

## **NUCLEAR REGULATORY COMMISSION**

**[NRC-2023-0133]**

### **10 CFR Chapter I**

#### **Unified Agenda of Federal Regulatory and Deregulatory Actions**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Semiannual regulatory agenda.

**SUMMARY:** We are publishing our semiannual regulatory agenda (the Agenda) in accordance with Public Law 96-354, "The Regulatory Flexibility Act," and Executive Order 12866, "Regulatory Planning and Review." The NRC's Agenda is a compilation of all rulemaking activities on which we have recently completed action or have proposed or are considering action. We have completed 3 rulemaking activities since our complete Agenda was issued online at the Office of Management and Budget's website at <https://www.reginfo.gov> on June 13, 2023. This issuance of our Agenda contains 33 active and 24 long-term rulemaking activities: 3 are Economically Significant in accordance with Section 3(f)(1) of E.O. 12866; 18 represent Other Significant agency priorities; 33 are Substantive, Nonsignificant rulemaking activities; 2 are Routine and Frequent rulemaking activities; and 4 are Administrative rulemaking activities. In addition, 7 rulemaking activities impact small entities.

**FOR FURTHER INFORMATION CONTACT:** Cindy K. Bladey, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone: 301-415- 3280; email: [Cindy.Bladey@nrc.gov](mailto:Cindy.Bladey@nrc.gov). Persons

outside the Washington, DC, metropolitan area may call toll-free: 1-800-368-5642. For further information on the substantive content of any rulemaking activity listed in the Agenda, contact the individual listed under the heading “Agency Contact” for that rulemaking activity.

## **SUPPLEMENTARY INFORMATION:**

### **OBTAINING INFORMATION**

Please refer to Docket ID **NRC-2023-0133** when contacting the NRC about the availability of information for this document. You may obtain publicly available information related to this document by any of the following methods:

- **Federal rulemaking website:** Go to <https://www.regulations.gov> and search for Docket ID **NRC-2023-0133**.

- **NRC’s PDR:** You may examine and purchase copies of public documents, by appointment, at the NRC’s Public Document Room, Room P1 B35, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852. To make an appointment to visit the PDR, please send an email to [PDR.Resource@nrc.gov](mailto:PDR.Resource@nrc.gov) or call 1-800-397-4209 or 301-415-4737, between 8 a.m. and 4 p.m. eastern time, Monday through Friday, except Federal holidays.

- **Reginfo.gov:**
  - For completed rulemaking activities, go to <https://www.reginfo.gov/public/do/eAgendaHistory?showStage=completed>, select “Fall 2023 The Regulatory Plan and the Unified Agenda of Federal Regulatory and Deregulatory Actions” from drop down menu, and select “Nuclear Regulatory Commission” from drop down menu.

- For active rulemaking activities go to

<https://www.reginfo.gov/public/do/eAgendaMain> and select “Nuclear Regulatory Commission” from drop down menu.

- For long-term rulemaking activities go to

<https://www.reginfo.gov/public/do/eAgendaMain>, select link for “Current Long Term Actions,” and select “Nuclear Regulatory Commission” from drop down menu.

## **INTRODUCTION**

The Agenda is a compilation of all rulemaking activities on which an agency has recently completed action or has proposed or is considering action. The Agenda reports rulemaking activities in three major categories: completed, active, and long-term. Completed rulemaking activities are those that were completed since publication of an agency’s last Agenda; active rulemaking activities are those for which an agency currently plans to have an Advance Notice of Proposed Rulemaking, a Proposed Rule, or a Final Rule issued within the next 12 months; and long-term rulemaking activities are rulemaking activities under development but for which an agency does not expect to have a regulatory action within the 12 months after publication of the current edition of the Unified Agenda.

The NRC assigns a “Regulation Identifier Number” (RIN) to a rulemaking activity when the Commission initiates a rulemaking and approves a rulemaking plan, or when the NRC staff begins work on a Commission-delegated rulemaking that does not require a rulemaking plan. The Office of Management and Budget uses this number to track all relevant documents throughout the entire “lifecycle” of a particular rulemaking activity. The NRC reports all rulemaking activities in the Agenda that have been assigned a RIN and meet the definition for a completed, an active, or a long-term rulemaking activity.

The information contained in this Agenda is updated to reflect agency priorities,

planning and coordination of public engagement efforts, and regulatory actions that have occurred on a rulemaking activity since publication of our last Agenda on July 27, 2023. Specifically, the information in this Agenda has been updated through **August 17, 2023**. The NRC provides additional information on planned rulemaking and petition for rulemaking activities, including priority and schedule, in the NRC's Rulemaking Tracking System on our website at <https://www.nrc.gov/reading-rm/doc-collections/rulemaking-ruleforum/active/ruleindex.html>.

The date for the next scheduled action under the heading "Timetable" is the date the next regulatory action for the rulemaking activity is scheduled to be published in the **Federal Register**. The date is considered tentative and is not binding on the Commission or its staff. The Agenda is intended to provide the public early notice and opportunity to participate in our rulemaking process. However, we may consider or act on any rulemaking activity even though it is not included in the Agenda.

## **SECTION 610 PERIODIC REVIEWS UNDER THE REGULATORY FLEXIBILITY ACT**

Section 610 of the Regulatory Flexibility Act (RFA) requires agencies to conduct a review within 10 years of issuance of those regulations that have or will have a *significant* economic impact on a *substantial* number of small entities. We undertake these reviews to decide whether the rules should be unchanged, amended, or withdrawn. We have initiated one review that has a *significant* economic impact on a *substantial* number of small entities. Please see docket NRC-2023-0062 at <https://www.regulations.gov> to comment on NRC's newly initiated review, "Section 610 Review of Physical Protection of Byproduct Material". A complete listing of our regulations that impact small entities and related Small Entity Compliance Guides are available from the NRC's website at <https://www.nrc.gov/about-nrc/regulatory/rulemaking/flexibility-act/small-entities.html>.

## **PUBLIC COMMENTS RECEIVED ON THE NRC UNIFIED AGENDA**

The comment period on the NRC's last Agenda (published on July 27, 2023 (88 FR 48688) closed on August 28, 2023. The NRC did not receive any comments on its Spring 2023 Agenda. The NRC will request public comment on its Spring 2024 Agenda.

For the Nuclear Regulatory Commission.

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