# Retrospective Review of Administrative Requirements

Division of Rulemaking, Environmental, and Financial Support
Office of Nuclear Material Safety and Safeguards

Public Meeting
March 5, 2020

U.S.NRC
United States Nuclear Regulatory Commission
*Protecting People and the Environment*

# Purpose

Discuss the NRC's request for stakeholder input on outdated or duplicative administrative requirements that could be potentially modified or eliminated

- Described in *Federal Register* notice (85 FR 6103)

# Agenda

- Introduction and Opening Remarks
- Objectives and Scope
- Background
- Retrospective Review of Administrative Requirements (RROAR) Strategy
- Discussion of Evaluation Criteria:
  - Purpose
  - Five criteria
  - Application and example
- Specific questions
- Closing Remarks

# Overview of the Retrospective Review of Administrative Requirements

# Objectives and Scope

- Optimize management and administration of regulatory activities without impact to the NRC's mission
- Ensure regulations remain current and effective

# Background

- NRC announced initiation of RROAR in a press release[1]
- Staff requested Commission approval of its RROAR implementation strategy, including proposed evaluation criteria[2]
- Commission approved the staff's request[3]

[1]Press release No. 17-036, "NRC to Review Its Administrative Regulations," dated August 11, 2017 (Agencywide Documents Access and Management System [ADAMS] Accession No. ML17243A126)
[2]SECY-17-0119, "Retrospective Review of Administrative Regulations" (ML17286A069)
[3]Staff Requirements Memorandum (SRM)-SECY-17-0119, "Retrospective Review of Administrative Regulations" (ML18096A500)

# Background (cont.)

- NRC published *Federal Register* notice with proposed criteria in May 2018

  (83 FR 19464)

  - 60-day public comment period
  - Held public meeting to seek public input on proposed evaluation criteria

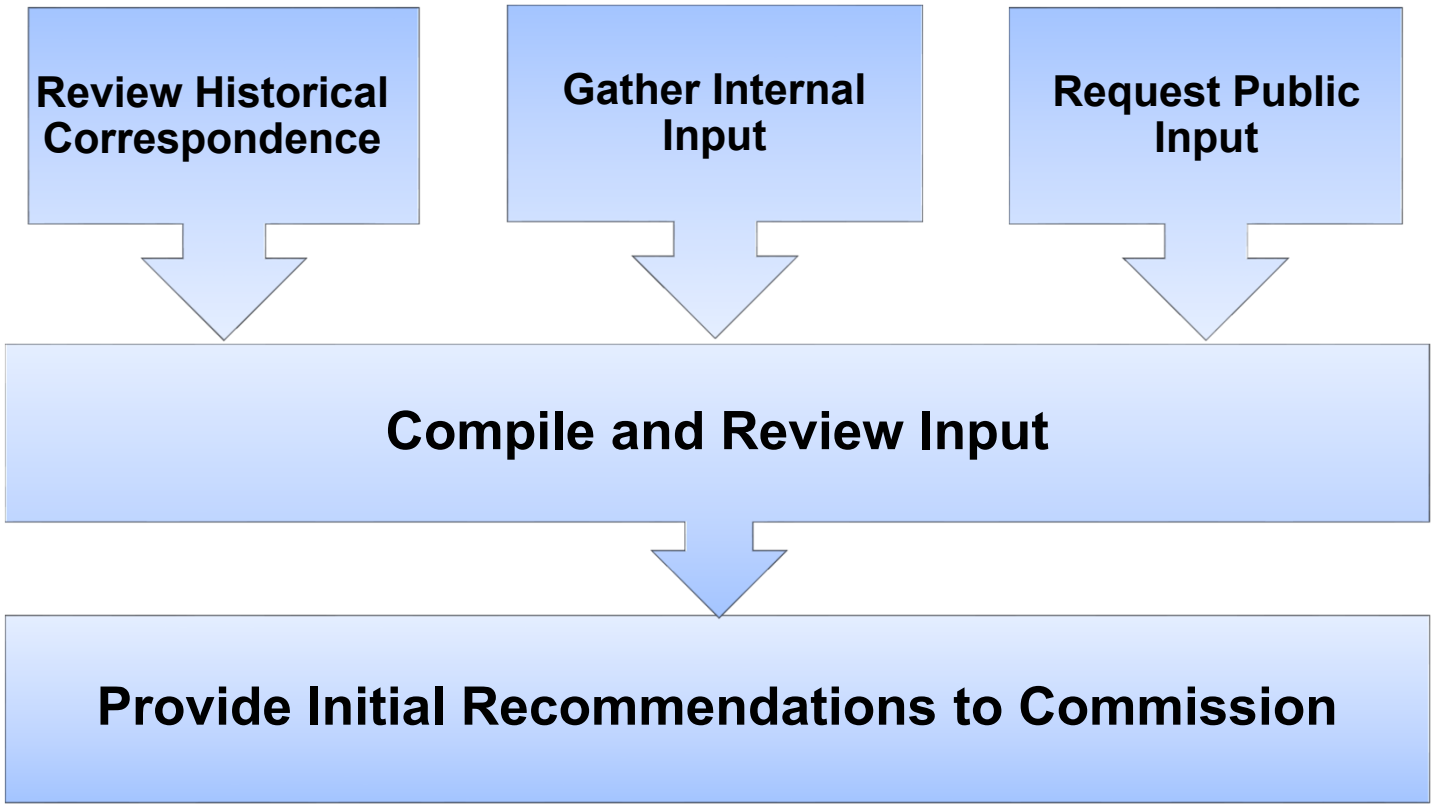
# Background (cont.)

- Staff provided the final evaluation criteria based on public input to the Commission for review and approval[4]

- Commission approved the staff's evaluation criteria with changes[5]

[4]COMSECY-18-0027, "Evaluation Criteria for Retrospective Review of Administrative Regulations" (ML18227A120)
[5]SRM-COMSECY-18-0027, "Evaluation Criteria for Retrospective Review of Administrative Regulations" (ML19281C697)

# Retrospective Review of Administrative Requirements (RROAR) Strategy



# Questions

# Evaluation Criteria

# Purpose of Evaluation Criteria

- Focus on administrative requirements (e.g., recordkeeping or reporting)
- Expedite the review of internal and external input
- Target regulatory changes that would result in burden reductions
- Not intended to replace or change the NRC's existing processes for establishing requirements

# Evaluation Criteria

Criterion 1 - Routine and periodic recordkeeping and reporting requirements not used within the last 3 years

Criterion 2 - Requirements for reports or records that contain information reasonably accessible to the agency from alternative resources

# Evaluation Criteria (cont.)

Criterion 3 - Requirements for reports or records that could be modified to result in reduced burden without impacting programmatic needs, regulatory efficiency, or transparency, through:

- less frequent reporting,
- shortened record retention periods,
- requiring entities to maintain a record rather than submit a report, or
- implementing another mechanism that reduces burden for collecting or retaining information

# Evaluation Criteria (cont.)

Criterion 4 - Recordkeeping and reporting requirements that result in significant burden

Criterion 5 - Reports or records that contain information used by other Federal agencies, State and local governments, or Federally recognized Tribes will be dropped from the review provided the information collected is necessary to support the NRC's mission or to fulfill a binding NRC obligation

# Application of Evaluation Criteria

- Not intended to be mutually exclusive, and a given regulation may satisfy one or more criteria
- Regulatory changes for consideration must meet at least one of the first four criteria
- Criterion 5 will be used to screen out third-party notifications from further consideration

# Example

Final Rule: "Occupational Dose Records, Labeling Containers, and the Total Effective Dose Equivalent," (12/4/2007, 72 FR 68043)

- Major rule but included administrative change applicable to RROAR initiative
- Limits the routine reporting of annual doses to workers whose annual dose does not exceed a specific dose threshold
- Continues the routine reporting to workers whose annual dose exceeds dose threshold and to those who requests a report
- Reduces reporting burdens without affecting the level of protection to either the health and safety of workers and the public, or the environment
  - Criterion 1: The information contained in 10 CFR Parts 19, 20, and 50 reports were routine.
  - Criterion 2: The information are also available in annual report to Commission.
  - Criterion 3: The staff determined less routine reporting requirements would meet the programmatic needs.
  - Criterion 4: The rulemaking effort averted an estimate 132,000 hours per year of burden and $135 million (7-percent real discount rate in 2007 dollars).
  - Criterion 5: This report wasn't used by another governmental agency.

# Specific Questions

Specific questions from the FRN:

1. Which administrative regulations should the NRC consider changing?
2. How should the NRC change the regulations?
3. What is the basis for the proposed change?
4. What burden is associated with the administrative requirements?
5. How would the suggested change reduce burden?

# How to Provide Comments

- Federal Rulemaking Web Site
  - ✓ http://www.regulations.gov
  - ✓ Docket ID NRC-2017-0214
  - ✓ Docket questions: Carol Gallagher, 301-415-3463, Carol.Gallagher@nrc.gov
  - ✓ Technical questions: Pamela Noto, 301-415-6795, Pamela.Noto@nrc.gov or Andrew Carrera, 301-415-1078, Andrew.Carrera@nrc.gov

- 60-day public comment period ends on April 06, 2020 (85 FR 6103)

# Questions

# How Did We Do?

There are several ways you can provide your feedback on this meeting:

- Scan QR code for NRC Public Meeting Feedback Form (meeting ID# 20200160),

- Fill out a hard copy of our "Public Meeting Feedback Form," or
- Go to the Public Meeting Schedule and click on the "Meeting Feedback" link.