

APPENDIX 16

ALTERNATE RULEMAKING PROCEDURES FOR FINALIZING EXECUTIVE ORDER 14300 RULEMAKINGS

August 6, 2026

The Commission has adopted the following revisions to its voting process for papers transmitting final rules under EO 14300, as listed in Table 2, and responses to passbacks on those final rules. In the event these alternate procedures conflict with another provision of the ICPs, these alternate procedures would control.

This appendix shall sunset 30 days after publication of the last final rule in Table 2.

Table 1: Revisions to Voting Process for EO 14300 Rules

Current ICP Provisions	EO 14300 Provisions
Chapter II—Decision Documents, pages 4-6	
“Format for Staff Papers and Action Memoranda to the Commission”	In light of extensive Commission engagement on EO 14300 rules, waive items 1, 2, 3, 5, 6, 7, and 11.
Chapter II—Decision Documents, page 8	
The Secretary records the results of the Commission action on each SECY Paper and action memorandum (COM or COMSECY) in a “Staff requirements Memorandum (SRM).” (The process for developing and approving SRMs is described in Chapter III, “Voting,” “Closure Process.”)	The Secretary records the results of the Commission action on each SECY Paper and action memorandum (COM or COMSECY) in a “Staff requirements Memorandum (SRM).” (The process for developing and approving SRMs is described in Chapter III, “Voting,” “Closure Process.”) For purposes of issuing a final rule under EO 14300 that is determined to be significant under EO 12866, the draft Affirmation Note functions as the equivalent of an SRM to transmit the final rule to OIRA. If no changes are made to the draft Affirmation Note upon completion of OIRA review, the draft Affirmation Note can be considered final.
Chapter III—Voting, page 2:	
Item c. With respect to Adjudicatory SECY papers, Commissioners are expected to vote no later than 10 business days after the issuance of the paper. When a majority of the Commission has voted and it is within 3 business days of the voting due date, SECY will notify the Commissioners who have not voted. A request for extension of time to vote beyond the 10 business day voting period or a request to delay the affirmation of the vote on a matter shall be granted only by a majority of the Commission.	Item c. With respect to Adjudicatory SECY papers and papers related to final rules under EO 14300, Commissioners are expected to vote no later than 10 business days after the issuance of the paper or as indicated in Table 2. When a majority of the Commission has voted and it is within 2 business days of the voting due date, SECY will notify the Commissioners who have not voted. An initial request for extension of 2 days will be granted. Subsequent extension requests shall be granted only by a majority of the Commission. The Secretary should request

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	short notice upon issuance of the draft affirmation notices, if necessary to help meet the target dates for these time-sensitive actions. If it would be more efficient, the Secretary can feel free to include these requests in the emails transmitting draft Affirmation Notices to the Commission, or include the request for short noticing affirmation in the draft Affirmation Notices themselves.
Item d. SECY will poll the Commission on scheduling the affirmation of a paper as soon as a majority position on the paper has been established and all extensions have expired. The Commission should strive to schedule affirmation at the earliest opportunity giving at least 7 calendar days public notice (unless a majority of the Commission agrees to short notice) following either the establishment of a majority position of the Commission and expiration of all extensions, or direction from a majority of the Commission that affirmation should be scheduled.	Item d. SECY will poll the Commission on scheduling the affirmation of a paper as soon as a majority position on the paper has been established. The Commission will schedule affirmation at the earliest opportunity following the establishment of a majority position of the Commission and expiration of all extensions.
Chapter III—Voting, Page 3:	
Item e. For non-adjudicatory SECY papers, a Commissioner may obtain an automatic extension of voting time of 5 days.	Item e. For non-adjudicatory SECY papers, a Commissioner may obtain an extension of voting time of 2 days. Subsequent extension requests shall be granted only by a majority of the Commission.
Item m. SECY will issue an SRM when a majority view exists and all extensions have expired. The SRM should be issued by noon on the next business day after SECY notifies all Commissioner offices that an SRM will be issued.	Item m. SECY will issue an SRM when a majority view exists and all extensions have expired.
Chapter III, Page 6	
Item 4. Handling of Separate Views ¹⁶ on Commission Documents Published in the <i>Federal Register</i> Individual Commissioner decisions to have his or her separate views to be appended to the end of a <i>Federal Register</i> notice being issued by the Commission should be provided in the Commissioner's response to the draft SRM. The separate views will be noted in the SRM, and the other Commissioners will be afforded the opportunity to consider them. The other	Item 4. Handling of Separate Views ¹⁶ on Commission Documents Published in the <i>Federal Register</i> Individual Commissioner decisions to have his or her separate views to be appended to the end of a <i>Federal Register</i> notice being issued by the Commission should be provided in the Commissioner's response to the draft SRM. The separate views will be noted in the SRM, and the other Commissioners will be afforded the opportunity to consider them. The other

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Commissioners may submit responding individual or majority views to also be included in or appended to the <i>Federal Register</i> notice. Including a separate view in response to an SRM will automatically generate a new version of the SRM. Commissioners will have 3 business days, as opposed to the usual 2 business days, to respond to versions of SRMs that were generated as a result of the inclusion of separate views. The SRM, CVR, and SECY paper (or COM) will be released in accordance with guidance noted in Chapter II, Decision Documents.	Commissioners may submit responding individual or majority views to also be included in or appended to the <i>Federal Register</i> notice. Including a separate view in response to an SRM will automatically generate a new version of the SRM. The SRM, CVR, and SECY paper (or COM) will be released in accordance with guidance noted in Chapter II, Decision Documents, and consistent with EO 12866.
Chapter III—Voting, Page 9	
Item 1. When a majority of the Commission has voted, SECY notifies the remaining Commissioners in writing. The Commissioners who have not responded are advised that they have 3 additional business days to vote.¹⁹ If there are more than 3 business days remaining of the original 10 business day voting period, their votes would not be due until the end of that period.	Item 1. When a majority of the Commission has voted, SECY notifies the remaining Commissioners in writing. The Commissioners who have not responded are advised that they have 2 additional business days to vote.¹⁹ If there are more than 2 business days remaining of the original 10 business day voting period, their votes would not be due until the end of that period.
Item 3. When voting papers are issued, Commission-level offices are normally asked to provide any comments within 5 business days. If a Commission level office wishes to comment but cannot meet the 5 business day deadline, it should inform SECY in writing of the reason(s) for the delay and provide the approximate date that comments will be submitted. SECY will inform the Commissioners.	Item 3. When voting papers are issued, Commission-level offices are asked to provide any comments within 2 business days.
Chapter III – Voting, Page 10	
Item 5. With the exception of SRMs on affirmation items (see 10 below), draft SRMs are circulated to the Commission, OGC, EDO, CFO, and others as appropriate, for a 3 business day review period. Commissioner requests for extensions for review will be granted up to 2 business days unless a majority of the Commission objects. OGC, EDO, CFO, etc. are afforded an opportunity to review the draft SRM to ensure that the Commission decision is clear and understandable and that resource, schedular, and legal constraints are properly considered.	Item 5. With the exception of SRMs on affirmation items (see 10 below), draft SRMs are circulated to the Commission, OGC, EDO, CFO, and others as appropriate, for a 3 business day review period. Commissioner requests for an initial extension for review will be granted up to 2 business days unless a majority of the Commission objects. Subsequent extension requests shall be granted only by a majority of the Commission. OGC, EDO, CFO, etc. are afforded an opportunity to review the draft SRM to ensure that the Commission decision

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SECY shall promptly transmit to the Commission any comments on a draft SRM that a Commission-level or staff office transmits to SECY. If Commissioners propose substantive modifications to the draft SRM, SECY will issue a subsequent version for the purpose of establishing a majority position. In order to conclude the decision-making process in a timely manner, subsequent versions of SRMs will normally be circulated for a 2 business day review period or less with no more than a 2 business day extension granted on each version. However, SECY may make non-substantive syntax, grammatical, or formatting changes to an SRM without formal Commission voting on such changes.	is clear and understandable and that resource, schedular, and legal constraints are properly considered. SECY shall promptly transmit to the Commission any comments on a draft SRM that a Commission-level or staff office transmits to SECY. If Commissioners propose substantive modifications to the draft SRM, SECY will issue a subsequent version for the purpose of establishing a majority position. In order to conclude the decision-making process in a timely manner, subsequent versions of SRMs will be circulated for a 2 business day review period or less with no more than a 2 business day extension granted on each version. However, SECY may make non-substantive syntax, grammatical, or formatting changes to an SRM without formal Commission voting on such changes.
Chapter III—Voting, page 11	
Item 6. Absent an objection from the other Commission offices, extensions of 2 business days from the due date will be granted for SRMs, and the extensions will apply to all Commissioners, without requiring subsequent requests from each Commission office.	Item 6. Absent an objection from the other Commission offices an initial extension of 2 business days from the due date will be granted for SRMs, and the extensions will apply to all Commissioners, without requiring subsequent requests from each Commission office. Subsequent extension requests shall be granted only by a majority of the Commission.
Chapter IV—Commission Meetings/Hearings, Page 6	
The Commission should strive to schedule affirmation at the earliest opportunity, giving at least 7 calendar days public notice (unless a majority of the Commission agrees to short notice) following either the establishment of a majority position of the Commission and expiration of all extensions, or direction from a majority of the Commission that affirmation should be scheduled.	The Commission should strive to schedule affirmation at the earliest opportunity following the establishment of a majority position of the Commission and expiration of all extensions. The Secretary should request short notice upon issuance of the draft affirmation notices, if necessary to help meet the target dates for these time-sensitive actions. If it would be more efficient, the Secretary can feel free to include these requests in the emails transmitting draft Affirmation Notices to the Commission, or include the request for short noticing affirmation in the draft Affirmation Notices themselves.

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Table 2: Accelerated Voting Schedule for EO 14300 Final Rules

EO 14300 Rules	Business Days
W1-2, Reforming and Modernizing the NRCs Radiation Protection Framework	15
W1-3, Implementation of the National Environmental Policy Act	15
W1-4, Streamlined Reviews of Proven Reactor Designs	10
W1-5, Licensing Requirements for Microreactors and Other Low Consequence Reactors	15
W1-6, Modernizing Reactor Licensing, Safety Oversight, and Siting Practices	15
W1-7, Modernizing Security Requirements	10
W1-8, Streamlining Contested Adjudications in Licensing Proceedings	10
W1-9, Modernizing Material Licensing	10
W1-10, Integrated Low-Level Radioactive Waste Disposal	15
W2-2, Regulatory Enhancement for Reactor Licensing, Decommissioning, and Operational Oversight	10
W2-3, Modernizing NRC Regulations for Byproduct Material Use	10
W2-4, Reducing Barriers to Medical Use Licensing	15
W2-5, In Situ Recovery Monitoring and Decommissioning Timeliness	10
W2-6, Modernizing Requirements Relating to Physical Protection of Category 1 and Category 2 Quantities of Radioactive Material	10
W2-7, Modernizing Package Certification Requirements	10
Final Rule 1 (2 CFR Debarment)	10
Final Rule 4 (Organizational Changes)	10