[7590-01-P]

NUCLEAR REGULATORY COMMISSION

10 CFR Parts 1, 2, 50, 52, 53 and 54

[NRC-2025-0974]

RIN 3150-AL43

Advisory Committee on Reactor Safeguards Functions

AGENCY: Nuclear Regulatory Commission.

ACTION: Proposed rule.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is proposing to amend its regulations in response to Section 4.(b) of Executive Order (E.O.) 14300, "Ordering the Reform of the Nuclear Regulatory Commission." Specifically, this proposed rule revises the NRC's regulations to reduce the personnel and functions of the Advisory Committee on Reactor Safeguards (ACRS) to the minimum necessary to fulfill the ACRS's statutory obligations.

DATES: Comments must be submitted using https://www.regulations.gov by 11:59 p.m. eastern time on [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]. Please include Docket ID NRC-2025-0974 in your comment submission.

ADDRESSES: Submit your comments, identified by Docket ID NRC-2025-0974, at https://www.regulations.gov. If your material cannot be submitted using https://www.regulations.gov, call or email the individual listed in the FOR FURTHER

INFORMATION CONTACT section of this document for alternate instructions.

Do not include any personally identifiable information (such as name, address, or other contact information) or confidential business information that you do not want publicly disclosed. All comments are public records; they are publicly displayed exactly as received, and will not be deleted, modified, or redacted. Comments may be submitted anonymously.

Follow the search instructions on https://www.regulations.gov to view public comments.

You can read a plain language description of this direct final rule at https://www.regulations.gov/docket/NRC-2025-0974. For additional direction on obtaining information and submitting comments, see “Obtaining Information and Submitting Comments” in the SUPPLEMENTARY INFORMATION section of this document.

FOR FURTHER INFORMATION CONTACT: Denise Edwards, Office of Nuclear Material Safety and Safeguards, telephone: 301-415-7204, email: Denise.Edwards@nrc.gov.

SUPPLEMENTARY INFORMATION:

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I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC-2025-0974 when contacting the NRC about the availability of information for this action. You may obtain publicly available information related to this action by any of the following methods:

- **Federal Rulemaking Website:** Go to https://www.regulations.gov and search for Docket ID NRC-2025-0974.
- **NRC's Agencywide Documents Access and Management System (ADAMS):** You may obtain publicly available documents online in the ADAMS Public Documents collection at https://www.nrc.gov/reading-rm/adams.html. To begin the search, select "Begin ADAMS Public Search." For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1-800-397-4209, at 301-415-4737, or by email to PDR.Resource@nrc.gov.
- **NRC's PDR:** The NRC Public Document Room (PDR), where you may examine and order copies of publicly available documents, is open by appointment. To make an appointment to visit the PDR, please send an email to PDR.Resource@nrc.gov or call 1-800-397-4209 or 301-415-4737, between 8 a.m. and 4 p.m. eastern time (ET), Monday through Friday, except Federal holidays.

B. Submitting Comments

Comments must be submitted electronically using https://www.regulations.gov no later than 11:59 p.m. eastern time on **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**. Please include Docket ID NRC-2025-0974 in your comment submission.

The NRC cautions you not to include identifying or contact information that you do not want to be publicly disclosed in your comment submission. The NRC will post all comment submissions at https://www.regulations.gov as well as enter the comment submissions into ADAMS. The NRC does not routinely edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment submissions to remove such information before making the comment submissions available to the public or entering the comment into ADAMS.

II. Rulemaking Procedure

Because the NRC considers this action to be non-controversial, the NRC is publishing this proposed rule concurrently with a direct final rule in the Rules and Regulations section of this issue of the *Federal Register*. The direct final rule will become effective on **[INSERT DATE 75 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]**. However, if the NRC receives significant adverse comments by **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]**, then the NRC will publish a document that withdraws the direct final rule. If the direct final rule is withdrawn, the NRC will address the comments in a

subsequent final rule. Absent significant modifications to the proposed revisions requiring republication, the NRC will not initiate a second comment period on this action in the event the direct final rule is withdrawn.

A significant adverse comment is a comment where the commenter explains why the rule would be inappropriate, including challenges to the rule's underlying premise or approach, or would be ineffective or unacceptable without a change. A comment is adverse and significant if:

1) The comment opposes the rule and provides a reason sufficient to require a substantive response in a notice-and-comment process. For example, a substantive response is required when:

a) The comment causes the NRC to reevaluate (or reconsider) its position or conduct additional analysis;

b) The comment raises an issue serious enough to warrant a substantive response to clarify or complete the record; or

c) The comment raises a relevant issue that was not previously addressed or considered by the NRC.

2) The comment proposes a change or an addition to the rule, and it is apparent that the rule would be ineffective or unacceptable without incorporation of the change or addition.

3) The comment causes the NRC to make a change (other than editorial) to the rule.

For procedural information and the regulatory analysis, see the direct final rule published in the Rules and Regulations section of this issue of the *Federal Register*.

III. Background

The ACRS was established by a 1957 amendment to the AEA as a statutory committee with an independent advisory role and focus to advise the Atomic Energy Commission. Following the enactment of the Energy Reorganization Act of 1974, the ACRS was assigned to the NRC with its statutory requirements intact. The ACRS assists the Commission's review and resolution of certain technical safety issues associated with the licensing of nuclear power plants and the establishment of NRC reactor safety regulations.

The ACRS's minimum statutory obligations are specified in sections 29 and 182b. of the AEA. 42 U.S.C. §§ 2039, 2232. Since its formation, the ACRS has provided independent reactor safety advice to the Commission in the review of safety issues associated with regulation of nuclear power plants. Since 1975, the Commission has codified minimum statutory obligations and referred additional duties to the ACRS, as authorized by the AEA, in the NRC's regulations in title 10 of the Code of Federal Regulations (10 CFR) parts 1, "Statement of Organization and General Information," 2, "Agency Rules of Practice and Procedure," 50, "Domestic Licensing of Production and Utilization Facilities," 52, "Licenses, Certifications, and Approvals for Nuclear Power Plants, 53, "Risk-Informed, Technology-Inclusive Regulatory Framework for Advanced Reactors," and 54, "Requirements for Renewal of Operating Licenses for Nuclear Power Plants." Over time, the depth of ACRS review increased beyond its statutorily required functions, for the additional duties referred to it by the Commission, and for additional reviews assumed by the ACRS without any Commission referrals. While ACRS recently began making certain improvements to perform more focused and efficient reviews, this rulemaking codifies those improvements and further redefines the scope of the ACRS reviews to ensure that the size and duties of the ACRS are consistent with the statutorily required functions and support timely and efficient licensing and rulemaking while

maintaining its ability to conduct independent safety analyses.

IV. Plain Writing

The Plain Writing Act of 2010 (Pub. L. 111-274) requires Federal agencies to write documents in a clear, concise, and well-organized manner. The NRC has written this document to be consistent with the Plain Writing Act as well as the Presidential Memorandum, "Plain Language in Government Writing," published June 10, 1998 (63 FR 31883). The NRC requests comment on this proposed rule with respect to clarity and effectiveness of the language used.

V. Paperwork Reduction Act

This proposed rule does not contain any new or amended collections of information subject to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.). Existing collections of information were approved by the Office of Management and Budget, approval numbers 3150-0011, 3150-0151, 3150-0274, and 3150-0155.

Public Protection Notification

The NRC may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the document requesting or requiring the collection displays a currently valid OMB control number.

VI. Executive Orders

The following are Executive Orders that are related to this proposed rule:

A. Executive Order 12866: Regulatory Planning and Review (as amended by Executive Order 14215, Ensuring Accountability for All Agencies)

The Office of Information and Regulatory Affairs (OIRA) within the OMB has determined that this proposed rule is a significant regulatory action under section 3(f) of E.O. 12866; though not economically significant under section 3(f)(1). Accordingly, the NRC submitted this proposed rule to OIRA for review. The NRC is required to conduct an economic analysis in accordance with section 6(a)(3)(B) of E.O. 12866. However, the NRC expects the costs of this rule to be minimal.

B. Executive Order 14154: Unleashing American Energy

The NRC has examined this proposed rule and has determined that it is consistent with the policies and directives outlined in E.O. 14154.

C. Executive Order 14192: Unleashing Prosperity Through Deregulation

This proposed rule is a deregulatory action as defined by E.O. 14192.

D. Executive Order 14270: Zero-Based Regulatory Budgeting to Unleash American Energy

E.O. 14270, “Zero-Based Regulatory Budgeting to Unleash American Energy,” requires the NRC to insert a conditional sunset date into all new or amended NRC regulations provided the regulations are (1) promulgated under the AEA, the Energy Reorganization Act of 1974, as amended (ERA), or the Nuclear Waste Policy Act of 1982, as amended (NWPA); (2) not statutorily required; and (3) not part of the NRC’s permitting regime. The NRC determined that the regulatory changes proposed in this rule are part of the NRC’s regulatory permitting scheme authorized by the AEA, ERA, or

NWPA. Therefore, the NRC views this rulemaking to be outside the scope of E.O. 14270 and did not insert conditional sunset dates for the regulatory changes in this proposed rule.

VII. Availability of Documents

The documents identified in the following table are available to interested persons through one or more of the following methods, as indicated.

DOCUMENT	ADAMS ACCESSION NO. / *FEDERAL REGISTER* CITATION
Executive Order 12866, "Regulatory Planning and Review," October 4, 1993	58 FR 51735
Executive Order 14154, "Unleashing American Energy," January 29, 2025	90 FR 8353
Executive Order 14192, "Unleashing Prosperity Through Deregulation," February 6, 2025	90 FR 9065
Executive Order 14215, "Ensuring Accountability for All Agencies," February 24, 2025	90 FR 10447
Executive Order, "Zero-Based Regulatory Budgeting to Unleash American Energy," April 15, 2025	90 FR 15643
Executive Order 14300, "Ordering the Reform of the Nuclear Regulatory Commission," May 29, 2025	90 FR 22587
Presidential Memorandum, "Plain Language in Government Writing," June 10, 1998	63 FR 31885

The NRC may post materials related to this document, including public comments, on the Federal Rulemaking website at https://www.regulations.gov under Docket ID NRC-2025-0974.

Dated: <Month XX, 20XX>.

For the Nuclear Regulatory Commission.

Jody Martin,
Secretary of the Commission.