)</b>	
Key Contacts	George Tartal (301-415-0016), 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> <li>• The NRC staff is developing the proposed rule package.</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>• The NRC staff held a public meeting on May 17, 2023 on this rulemaking.</li> <li>• The NRC has received requests from external stakeholders for an additional public meeting on this topic. The request is under consideration.</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>○ The proposed rule was submitted to the Commission on July 24, 2023, for approval.</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 (<a href="#">87 FR 25157</a>)</li> <li>• Proposed Rule package SECY-23-0062: Proposed Rule: Decommissioning Financial Assurance for Sealed and Unsealed Radioactive Materials (3150-AK52; NRC-2017-0031) (<a href="#">ML23010A137</a>).</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>

**Final 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	<p>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.</p>
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 The proposed rule published on January 3, 2023 with a 75-day comment period which ended March 20, 2023 (<a href="#">88 FR 25</a>).</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> <li>• Proposed Rule (<a href="#">88 FR 25</a>) published in the <i>Federal Register</i> on January 3, 2023</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	Caylee Kenny (301-415-7150)
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>• Correction notice published on October 28, 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 (<a href="#">ML22209A052</a>)</li> <li>• Proposed rule; correction notice (<a href="#">87 FR 65177</a>, October 28, 2022)</li> <li>• Unofficial redline/strikeout version of DG-7011, "Standard Format and Content of Part 71 Applications for Approval of Packages for Radioactive Material" (<a href="#">ML22280A061</a>)</li> <li>• October 26, 2022, Public Meeting Summary (<a href="#">ML22318A087</a>)</li> </ul>
Meeting Information	<ul style="list-style-type: none"> <li>• No public meetings scheduled</li> </ul>

## OTHER ACTIVITIES

<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 2023 RIC:               <ul style="list-style-type: none"> <li>- NMSS had one session .</li> <li>- The session focused on Decommissioning in a Dynamic Environment</li> <li>- 386 people attended the session (94 in-person, 292 virtually)</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 was held March 14-16, 2023. The 36<sup>th</sup> Annual RIC is scheduled for March 12 – 14, 2024. The 37<sup>th</sup> Annual RIC is scheduled for March 11 – 13, 2025.</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 (April 2023): Staff finalizing report to implement VLSSIR across NMSS business lines consistent with NRR application of this process. Staff to implement VLSSIR first and will then consider if and 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>



<b>Controlled Unclassified Information Program</b>	
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Key Contacts	Jonathan Feibus (301-415-0717) and Tanya Mensah (301-415-3610)
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Purpose	To implement an NRC CUI program, consistent with the requirements in 32 CFR 2002, "Controlled Unclassified Information".
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<p style="text-align: center;">Key Information</p>	<ul style="list-style-type: none"> <li>• On December 3, 2021, <a href="#">Management Directive 12.6</a>, "NRC Controlled Unclassified Information (CUI) Program" (formerly titled "NRC Sensitive Unclassified Information Security Program") was published to describe the agency CUI program. <b>It is important to note that implementation of the NRC's CUI program is not immediately effective upon the issuance of the updated MD 12.6. Until the NRC transitions to CUI, both the NRC's SUNSI program and SGI program remain in place.</b></li> <li>• Following the issuance of MD 12.6: <ul style="list-style-type: none"> <li>○ OCIO, in coordination with OCHCO, deployed mandatory CUI training for all NRC employees and contractors to prepare the agency for the transition from SUNSI to CUI.</li> <li>○ NRC staff and external stakeholders identified implementation challenges, including significant obstacles that would hinder the NRC's ability to share and disseminate CUI to non-federal entities (i.e., licensees, applicants, vendors, Agreement States, Tribal community, etc.).</li> </ul> </li> <li>• As a result, the NRC's plans to transition to a CUI program on November 1, 2023, were delayed. This delay will support the NRC's overall readiness to transition to CUI, while working towards minimizing the burden on NRC employees and external stakeholders, where practicable.</li> <li>• Once a new transition date is established, the NRC will communicate the new date to all stakeholders well in advance.</li> <li>• In August 2022, the National Security Council (NSC) established a CUI Interagency Policy Committee (IPC) consisting of federal departments and agencies to identify federal-wide CUI implementation challenges and to propose CUI reforms to resolve those challenges.</li> <li>• OCIO continues to coordinate with representatives from NRC Program Offices to participate in the CUI-IPC meetings. The NRC's focus has been on proposing CUI reforms that provide agencies with flexibility when sharing CUI with non-federal entities who are unable to meet the requirements in NIST SP 800-171, "Protecting Controlled Unclassified Information in Nonfederal Systems and Organizations."</li> <li>• On September 21, 2023, the NRC CUI-IPC member (Scott Flanders) participated in a CUI-IPC meeting with the NSC and other federal departments and agencies. The NSC is planning additional meetings to finalize any proposed CUI reforms, but no deadline has been established by the NSC yet.</li> <li>• The NRC expects to reassess the NRC's CUI timeline and begin communications internally, and externally, regarding a path forward, once we know more. We are not expecting that the NSC will complete its efforts in 2023.</li> <li>• OCIO scheduled internal CUI status briefings to update NRC senior management as shown below:</li> </ul>
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	<ul style="list-style-type: none"> <li>○ NRC CUI Steering Committee (November 16, 2023)</li> <li>○ CXOB (November 30, 2023)</li> <li>○ CAs (OCIO is awaiting OEDO confirmation of a December 2023 meeting date).</li> </ul>
Related Documents	<ul style="list-style-type: none"> <li>• <a href="https://usnrc.sharepoint.com/teams/NRC-Management-Directives/SitePages/MD-12.006.aspx">Management Directive 12.6 - https://usnrc.sharepoint.com/teams/NRC-Management-Directives/SitePages/MD-12.006.aspx</a></li> <li>• <a href="#">CUI Notice 2022-01, "Executive Agent Guidance Regarding White House National Security Council (NSC) Memorandum, "Initiating a Process to Review Information Management and Classification Policies," June 2, 2022.</a></li> <li>• <a href="#">NIST SP 800-171, "Protecting Controlled Unclassified Information in Nonfederal Systems and Organizations."</a></li> </ul>
Meeting Information	<ul style="list-style-type: none"> <li>• None scheduled</li> </ul>