

SUPPORTING STATEMENT FOR  
INFORMATION COLLECTIONS CONTAINED IN  
MODERNIZING MATERIALS LICENSING REQUIREMENT PROPOSED RULE

10 CFR PARTS 30, 37, 40, 70, 72 and 140

3150-0017, 3150-0214, 3150-0020, 3150-0009, 3150-0132 and 3150-0039

(RIN 3150-AL56)

NEW

DESCRIPTION OF INFORMATION COLLECTION

The U.S. Nuclear Regulatory Commission (NRC) is proposing to amend its regulations for byproduct, source, and special nuclear material to modernize the NRC's materials licensing requirements, including regulations governing the storage of radioactive materials are being amended to accommodate new and advanced nuclear fuels. This proposed action is responsive to several executive orders and the NRC's mission to enable efficient and reliable licensing. These changes are deregulatory in nature and include streamlining the process for certain new applicants to enable bringing power to the grid. Unnecessary regulations are being eliminated, and reporting and recordkeeping requirements are being reduced. The NRC is proposing several other changes to clarify regulations that are confusing or ambiguous to make the overall licensing process more efficient. The proposed rule addresses Executive Order (E.O.) 12866, "Regulatory Planning and Review (as amended by Executive Order 14215, Ensuring Accountability for All Agencies);" E.O. 14154, "Unleashing American Energy;" E.O. 14192, "Unleashing Prosperity Through Deregulation;" E.O. 14294, "Fighting Overcriminalization in Federal Regulations;" and E.O. 14300, "Ordering the Reform of the Nuclear Regulatory Commission."

This proposed action include amendmends to several requirements in Title 10 of the *Code of Federal Regulations* (CFR) Part 30, "Rules of General Applicability to Domestic Licensing of Byproduct Material;" 10 CFR Part 37, "Physical Protection of Category 1 and Category 2 Quantities of Radioactive Material;" 10 CFR Part 40, "Domestic Licensing of Source Material;" 10 CFR Part 70, "Domestic Licensing of Special Nuclear Material;" and 10 CFR Part 72, "Licensing Requirements for the Independent Storage of Spent Nuclear Fuel, High-Level Radioactive Waste, and Reactor-Related Greater Than Class C Waste."

*Affected Entities*

The proposed rule would affect a range of entities that apply for or hold licenses from the NRC for activities involving byproduct material, source material, and special nuclear material. Specifically, this includes applicants and licensees engaged in uranium milling, uranium hexafluoride production, uranium enrichment, plutonium processing and fuel fabrication, scrap recovery, conversion, and spent fuel reprocessing. The rule also impacts entities involved in the independent storage of spent nuclear fuel, high-level radioactive waste, and greater-than-Class C waste. Additionally, facilities operating under Department of Energy authorization for pilot fuel lines, as well as those possessing or transporting category 1 or category 2 quantities of radioactive material, would be subject to the revised requirements. The affected entities encompass both new applicants and current licensees operating under 10 CFR Parts 30, 37,

40, 70, and 72, as well as those seeking combined licenses for spent fuel reprocessing facilities and related operator licenses.

### *Information Collections*

The proposed rule would:

- Remove the requirement in Parts 30 and 40 to file license applications at least nine months before construction for facilities significantly affecting the environment, and instead require submission of construction schedules to NRC at least 30 days before construction begins.
- Clarify in Parts 30 and 40 that construction may begin at the applicant's own risk prior to NRC environmental determination, provided the applicant submits construction schedules as required.
- Introduce in Part 37 a new exemption for large components and robust structures containing Category 1 or Category 2 radioactive material, and require licensees to maintain written documentation demonstrating compliance with the exemption criteria.
- Simplify Part 70 license application filing procedures and introduce single-step licensing for spent fuel reprocessing facilities, expanding the scope of required application content, such as quality assurance, liability insurance, operator licensing programs, and technical specifications.
- Update Part 70 application content requirements to mandate inclusion of control and accounting of special nuclear material (SNM), liability insurance provisions, technical specifications, operator licensing programs, and decommissioning funding plans for spent fuel reprocessing facility applicants.
- Provide relief in Part 70 from maintaining criticality accident alarm systems for licensees who can demonstrate that a criticality accident is not credible, thereby reducing related reporting and recordkeeping burden.
- Extend deadlines in Part 70 for submitting updates and changes to material control, security, safeguards contingency, and emergency plans, thereby reducing reporting frequency and administrative burden.
- Delete and reserve §§ 70.50, 70.52, and 70.74 in Part 70, and consolidate and relocate reportable safety event requirements to Appendix A, streamlining reporting obligations and removing outdated or redundant provisions.
- Revise Part 70 procedures for verifying transfer of special nuclear material to clarify acceptable methods for submitting written confirmation of oral certifications, improving regulatory consistency.
- Reduce the timing burden in Part 72 for ISFSI license renewal applications by allowing them to be filed at least 30 days before expiration, and shift certain annual reporting requirements to recordkeeping rather than mandatory submission.
- Eliminate in Part 72 the submittal of the report documenting the quantities of principal radionuclides released to the environment via liquid and gaseous effluents and instead, require licensees to retain the report until license termination.
- Eliminate in Part 72 the 24-month periodic reporting requirement for changes, tests, and experiments, and adjust notification and registration deadlines for spent fuel storage casks (notification from 90 to 30 days, registration from 30 to 90 days).
- Establish in Part 140 a new requirement for spent fuel reprocessing facility licensees to obtain and maintain liability insurance and an indemnification agreement, adding a documentation obligation for applicants and licensees.

## A. JUSTIFICATION

### 1. Need for the Collection of Information

The information is needed to fulfill NRC's mission governing domestic licensing of byproduct, source, and special nuclear material (SNM) under the Atomic Energy Act of 1954, as amended. In addition, the information is needed to comply with Executive Order (E.O.) 14300, "Ordering the Reform of the Nuclear Regulatory Commission," which requires the NRC to undertake a review and wholesale revision of its regulations and guidance documents as guided by the policies set forth in section 2 of the E.O.

### 2. Agency Use and Practical Utility of Information

- Part 30 and Part 40: The proposed regulatory changes offer practical benefits for the NRC's inspection process by improving coordination and resource planning. By requiring applicants to submit construction schedules at least 30 days before beginning construction, the NRC can better allocate inspection staff, avoid scheduling conflicts, and ensure timely oversight. This is especially important given the new flexibility allowing applicants to begin construction at their own risk before the environmental review is complete. While this flexibility supports project efficiency, it also increases the importance of timely communication to maintain regulatory oversight. The clarified and relocated provisions help ensure that inspection triggers are well understood, enabling the NRC to uphold safety and compliance standards throughout the construction phase.
- Part 37: The proposed rule provides the agency with critical information to support the practical implementation of revised physical protection requirements for radioactive materials. By defining terms such as "large components" and "robust structures," and clarifying exemptions under § 37.11, the agency can more effectively determine when certain security measures are necessary. This information enables the agency to apply regulatory oversight more efficiently, reduce unnecessary burdens on licensees, and ensure that safety and security measures are appropriately tailored to the actual risk. The practical utility lies in enhancing regulatory clarity and consistency, which supports informed decision-making and promotes compliance across the industry.
- Part 70: The proposed amendments to 10 CFR Part 70 improve the NRC's ability to license and oversee facilities handling special nuclear material, especially spent fuel reprocessing facilities. By streamlining application procedures and clarifying content requirements, the changes support a more efficient, single-step licensing process. They also enhance safety oversight by ensuring that applications and licensee operations include robust programs for SNM material control and accounting, emergency preparedness, and security. Updates to reporting and recordkeeping requirements improve the clarity, timing, and consistency of information submitted to the NRC, enhancing the agency's ability to monitor compliance and respond to incidents, while new financial assurance requirements ensure safe decommissioning. Overall, the revisions provide the NRC with more relevant, actionable information to support effective regulation and public safety.

- Part 72: The proposed rule aims to reduce regulatory burden while maintaining safety oversight. These proposed changes primarily shift from routine reporting to record retention, allowing the NRC to access necessary information during inspections rather than through regular submissions. Changes include more flexible timelines for license renewals (§ 72.42), eliminating annual and biennial report submissions (§§ 72.44, 72.48), and extending or shortening notification deadlines (§ 72.212). Collectively, these changes preserve the NRC’s access to essential information while improving the practical utility of the data by aligning reporting requirements with actual oversight needs.
- Part 140: The information required under proposed rule would allow the NRC to verify that spent fuel reprocessing facility applicants and licensees meet indemnification and liability insurance requirements. This supports the agency’s oversight, licensing, and enforcement responsibilities by ensuring compliance with financial protection and safety standards under 10 CFR Part 70. The information is necessary to confirm licensee preparedness for nuclear incidents, promoting regulatory clarity, and strengthening public safety through consistent risk management and accountability.

3. Reduction of Burden Through Information Technology

The NRC has issued *Guidance for Electronic Submissions to the NRC*, which provides direction for the electronic transmission and submittal of documents to the NRC. Electronic transmission and submittal of documents can be accomplished via the following avenues: the Electronic Information Exchange process, which is available from the NRC's “Electronic Submittals” Web page, by Optical Storage Media (e.g. CD-ROM, DVD), by facsimile or by e-mail. The following are the estimates for the percentage of electronic submissions for each collection:

Information collection	Percent of electronic submissions
10 CFR Part 30	90%
10 CFR Part 37	50%
10 CFR Part 40	75%
10 CFR Part 70	90%
10 CFR Part 72	75%
10 CFR Part 140	90%

4. Effort to Identify Duplication and Use Similar Information

No sources of similar information are available. There is no duplication of requirements.

5. Effort to Reduce Small Business Burden

Not applicable.

6. Consequences to Federal Program or Policy Activities if the Collection Is Not Conducted or Is Conducted Less Frequently

- Part 30 and Part 40: If applicants do not submit construction schedules in a timely manner, this could significantly hinder the NRC's ability to allocate inspection resources effectively, potentially resulting in delays in inspection readiness, missed oversight opportunities, and increased risk of noncompliance going undetected. It may also lead to scheduling conflicts, inefficient use of NRC staff, and disruptions to both the applicant's and the NRC's project timelines. Timely schedule submissions are therefore critical to maintaining regulatory oversight and ensuring the safe and secure construction of facilities involving byproduct material.
- Part 37: If the required information in § 37.11(d) is not collected, the NRC would lack the necessary documentation to verify that licensees are appropriately identifying large components and robust structures containing Category 1 or Category 2 quantities of radioactive material. Without this information, the NRC cannot ensure that adequate security measures are in place or that those measures maintain the effectiveness of existing security plans under 10 CFR Part 73. This could result in unverified or insufficient protection against the theft or diversion of high-risk radioactive materials, potentially compromising public health and safety, national security, and environmental protection. Additionally, the absence of documented analyses would hinder regulatory oversight and enforcement, undermining the integrity of the exemption process.
- Part 70: If the information included in the applications, reports and records were not collected, the NRC staff would not be able to assess the adequacy of the applicant's physical plant, equipment, organization, training, experience, procedures and plans for protection of public health and safety and the common defense and security in order to make licensing and other regulatory decisions related to SNM, including spent fuel reprocessing facilities. If the information collection associated with the proposed amendments to 10 CFR Part 70 is not conducted or is conducted less frequently, the NRC's ability to effectively license and oversee facilities handling special nuclear material would be significantly impaired. Without timely and consistent data, the agency would face challenges in ensuring that licensees maintain adequate safety, security, and emergency preparedness programs. Delays or gaps in reporting and recordkeeping could hinder the NRC's capacity to monitor compliance, detect potential issues early, and respond swiftly to incidents. Furthermore, the absence of updated financial assurance information could jeopardize the safe decommissioning of facilities.
- Part 72: Conduct of this collection of information at the required frequency is essential to the assurance of protection of the health and safety of workers and the public. If the information collection is not conducted or is conducted less frequently, it could significantly hinder the NRC's ability to effectively oversee and regulate the safe storage of spent nuclear fuel. Timely and accurate data are essential for monitoring licensee compliance with safety, environmental, and operational standards. Without regular access to this information—whether through submissions or retained records—the NRC may face delays in identifying potential safety issues, responding to incidents, or verifying that

licensees are meeting regulatory requirements. This could compromise public health and environmental protection and reduce the effectiveness of inspections and audits. Regular information collection is critical to ensuring safety, compliance, and oversight of spent fuel storage, enabling the NRC to make informed decisions, enforce regulations, and maintain public confidence in nuclear safety.

- Part 140: The information collection is necessary to implement the Price-Anderson Act. If the information collection required under § 140.13c is not conducted or is conducted less frequently, it would significantly hinder the NRC's ability to ensure that spent fuel reprocessing facilities maintain adequate financial protection. Without timely and consistent data, the agency would be unable to verify compliance with indemnification and liability insurance requirements, increasing the risk of unaddressed financial exposure in the event of a nuclear incident. If the information collection were not conducted, or were conducted less frequently, the NRC would not be able to ensure that licensees maintained adequate financial protection. This could result in licensees being out of compliance with the Price-Anderson Act, as implemented in 10 CFR Part 140.

7. Circumstances which Justify Variations from OMB Guidelines

Not applicable.

8. Consultations Outside the NRC

Opportunity for public comment on the information collection requirements for this clearance package has been published in the *Federal Register*.

9. Payment or Gift to Respondents

Not applicable.

10. Confidentiality of Information

Confidential and proprietary information is protected in accordance with NRC regulations at 10 CFR 9.17(a) and 10 CFR 2.390(b). However, no information normally considered confidential or proprietary is requested.

11. Justification for Sensitive Questions

Not applicable.

12. Estimated Burden and Burden Hour Cost

The respondents to the information are summarized below according to CFR Part. This estimate includes two pilot fuel line respondents and one hypothetical spent fuel reprocessing facility who would have a clearer licensing framework under Part 70.

	Respondents (Annual Reporting Burden)
Part 30	3.0
Part 37	2.0
Part 40	0.0
Part 70	31.0
Part 72	85.0
Part 140	1.0
Part 30	3.0

The estimated burden and responses for the proposed rule are as follows:

	Annual Total Burden for the Proposed Rule (hours)			
	Reporting	Recordkeeping	Third Party	Total
Part 30	6.0	0.0	0.0	<b>6.0</b>
Part 37	16.0	0.0	0.0	<b>16.0</b>
Part 40	0.0	0.0	0.0	<b>0.0</b>
Part 70	40,642.0	3,949.0	0.0	<b>44,591.0</b>
Part 72	-2,900.0	595.0	0.0	<b>-2,305.0</b>
Part 140	2.0	0.0	0.0	<b>2.0</b>
<b>Total</b>	<b>37,766.0</b>	<b>4,544.0</b>	<b>0.0</b>	<b>42,310.0</b>

	Annual Responses for the Proposed Rule			
	Reporting	Recordkeeping	Third Party	Total
Part 30	3.0	0.0	0.0	<b>3.0</b>
Part 40	2.0	0.0	0.0	<b>2.0</b>
Part 37	0.0	0.0	0.0	<b>0.0</b>
Part 70	92.0	20.0	0.0	<b>112.0</b>
Part 72	-298.0	85.0	0.0	<b>-213.0</b>
Part 140	1.0	0.0	0.0	<b>1.0</b>
<b>Total</b>	<b>-200.0</b>	<b>105.0</b>	<b>0.0</b>	<b>-95.0</b>

See the supplemental burden spreadsheet titled, "Burden Tables for Modernizing Materials Licensing Requirements Proposed Rule" for detailed burden estimates.

The burden cost is estimated to be \$6,515,740 (42,310 hours x \$154 per hour).

The NRC's average labor rate of \$154 per hour for FY 2026 was used to calculate burden costs to the public because it aligns with 2024 Bureau of Labor Statistics data showing comparable hourly mean wages across five key occupational groups (executives, management, technical staff, licensing staff, and physicists) within the nuclear industry.

13. Estimate of Other Additional Costs

The quantity of records to be maintained is roughly proportional to the recordkeeping burden and therefore can be used to calculate approximate records storage costs. Based on the number of pages maintained for a typical clearance, the records storage cost has been determined to be equal to \$0.12 per recordkeeping burden hour. Therefore, the storage cost for this clearance is estimated to be the following:

	Additional costs
Part 30	\$0
Part 40	\$0
Part 37	\$0
Part 70	\$474
Part 72	\$71
Part 140	\$0
<b>Total</b>	<b>\$545</b>

14. Estimated Annualized Cost to the Federal Government

The staff has developed estimates of annualized costs to the Federal Government for conducting this information collection. These estimates are based on staff experience and subject-matter expertise and include the burden of reviewing, analyzing, and processing the collected information and any relevant operational expenses. Due to the proposed change to § 72.44(d)(3), which eliminates the requirement for licensees to submit annual effluent reports to the NRC and instead requires only that these reports be maintained as records, NRC staff will save time by no longer having to review these reports since they are now retained by the licensee rather than submitted for NRC review.

	Cost to the Federal government
Part 30	\$0
Part 37	\$0
Part 40	\$0
Part 70	\$0
Part 72	-\$23,100
Part 140	\$0
<b>Total</b>	<b>-\$23,100</b>

15. Reasons for Changes in Burden or Cost

As a result of the proposed rule, the burden for the 10 CFR Parts 30, 37, 40, 70, 72 and 140 information collection would increase by 42,306 hours.

16. Publication for Statistical Use

Not applicable.

17. Reason for Not Displaying the Expiration Date

The reporting and recordkeeping requirements for this information collection are associated with regulations and are not submitted on instruments such as forms or surveys. For this reason, there are no data instruments on which to display an OMB expiration date. Further, amending the regulatory text of the CFR to display information that, in an annual publication, could become obsolete would be unduly burdensome and too difficult to keep current.

18. Exceptions to the Certification Statement

None.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

Not applicable

DESCRIPTION OF INFORMATION COLLECTIONS CONTAINED IN  
MODERNIZING MATERIALS LICENSING PROPOSED RULE

- Part 30: The proposed rule aims to clarify the language across its material facility construction regulations, including provisions in 10 CFR Part 30, 40 and 70, to explain that construction prior to approval may proceed but it occurs at the applicant's own risk.
  - § 30.32(f) – current provisions in this paragraph require that an application for a license under 10 CFR Part 30 that will significantly affect the quality of the environment must be filed at least 9 months prior to commencement of construction of the plant or facility in which the activity will be conducted and shall be accompanied by an environmental report required pursuant to 10 CFR Part 51, Subpart A. The proposed rule would revise this provision to allow flexibility for complying with the applicable regulatory requirements in 10 CFR Part 51, “Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions,” and to move and revise the construction regulations (see § 30.33(a)(5)). (Amended, no change in burden)
  - § 30.33(a)(5) – includes provisions for commencement of construction for facilities involving byproduct material. The current provisions in § 30.32(f) required applicants to file a license application at least nine months before beginning construction. The proposed rule would revise § 30.33(a)(5) to clarify the current prohibition on beginning construction prior to the NRC's environmental determination, replacing it with a more flexible approach that permits applicants to begin construction at their own risk. Additionally, the revised paragraph would require applicants to submit construction schedules to the NRC no later than 30 days before construction begins. (New)
- Part 37: The proposed rule would introduce a new exemption for large components and for the storage of material in robust structures that contain Category 1 or Category 2 quantities of radioactive material. To implement this, the rule would revise § 37.5 by adding definitions for “large components” and “robust structures.” Additionally, the proposed rule would amend § 37.11 to clarify and expand current exemptions for when the physical protection measures for category 1 and category 2 quantities of radioactive material do not apply to a power reactor license.
  - § 37.11(d) – this proposed new paragraph would to reference these definitions and would provide an exemption for large components and robust structures containing Category 1 or Category 2 quantities of radioactive material at power reactor facilities. The exemption would apply if the licensee meets specified requirements, including maintaining written documentation demonstrating compliance with those requirements. (New)
- Part 40: The proposed rule aims to clarify certain regulatory requirements under this part.
  - § 40.31(f) – current provisions in this paragraph require that an application for a license under 10 CFR Part 40 that will significantly affect the quality of the environment must be filed at least 9 months prior to commencement of construction of the plant or facility in which the activity will be conducted and shall

be accompanied by an environmental report required pursuant to 10 CFR Part 51, Subpart A. The proposed rule would revise this provision to allow flexibility for complying with the applicable regulatory requirements in 10 CFR Part 51, and to move and revise the construction regulations (see § 40.32(e)). (No burden change)

- § 40.32(e) – includes provisions for commencement of construction for facilities regulated under 10 CFR Part 40. The current provisions in § 40.31(f) required applicants to file a license application at least nine months before beginning construction. The proposed rule would revise § 40.31(f) to clarify the current prohibition on beginning construction prior to the NRC's environmental determination, replacing it with a more flexible approach that permits applicants to begin construction at their own risk. Additionally, the revised paragraph would require applicants to submit construction schedules to the NRC no later than 30 days before construction begins. (New)
- Part 70: The proposed rule would amend or remove existing regulatory requirements, or introduce new ones, to enhance efficiency, streamline the regulatory process, and provide greater clarity. The proposed changes include issues prompted by executive order, as well as issues that have been the subject of prior discussions between the NRC and its stakeholders. The proposed rule would add definitions of a pilot fuel line and a spent fuel reprocessing facility, which would be regulated under Part 70. The proposed rule would revise the regulatory requirements related to reporting and recordkeeping. The specific changes are explained below.
  - Paragraph 70.21(a) – specifies the methods for filing new license applications, the places to file the applications and the number of copies required. The proposed amendments to 70.21(a)(1) simplifies the regulatory language by eliminating redundant information. Additionally, a new subparagraph, 70.21(a)(4), would require a combined license application for a spent fuel reprocessing facility to be submitted under oath or affirmation consistent with the AEA (No burden change)
  - Section 70.22 – sets forth the requirements for the contents of applications. The proposed rule amends § 70.22 to update the provisions to include information that would be necessary for an application for a spent fuel reprocessing facility. The changes include proposal to amend § 70.22(a)(7), § 70.22(b), § 70.22(n), § 70.22(o), § 70.22(p), § 70.22(f), and § 70.22(q). The proposed amendments to § 70.22 would require applicants for spent fuel reprocessing facilities to include a description of the applicant's program for control and accounting of SNM; provisions for liability insurance (specific amounts to be determined on a case-by-case basis); proposed technical specifications, and a proposed operator licensing program for the manipulation of controls; and include a quality assurance program, among other content of application requirements deemed necessary to provide for reasonable assurance of adequate protection of public health and safety and common defense and security. The NRC staff has anticipated that the burden associated with submitting applications for both pilot fuel line facilities that were previously authorized under the Department of Energy Reactor Pilot Program and spent fuel reprocessing facilities under 10 CFR Part 70 will be consistent with the range of burdens observed for other Part 70

applications. Accordingly, the overall burden estimate for a Part 70 application remains unchanged. (No burden change)

- 70.23(a)(7) currently includes provisions for commencement of construction for facilities under this part. The revised paragraph would require applicants to submit construction schedules to the NRC no later than 30 days before construction begins. (New)
- § 70.24(a)(3) – requires that licensees maintain emergency procedures for those areas subject to the criticality monitoring requirements of paragraph 70.24(a). These procedures are designed to assure that all personnel will withdraw to an area of safety upon the sounding of a criticality alarm. The proposed rule would potentially reduce the burden on applicants by proposing revisions to § 70.24 to relieve licensees authorized to possess certain isotopes of special nuclear material (SNM) in the quantities specified in § 70.24(a) from the requirement to maintain a criticality accident alarm system, provided they can demonstrate that a criticality accident is not credible; however, the NRC staff has not reduced the burden estimate for this requirement as a result of the rule. Three additional respondents have been added based on the addition of spent reprocessing and pilot fuel line licensees (Amended, change in respondents)
- § 70.25 – sets forth the requirements for financial assurance and recordkeeping for decommissioning. Paragraphs 70.25 (a) and (b) specify which licensees may submit a certification of financial assurance in an amount prescribed in the regulation, and which licensees must submit a decommissioning funding plan. The proposed rule amends paragraph 70.25(a) to require an applicant for a spent fuel reprocessing facility to submit a decommissioning plan, which would add additional respondents for this requirement. (Change in respondents)
- 70.31(f) would require each combined license for a spent fuel reprocessing facility to include the required inspections, tests, and analyses, including those for emergency planning, that the licensee shall perform, and that, if met, are necessary and sufficient to provide reasonable assurance that the facility has been constructed and will be operated in conformity with the license. This requirement is currently estimated at 25,000 hours for a single hypothetical respondent, based on the current estimate for Part 52 reactor licensees to complete a similar requirement. However, compared to the two-step application process that would have been required under Part 50, this represents an overall reduction in the amount of time spent in the application process. (New)
- § 70.32(c), (d), and (e) – set forth requirements for the application, record keeping, and reporting requirements in section 70.32 permit the NRC regulatory staff to evaluate changes which a licensee has made, or proposes to make, in the material control and accounting and measurement control programs, the plan for physical protection of SNM in transit, and the physical security plan at a fixed site. These paragraphs also provide a means of determining whether such changes involve a significant decrease in the effectiveness of the program or plan. The proposed rule is amending paragraphs § 70.32(c)(2) and 70.32(e) to ease the timing requirements for reporting. However, it does not change the burden for existing reporting or recordkeeping obligations. (Amended, no burden change)

- 70.32(c)(2) would be revised so that a report containing a description of each change to material control and accounting program would be due within four months (rather than two months) if it pertains to uranium-233, uranium-235 contained in uranium enriched 20 percent or more in the uranium-235 isotope, or plutonium, except plutonium containing 80 percent or more by weight of the isotope Pu-238. A report would be due in 12 months (rather than six months) if it pertains to uranium enriched less than 20 percent in the uranium-235 isotope, or plutonium containing 80 percent or more by weight of the isotope Pu-238.
    - 70.32(e) would be revised so that a report of a security plan change would be due in four months, rather than two months.
- § 70.42(d) – this paragraph outlines acceptable methods for verifying that a recipient is authorized to receive special nuclear material (SNM). These verification steps ensure SNM is only transferred to authorized individuals or entities with the proper qualifications and facilities. The NRC uses these records during inspections to confirm compliance and promote safe handling of SNM. The proposed rule amends § 70.42(d) to clarify how the written confirmation of an oral certification must be submitted. It ensures that the confirmation is not just sent in any manner, but specifically via an approved method already outlined in the section. This helps maintain regulatory consistency, improves traceability, and reduces ambiguity in compliance procedures. Three additional respondents have been added based on the addition of spent reprocessing and pilot fuel line licensees (Amended, change in respondents)
- § 70.50(a), 70.50(b) and 70.50(c) –The proposed rule would delete and reserve § 70.50, relocating certain requirements to Appendix A of Part 70, while removing outdated or redundant provisions. This section currently requires licensees to report certain safety-related events such as requirements for immediate reports and twenty four reports, as well as requirements for preparation and submission of written reports. (Moved,)
- § 70.52(a) and (b) – The proposed rule would delete and reserve § 70.52 to remove outdated or redundant provisions. This section currently requires that a licensee notify the NRC Operations Center within one hour of discovering any case of accidental criticality and that this notification must be made through the Emergency Notification System (ENS) if the licensee is a participant in that system.
- § 70.59 – currently requires licensees authorized to possess and use special nuclear material (SNM) for activities such as fuel fabrication, scrap recovery, uranium hexafluoride conversion, or uranium enrichment to submit semiannual reports to the NRC. The proposed rule would expand the scope of § 70.59 to also include plutonium processing and fuel fabrication facilities, as well as spent fuel reprocessing facilities. Additionally, the reporting frequency would change from semiannual to annual submissions. Annual, rather than biannual, reporting would represent a burden reduction of approximately 20 hours per year. In addition, two additional operating licensees have been added for this requirement. (Amended, change in respondents)

- § 70.65 provides requirements for additional content of applications. Three additional respondents have been added based on the addition of spent reprocessing and pilot fuel line licensees (Amended, change in respondents)
- § 70.73 – outlines the regulations applicable to license renewal applications. The proposed rule adds practical clarification by encouraging applicants to keep renewal applications narrowly focused and as concise as possible, providing helpful guidance for those preparing a renewal submission. (Amended, no burden change)
- § 70.74 would be removed and reserved. In order to streamline the reporting process, reduce burden, eliminate redundancy, and improve consistency and understanding across licensees, requirements in this section would be moved to Appendix A. (Moved)
- Appendix A currently requires each licensee subject to Subpart H of Part 70 to report all events described in Part 70, Appendix A, to the NRC Operations Center, including supplemental information as it becomes available. The proposed rule would remove and reserve § 70.74 to remove redundant requirements included in Appendix A to Part 70, which the proposed rule would also amend. Reporting requirements previously contained in 70.50 and 70.52 would also be moved to Appendix A. (No overall change in burden, moved)
- The concurrent reporting requirement in the current Appendix A(c) would be removed. The concurrent reporting requirement currently found in appendix A(c) requires licensees to report events or situations—related to public or onsite personnel health and safety, or environmental protection—for which a news release is planned or notification to other government agencies has been or will be made. The NRC staff has determined that the burden placed on licensees to make these concurrent and follow-up reports is not justified by the associated risk. (Removed)
- Part 72: The proposed rule aims to provide clarity to the regulations and to remove prescriptive requirements for storage of spent nuclear fuel. It also proposes amendments to certain reporting and recordkeeping requirements.
  - § 72.42(b) – requires that applications for the renewal of Independent Spent Fuel Storage Installation (ISFSI) licenses be submitted at least two years before the license expires. The proposed rule seeks to amend this provision by allowing renewal applications to be filed at least 30 days before the expiration of the existing license. Although this change does not alter the reporting requirement itself or the burden to comply, it eases the timing for compliance. (Amended)
  - § 72.44(d)(3) – currently requires licensees to submit an annual report to the NRC in accordance with § 72.4. This report must be submitted within 60 days after the conclusion of each 12-month monitoring period and must detail the quantities of principal radionuclides released to the environment via liquid and gaseous effluents. The proposed rule would revise § 72.44(d)(3) to shift the focus from submission to the development and maintenance of the report. Under the proposed changes, licensees would be required to retain the report until license termination, introducing a recordkeeping obligation and eliminating the current

mandatory submission requirement. The proposed change would eliminate the reporting requirement and would slightly increase the recordkeeping obligations, as licensees are already required to retain the report for the duration of the license term, even when it is submitted. Therefore, the method of maintaining the report as a record would remain unchanged. (Amended)

- § 72.48(d)(2) – currently requires that licensees and certificate holders must submit a report every 24 months or less, as outlined in § 72.4. The report should briefly describe any changes, tests, and experiments conducted, along with a summary of the evaluation for each. However, the proposed rule would eliminate this reporting requirement to reduce the regulatory burden on current licensees and Certificate of Compliance (CoC) holders. (Removed)
- § 72.212(b)(1) – currently requires licensees to notify the NRC at least 90 days prior to storing spent fuel under a general license. The proposed rule would amend § 72.212(b)(1) to provide greater flexibility by reducing the notification period from 90 days to 30 days before storing fuel under a general license. (Amended, no burden change)
- § 72.212(b)(2) – requires licensees to register each cask used for spent fuel storage with the NRC within 30 days of use. The proposed rule would amend § 72.212(b)(2) to provide greater flexibility by extending the registration deadline to from 30 days to 90 days. (Amended, no burden change)
- § 72.212(b)(7) – currently requires licensees to evaluate any changes to the written evaluations required by paragraphs (b)(5) and (b)(6) of § 72.212 using the requirements of § 72.48(c). A copy of this record shall be retained until spent fuel is no longer stored under the general license issued under § 72.210. The proposed rule would revise § 72.212(b)(7) to clarify that this recordkeeping requirement applies to site-specific licensees. (Amended, no burden change)
- Part 140: The proposed rule includes a conforming change to clarify that all spent fuel reprocessing facility licensees would be required to have and maintain liability insurance.
  - § 140.13c – The proposed rule introduces a new provision to Subpart B of 10 CFR Part 140, specifically addressing spent fuel reprocessing facilities. Under this provision, all applicants and licensees of such facilities are statutorily required to enter into an indemnification agreement. The new § 140.13c would clarify that all spent fuel reprocessing facility licensees must obtain and maintain liability insurance. The proposed provisions would also emphasize that applicants must adequately address all relevant statutory requirements, applicable regulations, and technical considerations necessary for approval under 10 CFR Part 70. (New)