

U.S. Nuclear Regulatory Commission
Statement of Regulatory Priorities for Fiscal Year 2021

I. Introduction

Under the authority of the Atomic Energy Act of 1954, as amended, and the Energy Reorganization Act of 1974, as amended, the U.S. Nuclear Regulatory Commission (NRC) regulates the possession and use of source, byproduct, and special nuclear material. Our regulatory mission is to license and regulate the Nation's civilian use of byproduct, source, and special nuclear materials to ensure adequate protection of public health and safety, and promote the common defense and security. As part of our mission, we regulate the operation of nuclear power plants and fuel-cycle plants; the safeguarding of nuclear materials from theft and sabotage; the safe transport, storage, and disposal of radioactive materials and wastes; the decommissioning and safe release for other uses of licensed facilities that are no longer in operation; and the medical, industrial, and research applications of nuclear material. In addition, we license the import and export of radioactive materials.

As part of our regulatory process, we routinely conduct comprehensive regulatory analyses that examine the costs and benefits of contemplated regulations. We have developed internal procedures and programs to ensure that we impose only necessary requirements on our licensees and to review existing regulations to determine whether the requirements imposed are still necessary.

Our regulatory priorities for fiscal year (FY) 2021 reflect our safety and security mission and will enable us to achieve our two strategic goals described in NUREG-1614, Volume 7, "Strategic Plan: Fiscal Years 2018-2022" (<https://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1614/v7/>): (1) to ensure the safe use of radioactive materials, and (2) to ensure the secure use of radioactive materials.

II. Regulatory Priorities

This section contains information on some of our most important and significant regulatory actions that we are considering issuing in proposed or final form during FY 2021. For additional information on these regulatory actions and on a broader spectrum of our upcoming regulatory actions, see our portion of the Unified Agenda of Regulatory and Deregulatory Actions. We also provide additional information on planned rulemaking and petition for rulemaking activities, including priority and schedule, on our Web site at <https://www.nrc.gov/about-nrc/regulatory/rulemaking/rules-petitions.html>.

A. NRC's Priority Rulemakings

American Society of Mechanical Engineers 2019–2020 Code Editions (RIN 3150-AK22; NRC-2018-0290): This proposed rule would incorporate by reference into the NRC's regulations the 2019 and 2020 Editions of the Boiler and Pressure Vessel Code and the Operations and Maintenance Code.

Cyber Security for Fuel Facilities (RIN 3150-AJ64; NRC-2015-0179): This proposed rule would provide for reasonable assurance that NRC-licensed fuel cycle facilities adequately detect, protect against, and respond to a cyber attack capable of causing one or more of the consequences of concern defined in the proposed rule.

Fitness-For-Duty Drug Testing Program Requirements (RIN 3150-AI67; NRC-2009-0225): This final rule will amend the NRC's regulations for the drugs tested and the protections provided to individuals subject to the program at NRC-licensed facilities.

NuScale Small Modular Reactor Design Certification (RIN 3150-AJ98; NRC-2017-0029): This proposed rule would incorporate the NuScale small modular reactor standard plant design.

B. Significant Final Rules

The following rulemaking activity meets the requirements of a significant regulatory action in Executive Order 12866, "Regulatory Planning and Review," because it is likely to have an annual effect on the economy of \$100 million or more.

Revision of Fee Schedules: Fee Recovery for FY 2021 (RIN 3150-AK24; NRC-2018-0292): This final rule will amend the NRC's fee schedules for licensing, inspection, and annual fees charged to its applicants and licensees.