

NUCLEAR REGULATORY COMMISSION

[NRC-2024-0154]

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" (RFA), and Executive Order 12866, "Regulatory Planning and Review." The NRC's Agenda was last issued online at the Office of Management and Budget's website at <https://www.reginfo.gov> on July 5, 2024. This issuance of our Agenda contains information about rulemaking activities that are under development, completed, or canceled since the last agenda and a review of regulations with small business impacts under section 610 of the RFA.

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; e-mail: 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 AND SUBMITTING COMMENTS

A. Obtaining Information

Please refer to Docket ID **NRC-2024-0154** 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-2024-0154**.

NRC's PDR: The 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, 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 2024 The Regulatory Plan and the Unified Agenda of Federal Regulatory and Deregulatory Actions" from the drop-down menu, and select "Nuclear Regulatory Commission" from the drop-down menu.

For active rulemaking activities go to <https://www.reginfo.gov/public/do/eAgendaMain> and select “Nuclear Regulatory Commission” from the 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 the 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 5, 2024. Specifically, the information in this Agenda has been updated through September 20, 2024. 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 completed one review of a regulation that has a significant economic impact on a substantial number of small entities. No comments were received during our Section 610 review of "Physical Protection of Byproduct Material." The NRC has concluded that the rule does not need to be amended at this time and has addressed the review factors in a report. The report is available in docket NRC-2023-

0062 at <https://www.regulations.gov>. A complete listing of our regulations that impact small entities and related Small Entity Compliance Guides are available from NRC's website at <https://www.nrc.gov/about-nrc/regulatory/rulemaking/flexibility-act/small-entities.html>.

Public Comments Received on NRC's Spring 2024 Agenda

The NRC received one written comment regarding the data described in the preamble to our semi-annual Agenda that was issued for public comment in the *Federal Register* on August 16, 2024 (89 FR 66970). The comment noted the summary numbers of activities reported in our agenda did not align with the planned rulemaking activities on the NRC's website.

The NRC actively seeks to improve its communication regarding the rulemaking process and reporting. To avoid confusion, the NRC will no longer report summary data regarding the type and category of rulemaking activities announced in our preamble, as the status of a given rulemaking activity may change while the Agenda is being prepared for publication. The NRC issues frequent updates to the information on our 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>.

For the Nuclear Regulatory Commission.

NAME: Cindy Bladey,
Chief,
Regulatory Analysis and Rulemaking Support Branch,
Division of Rulemaking, Environmental, and Financial Support, Office of Nuclear Material
Safety and Safeguards.