



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

February 10, 2026

MEMORANDUM TO: Those on the attached list

FROM: Bo Pham, Acting Director  
Office of Enforcement

SUBJECT: ENFORCEMENT GUIDANCE MEMORANDUM (EGM) 2025-002,  
ENFORCEMENT DISCRETION NOT TO CITE CERTAIN  
VIOLATIONS OF 10 CFR 50.72 INVOLVING NON-EMERGENCY  
REPORTING REQUIREMENTS

**PURPOSE:**

Consistent with Section 3.5, "Violations Involving Special Circumstances," of the Enforcement Policy, this enforcement guidance memorandum (EGM) grants enforcement discretion not to cite certain violations of requirements in of Title 10 *Code of Federal Regulations* (10 CFR) Part 50.72, "Immediate notification requirements for operating nuclear power reactors," as discussed more fully below.

**BACKGROUND:**

On August 2, 2018, the Nuclear Energy Institute submitted a petition for rulemaking (PRM) requesting that the NRC amend 10 CFR 50.72, "Immediate notification requirements for operating nuclear power reactors," to remove all nonemergency event notification requirements (Agencywide Documents Access and Management System (ADAMS) Accession No. ML18247A204). The NRC docketed the request as PRM-50-116 and the petition review board recommended approval to consider the petition, in part, in the NRC's rulemaking process (ML19224D254).

On November 30, 2020, the NRC staff provided a rulemaking plan to the Commission in SECY-20-0109, "Petition for Rulemaking and Rulemaking Plan on Immediate Notification Requirements for Nonemergency Events (PRM-50-116; NRC-2018-0201)," (ML20073G004) in which the staff requested Commission approval to consider a petition for rulemaking to amend the immediate notification reporting requirements of 10 CFR 50.72(b).

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In the associated staff requirements memorandum (SRM), SRM-SECY-20-0109, dated July 28, 2021 (ML21209A947), the Commission directed the NRC staff to proceed with rulemaking on the immediate notification requirements for nonemergency events in 10 CFR 50.72(b) and close the docket for PRM-50-116. The Commission provided the following additional direction to the staff in SRM-SECY-20-0109: (1) changes that shift the responsibility for gathering, verifying, and communicating information on nonemergency events from licensees to NRC resident inspectors should not be pursued; and (2) the staff should discontinue this rulemaking effort if it determines at any point that the costs are not justified by the benefits or that the rulemaking would unacceptably degrade the NRC's situational awareness.

On November 9, 2022, the NRC published in the *Federal Register* (87 FR 67571) a regulatory basis to support a 10 CFR 50.72(b) rulemaking. In the regulatory basis, the NRC recommended maintaining five nonemergency event reporting requirements, eliminating six nonemergency event reporting requirements, revising guidance for two nonemergency event reporting requirements, and adding a voluntary alternative reporting method.

On June 10, 2024, the NRC staff submitted to the Commission a proposed rule (ML23318A475) that would amend 10 CFR 50.72 to eliminate certain requirements for reporting of nonemergency events and to allow nuclear power reactor licensees to use alternative methods for submitting notifications to the NRC. This rulemaking would better align the reporting requirements with the current needs of the agency and power reactor licensees by eliminating nonemergency event reports that are not important to plant safety, do not require prompt NRC action, or can be tracked using other existing agency processes.

## **ACTIONS:**

### Basis for Granting Enforcement Discretion

Recent executive actions have directed federal agencies to prioritize the reduction of regulatory burdens on energy producers, including NRC-licensed power reactor facilities. During the development of the draft regulatory analysis for the proposed rule, the NRC staff determined that eliminating certain non-emergency reporting requirements would result in net cost savings for both the industry and the NRC without impacting the agency's mission effectiveness. Given this positive net impact and the absence of any adverse effect on safety, this EGM will provide immediate relief to NRC power reactor licensees and save inspection resources by suspending oversight activities with respect to reporting requirements that do not have a clear safety nexus or demonstrable public benefit.

### Immediate Actions

In accordance with Section 3.5, "Violations Involving Special Circumstances," of the NRC Enforcement Policy, the agency will exercise enforcement discretion, consistent with Commission direction, and will not cite NRC licensees for past or future specific violations of 10 CFR 50.72, "Immediate notification requirements for operating nuclear power reactors," as specified below:

- 10 CFR 50.72(b)(2)(iv)(A) - An event that results or should have resulted in an emergency core cooling system (ECCS) discharge into the reactor coolant system as a result of a valid signal, except when the actuation results from and is part of a preplanned sequence during testing or reactor operation.
- 10 CFR 50.72(b)(2)(xi) - An event or situation related to the health and safety of

the public or onsite personnel, or protection of the environment, for which a news release is planned or notification to other government agencies has been or will be made.

- 10 CFR 50.72(b)(3)(iv)(A) - An event or condition that results in valid actuation of specified safety systems.
- 10 CFR 50.72(b)(3)(v) - An event or condition that could have prevented fulfillment of the safety function of structures or systems needed to shut down and maintain the reactor in a safe condition, remove residual heat, control the release of radioactive material, or mitigate the consequences of an accident.
- 10 CFR 50.72(b)(3)(xii) - An event requiring the transport of a radioactively contaminated person to an offsite medical facility for treatment.

Use of this EGM does not require an enforcement panel and does not require the assignment of an enforcement action tracking number to document enforcement discretion. Similarly, NRC inspectors do not need to document use of enforcement discretion associated with the requirements listed above since violations associated with late reporting could be considered minor violations not subject to documentation.

**EXPIRATION:**

This EGM will remain in effect until November 23, 2026, or until the publication of new rules in 10 CFR 50.72 that eliminate the rules covered by this EGM, whichever comes first

Memorandum from Bo M. Pham, Acting Director, Dated: February 10, 2026

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REQUIREMENTS DATED: FEBRUARY 10, 2026

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