



SECRETARY

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

March 25, 2026

IN RESPONSE, PLEASE  
REFER TO: M260325

MEMORANDUM FOR: Michael F. King  
Executive Director for Operations

FROM: Tomas E. Herrera, Acting Secretary

SUBJECT: STAFF REQUIREMENTS – AFFIRMATION SESSION, 3:30 P.M.,  
WEDNESDAY, MARCH 25, 2026, VIA TELECONFERENCE  
(OPEN TO PUBLIC ATTENDANCE)

I. SECY-25-0056 – FINAL RULE: CATEGORICAL EXCLUSIONS FROM ENVIRONMENTAL REVIEW (RIN 3150-AK54; NRC-2018-0300)

The Commission approved a final rule which amends Part 51 of Title 10 of the *Code of Federal Regulations* (10 C.F.R.), “Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions” for certain licensing, regulatory, and administrative actions that do not, individually or cumulatively, have a significant effect on the human environment as enclosed. The revisions to the categorical exclusion regulations will reduce inefficiencies and inconsistencies in the implementation of the NRC’s regulatory program. The amendments will eliminate the need to prepare unnecessary environmental assessments for NRC regulatory actions that have no significant effect on the human environment and will provide for more timely NRC action. The Commission has also certified, under the Regulatory Flexibility Act, that this rule will not have significant economic impact on a substantial number of small entities.

The *Federal Register* notice (FRN) has been reviewed by the Regulatory Analysis and Rulemaking Support Branch in the Office of Nuclear Material Safety and Safeguards (NMSS) and should be forwarded to the Office of the Secretary for signature and publication.

The staff should explore new technologies and consider leveraging them to achieve efficiency in all areas of the agency’s work, including environmental processes.

II. SECY-25-0089 - FINAL RULE: RISK-INFORMED, TECHNOLOGY-INCLUSIVE REGULATORY FRAMEWORK FOR ADVANCED REACTORS (RIN 3150-AK31; NRC-2019-0062)

The Commission has approved a final rule amending regulations in 10 C.F.R. with the addition of Part 53, “Risk-Informed, Technology-Inclusive Regulatory Framework for Commercial Nuclear Plants” as enclosed. The final rule offers a voluntary, performance-based alternative regulatory framework for licensing commercial nuclear plants. The Commission has also certified, under the Regulatory Flexibility Act, that this rule will not have significant economic impact on a substantial number of small entities.

The FRN has been reviewed by the Regulatory Analysis and Rulemaking Support Branch in NMSS and should be forwarded to the Office of the Secretary for signature and publication.

The staff should provide the Commission with an information paper 4Q2027 outlining its plans to address the evolving technical area of alternative approaches not traditionally used in licensing. This paper should include, but not be limited to, consensus codes and standards activities; maintenance, repair and inspection guidance development (e.g., for § 53.715 or technical specification surveillances); and relevant NRC research programs.

The staff should revisit the rationale for the 15-year standard design approval validity period and the lack of renewal for Part 53 in a future rulemaking effort.

The staff should ensure that risk-informed principles are consistently applied in developing companion guidance documents for Part 53, including approaches for comprehensive risk metrics; systematic risk evaluations; maintenance, repair and inspection programs; and physical and cyber security, to name a few.

The staff should update the guidance in Regulatory Guide 4.7, "General Site Suitability Criteria for Nuclear Power Stations." Guidance updates should explain how the consideration of societal benefits in siting will work in practice.

The staff should seek public comment on relevant guidance that is updated regarding the new approach to siting.

The staff should revise the comment response document in all places where the removal of specific references to ALARA is justified by the potential need for future changes due to Executive Order (EO) 14300 rulemakings and instead rely on the more direct and current reference to Part 20 as sufficient for this purpose.

Instead of relying exclusively on EO 14300, the reason for the change to the effluent design objectives requirements in section 53.425 should explain that the regulation does not require the level of detail in the footnote.

After publishing the Final Rule, the staff should engage relevant subject matter experts to develop guidance for security event dose reference value calculations to prepare for these first applications that recognizes the evolving nature of the underlying subject matter.

Given the significant and adverse comments and stakeholder interest on inclusion of aircraft impact assessment in the sunset rule, the staff should provide a courtesy copy to the Commission, prior to the EDO signature, of the Final Rule package for the aircraft impact assessment sunset rule. In addition, the staff should provide the Final Rule package to the Commission using a Note to Commissioners' Assistants 10 business days prior to transmittal to the Office of the Federal Register.

Enclosures: *Federal Register* notice for Final Rule: Categorical Exclusions from Environmental Review  
*Federal Register* notice for Final Rule: Risk-Informed, Technology-Inclusive Regulatory Framework for Advanced Reactors

cc: Chairman Nieh  
Commissioner Wright  
Commissioner Crowell  
Commissioner Marzano

Commissioner Weaver

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