

Regulatory Guide Periodic Review

Regulatory Guide Number:	6.7, Revision 2
Title:	Preparation of an Environmental Report to Support a Rulemaking Petition Seeking an Exemption for a Radionuclide-Containing Product
Office/Division/Branch:	NMSS/REFS/EPMB2
Technical Lead:	Patrick Donohue
Staff Action Decided:	Reviewed with issues identified for future consideration

1. What are the known technical or regulatory issues with the current version of the Regulatory Guide (RG)?

RG 6.7, Revision 2, "Preparation of an Environmental Report to Support a Rulemaking Petition Seeking an Exemption for a Radionuclide-Containing Product," was published in May 2010 to provide detailed guidance for the preparation of environmental reports (ERs) for regulatory exemptions for radionuclide-containing products. The guide identifies the information needed by the U.S. Nuclear Regulatory Commission (NRC) staff to assess the potential environmental effects of the exemption and establishes an acceptable format for presenting it. While the text is generally applicable to current regulations and procedures, certain references and requirements in the guide are outdated. For example:

- RG 6.7 references Executive Order (EO) 11514 (page 1), which has since been revoked. The same sentence references the Council on Environmental Quality's (CEQ's) Guidelines of August 1, 1973, which have also since been revoked.
- RG 6.7 suggests contacting NRC's "Rulemaking and Directive Branch" in the Office of Administration for additional clarification (page 2). This branch seems to have been renamed and would need a new point of contact.
- RG 6.7's "Bibliography" includes several outdated references:
 - 40 CFR Part 1508, "Terminology and Index," has since been revoked.
 - 46 FR 18026, "Forty Most Asked Questions Concerning CEQ's National Environmental Policy Act Regulations," is outdated, as the CEQ's regulations have been revoked.
 - 69 FR 52040, "Policy Statement on the Treatment of Environmental Justice Matters in NRC Regulatory and Licensing Actions; Final Policy Statement," has since been withdrawn.
 - EO 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," has been revoked.
 - The CEQ and Environmental Protection Agency documents in the "Other Documents" section are outdated, as regulation and guidance around cumulative effects and executive orders regarding environmental justice have been revoked.

The NRC is planning to implement changes to the regulations for environmental reviews in Title 10, "Energy," U.S. Code of Federal Regulations (10 CFR) Part 51, "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions," for which RG 6.7 provides guidance. If these regulations are revised as part of a rulemaking effort, the staff may consider revising RG 6.7 to address those changes.

2. What is the impact on internal and external stakeholders of not updating the RG for the known issues, in terms of anticipated numbers of licensing and inspection activities over the next several years?

Applicants and potential applicants planning to file a rulemaking petition for the exemption of a radionuclide-containing product may be misled by incorrect references, though the content and main text of the guide remains accurate and helpful.

3. What is an estimate of the level of effort needed to address identified issues in terms of full-time equivalent (FTE) and contractor resources?

An estimate of the effort needed to correct the identified issues is between 0.05 full-time equivalent (FTE) and 0.10 FTE.

4. Based on the answers to the questions above, what is the staff action for this guide (Reviewed with no issues identified, Reviewed with issues identified for future consideration, Revise, or Withdraw)?

Reviewed with issues identified for future consideration.

5. Provide a conceptual plan and timeframe to address the issues identified during the review.

A rulemaking effort to amend 10 CFR Part 51 has been directed by EO 14300 section 5(c). If the regulations are amended prior to the next periodic review as discussed in Management Directive 6.6, "Regulatory Guides," the staff should consider updating RG 6.7 at that time. When the next update occurs, the staff should correct or remove the outdated references listed above.

NOTE: This review was conducted in June 2025 and reflects the NRC staff's plans as of that date. These plans are tentative and subject to change.

Periodic Review of Regulatory Guide 6.7, Revision 2, "Preparation of an Environmental Report to Support a Rulemaking Petition Seeking an Exemption for a Radionuclide-Containing Product" DATE August 15, 2025

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