



# **POLICY ISSUE**

## **(Notation Vote)**

February 23, 2024

FOR: The Commissioners SECY-24-0018

FROM: Raymond Furstenau  
Acting Executive Director for Operations

SUBJECT: REPORT TO CONGRESS ON ABNORMAL OCCURRENCES:  
FISCAL YEAR 2023

### PURPOSE:

To obtain Commission approval to submit to Congress the "Report to Congress on Abnormal Occurrences: Fiscal Year 2023". This paper does not address any new resource implications.

### BACKGROUND:

Section 208 of the Energy Reorganization Act of 1974, as amended (Public Law 93-438), defines an abnormal occurrence (AO) as an unscheduled incident or event that the U.S. Nuclear Regulatory Commission (NRC) determines to be significant from the standpoint of public health or safety. The Federal Reports Elimination and Sunset Act of 1995 (Public Law 104-66) modified the reporting frequency to require the NRC to report AOs to Congress annually. Enclosure 1 to this paper is a draft of the fiscal year (FY) 2023 AO Report to Congress (NUREG-0090, Volume 46). Enclosure 2 to this paper is a draft Congressional transmittal letter for the FY 2023 AO Report to Congress.

### DISCUSSION:

The enclosed draft report describes 11 events that meet the AO criteria for FY 2023.

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Two events involved NRC licensees, and the remaining nine events involved Agreement State licensees. Seven AOs were medical events as defined in Title 10 of the *Code of Federal Regulations* (10 CFR) Part 35, "Medical Use of Byproduct Material." Three AOs involved the theft or diversion and recovery of Category 2 radioactive material sources, as defined in 10 CFR Part 37, "Physical Protection of Category 1 and Category 2 Quantities of Radioactive Material." The other AO involved a human exposure event. No events at a commercial nuclear power plant met the AO criteria.

All 11 events identified as AOs in FY 2023 meet the criteria for AO categorization, as defined in Appendix A, "Abnormal Occurrence Criteria," to the report. The NRC did not identify any events during FY 2023 that met the guidelines for inclusion in Appendix B, "Other Events of Interest."

Appendix C, "Updates on Previously Reported Abnormal Occurrences," gives updates on previously reported AOs if the events remained open during the previous fiscal year's report or if significant new information has become available. Appendix C has one update for this reporting period, for AO AS22-03, "Medical Event at Comprehensive Cancer Centers of Nevada, Sunset, Las Vegas, Nevada."

Appendix D, "Glossary," defines terms used throughout the report. Appendix E, "Conversion Table," presents conversions commonly used when calculating doses.

#### RECOMMENDATION:

The NRC staff recommends that the Commission approve the enclosed draft FY 2023 AO Report to Congress and the proposed letters forwarding the report to Congress.

After receiving Commission approval to proceed, the staff will submit letters to the NRC's Office of Congressional Affairs to transmit the report to the Speaker of the U.S. House of Representatives, the President of the U.S. Senate, and the NRC's oversight committees. The Office of Congressional Affairs will then arrange for appropriate distribution to Congress. The NRC staff will also issue a *Federal Register* notice announcing publication of the report.

#### RESOURCES:

No additional budgetary resources are requested for this effort.

COORDINATION:

The Office of the General Counsel has reviewed the draft FY 2023 AO Report to Congress and has no legal objection.

Raymond Furstenau  
Acting Executive Director  
for Operations

Enclosures:

1. NUREG-0090, Volume 46, "Report to Congress on Abnormal Occurrences: Fiscal Year 2023"
2. FY 2023 Letter to Congress on Abnormal Occurrences

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2023: DATED: February 23, 2024

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NAME	AVeil	MGavrilas	JLubinski	TJones
DATE	01/26/2024	01/26/2024	01/26/2024	02/09/2024
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