

SUPPORTING STATEMENT FOR
INFORMATION COLLECTIONS CONTAINED IN
REGULATORY ENHANCEMENTS FOR REACTOR LICENSING, DECOMMISSIONING, AND
OPERATIONAL OVERSIGHT
PROPOSED RULE

10 CFR PARTS 21, 50, 52, 53, 55, 70, and 72
NRC Forms 361, 396, 398, and 536

3150-0035, 3150-0011, 3150-0264, 3150-0151, 3150-0274, 3150-0018, 3150-0009, 3150-0132,
3150-0238, 3150-0024, 3150-0090, and 3150-0131

(RIN 3150-AL45)

NEW

DESCRIPTION OF INFORMATION COLLECTION

The U.S. Nuclear Regulatory Commission (NRC) is proposing to amend its regulations to provide regulatory enhancements for reactor licensing, decommissioning, and operational oversight. This effort is consistent with, and implements direction in, the recently issued Executive Order (E.O.) 14300, "Ordering the Reform of the Nuclear Regulatory Commission."

The NRC identified potential changes across various parts to Title 10 of the *Code of Federal Regulations* (10 CFR), as well as NRC forms. Major provisions of this proposed rule include changes to the following areas:

- Part 21 Clarifications (Parts 21, 50, and 53).
- Reporting Requirements for Nonemergency Events for Nuclear Power Plants (Part 50).
- Decommissioning Licensing Enhancements (Parts 20, 50, 52, and 53).
- Financial Qualifications and Decommissioning Trust Fund Use (Parts 50, 52, and 53).
- Risk Informed Seismic Design (Part 50).
- Probabilistic Risk Assessment Requirements (Part 50).
- Backfitting and Issue Finality Provisions (Parts 50, 52, 53, 70, and 72).
- Notification of Initial Fuel Load (Parts 52 and 53).
- Requirements for Evaluation of Generic Issues and Operating Experience (Part 52).
- Standard Design Approvals (SDAs) (Parts 50, 52, and 53).
- Environmental Reviews of Early Site Permits (Parts 52 and 53).
- Post-Three Mile Island (TMI) Requirements (Part 50).
- Updates to the Operator Licensing Programs (Parts 50, 53, and 55).
- International Atomic Energy Agency (IAEA) Notifications (Part 75).
- Record Keeping and Reporting Requirements (Parts 50, 52, and 53).

This supporting statement includes burden associated with revised information collection in Part 21, Part 50, Part 52, Part 53, Part 55, Part 70, and Part 72, as well as NRC Forms 361, 396, 398, and 536.

Affected Entities

The potential respondents to these information collections include existing and future applicants and licensees under 10 CFR Parts 21, 50, 52, 53, 55, 70, and 72. These respondents encompass a range of regulated entities such as commercial nuclear power reactor operators, non-power production or utilization facility operators (including research and test reactors), fuel cycle facility operators (including those engaged in fuel fabrication, uranium enrichment, conversion, and spent fuel reprocessing), independent spent fuel storage installation (ISFSI) operators, and licensees possessing or handling special nuclear material. Respondents also include suppliers and contractors subject to NRC reporting requirements (e.g., under Part 21), as well as individuals applying for or holding operator licenses under Part 55.

Information Collections

Part 21 Clarifications (Parts 21, 50, and 53)

The proposed changes would include consolidating specific requirements in 10 CFR 50.55(e) and 53.605 into 10 CFR Part 21, allowing deletion of the redundant regulations in 10 CFR 50.55(e) and 53.605.

Reporting Requirements for Nonemergency Events for Nuclear Power Plants (Part 50)

The proposed changes would amend the NRC's regulations related to reporting nonemergency events at nuclear power plants. The NRC would retain reporting criteria that are important to plant safety and maintaining appropriate NRC awareness of nonemergency events at nuclear power plants. The NRC would eliminate criteria that are no longer needed. This proposed rule would also allow for alternative reporting methods for certain nonemergency events.

Decommissioning Licensing Enhancements (Parts 20, 50, 52, and 53)

The proposed changes would revise decommissioning licensing regulations in Parts 20, 50, 52, and 53. Changes include expansion of partial site release requests, reducing regulatory requirements for prompt decommissioning of power reactors, public engagements related to decommissioning licensing actions, and shortening the period after submittal of a Post-Shutdown Decommissioning Activities Report (PSDAR) before major decommissioning activities may begin.

Financial Qualifications and Decommissioning Trust Fund Use (Parts 50, 52, and 53)

The proposed changes would conform the financial qualification requirements for Part 50 and Part 52 applicants with the financial qualification requirements for Part 53 applicants, and revise regulations on the use of a decommissioning trust fund during operations for radiological decommissioning activities, including but not limited to major radioactive component disposal, under certain defined circumstances.

Notification of Initial Fuel Load (Parts 52 and 53)

The proposed changes would eliminate the requirement for recurrent reporting of updates to the licensee's scheduled date for initial fuel load every 30 days after the initial report submitted no less than 270 days before the scheduled date. Instead, this would be replaced with a requirement to notify the NRC only in those cases where, after providing the initial notification, the scheduled date for initial fuel load is revised.

Requirements for Evaluation of Generic Issues and Operating Experience (Part 52)

The proposed changes would eliminate the regulations under Part 52 that require applicants to submit for NRC review an evaluation of generic issues and operating experience from generic communications technically relevant to their design.

Standard Design Approvals (Parts 50, 52, and 53)

The proposed changes would address stakeholder feedback and support the NRC's strategic objectives to modernize its regulatory framework, reduce unnecessary regulatory burden, and foster innovation in reactor design by amending 10 CFR 52.147 and 53.1218 to remove the expiration date for SDAs.

Updates to the Operator Licensing Programs (Parts 50, 53, and 55)

The proposed changes would modify various existing regulations related to the operator licensing programs of Parts 50, 53, and 55.

Record Keeping and Reporting Requirements (Parts 50, 52, 53, 70, and 72)

The proposed changes would remove unnecessary reporting obligations, streamlining information submission, recordkeeping, and reporting processes without compromising the NRC's mission.

A. JUSTIFICATION

1. Need for the Collection of Information

Part 21:

NRC regulations in 10 CFR Part 21 pertain to reporting of defects and failures to comply with any applicable regulation in this chapter, order, or license issued by the Commission that could create a substantial safety hazard. Part 21 contains reporting and recordkeeping requirements that ensure the NRC is informed of defects in safety-related components so that the agency can take appropriate regulatory action. Records are required to be maintained so that technical issues may be effectively resolved and to facilitate enforceability of the regulations. The proposed rule would amend information collection requirements in Part 21 to modernize and clarify defect and noncompliance reporting. The proposed rule would consolidate duplicative requirements from 10 CFR 50.55(e) and 53.605 into Part 21, expands the scope to include entities under new licensing frameworks, and updates the initial notification method from facsimile to email or telephone. These changes ensure timely, efficient, and comprehensive reporting of substantial safety hazards, while reducing ambiguity and administrative burden for licensees and suppliers.

Part 50:

Pursuant to the Atomic Energy Act of 1954 (AEA), as amended, NRC has the responsibility and authority for licensing and regulating nuclear power plants, non-power reactors (research and test facilities), fuel reprocessing plants and other utilization and production facilities. This review responsibility also encompasses applications for approval of design certifications. Information provided by the applicant as part of the application is crucial to the licensing process as it provides the NRC with the information it needs to make a decision with regard to the proposed plant's impact on the health and safety of the public. Once a facility is licensed, the NRC continues to regulate its licensed activities. Licensees must

comply with the reporting and recordkeeping requirements in 10 CFR Part 50 so that the NRC will have the information it needs to ensure that licensed activities are being conducted without endangering the health and safety of the public. The proposed rule would eliminate several periodic reporting requirements, such as biannual reports for changes, tests, and experiments (§ 50.59(d)(2)), annual financial reports (§ 50.71(b)), inservice testing plans (§ 50.55a(f)(7)), and certain event notifications under § 50.72 and § 50.73. It also allows alternative, technology-inclusive methods for nonemergency event reporting and removes requirements for licensees to submit FSAR updates tied to refueling outages. In addition, the requirements under 10 CFR 50.69 would be necessary to reduce the regulatory burden on certain licensees by providing for an alternative regulatory framework to categorize SSCs according to safety significance.

Part 52:

The information in 10 CFR Part 52 is needed by the agency to assess the adequacy and suitability of an applicant's site, plant design, construction, training, and experience, plans and procedures for the protection of public health and safety. The proposed rule would eliminate the requirement for early site permit applicants to always submit an environmental impact statement, allow licensees to notify the NRC only when there are changes to the scheduled date for initial fuel load (rather than every 30 days), and streamline recordkeeping for design approvals and FSAR updates. These changes support a more risk-informed and efficient licensing process for new reactors.

Part 53:

The information collection requirements contained in Part 53 are necessary for the NRC to evaluate applications for, issue, and regulate operations under Part 53 licenses. Moreover, these requirements enable the NRC to exercise its oversight functions in an effective and efficient manner to ensure protection of public health and safety, the promotion of the common defense and security, and the protection of the environment. The proposed rule would clarify reporting requirements for decommissioning (e.g., submission of a post-shutdown decommissioning activities report and cost estimate), consolidate defect reporting, and standardize FSAR update intervals for various license types. It would also set new requirements for SDA holders to report and retain records of design changes. These changes ensure effective NRC oversight and regulatory consistency for advanced reactor applicants and licensees.

Part 55:

Title 10 CFR Part 55 was developed to comply with Section 107 of the AEA, as amended, which requires the Commission to determine the qualifications of individuals licensed as operators of utilization facilities and to establish uniform conditions for the licensing of operators. The information is used for NRC-developed initial licensed operator examinations, and to evaluate exemptions from the 10 CFR Part 55 regulations for operator license applicants, changes in licensed operator medical conditions, the quality of facility-developed initial licensed operator examinations, requests to waive examination requirements, compliance with operator license conditions, operator license renewal, and the licensed operator requalification program. All these items are used to determine whether individuals are qualified to be licensed operators at utilization facilities as required by the AEA, as amended. The proposed rule would allow both physicians and

licensed medical examiners to certify operator medical fitness (§ 55.21, § 55.23), remove the operator license renewal process (eliminating related recordkeeping and reporting), shift notification of operator status changes from individuals to facility licensees, and provide flexibility in record retention for medical and training records. These changes improve efficiency and access while supporting continued operator qualification and facility safety.

Part 70:

Special nuclear material includes several isotopes of uranium and plutonium that are defined as "strategic special nuclear material" due to their potential use. To ensure the safety of the public and the security of the Nation, the NRC regulates Material Control and Accounting programs that are maintained by facilities licensed to possess these materials. The proposed rule would extend the reporting interval for safeguards contingency plan changes from 60 days to four months (§ 70.32(g)) and limit effluent monitoring reports (§ 70.59) to annual submission or only when significant thresholds are exceeded. These changes maintain NRC oversight while reducing unnecessary administrative requirements.

Part 72:

The regulations in 10 CFR Part 72 are issued pursuant to the AEA, as amended, Title II of the ERA, as amended, and the Nuclear Waste Policy Act of 1982, as amended. In order to obtain a license under 10 CFR Part 72, an applicant must submit financial, safeguards, technical, and environmental information. Such information is needed both to provide safety assurance and to comply with complementary NRC regulations for environmental protection (10 CFR Part 51) and safeguards requirements (10 CFR Part 73). The rule would eliminate the requirement to submit FSAR updates (§ 72.70(c)(6) and §72.248(c)(1), (2), (3), and (6)) and maintain these documents as records. These changes would maintain NRC oversight while reducing unnecessary administrative requirements.

NRC Form 361:

The NRC licenses and regulates the Nation's civilian use of radioactive materials to provide reasonable assurance of adequate protection of public health and safety, promote the common defense and security, and protect the environment. In order for the NRC to carry out these responsibilities, its regulations require licensees to report significant events so that the NRC can evaluate the events to determine what actions, if any, are warranted to ensure protection of public health and safety. In addition, this information is needed for the NRC to carry out its responsibility to inform Congress of those events constituting "abnormal occurrences."

As required by 10 CFR 50.72, commercial nuclear power plants to report certain reactor events and emergencies that have potential impact to public health and safety. In order to efficiently process the information received through such reports for reactors, the NRC developed Form 361 as a vehicle to record the information in a templated fashion. Similarly, the NRC also created other NRC Forms (361A, 361N) to allow for efficient collection of information for fuel cycle licensee, material licensee, and non-power reactor events with potential significance and impact to public health and safety. Without the templated format of the NRC Forms 361, the information exchange between licensees and NRC Headquarters Operations Officers via telephone could result in delays due to excessive follow-on questions for additional details, repeat-backs for confirmation, as well as unnecessary

transposition errors. The rule would amend this form to remove the 5 of the 11 reporting requirements in 10 CFR 50.72(b)(2) and (3).

NRC Forms 396 and 398:

This information is needed to determine facility licensee's compliance with the regulations in 10 CFR Part 55. The rule would amend NRC Form 396 to identify generic license conditions and medical restrictions as covered by 10 CFR 55.53(m) and update "physician" to "a physician or licensed medical examiner" throughout. The rule would amend NRC Form 398 to remove information associated with license renewals, remove the term "plant-referenced simulator," update the term "simulation facility," and account for updates to 10 CFR 55.31(a)(5).

NRC Form 536:

The regulations in 10 CFR 50.54 require that all manipulations of controls of any facility be performed only by a licensed reactor operator, licensed senior reactor operator or a trainee under the direct supervision of a licensed reactor operator or a licensed senior reactor operator. The licensing of reactor operators or senior reactor operators is performed by the NRC in accordance with the requirements of 10 CFR Part 55. In order to meet the needs of the nuclear industry for licensed reactor operators and senior reactor operators, NRC requests all commercial nuclear power facilities to submit their projected (estimated) number of candidates for reactor operator and senior reactor operator examinations, the proposed date for examinations for the next calendar year and each of three successive calendar years. The rule would amend this form to include a selection for whether the facility prefers to have the exam administered by the facility or the NRC.

2. Agency Use and Practical Utility of Information

Part 21:

Reports submitted under the proposed rule, including those now consolidated from 50.55(e) and 53.605, are reviewed by NRC staff to identify potential generic safety issues arising from defects or failures to comply in basic components at NRC-licensed facilities or activities. The NRC evaluates these reports to determine the need for regulatory action, such as issuing Information Notices, Generic Letters, or Bulletins to the industry, and to inform its oversight and inspection programs. The updated reporting methods (now allowing email and telephone) would facilitate more timely and efficient communication. Records required under 10 CFR 21.51 (including procurement documents, evaluation records, notifications, and interim reports) are inspected by NRC staff to verify compliance with defect evaluation and reporting requirements. These records support NRC's ability to track defect trends, ensure corrective actions are taken, and share significant safety information with licensees and industry organizations.

Part 50:

Revised event notifications, streamlined FSAR updates, streamlined categorization of SSCs, and reduced periodic reporting would be used to maintain effective regulatory oversight of operating and decommissioning nuclear facilities. Immediate and nonemergency event reports are reviewed to assess plant safety status and determine if NRC action or communication is needed. The elimination of certain reporting requirements (e.g., annual financial reports, inservice testing plans) would allow NRC staff to focus on risk-significant matters and reduce unnecessary administrative processing. Recordkeeping requirements, such as those for technical specifications and QA programs, are used during inspections and licensing reviews to verify compliance and inform decisions on license amendments, continued operation, or facility decommissioning. These changes ensure the NRC can efficiently monitor safety while reducing burden on licensees.

Part 52:

In general, the information submitted is reviewed by various NRC offices charged with the responsibility of ensuring that licensed activities are conducted in accordance with the AEA, the ERA and the National Environmental Policy Act (NEPA). The information collected is used to assess the adequacy and suitability of the applicant's site, plant design, construction, training, and experience, and plans and procedures for the protection of public health and safety. The NRC review of such information, and the findings derived from that information, will form the basis for Commission decisions and actions concerning the issuance, modification, or revocation of licenses, certifications, and approvals for nuclear power reactor plants. The revised notification provisions, which now require updates only when the fuel load schedule changes, enable NRC staff to maintain up-to-date awareness of licensee activities without unnecessary repeated submissions. The elimination of mandatory environmental impact statements for all early site permits allows the NRC to tailor its environmental reviews to the actual potential impacts, improving efficiency while meeting NEPA obligations. All collected information is used as the basis for licensing, certification, and oversight decisions, ensuring public health and safety.

Part 53:

The NRC uses the records and reports required in this part to ascertain that licensing the design, construction, operation, and decommissioning of commercial nuclear plants is adequate to protect public health, promote the common defense and security, and protect the environment. The reports and recordkeeping requirements allow NRC to determine whether to take actions, such as to conduct inspections or to alert other licensees to prevent similar events that may have generic implications.

Part 55:

The NRC uses the information collected under the amended Part 55 (including operator license applications, medical certifications, examination records, and status notifications) to ensure that all licensed operators are properly qualified, medically fit, and adequately trained to safely operate nuclear facilities. Under the proposed rule, the shift in medical certification to include licensed medical examiners (as well as physicians) and the streamlining of reporting and recordkeeping for operator status and training allow NRC staff to efficiently review and approve operator licenses, monitor ongoing competence through requalification

programs, and respond to changes in operator status or medical condition. Simulator qualification records and exemption requests are also reviewed to ensure that training and testing environments meet regulatory standards.

Part 70:

For Part 70, the NRC uses information from licensee applications, program changes, event reports, and effluent monitoring to evaluate the adequacy of licensee safety, security, and environmental protection programs for special nuclear material. The extended reporting intervals for safeguards plan changes and the reduced frequency of effluent monitoring reports allow the NRC to maintain oversight while focusing on significant changes and actual risk. Records maintained by licensees are inspected to verify compliance with license conditions and regulatory requirements, and event reports are used to assess the effectiveness of licensee responses and determine if additional NRC action is warranted.

Part 72:

The NRC reviews information collected under amended Part 72, including applications, safety analysis records, and event reports, to ensure that independent spent fuel storage installations (ISFSIs) are operated in a manner that protects public health, safety, and the environment. The shift from periodic reporting to record retention for FSAR updates allows NRC inspectors to access current information during inspections or as needed for licensing actions, without imposing unnecessary reporting burden. Eliminating certain nonemergency notifications and annual financial reporting allows NRC staff to focus on safety-significant oversight.

NRC Form 361:

The NRC staff uses the information reported using these forms for responding to emergencies, monitoring ongoing events, confirming licensing bases, studying potentially generic safety problems, assessing trends and patterns of operational experience, monitoring performance, identifying precursors of more significant events, and providing operational experience to the industry.

NRC Form 396:

The information assists the Commission in basing its finding upon the certification by facility licensees as detailed on NRC Form 396. NRC Form 396 is the mechanism by which NRC is advised of the information for determining that the applicant's or operator licensee's medical condition and general health will not adversely affect the performance of assigned operator job duties or cause operational errors endangering public health and safety.

NRC Form 398:

The information assists the Commission in basing its finding upon the certification by facility licensees as detailed on NRC Form 398. NRC Form 398 is the mechanism by which NRC is advised of the information that the applicants or operator licensees has met the qualification requirements to become or continue to be licensed reactor operators or senior reactor operators. According to 10 CFR 55.31(a)(4), an applicant must provide evidence of successfully completing the facility licensee's requirements to be a licensed operator, as well as shown evidence of fulfilling the facility licensee's need to perform assigned duties. An authorized representative of the facility shall certify that the objectives have been met on this form. The information collected on the form includes details of the

applicant's qualifications, courses administered by the facility, and the startup and shutdown experience received. The Commission may accept the certification that the applicant has completed a Commission-approved training program. This information is required under the Atomic Energy Act of 1954, as amended, in order for the NRC to ensure that uniform conditions for licensing individuals, as well as determining the qualifications of those individuals, are met.

NRC Form 536:

This information is used by the NRC to schedule and plan budgets and resources in regard to operator examination development and administration to meet the needs of the nuclear industry.

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 21	90%
10 CFR Part 50	55%
10 CFR 50.55a	96%
10 CFR Part 52	100%
10 CFR Part 53	90%
10 CFR Part 55	100%
10 CFR Part 70	90%
10 CFR Part 72	75%
NRC Form 361	97%
NRC Form 396	100%
NRC Form 398	95%
NRC Form 536	75%

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

Part 21: Approximately 2,000 licensees and other organizations are under the scope of 10 CFR Part 21. While the number of small businesses contributing to this total is not known, it can safely be concluded that small businesses falling under the reporting requirements of 10 CFR Part 21 would be most likely involved in supplying basic components or services associated with basic components to other licensees. The majority of the burden associated with the reporting of defects and noncompliance in this extension is associated with the determination of whether an

identified deficiency could create a substantial safety hazard (SSH). 10 CFR Part 21 is written in a manner that permits a supplier of basic components, for this example a small business, to reduce the burden associated with this reporting requirements if the supplier concludes that it does not have the capability to perform the evaluation to determine if a deficiency that could create a SSH exists. The supplier still must inform the purchasers or affected licensees of this basic component so that the purchasers or affected licensees may evaluate the deviation or failure to comply.

Part 70: The NRC staff estimates that approximately one percent of respondents are small businesses; however, since the health and safety consequences of improper handling or use of SNM are the same for large and small entities, it is not possible to reduce the burden on small businesses by less frequent or less complete reporting, recordkeeping, or accounting and control procedures.

NRC Form 361: Efforts have been made to keep the requirements for information to a minimum. However, since the health and safety consequences of the events being reported are likely to be the same for large and small entities, it is not possible to further reduce the burden on small businesses by less frequent or less complete recordkeeping or reporting

Parts 50, 52, 53, 55, 72, and NRC Forms 396, 398, and 536: Not applicable.

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

Part 21:

The 10 CFR Part 21 regulation requires the initial reporting of defects and failures to comply by a responsible officer of the licensee, vendor, or applicant within 2 days after being notified of the evaluation results. Written or electronic notification to the NRC is required within 30 days from the initial notification. Less frequent reporting would reduce NRC effectiveness in the area of assessing potentially generic safety issues and in disseminating such information to affected parties.

Part 50:

If the information is not collected, NRC will not be able to assess whether licensees are operating within the specific safety requirements applicable to the licensing, constructing, and operating activities for nuclear power reactors; research and test reactors; and other production and utilization facilities.

Part 52:

Applications are required only when licensing action is sought. The NRC cannot collect the information any less frequently or it would compromise its ability to make appropriate licensing decisions and would adversely affect the administration of the duties of the Commission to protect public health and safety.

Part 53:

If the information is not collected, the NRC will not be able to assess whether Part 53 licensees are operating within the specific safety requirements applicable to the licensing and operating activities for commercial nuclear plants.

The information and required frequency from licensees is essential to the NRC's determination of whether the applicant has adequate equipment, training, funds and experience throughout the life of the licensee to protect the public health and safety.

Part 55:

The information collections under 10 CFR Part 55 are conducted "one time only" or "as required." No other frequency of collection is assigned. If the information collections were not conducted, the NRC would not be able to fulfill its statutory responsibility to determine the qualifications of applicants for operator licenses, including the preparation and approval of initial operator licensing examinations, or to oversee simulator and requalification training and examination programs.

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.

Required reports are collected and evaluated on a continuing basis as events occur. Applications for new licenses are submitted only once. Applications for license amendments are submitted as needed. Applications for renewal of licenses are submitted if licensees wish to continue operating beyond the term of the license (5–40 years depending on the license). Information submitted in previous applications may be referenced without being resubmitted. The schedule for collecting the information is the minimum frequency necessary to assure that licensees will continue to conduct programs in a manner that will assure adequate protection of the public health and safety.

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. Applications are only required to be submitted for the initial license or certificate, amendments, and for renewals every 40 years, with the final rule on certificate terms and conditions becoming effective May 21, 2011. The application process requires that applicants and licensees perform comprehensive safety and environmental reviews to assure that all activities will be or are being conducted safely and in accordance with NRC regulations. The review and submission of the information required for the application is essential to NRC's determination of whether the applicant has training, experience, equipment, facilities and procedures adequate to protect the public health and safety and the environment. Other reporting and recordkeeping requirements are occasioned by specific events such as tests and experiments, annual environmental reporting, and transfers and inventories of licensed material.

NRC Form 361:

Not collecting the information, or collecting it less frequently, would degrade the NRC's ability to determine in a timely manner what actions, if any, may be needed to resolve potential threats to public health and safety or the environment and inform Congress of those events constituting "abnormal occurrences."

NRC Form 396:

Frequency of reporting cannot be discontinued or reduced without violating the NRC licensing requirements as described in 10 CFR 55.31 and 10 CFR 55.57, which would increase the potential for endangering public health and safety.

If the information is not collected, the NRC will not be able to assess and record medical conditions, along with the critical nature of the condition, the permanence, and operational errors the conditions could cause, if any, while operating controls. While the facility is responsible for certifying the medical suitability of an operator, NRC is responsible for assessing an operator's medical fitness. Information from this form is sent to a medical expert to review to determine if a conditional license should be issued.

The collection of this information is on an as-needed basis. Collection for this information is the minimum frequency necessary to ensure that licensees will continue to conduct programs in a manner that will ensure adequate protection of public health and safety.

NRC Form 398:

Frequency of reporting cannot be discontinued or reduced without violating the NRC licensing requirements as described in 10 CFR 55.31, 10 CFR 55.35, 10 CFR 55.47, and 10 CFR 55.57 which would increase the potential for endangering public health and safety. Collection of this form for initial operators is not performed at a specified frequency but instead is collected when an individual desires to be licensed at a facility. The NRC cannot make the determination that the individual possesses the necessary qualifications as required by the Atomic Energy Act of 1954 without the information provided on this form, therefore the NRC would be unable to license new individuals, and the number of licensed individuals would decrease as a result of attrition and retirements of currently licensed individuals. This would result in fewer licensed operators to operate the plant, increasing overtime and operator fatigue. At some point, the facilities would no longer have enough operators to continue to function at power and would have to shut down the facilities. For currently licensed operators, their licenses expire, per 10 CFR Part 55.55, after 6 years. This length of time was evaluated and determined to be appropriate to ensure that licensed operators periodically reevaluated by the NRC to ensure that their qualifications are still valid. Prior to 1987, the operator licenses expired every 2 years, and the frequency was extended to every 6 years to reduce burden on the facility and NRC. The NRC determined that this was a sufficient frequency to minimize burden while still ensuring that the NRC met its mandate to ensure qualifications of licensed operators. If the information is collected less than every 6 years, a rule change, including a cost-benefit analysis to determine the safety impact of an increased license term, would need to be performed. Under the current regulations, if the form is not received on time, then the operator's license would expire and the individual would either have to re-apply, which would also require submission of the form, or would no longer be licensed. If the individual reapplies, there is no change in the burden as the form would still need to be completed. If the individual is no longer licensed, then the total number of operators at the site would lower adding burden on the remaining operators. Additionally, all the operators at the site would have their licenses expire after 6 years, at which time there would be no licensed operators if this form is not collected.

NRC Form 536

This information must be collected and reviewed annually in order to accurately forecast examination needs.

7. Circumstances which Justify Variations from OMB Guidelines

Certain sections of 10 CFR Parts 21 and 50 depart from OMB guidelines by requiring that licensees submit reports to the NRC in less than 30 days.

- Section 10 CFR 21.21(d) requires that initial notification of a defect or failure to comply be made within two days (by email or phone) following receipt of information by the responsible officer.
- Section 50.72 requires immediate or prompt event notifications (ranging from immediate to 1, 4, or 8 hours after discovery of the event).

These expedited timeframes are justified by the need for NRC to maintain real-time situational awareness of potential safety or security issues.

Certain sections of 10 CFR Parts 21, 55, and 70 depart from the OMB guidelines by requiring licensees to retain records for more than 3 years.

- Section 70.32(g) requires that for safeguards contingency plan procedures, superseded portions be retained for three years after the effective date of the change and that current procedures be retained for the entire period the licensee possesses the relevant special nuclear material.
- Section 21.51 requires that some records (e.g., procurement documents, notifications, and evaluations) be retained for 10 or 15 years, depending on the type of record.
- Section 55.59 requires that some operator training and medical records be retained for the duration of the operator's license or employment, which may exceed three years.

Extended retention periods are necessary to ensure that records are available for NRC inspection and oversight throughout the operational life of a facility, to support investigations of historical safety or security issues, and to provide evidence of compliance in the event of a regulatory review, enforcement action, or license renewal.

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).

11. Justification for Sensitive Questions

Part 55: The NRC uses the medical information collected to ensure that facility licensees meet the requirements of the requalification program and maintain operator license conditions such that licensed operators continue to meet the requirements for licensing as set forth in 10 CFR Part 55. The NRC Privacy Officer has determined there are no Privacy Act implications because the information is collected by a third party.

Form 396: The information is required to determine the applicant's or operator's medical condition and general health. Without the information the Commission would have no basis for its findings upon the certification by facility licensees. Once the NRC receives the information on the Form 396, it is covered by NRC System of Records, "NRC 16: Facility Operator Licensee Records," published March 19, 2025 (90 FR 12805).

Form 398: The information is required to uniquely identify the individual for recordkeeping purposes and to ensure that a license, if issued, is issued to the correct individual. Because individuals can have the same name, the date of birth is also requested in order to ensure that each person can be uniquely identified. Additionally, an e-mail address can be voluntarily provided so that the NRC can communicate with that individual electronically regarding the application. A home mailing address is also requested for two purposes. It can also help to uniquely identify a person but is primarily used as a means of communication with the person regarding the application, especially if an e-mail address is not voluntarily provided. This is a mechanism to inform the individual of the outcome of their application, either to issue the license or deny it. If denied, the home address, or e-mail address if voluntarily provided, is used to communicate the process to request an administrative hearing if the applicant chooses. For licensed operators, the home address, or e-mail address if voluntarily provided, is used to send any updates to the license, such as a new license condition due to a new medical condition. The information submitted on NRC Form 398 is maintained as part of NRC System of Records, "NRC 16: Facility Operator Licensee Records," published March 19, 2025 (90 FR 12805).

12. Estimated Burden and Burden Hour Cost

The table below shows the estimated number of annual respondents for each part and form.

	Respondents
Part 21	30
Part 50	119
50.55a	-9
Part 52	9.33
Part 53	5
Part 55	67
Part 70	8

Part 72	16
Form 361	-94
Form 396	-133
Form 398	-402
Form 536	68
Total¹	178.33

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

Total Burden for Regulatory Enhancements for Reactor Licensing, Decommissioning, and Operational Oversight Proposed Rule				
	Reporting	Recordkeeping	Third Party	Total
Part 21	160.0	3,000.0	0.0	3,160.0
Part 50	-104,465.7	-49.2	0.0	-104,514.9
50.55a	-225.0	0.0	0.0	-225.0
Part 52	-70.0	0.0	0.0	-70.0
Part 53	-79.6	-500.0	0.0	-579.6
Part 55	993.0	1,606.0	0.0	2,599.0
Part 70	-3,360.0	3,296.0	0.0	-64.0
Part 72	-2,072.0	1,810.0	0.0	-262.0
Form 361	-122.2	0.0	0.0	-122.2
Form 396	-598.5	-149.6	0.0	-748.1
Form 398	-1,005.0	0.0	0.0	-1,005.0
Form 536	5.7	0.0	0.0	5.7
Total	-110,839.3	9,013.2	0.0	-101,826.1

Responses for Regulatory Enhancements for Reactor Licensing, Decommissioning, and Operational Oversight Proposed Rule				
	Reporting	Recordkeeping	Third Party	Total
Part 21	4.0	30.0	0.0	34.0
Part 50	-821.1	26.5	0.0	-794.6
50.55a	-9.0	0.0	0.0	-9.0
Part 52	-35.7	0.0	0.0	-35.7
Part 53	-16.3	5.0	0.0	-11.3
Part 55	202.6	1.0	0.0	203.6
Part 70	-24.0	8.0	0.0	-16.0
Part 72	-118.0	16.0	0.0	-102.0
Form 361	-244.4	0.0	0.0	-244.4

¹ Part 55 respondents and respondents to the NRC Forms are not included in the total because the total is an unduplicated count, and these respondents are already included in totals for other collections.

Form 396	-598.5	-598.5	0.0	-1,197.0
Form 398	-402.0	0.0	0.0	-402.0
Form 536	68.0	0.0	0.0	68.0
Total	-1,994.4	-512.0	0.0	-2,506.4

See the supplemental burden spreadsheet titled, “Burden for Regulatory Enhancements for Reactor Licensing, Decommissioning, and Operational Oversight Proposed Rule” for detailed burden estimates.

The total estimated reduction in the burden cost is \$15,681,219 (-101,826.1 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 proposed rule is estimated to be the following:

	Additional costs
Part 21	\$360
Part 50	-\$6
50.55a	\$0
Part 52	\$0
Part 53	-\$60
Part 55	\$193
Part 70	\$396
Part 72	\$217
Form 361	\$0
Form 396	-\$18
Form 398	\$0
Form 536	\$0
Total	\$1,082

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.

	Cost to the Federal government
Part 21	\$30,184
Part 50	-\$2,988,601
50.55a	-\$20,790
Part 52	\$20,790
Part 53	-\$2,464
Part 55	\$11,319
Part 70	-\$9,856
Part 72	-\$42,812
Form 361	-\$18,819
Form 396	\$40,711
Form 398	-\$30,954
Form 536	\$838
Total	-\$3,010,454

15. Reasons for Changes in Burden or Cost

The information collected is essential to permit the NRC to exercise its regulatory oversight for reactor licensing, decommissioning, and operations. The changes in burden under Parts 21, 50, 52, 53, 55, 70, and 72, as well as NRC Forms 361, 396, 398, and 536, support this goal and would decrease burden by 101,826.1 hours and 2,506.4 responses.

16. Publication for Statistical Use

Not applicable.

17. Reason for Not Displaying the Expiration Date

The reporting and recordkeeping requirements for this information collection in Parts 21, 50, 52, 53, 55, 70, and 72 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.

The expiration date is displayed on NRC Forms 361, 396, 398, and 536.

18. Exceptions to the Certification Statement

None.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

Not applicable

DESCRIPTION OF INFORMATION COLLECTIONS CONTAINED IN “REGULATORY
ENHANCEMENTS FOR REACTOR LICENSING, DECOMMISSIONING, AND OPERATIONAL
OVERSIGHT” PROPOSED RULE

Part 21 Clarifications

Paragraph 21.21(d)(1)(iii) would establish requirements that the holders of a construction permit, combined license, or manufacturing license notify the Commission if the quality assurance program has undergone any significant breakdown discussed in 10 CFR 21.21(a)(3)(iii). (New)

Paragraph 21.51(a)(6) would establish requirements for holders of a construction permit, combined license, or manufacturing licenses to retain records of procurement documents for the lifetime of the facility or basic component; and to retain evaluations of all deviations and failures to comply under Paragraph 21.21(a)(1) and records of all interim reports for the longest of: 10 years from the date of the evaluation, 5 years from date that an ESP is referenced in an application, or 5 years from the date of delivery of a manufacture reactor. Suppliers of basic components would retain notifications to licensees/purchasers for 10 years following the date of the notification and a list of facilities/purchasers for 15 years from delivery, occurring during the design and construction of nuclear power plants. (Moved from Paragraph 50.55(e) and Section 53.605)

Paragraph 50.55(e) establishes requirements for reporting deficiencies occurring during the design and construction of nuclear power plants. The regulation is designed to enable the NRC to receive prompt notification of deficiencies, have timely information on which to base an evaluation of the potential safety consequences of the deficiency, and to determine whether regulatory action is required. Therefore, the holder of a permit for the construction of a nuclear power plant is required to notify the Commission of each significant deficiency found in design and construction, which if it were to remain uncorrected, could adversely affect the safety of operations of the nuclear power plant at any time throughout the expected lifetime of the plant. The proposed rule would delete this paragraph and move the requirements to Part 21. (Deleted, moved to Paragraph 21.51(a)(6))

Section 53.605 currently provides requirements for the reporting of defects and noncompliance. (Deleted, moved to Paragraph 21.51(a)(6))

Probabilistic Risk Assessment Requirements

Paragraph 50.69 currently provides a voluntary alternative set of requirements which allows holders of an OL, holders of a renewed license under Part 54, applicants for a CP or OL under Part 50, and applicants for an SDA, a COL, or an ML under Part 52 to categorize SSCs according to safety significance and, for safety-related SSCs of low safety significance, the ability to adopt alternatives to certain special treatment requirements that are in addition to the customary treatment of SSCs in industrial applications. To use the alternative provisions of 10 CFR 50.69, a licensee or applicant must evaluate the safety significance of SSCs and categorize each SSC into one of four categories defined as risk-informed safety class (RISC)-1, RISC-2, RISC-3, and RISC-4. The proposed rule would modify Paragraph 50.69(b)(1) to allow CP holders, COL holders, and DC applicants to voluntarily implement the risk-informed classification of SSCs under 10 CFR 50.69 as soon as they have a PRA. The NRC staff do not expect that this requirement would impact respondents during the clearance period for this supporting statement. (Amended, change in respondents)

Reporting Requirements for Nonemergency Events for Nuclear Power Plants

Paragraph 50.72(a)(6) would be added to provide flexibility in the methods used to submit the required reports using methods other than the Emergency Notification System (ENS), provided that the licensee meets required timeframes and confirms receipt by the NRC. (New, no change in burden)

Paragraph 50.72(b)(2)(iv)(A) currently describes reporting requirements for an event that results or should have resulted in an emergency core cooling system discharge into the reactor coolant (4-hour notification). The proposed rule would eliminate this reporting requirement. (Removed)

Paragraph 50.72(b)(2)(xi) currently describes reporting requirements for an event or situation related to public health and safety or protection of the environment for which a news release is planned or notification to other government agencies has been or will be made (4-hour notification). The proposed rule would eliminate this reporting requirement. (Removed)

Paragraph 50.72(b)(3)(iv)(A) and (B) currently describe reporting requirements for an event or condition that results in the valid actuation of specified safety systems (8-hour notification). The proposed rule would eliminate this reporting requirement. (Removed)

Paragraph 50.72(b)(3)(v) currently describes reporting requirements for 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 (8-hour notification). The proposed rule would eliminate this reporting requirement. (Removed)

Paragraph 50.72(b)(3)(xii) describes reporting requirements for an event requiring the transport of a radioactively contaminated person to an offsite medical facility for treatment (8-hour notification). The proposed rule would eliminate this reporting requirement. (Removed)

The NRC also anticipates that the information collection burden on power reactor licensees could be reduced by allowing certain nonemergency reports to be made through alternative methods (e.g., the NRC's online portal for event notifications) without needing to make a separate ENS telephone call. This flexibility would be afforded by a new requirement under Paragraph 50.72(a)(6).

NRC Form 361—For telephonic notifications, NRC Form 361 provides a tool that allows licensees to relay by phone specific details in a templated and sequenced fashion to minimize follow-up questions for additional details and repeat-backs for confirmation. The form also provides a template for licensees' follow-on event reports, if required, to be written in a manner consistent with their event reporting procedures. In this proposed rule, the NRC would permit licensees to make these notifications through means other than the ENS, which would potentially increase the percentage of electronically filed responses. The form has been modified to remove the 5 of the 11 reporting requirements in Paragraph 50.72(b)(2) and (3).

Decommissioning and Licensing Enhancements

Paragraph 50.82(a)(4) currently requires that, prior to or within 2 years following permanent cessation of operations, the licensee must submit to the NRC a PSDAR. This paragraph would be revised to allow submission of a license termination plan (LTP) in accordance with Paragraph 50.82(a)(9). The proposed rule allows early submittal of the LTP (before or in place

of the PSDAR) for licensees who are ready to proceed directly to the final phase of decommissioning. This is intended to provide flexibility and efficiency for licensees who have completed necessary planning and site characterization. (Amended)

Paragraph 52.110(d)(2) currently requires that, prior to or within 2 years following permanent cessation of operations, the licensee must submit to the NRC a PSDAR. This paragraph would be revised to allow submission of an LTP in accordance with Paragraph 50.82(a)(9). The proposed rule allows early submittal of the LTP (before or in place of the PSDAR) for licensees who are ready to proceed directly to the final phase of decommissioning. This is intended to provide flexibility and efficiency for licensees who have completed necessary planning and site characterization. (Amended, no change in burden)

Section 52.111 would be a new provision for release of a part of a site for unrestricted use before license termination for Part 52 licensees. Paragraph 52.111(b) would require the licensee to submit a written request for NRC approval for release of part of the facility or site for unrestricted use, including supporting evaluations, a description of the area, the release schedule, results of evaluations under Section 50.59, and an environmental impact discussion. Paragraph 52.111(d) would require the licensee, for impacted areas, to submit a license amendment application for release, which must include all information required by paragraph (b) as well as methods and results of radiation surveys and a supplement to the environmental report. (New)

Financial Qualifications and Decommissioning Trust Fund Use

Paragraphs 50.33(f)(1) and (2) currently require applicants for construction permits to submit information sufficient to demonstrate that the applicant “possesses or has reasonable assurance of obtaining” the funds necessary for construction and/or operation, as applicable, of the facility along with associated financing details. These paragraphs would be updated to replace the current “possesses or has reasonable assurance of obtaining the funds necessary” financial qualifications standard with a “appears to be financially qualified” standard. Additionally, the change would include a requirement that if available funding at the time of application is 50 percent or less the applicant should include proposed license conditions to facilitate verification that funding is available prior to the start of construction or operation. This change would be similar to the existing requirement in 10 CFR Part 53. (Amended, no change in burden)

Paragraph 50.82(a)(7) would be updated to state that notification is required for changes that increase the decommissioning cost by more than 20% from the previously provided Decommissioning Cost Estimate. The current requirement does not specify a specific threshold for reporting. (Amended, no change in burden)

Paragraph 50.82(a)(8)(ii) currently requires that a nuclear power licensee submit to the NRC a site-specific decommissioning cost estimate prior to using any funding in excess of the amounts specified in this section. The proposed rule would remove this requirement. (Removed)

Paragraph 50.82(a)(8)(iii) currently requires that a nuclear power licensees submit to the NRC a site-specific decommissioning cost estimate within 2 years following permanent cessation of operations. The proposed rule would remove this requirement. (Removed)

Paragraphs 52.110(h)(2) and (3) currently require that a nuclear power licensee submit to the NRC a site-specific decommissioning cost estimate prior to using any funding in excess of the amounts specified in this section. (Moved to 52.110(d)(1))

Paragraph 53.1045(a)(2) currently requires licensees under 10 CFR Part 53 to notify the NRC of disbursements from decommissioning trust funds in excess of specified amounts. The proposed rule would remove this requirement. Part 53 is a new regulatory framework for commercial nuclear plants which the NRC has not yet issued any licenses under. As a result, removal of this requirement does not impact the burden for the information collection. (Removed)

Paragraph 53.1060(e) requires that licensees, prior to or within 2 years following permanent cessation of operations, submit a PSDAR to the NRC. Paragraph 53.1070(d)(1) requires that licensees, prior to or within 2 years following permanent cessation of operations, submit a PSDAR and site-specific DCE to the NRC. The proposed rule would move the requirements in Paragraph 53.1060(e) to Paragraph 53.1070(d) and would revise Paragraph 53.1060(d) to allow licensees the option to submit a license termination plan. (Moved, no change in burden)

Notification of Initial Fuel Load

Paragraph 52.103(a) currently requires that the licensee shall notify the NRC of its scheduled date for initial loading of fuel no later than 270 days before the scheduled date and shall notify the NRC of updates to its schedule every 30 days thereafter. This section is being revised to eliminate the requirement for recurrent reporting of updates to the licensee's scheduled date for initial fuel load every 30 days after the initial report submitted no less than 270 days before the scheduled date. The licensee would be required to notify the NRC only in those cases where, after providing the initial notification, the scheduled date for initial fuel load is revised. In such cases, the licensee would be required to notify the NRC within 30 days of revising the schedule. (Amended)

Paragraph 53.1452(a) currently requires the licensee to notify the NRC of its scheduled date for initial fuel loading at least 270 days prior, and to notify the NRC of updates to its schedule every 30 days thereafter. This section is being revised to eliminate the requirement for recurrent reporting of updates to the licensee's scheduled date for initial fuel load every 30 days after the initial report submitted no less than 270 days before the scheduled date. The licensee would be required to notify the NRC only in those cases where, after providing the initial notification, the scheduled date for initial fuel load is revised. In such cases, the licensee would be required to notify the NRC within 30 days of revising the schedule. (Amended)

Requirements for Evaluation of Generic Issues and Operating Experience

Paragraphs 52.47(a)(21) and (22) are requirements for technical information that are included in a standard design certification application, including proposed technical resolutions of certain unresolved safety issues identified in NUREG-0933, and information necessary to demonstrate how operating experience insights have been incorporated into the plant design. The proposed rule would remove these requirements. (Removed)

Paragraph 52.79(a) This paragraph addresses a COL application that does not reference any other type of Part 52 license, certification, or approval. Paragraphs 52.79(a)(20) and (37) would be removed, eliminating the requirements to submit proposed technical resolutions of unresolved safety issues and certain generic safety issues, as well as information demonstrating how operating experience insights have been incorporated into the plant design. (Removed)

Paragraphs 52.137(a)(21) and (22) are requirements for technical information that are included in a standard design approval application, including proposed technical resolutions of certain unresolved safety issues identified in NUREG-0933, and information necessary to demonstrate how operating experience insights have been incorporated into the plant design. The proposed rule would remove these requirements. (Removed)

Paragraph 52.157(f)(28) and (29) are requirements for technical information that are included in a ,manufacturing license application, including proposed technical resolutions of certain unresolved safety issues identified in NUREG-0933, and information necessary to demonstrate how operating experience insights have been incorporated into the manufactured reactor design. The proposed rule would remove these requirements. (Removed)

Standard Design Approvals

Paragraph 52.145(d) would allow a holder of a standard design approval to amend the standard design approved by application for an amendment. (New)

Paragraph 52.145(e) would require each holder of a standard design approval under this part to submit an update of the Final Safety Analysis Report (FSAR) every 24 months or more frequently as necessary to facilitate dependent combined license or construction permit applications, including the effects of all changes on the content of the FSAR and safety analyses and evaluations performed by the holder. (New)

Paragraph 53.1221(g) would require holders of a Standard Design Approval to submit an updated FSAR to the NRC every 24 months. If the holder is undergoing a combined license (COL) or CP application and the FSAR is updated, the updated FSAR may need to be provided more frequently. (New)

Updates to the Operator Licensing Programs

Paragraph 50.34(b)(6)(i)(A) would be added to allow applicants to submit a facility staffing plan in the FSAR for NRC review and approval as an alternative to the prescriptive staffing requirements in § 50.54(m)(1) and (2). In addition, proposed new Paragraph 50.34(b)(6)(i)(B) would require applicants for operating licenses with self-reliant mitigation facilities with GLROs to submit facility staffing plans. (New, no change in burden)

Section 50.74 currently requires licensees of nuclear power facilities to notify the NRC within 30 days of a change in status of a licensed reactor operator or senior operator. The requirement will be moved to 55.55. (Moved)

Paragraph 50.120(b)(1) currently requires each nuclear power plant licensee to establish, implement, and maintain a training program for plant personnel that meets the requirements of the regulation, and to have this training program fully in place no later than 18 months prior to fuel load at the facility. The proposed rule would remove the prescriptive requirement that the training program for nuclear power plant personnel be established “by 18 months prior to fuel load.” (Amended, no change in burden)

Paragraph 52.79(a)(26)(i)(A) would be added to allow applicants to submit a facility staffing plan in the FSAR for NRC review and approval as an alternative to the prescriptive staffing requirements in § 50.54(m)(1) and (2). In addition, proposed new Paragraph 52.79(a)(26)(i)(B)

would require applicants for combined licenses with self-reliant mitigation facilities with GLROs to submit facility staffing plans. (New, no change in burden)

Paragraph 53.726(b) currently requires licensees of nuclear power facilities to notify the NRC within 30 days of a change in status of a licensed reactor operator or senior operator. The proposed rule would remove this requirement; however no respondents were previously anticipated during the clearance period. (Removed, no change in burden)

Paragraph 53.770(a) and (b) would be updated to clarify and expand the process for handling both permanent and temporary medical conditions affecting operator or senior operator licensees, and explicitly requires the facility licensee to provide medical certification to the NRC within 30 days if a permanent condition can be accommodated by a license condition not already identified on NRC Form 396. (Amended, no change in burden)

Paragraph 53.780(c)(1) would be amended to allow facility licensees to receive Commission approval to operate a operator licensing requalification program for a duration other than not to exceed 24 months. (Amended, no burden change)

Paragraph 53.780(c)(3) would be amended to change the time period for which facility licensees must retain requalification records from “until the operator’s or senior operator’s license is renewed” to “the end of the subsequent requalification period.” (Amended, no burden change)

Section 53.830 would be revised to remove any fixed timeline for establishing the training program and instead requires that the program be in place with sufficient lead time to ensure qualified personnel are available when needed, providing greater flexibility for licensee. (Amended, no change in burden)

Paragraph 55.25(b) would require that that the facility licensee document a temporary physical or mental medical conditions and take appropriate actions to accommodate it. Section 55.27 requires the retention of this documentation during the time period that an individual performance the functions of operator or senior operator. (New/Amended, no change in burden)

Paragraph 55.35(a) would be amended to remove time limitations for submitting re-applications for reactor operators. (Amended, no change in burden)

Paragraph 55.40(a) currently contains information regarding exam content for operators. This information is needed for the NRC to prepare the site-specific written and operating tests that applicants must pass to obtain an operator’s license. The proposed rule would amend this paragraph to allow criteria other than the two NUREGs to be used to prepare exams, with approval from the Commission. (Amended)

Paragraph 55.40(b) currently contains the requirements for the written examinations required by Section 55.41 and Section 55.43 and the operating tests required by Paragraph 55.40(d) currently contains the NRC requirements for all non-power reactors to prepare, proctor, and grade the written examinations and operating tests. This requirement has been moved to 55.40(a). (Moved, no change in burden)

Section 55.45 currently allows power reactor facility licensees to prepare the examinations themselves and submit them to the NRC for review and approval, in lieu of submitting information from which the NRC will prepare the licensing examinations. This paragraph would be amended to add conditions for licensees electing to administer their own operator tests,

including a condition to provide the opportunity for the NRC to be present. In addition, requirements for non-power reactors (NPUFs) to prepare, proctor, and grade their own operator licensing exams would be added to this paragraph. (Amended)

Paragraph 55.46(b) currently contains the requirements for power reactor facility licensees that propose to use a simulation facility, other than a plant-referenced simulator, or the plant in the administration of operating tests under Paragraphs 55.45(b)(1) or (3) shall request approval from the Commission. This paragraph would be amended to remove the requirement for Commission approval for use of a simulation facility. (Amended)

Section 55.55 would be updated to eliminate the license renewal process for reactor operators and senior operators. Existing requirements in Section 50.74 that facility licensees notify the NRC within 30 days of a determination that a licensed individual's permanent physical or mental medical condition does not meet the minimum standard would be moved to this section. (Moved)

Section 55.59(a) requires that each licensed operator successfully complete a requalification program developed by the facility licensee and to pass a comprehensive written examination and an annual operating test as part of the requalification program. However, Paragraph 55.53(h) also contains a condition applicable to all operators' licenses that the licensee shall complete the requalification program, which includes passing the annual operating tests and biennial written examination. As this is redundant, the NRC is removing the requirements in Paragraph 55.59(a) and the existing burden will be recorded under Paragraph 55.53(h). (Moved)

Section 55.75 would contain the requirements for facility licensees for self-reliant-mitigation facilities. Paragraph 55.75(a)(2) would require that these facilities develop, implement, and maintain technical specifications that provide the necessary controls for self-reliant mitigation facilities. Paragraph 55.75(a)(3) would require that these facilities develop, implement, and maintain generally licensed reactor operator training, examination, and proficiency programs. Paragraph 55.75(a)(5) would require that facility licensees report annually to the NRC the identity of all generally licensed reactor operators. (New)

Section 55.77 would contain the requirements for general licenses for reactor operators. Paragraph 55.77(g) would require that operators must report felony convictions to the NRC through the facility licensee within 30 days of a conviction. (New)

NRC Form 396 is used by an authorized facility licensee and applicant/operator to certify the medical condition of the applicant in accordance with 10 CFR Part 55. The proposed rule would revise Section 55.25, Section 55.27, Section 55.33, and Section 55.53 to allow for certain medical conditions to be covered under a new, generic condition of licenses in Section 55.33. This would reduce requirements for facility licensees to submit NRC Form 396. (Amended)

The proposed rule would update NRC Form 396 to:

- identify generic license conditions and medical restrictions as covered by Paragraph 55.53(m), and
- say "a physician or licensed medical examiner" wherever "physician" is currently specified and required in order to be consistent with changes to Section 55.21 and Section 55.23.

NRC Form 398 is used to transmit detailed information required to be submitted to the NRC by a facility licensee on each applicant applying for new and upgraded licenses or license renewals to operate the controls at a nuclear reactor facility. The proposed rule would revise Paragraph 55.47(b) and Paragraph 53.780(f) to amend the criteria for waiving the requirements for a written examination and operating test for reactors at multiunit sites. This would expand eligibility for waiver requirements under Paragraphs 55.47(b) and 53.780(f) submitted via NRC Form 398. Additionally, the proposed rule would revise Section 55.57 and Section 53.795 to remove requirements for licensed operators to request renewal of their license every six years. This would eliminate the need for facility licensees to submit NRC Form 398 for renewals. (Amended)

The proposed rule would update NRC Form 398 to:

- remove information associated with license renewals as a result of changes to Section 55.57 and Section 53.795,
- account for removal of the term “plant-referenced simulator” and changes to the term “simulation facility” in Section 55.4, and
- account for changes to Paragraph 55.31(a)(5) that would allow facility licensees to determine the minimum number of required control manipulations in accordance with their Commission-approved training program.

NRC Form 536 is used by all commercial power reactor licensees and applicants for an operating license to voluntarily send the NRC annually the following: (1) their projected number of candidates for operator licensing initial examinations, (2) the estimated dates of the examinations, and (3) information on whether the examinations will be facility developed or NRC developed. NRC uses an official form, NRC Form 536, for the voluntary reporting of this operator licensing examination data. The proposed rule would update NRC Form 536 to account for changes to Section 55.40 that would allow facility licensees to administer and grade operating tests. (Amended)

Post TMI-Requirements

Section 50.34(f) specifies information and analyses that must be included in the application for a power reactor construction permit or operating license (or for a design certification, design approval, combined license, or manufacturing license under Part 52). Paragraph 50.34(f) contains additional requirements for power reactor applicants related to lessons learned from the Three Mile Island (TMI) accident. This paragraph would be revised to remove outdated or redundant-related items and focusing only on those that remain technically relevant to new applicants. (Amended, no change in burden)

Recordkeeping and Reporting Requirements

Paragraph 50.36(c) would be updated to eliminate the requirement for licensees to notify the NRC when a safety limit is exceeded or a limiting safety system setting is not met); instead, licensees would be required to review the matter, record the results, and retain those records for three years following the review. (Amended)

Paragraph 50.54(a)(3) currently requires licensees to submit any changes to their previously accepted quality assurance program description to the NRC, so long as the changes do not reduce the commitments in the program description. The paragraph would be amended to

remove the requirement for submission and instead licensees would maintain these changes to the QA program as a record. (Amended)

Paragraph 50.54(p)(2) specifies that a licensee may make changes to the plans referenced in Paragraph 50.54(p)(1) without prior approval if the changes do not decrease the safeguards effectiveness of the safeguards plan. The licensee, however, must maintain records of changes to the plans for a period of three years from the date of the change and must submit a report containing a description of each change within two months after the change is made. The proposed rule would extend the time to submit the report from two months to six months. (Amended, no change in burden)

Paragraph 50.54(q)(5) The proposed rule would delete the requirement for the licensee to record and submit changes to the licensee's emergency plan to the NRC. (Amended)

Paragraph 50.54(w)(3) The proposed rule would delete the requirement that the licensee report to the NRC on April 1 of each year the current levels of this insurance or financial security it maintains and the sources of this insurance or financial security. (Removed)

Paragraph 50.55(f) allows construction permit holders, and holders of early site permits or manufacturing licenses under Part 52 to make changes to previously accepted quality assurance program descriptions providing the change does not reduce the commitments in the program description. Currently, changes must be submitted to the NRC within 90 days. The proposed rule would eliminate the reporting requirement and instead require that the change be retained as a record. No responses are anticipated during the clearance period, therefore, there is no change in burden associated with this change. (Amended)

Paragraph 50.55a(b)(2)(xlili) currently requires licensees to submit to the NRC the analytical evaluation determining the effects of an out of limit condition on the structural integrity of the Reactor Coolant System. The proposed rule would remove this reporting requirement. Due to the infrequency of these reports, no burden reduction was calculated for this change. (Removed, no burden change)

Paragraph 50.55a(b)(2)(xlviii) currently requires licensees to submit analytical evaluations performed as required by IWB 3132.3 and IWC 3132.3 to the NRC. The proposed rule would remove this reporting requirement. Due to the infrequency of these reports, no burden reduction was calculated for this change. (Removed, no burden change)

Paragraph 50.55a(f)(7) currently requires that Inservice Testing Program Test and Examination Plans (IST Plans) for pumps, valve, and dynamic restraints must be submitted to the NRC within 90 days of licensees implementing the IST Plans for the current inservice examination and test interval. The proposed rule would remove this reporting requirement. (Removed)

Paragraphs 50.59(c) and 50.59(d)(2) are applicable for holders of operating licenses under Part 50 and standard design approvals or combined licenses under Part 52, including facilities that have permanently ceased operations. Paragraph 50.59(c) requires the holder of a license authorizing operation of a production or utilization facility or holders of a standard design approval who desires to make a change to the facility or procedures as described in the FSAR or to conduct tests or experiments not described in the FSAR to submit an application for amendment of the license pursuant to Section 50.90 or Section 52.145 if the change, experiment, or test does meet certain criteria or a change to the TS is required. Paragraph 50.59(d)(2) currently requires the licensee to submit a report of these changes and the

corresponding evaluations at intervals not to exceed 24 months. Amendments to permits and licenses may also be submitted by holders of construction permits, early permits, manufacturing licenses, and combined licenses (prior to the operation of the nuclear power plant). The proposed rule would eliminate the reporting of changes, tests, and experiments. (Amended)

Paragraph 50.71(b) of 10 CFR currently requires licensees and holders of construction permits to file with the Commission annual financial reports, including certified financial statements. This requirement is also specified in 10 CFR 50 Appendix C, Section III, for holders of construction permits. The proposed rule would remove this requirement. (Removed)

Paragraph 50.71(e)(1) currently requires licensees to submit revisions containing the updated FSAR information on a replacement-page basis, accompanied by a list which identifies the current pages of the FSAR following page replacement. This includes periodic updates and revisions to the Quality Assurance Program Description (QAPD) that do not represent a reduction in commitments as defined by Paragraph 50.54(a)(3) and changes to QAPDs requiring prior approval from the Commission under Paragraph 50.54(a)(4). The proposed rule would remove the requirement to submit changes to the NRC, although the updated FSAR would be retained as a record. (Removed)

Paragraph 50.71(e)(2) currently requires that FSAR-update submittals include a certification by a duly authorized official of the licensee that either the information accurately presents changes made since the previous submittal, necessary to reflect information and analyses submitted to or required by the Commission, or that no such changes were made; and an identification of changes made under the provisions of Section 50.59 but not previously submitted to the Commission. The proposed rule would remove the submission requirement, although the updated FSAR would be retained as a record. (Removed)

Paragraph 50.71(e)(3) currently requires a revision of the original FSAR containing those original pages that are still applicable plus new replacement pages to be filed with 24 months of either July 22, 1980, or the date of issuance of the operating license, whichever is later, and shall bring the FSAR up to date as of a maximum of 6 months prior to the date of filing the revision. The proposed rule would remove the requirement to submit updates to this report to the NRC but still require the original FSAR to be updated within 24 months of the date of issuance of the operating license and to be brought up to date as of a maximum of 6 months prior to the date of the update. (Amended)

Paragraph 50.71(e)(4) currently requires the filing of revisions annually or 6 months after each refueling outage provided the interval between successive updates to the FSAR does not exceed 24 months. The revisions must reflect all changes up to a maximum of 6 months prior to the date of filing. For nuclear power reactor facilities that have submitted Paragraph 50.82(a)(1) certifications, subsequent revisions must be filed every 24 months. The proposed rule would remove the submission requirement, although the updated FSAR would be retained as a record. (Amended)

Paragraph 50.71(e)(5) currently requires each replacement page to include both a change indicator for the area changed, e.g., a bold line vertically drawn in the margin adjacent to the portion actually changed, and a page change identification (date of change or change number or both). The proposed rule would remove the submission requirement, although the updated FSAR would be retained as a record. (Amended)

Paragraph 50.71(f) requires each person licensed to manufacture a nuclear power reactor under subpart F of 10 CFR 52 shall update the FSAR originally submitted as part of the application to reflect any modification to the design that is approved by the Commission under 52.171 and any new analyses of the design performed by or on behalf of the licensee at the NRC's request. This submittal shall contain all changes necessary to reflect information and analyses submitted to the Commission by the licensee or prepared by the licensee with respect to the modification approved under 52.171 or analyses requested by the Commission. The proposed rule would remove the submission requirement, although the updated FSAR would be retained as a record. (Amended)

Paragraph 50.73(c) currently requires licensees to submit additional information when the Commission makes a written request for supplemental information. The proposed rule would eliminate this requirement. (Removed, no burden change)

Paragraph 50.91(a)(6)(i)(B) currently requires that, in the case of exigent circumstances, the Commission will provide reasonable notice to the public of the licensee's amendment and its proposed determination. The proposed rule would streamline this process by removing the requirement to consult with the licensee and the requirement to use local media to provide the notification. (Amended)

Paragraphs 50.120(b)(1) and (2) currently require each nuclear power plant applicant and holder of a combined license to establish, implement, and maintain a training program within 18 months prior to fuel load. The proposed rule would eliminate the fixed 18-month timeline to provide greater flexibility for licensees. (Amended, no burden change)

Paragraphs 53.1545(a) through (c) currently require FSAR update requirements including details required in the submittal to the Commission, frequency of the submittals, and the specific impacts on the content of the FSAR. The proposed rule would remove Paragraph 53.1545(b) and remove the requirement to submit updates to this report to the NRC but still require for each holder of an OL or COL for which the Commission has made the finding under Paragraph 53.1452(g) that the FSAR be updated at least every 24 months. For an applicant or COL holder for which Commission has not made a finding under Paragraph 53.1452(g) that the acceptance criteria in the COL are met, the update interval is at least annually (Amended/Removed)

Paragraph 53.1550(c)(2) currently requires licensees to submit to the NRC a report containing a brief description of any changes and/or departures from the FSAR. The proposed rule would remove this requirement. (Removed)

Paragraph 53.1560(a) and (b) currently require licensees to submit to the NRC a report detailing and updated program documents included in their licensing basis information. The proposed rule would remove Paragraph 53.1560(b) and remove the requirement to submit updates to this report to the NRC but still require that the report be updated at least biennially. (Amended/Removed)

Section 53.1565 establishes requirements for evaluating changes to programs included in licensing basis information. Paragraph 53.1565(d)(1)(i) currently allows OL or COL licensees to make changes to the previously accepted QAP description included in the FSAR, so long as it does not reduce commitments and is submitted to the NRC in accordance with the requirements of Section 53.1545. The proposed rule would remove the requirement for OL and COL licensees to routinely submit QA program changes that do not reduce commitments, converting this from a reporting obligation to a recordkeeping requirement. Paragraph 53.1565(d)(2)

currently allows holders of a limited work authorization, ESP, CP, manufacturing license, or COL to make changes to the previously accepted QAP description provided the change does not reduce the commitments in the program description previously accepted by the NRC and it is submitted to the NRC within 90 days. The proposed rule would remove the requirement for holders of a limited work authorization, ESP, CP, manufacturing license, or COL to routinely submit QA program changes that do not reduce commitments, converting this from a reporting obligation to a recordkeeping requirement. Paragraph 53.1565(d)(3) establishes requirements for submission of changes to the emergency plan. Licensees are able to make changes to the emergency plan without NRC approval if they perform and retain an analysis showing the changes do not reduce the effectiveness of the plan. The proposed rule would remove the paragraph 53.1565(d)(3)(v) requirement for licensees to submit a report of each change within 30 days (and maintain the requirement for the licensee to retain records of each change for three years). (Amended)

Paragraph 53.1640(c) currently specifies that the Commission may require additional specific information about unusually complex or significant events as supplemental to the initial LER submission. (Removed, no change in burden)

Paragraph 53.1720(c) currently requires licensees to submit annually to the NRC a report of current levels of insurance or financial security that the licensee maintains as well as the sources of these funds. The proposed rule would remove this requirement. (Removed)

Paragraph 70.32(g) currently requires that licensees prepare, maintain, and retain safeguards contingency plan procedures and records. Licensees must retain the current versions for the duration of their possession of specified quantities of special nuclear material and any superseded portions for 3 years after the effective date of the change. Additionally, licensees must submit reports to the NRC describing any changes made to the safeguards contingency plan that do not decrease safeguards effectiveness within 60 days of making the change, while changes that decrease effectiveness require prior NRC approval through a license amendment application. The proposed rule would increase the reporting period to 4 months for changes made without prior approval. (Amended, no change in burden)

Paragraph 70.32(i) provides that a licensee required to have an emergency plan shall follow the plan approved by the Commission. Licensees may make changes to the approved plan without prior Commission approval only if such changes do not decrease the effectiveness of the plan. Licensees are required to submit a report of such changes within 6 months after the change is made. Licensees desiring to make changes that would decrease the effectiveness of the approved emergency plan are required to submit an application to the Commission for approval. (Amended)

Section 70.59 currently requires that each licensee authorized to possess and use SNM for processing and fuel fabrication, scrap recovery, conversion of uranium hexafluoride, or in a uranium enrichment facility, must submit semiannual reports to the NRC specifying the quantity of each of the principal radionuclides released to unrestricted areas in liquid and gaseous effluents during the previous six months of operation, and such other information as the Commission may require to estimate maximum potential annual radiation doses to the public resulting from effluent releases. The proposed rule would remove the requirement for the submission of semiannual reports to the NRC and instead only require these licensees to develop and maintain an annual report, or reports, specifying the quantity of each of the principal radionuclides released to the unrestricted areas in liquid and gaseous effluents to the previous 12 months of operation for these licensees. These licensees would be required to

submit a report to the NRC should the annual radiation doses to the public resulting from the release result in an estimated total effective dose equivalent, or total effective dose, as applicable, of more than 25 mrem per year, or if quantities of radioactive materials released during the reporting periods are significantly above the licensee's design objectives previously reviewed as part of the licensing action.

The proposed rule would further amend current Paragraph 70.59 to add a new requirement that each licensee authorized to possess and use SNM in a spent fuel reprocessing facility must submit annual reports to the NRC specifying the quantity of each of the principal radionuclides released to unrestricted areas in liquid and gaseous effluents during the previous six months of operation, and such other information as the Commission may require to estimate maximum potential annual radiation doses to the public resulting from effluent releases.. (New/Amended)

Paragraph 70.72(d)(3) currently requires that for all changes affecting the ISA Summary, the licensee shall submit to the NRC annually, within 30 days after the end of the calendar year during which the changes occurred, revised pages of the ISA Summary. The proposed rule would remove this requirement and only require the revised ISA Summary to be maintained as a record. This information is needed to maintain accurate records and facilitate NRC oversight of the change control program. (Amended)

Paragraph 72.44(f) requires licensees to follow and maintain in effect an emergency plan approved by the Commission. Licensees may make changes to the approved plan without prior Commission approval only if such changes do not decrease the effectiveness of the plan and the plan as changed continues to meet specified requirements. Licensees are required to submit a report to the Commission which describes each change made to the plan within 6 months after the change is made. Licensees desiring to make changes that would decrease the effectiveness of the approved emergency plan are required to submit an application to the Commission for approval. (Amended)

Paragraph 72.70(c) currently contains requirements on the content and form of FSAR updates for ISFSI and MRS licensees. The proposed rule would eliminate the filing of FSAR updates and only require the FSAR to be maintained as a record. (Amended)

Paragraph 72.75(b)(1) and (2) currently require each licensee to notify the NRC as soon as possible, but no later than 4 hours after the discovery of any of the certain events or conditions involving spent fuel, HLW, or reactor-related GTCC waste. The proposed rule would remove reporting of any 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. Such an event may include an onsite fatality or inadvertent release of radioactively contaminated materials. (Amended)

Paragraph 72.75(c)(1) through (3) require licensees to notify the NRC as soon as possible but no later than 8 hours following discovery of events or conditions involving spent fuel, or reactor-related GTCC waste: (1) a defect in any spent fuel storage structure, system, or component that is important to safety; (2) a significant reduction in the effectiveness of any spent fuel storage confinement system; and (3) an event that requires the transport of a radioactively contaminated person to an offsite medical facility for treatment. The proposed rule would remove reporting of events that require transportation offsite for treatment. (Amended)

Paragraph 72.80(b) currently requires each licensee to annually submit a copy of its financial report, including certified financial statements but would be removed by the proposed rule.
(Removed)

Paragraph 72.248(c) currently requires filing of updates to FSARs by storage cask certificate holders 90 days after Commission approval of the cask design with updates filed every 24 months thereafter to reflect changes to the facility and procedures made by the CoC holder. If no changes are made, a letter so indicating is sufficient to satisfy the reporting requirement. This requirement also grants authority to CoC holders to make changes to the certified cask design without prior NRC approval, under specified conditions. The proposed rule would eliminate the submission of the FSAR and instead require the maintenance of the FSAR as a record.
(Amended)