
Retrospective Review of Administrative Requirements

Comment Evaluation Summary

U.S. Nuclear Regulatory Commission

May 2021



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Introduction

The U.S. Nuclear Regulatory Commission (NRC) conducted a retrospective review of administrative requirements (RROAR) to identify outdated or duplicative administrative requirements in Chapter I of Title 10 of the *Code of Federal Regulations* (10 CFR) that may be eliminated or modified without an adverse effect on the NRC's mission. The review identified regulatory changes that are administrative in nature that will make information submission, recordkeeping, and reporting processes more efficient for the NRC, applicants, and regulated entities.

In the staff requirements memorandum (SRM) dated October 8, 2019 (Agencywide Documents Access and Management System (ADAMS) Accession No. [ML19281C697](#)), in response to [COMSECY-18-0027](#), "Evaluation Criteria for Retrospective Review of Administrative Regulations," dated November 16, 2018, the Commission approved the following five criteria to serve as factors of consideration to guide the NRC staff's evaluation:

- (1) Submittals resulting from routine and periodic recordkeeping and reporting requirements, such as directives to submit recurring reports that the NRC has not consulted or referenced in programmatic operations or policy development in the last 3 years.
- (2) Requirements for reports or records that contain information reasonably accessible to the agency from alternative resources that, as a result, may be candidates for elimination.
- (3) Requirements for reports or records that could be modified to result in reduced burden without impacting programmatic needs, regulatory efficiency, or transparency, through (a) less frequent reporting, (b) shortened record retention periods, (c) requiring entities to maintain a record rather than submit a report, or (d) implementing another mechanism that reduces burden for collecting or retaining information.
- (4) Recordkeeping and reporting requirements that result in significant burden.
- (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.

In order to be considered for elimination or modification through the rulemaking process, a suggested requirement must (1) meet at least one of the first four criteria and (2) not meet Criterion 5 for being dropped out. Further, per COMSECY-18-0027, the staff considered its programmatic experience, the intent of the requirement, the effect of elimination or modification of a requirement on the NRC's mission, and overall effect on resources when applying the criteria. On February 4, 2020, the NRC published a notice in Volume 8 of the *Federal Register* (FR), page 6103 (85 FR 6103), seeking public comment on any administrative requirements that may be outdated or duplicative in nature. The notice described the five criteria listed above. The public comment period was originally scheduled to close on April 6, 2020. By letter dated

March 12, 2020 (ADAMS Accession No. [ML20084Q158](#)), the Nuclear Energy Institute (NEI) requested that the NRC extend the comment period by 30 days. The NRC granted this request and extended the public comment period to May 6, 2020, to allow more time for members of the public to submit their comments ([85 FR 18477](#)). During the comment period, the NRC conducted public meetings on March 5, 2020 (ADAMS Accession No. [ML20069A022](#)), and March 24, 2020 (ADAMS Accession No. [ML20085H593](#)), to facilitate public comments. Additionally, the NRC conducted a public meeting on August 27, 2020 (ADAMS Accession No. [ML20264E691](#)), to discuss the comments received. The RROAR review considered all comments submitted, including those submitted internally by NRC staff members.

Public comment submissions are available in ADAMS under Accession Nos. [ML20128J340](#) and [ML20128J341](#), and also at <https://www.regulations.gov> by searching for Docket ID NRC-2017-0214. Comments submitted internally by the NRC staff are not publicly available; however, the tables below contain summaries of those comments.

Overview of the Comments

The NRC received two external comment submittals, one from the NEI and one from a member of the public, and 25 comment submittals from the NRC staff, for a total of 100 individual comments. This document provides the results of the NRC staff's evaluation of the comments received that were within the scope of this effort. Where multiple comments provided a similar position or rationale, the NRC staff binned them together and considered them as a group.

Comment Categorization

This document presents the comments in the following categories:

Section I: Administrative Requirements to be Further Evaluated through Rulemaking

This section summarizes the comments received on administrative requirements that, according to staff's evaluation, met at least one of the Commission-approved Criteria 1–4, did not meet Criterion 5, and should be considered for elimination or modification. These comments are divided into one of the following categories:

- to be further evaluated in a new RROAR-related rulemaking
- to be incorporated in an annual administrative corrections rulemaking
- to be further evaluated as part of an ongoing rulemaking activity outside of the RROAR-related rulemaking(s)

Section II: Comments on Administrative Requirements to be Maintained

This section summarizes comments received on administrative requirements that will be maintained because they did not meet any of the Commission-approved Criteria 1–4 or did meet Criterion 5 (or both).¹ This section also includes comments that are outside the scope of the RROAR initiative. The NRC staff has identified two comments that will be considered for action, as appropriate, outside of the RROAR initiative. The staff provided these comments to those conducting the agency's innovation and transformation efforts for consideration as

¹ Per COMSECY-18-0027, the staff considered its programmatic experience, the intent of the requirement, the effect of elimination or modification of a requirement on the NRC's mission, and overall effect on resources when applying the criteria.

directed by the Commission in SRM-SECY-17-0119, “Staff Requirements—SECY-17-0119—Retrospective Review of Administrative Regulations,” dated April 5, 2018 (ADAMS Accession No. [ML18096A500](#)).

The NRC staff divided these comments into one of the following categories:

- comments that did not meet the Commission-approved Criteria 1–4
- comments that met Criterion 5
- comments that are outside the scope of the RROAR initiative

I. Administrative Requirements to be Further Evaluated through Rulemaking

The NRC staff will include evaluation of the 44 comments below in a RROAR-related rulemaking plan(s), which will be provided to the Commission for review and approval. Five administrative requirements will be incorporated in an annual administrative corrections rulemaking. The remaining five administrative requirements are already being evaluated or will be evaluated in rulemakings outside of the RROAR initiative. When the NRC staff analysis identifies a narrowly focused issued (e.g., the 30-day to 60-day reports), then the rulemaking activities would be focused only on that aspect; however if the staff analysis is not specific, then the issue would be more broadly assessed in rulemaking.

Comments to be evaluated in the RROAR-related rulemaking.

Item	Submitter Affiliation	NRC Staff's Recommendation	CFR Section	Comment	NRC Staff's Analysis
1	NEI	Modify	10 CFR 50.36(c)(1) – If safety limit is exceeded, licensee notify the NRC per § 50.72 and submit Licensee Event Report (LER) per § 50.73. Retain record of event review for three years after issuing the LER.	These requirements should be revised from “submit report” to “maintain as a record.” These regulations duplicate requirements in the site emergency plan, technical specifications, or §§ 50.72 and 50.73 and can be eliminated (Nuclear Energy Institute (NEI) Table 6: Duplication of Requirements in Part 50, Emergency Plan, and Reporting Rules) (NEI Table 7: Reporting of Items Available in Corrective Action Program (CAP) [corrective action process] or Site Records).	The NRC staff recommends not to adopt the proposal for licensees to maintain reports as a record rather than submitting a report for specific events requiring NRC notification that are retained. These reports are needed in their entirety to meet the agency’s programmatic needs for event response, inspection planning, and maintaining a record of conformance with the facility licensing basis, as well as supporting the response to inquiries. However, regarding the second part of the comment, the NRC staff intends to recommend consideration of this item in the rulemaking process, based on Criterion 3, with the intent of reducing unnecessary burden while preserving the capability to meet the NRC’s mission.
2	NEI	Modify	10 CFR 50.36(c)(2) – If a limiting condition for operation (LCO) is not met, notify the NRC per § 50.72 and submit LER per § 50.73. Retain	These requirements should be revised from “submit report” to “maintain as a record.” These regulations duplicate requirements in the site emergency plan, technical specifications, or §§ 50.72 and	The NRC staff recommends not to adopt the proposal for licensees to maintain reports as a record rather than submitting a report for specific events requiring NRC notification that are retained. These reports are needed in their entirety to meet the agency’s programmatic needs for event response, inspection planning, and maintaining a record of conformance with the facility licensing basis, as well as supporting the response to inquiries.

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			record of event review for three years after issuing the LER.	50.73 and can be eliminated (NEI Table 6: Duplication of Requirements in Part 50, Emergency Plan, and Reporting Rules) (NEI Table 7: Reporting of Items Available in CAP or Site Records).	However, regarding the second part of the comment, the NRC staff intends to recommend consideration of this item for the rulemaking process, based on Criterion 3, with the intent of reducing unnecessary burden while preserving the capability to meet the NRC's mission.
3	NEI	Eliminate	10 CFR 50.36a(a)(2) – Effluent Report: Licensee submit annual report to NRC that specifies quantity of each principal radionuclide released during the previous 12 months.	<p>These requirements should be revised from “submit report” to “maintain as a record.”</p> <p>These regulations duplicate requirements in the site emergency plan, technical specifications, or §§ 50.72 and 50.73 and can be eliminated (NEI Table 6: Duplication of Requirements in Part 50, Emergency Plan, and Reporting Rules) (NEI Table 7: Reporting of Items Available in CAP or Site Records) (NEI Table 8: Reporting of Effluent Data versus Retain in Records).</p>	<p>The NRC staff recommends not to adopt the proposal for licensees to maintain changes as a record instead of submitting a report to the NRC because these reports are needed to support the agency's openness and transparency objectives given the high level of public interest in the reports.</p> <p>However, regarding the second part of the comment, the NRC staff intends to recommend consideration of this item for the rulemaking process, based on Criterion 2, to evaluate the elimination of duplicative requirements in either the technical specification or the regulation with the intent of reducing unnecessary burden while preserving the capability to meet the NRC's mission.</p>
4	NEI	Modify	10 CFR 50.54(q)(5) – Retain record of each change to the emergency plan made without prior NRC approval for three years and submit a report on each change within 30 days of making it effective.	<p>These requirements should be revised from “submit report” to “maintain as a record.”</p> <p>For formal submissions that remain essential to the NRC's mission, consider setting a common frequency (e.g., every two years) or deadline for the submittal to NRC (e.g., the 60-day interval allowed for completing a Licensee Event Report (LER)) (NEI Table 7: Reporting of Items Available in CAP or Site Records) (NEI</p>	<p>The NRC staff recommends not to adopt the proposal for licensees to maintain changes as a record instead of submitting a report to the NRC because these reports are needed to preserve the agency's programmatic needs for maintaining a record of the most recent version of the licensing basis, which is needed for inspection planning, event response, and to support the response to inquiries.</p> <p>However, regarding the second part of the comment, the NRC staff intends to recommend consideration of this item for the rulemaking process, based on Criterion 3, to evaluate the modification of the requirements to allow 60 days for the preparation of reports with the intent of reducing unnecessary burden.</p>

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				Table 9: Treatment of Current Licensing Basis Information).	
5	NEI	Modify	10 CFR 50.73 – Submit LERs for specified events.	These requirements should be revised from “submit report” to “maintain as a record” (NEI Table 7: Reporting of Items Available in CAP or Site Records).	<p>The NRC staff recommends not to adopt the proposal for licensees to maintain reports as a record rather than submitting a report for specific events requiring NRC notification that are retained. These reports are needed in their entirety to meet the agency's programmatic needs for event response, inspection planning, and maintaining a record of conformance with the facility licensing basis, as well as supporting the response to inquiries.</p> <p>However, the NRC staff intends to recommend consideration of this item for the rulemaking process, based on Criterion 3, to evaluate the specific event reporting requirements with the intent of reducing unnecessary burden.</p>
6	NEI	Modify	10 CFR 50.73(c) – NRC may require licensee to submit material to supplement an LER.	The NRC should consider replacing such regulations as these with a Request for Additional Information (RAI) process like that used in licensing submittals. Replacing the regulations in question with the use of an RAI-like process would enable licensees to simplify their procedures (NEI Table 12: Supplemental Responses).	The NRC staff intends to recommend consideration of this item for the rulemaking process, based on Criterion 3, to evaluate the modification of the requirements for the submittal of supplemental information with the intent of reducing unnecessary burden.
7	NEI	Modify	10 CFR 50.75(e)(3) – Combined Operating License (COL) holder to submit certification of financial assurance for decommissioning at least two years before and one year before fuel loading.	<p>1. Consolidate financial report requirements as much as possible.</p> <p>2. Align reporting requirement frequencies as much as possible (NEI Table 10: Financial Reporting).</p>	The NRC staff intends to recommend consideration of this item for the rulemaking process, based on Criterion 3, to evaluate the reporting requirements with the intent of reducing unnecessary burden while preserving the capability to meet the NRC's mission.

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8	NEI	Modify	10 CFR 72.75(b) – Licensee to notify NRC within four, eight, or 24 hours of events specified in these parts.	Non-emergency notifications should be made through the resident inspector, if applicable, as explained in PRM-50-116 (NEI Table 15: Non-Emergency Notifications for Independent Spent Fuel Storage Installation (ISFSI) Facilities).	<p>The NRC staff intends to recommend consideration of this item for the rulemaking process, based on Criterion 3, to evaluate the reporting requirements with the intent of reducing unnecessary burden while preserving the NRC's ability to maintain adequate situational awareness.</p> <p>To the extent that this comment references PRM-50-116, that PRM is currently being evaluated by the NRC and will be addressed in the NRC's petition for rulemaking process.</p>
9	NEI	Modify	10 CFR 72.75(c) – Licensee to notify NRC within four, eight, or 24 hours of events specified in these parts.	Non-emergency notifications should be made through the resident inspector, if applicable, as explained in PRM-50-116 (NEI Table 15: Non-Emergency Notifications for ISFSI Facilities).	<p>The NRC staff intends to recommend consideration of this item for the rulemaking process, based on Criterion 3, to evaluate the reporting requirements with the intent of reducing unnecessary burden while preserving the NRC's ability to maintain adequate situational awareness.</p> <p>To the extent that this comment references PRM-50-116, that PRM is currently being evaluated by the NRC and will be addressed in the NRC's petition for rulemaking process.</p>
10	NEI	Modify	10 CFR 72.75(d) – Licensee to notify NRC within four, eight, or 24 hours of events specified in these parts.	Non-emergency notifications should be made through the resident inspector, if applicable, as explained in PRM-50-116 (NEI Table 15: Non-Emergency Notifications for ISFSI Facilities).	<p>The NRC staff intends to recommend consideration of this item for the rulemaking process, based on Criterion 3, to evaluate the reporting requirements with the intent of reducing unnecessary burden while preserving the NRC's ability to maintain adequate situational awareness.</p> <p>To the extent that this comment references PRM-50-116, that PRM is currently being evaluated by the NRC and will be addressed in the NRC's petition for rulemaking process.</p>
11	NEI	Modify	10 CFR 70.32(i) – Licensees to submit a report of changes in the emergency plan made without prior NRC approval within six months of the change.	These requirements should be revised from “submit report” to “maintain as a record” (NEI Table 7: Reporting of Items Available in CAP or Site Records).	<p>The NRC staff recommends not to adopt the proposal for licensees to maintain changes as a record instead of submitting a report to the NRC because the reports are necessary to ensure that the NRC has a current record of the facility licensing basis and any changes. This is needed for inspection planning, event response, and to answer any questions related to the current licensing basis of the facility.</p> <p>However, the NRC staff intends to recommend consideration of this item for the rulemaking process, based on Criterion 3, to evaluate the report submittal timing with the intent of reducing unnecessary burden while preserving the capability to meet the NRC's mission.</p>

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12	NEI	Modify	<p>10 CFR 37.57(c) – File written report with NRC within 30 days after notifying NRC Operations Center in 57(a) or (b) above.</p> <p>Written report to NRC within 30 days of calling NRC in accordance with (IAW) subsections (a) through (d) above except for “suspicious activities” reported IAW subsections (c) and (d).</p>	<p>Eliminate requirement to submit follow-up written reports listed in Part 37, recognizing that the information contained in those reports is commonly retained in licensee records available for NRC inspection.</p> <p>Allow 60 days for preparation of followup reports when necessary, to align with the 60-day schedule for preparation of LERs required by § 50.73 (NEI Table 5: Immediate Notifications and Written Followup Reports in Part 37).</p>	<p>The NRC staff recommends not to adopt the proposal for licensees to maintain changes as a record instead of submitting a report to the NRC because the reports are necessary to support the NRC’s capability to collect facts quickly and accurately, assess the facts, and take necessary actions, including potentially informing other agencies in the homeland security and intelligence communities for expanded response and recovery of risk- significant radioactive materials.</p> <p>However, regarding the second part of the comment, the NRC staff intends to recommend consideration of this item for the rulemaking process, based on Criterion 3, to evaluate the modification of the regulations to allow 60 days for the preparation of followup reports with the intent of reducing unnecessary burden.</p>
13	NEI	Modify	<p>10 CFR 37.81(g) – Send written report to NRC within 30 days of calling NRC IAW subsections (a) through (d) above except for “suspicious activities” reported IAW subsections (c) and (d).</p>	<p>Eliminate requirement to submit follow-up written reports listed in Part 37, recognizing that the information contained in those reports is commonly retained in licensee records available for NRC inspection.</p> <p>Allow 60 days for preparation of followup reports when necessary, to align with the 60-day schedule for preparation of LERs required by §50.73 (NEI Table 5: Immediate Notifications and Written Followup Reports in Part 37).</p>	<p>The NRC staff recommends not to adopt the proposal for licensees to maintain changes as a record instead of submitting a report to the NRC because the reports are necessary to support the NRC’s capability to collect facts quickly and accurately, assess the facts, and take necessary actions, including potentially informing other agencies in the homeland security and intelligence communities for expanded response and recovery of risk- significant radioactive materials.</p> <p>However, regarding the second part of the comment, the NRC staff intends to recommend consideration of this item for the rulemaking process, based on Criterion 3, to revise the regulations to allow 60 days for the preparation of followup reports with the intent of reducing unnecessary burden.</p>
14	NEI	Modify	<p>10 CFR 37.81(h) – After submitting written report,</p>	<p>Eliminate requirement to submit follow-up written reports listed in Part 37,</p>	<p>The NRC staff recommends not to adopt the proposal for licensees to maintain changes as a record instead of submitting a report to the NRC because the reports are</p>

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			report to NRC any additional substantive information within 30 days after learning such information.	recognizing that the information contained in those reports is commonly retained in licensee records available for NRC inspection. Allow 60 days for preparation of followup reports when necessary, to align with the 60-day schedule for preparation of LERs required by § 50.73 (NEI Table 5: Immediate Notifications and Written Followup Reports in Part 37).	necessary to support the NRC's capability to collect facts quickly and accurately, assess the facts, and take necessary actions, including potentially informing other agencies in the homeland security and intelligence communities for expanded response and recovery of risk-significant radioactive materials. However, regarding the second part of the comment, the NRC staff intends to recommend consideration of this item for the rulemaking process, based on Criterion 3, to revise the regulations to allow 60 days for the preparation of followup reports with the intent of reducing unnecessary burden.
15	NEI	Modify	10 CFR 72.44(d)(3) – Annually submit report specifying principal radionuclides released in liquid and gaseous effluents.	These requirements should be revised from “submit report” to “maintain as a record” (NEI Table 8: Reporting of Effluent Data versus Retain in Records).	The NRC staff recommends not to adopt the proposal for licensees to maintain changes as a record instead of submitting a report to the NRC because these reports are needed to support the agency's openness and transparency objectives given the high level of public interest in the reports. However, the NRC staff intends to recommend consideration of this item for the rulemaking process, based on Criterion 3, to evaluate the reporting frequency with the intent of reducing unnecessary burden while preserving the capability to meet the NRC's mission.
16	NEI	Modify	10 CFR 72.44(f) – Submit a report of Emergency Plan changes to the Office of Nuclear Materials Safety and Safeguards (NMSS) within six months of the change.	These requirements should be revised from “submit report” to “maintain as a record.” For formal submissions that remain essential to the NRC's mission, consider setting a common frequency (e.g., every two years) or deadline for the submittal to NRC (e.g., the 60-day interval allowed for completing a Licensee Event Report) (NEI Table 7:	The NRC staff recommends not to adopt the proposal for licensees to maintain changes as a record instead of submitting a report to the NRC because the reports are necessary to ensure that the NRC has a current record of the facility licensing basis and any changes. This is needed for inspection planning, event response, and to answer any questions related to the current licensing basis of the facility. However, the NRC staff intends to recommend consideration of this item for the rulemaking process, based on Criterion 3, to evaluate the report submittal timing with the intent of reducing unnecessary burden while preserving the capability to meet the NRC's mission.

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				Reporting of Items Available in CAP or Site Records) (NEI Table 9: Treatment of Current Licensing Basis Information).	
17	NEI	Modify	10 CFR 70.72(d)(3) – For all changes that affect the Integrated Safety Analysis summary, the licensee shall submit to NRC annually, within 30 days after the end of the calendar year, revised Integrated Safety Analysis (ISA) summary pages.	These requirements should be revised from “submit report” to “maintain as a record.” Where the requirement for submitting a report must be retained in the regulations, the timing for submittal of that report should be set to 60 days, if it is currently less than 60 days, to align with the response time expected for the preparation of LERs (NEI Table 7: Reporting of Items Available in CAP or Site Records).	The NRC staff does not recommend adopting the proposal for licensees to maintain changes as a record instead of submitting a report to the NRC because it is important for the NRC to maintain a record of the most recent version of the hazards analysis. This is needed for inspection planning, event response, and to answer any questions related to the hazards analysis for fuel facilities. In addition, submission of the annual ISA update was part of the basis for extending 10 CFR Part 70 renewal periods to 40 years. However, regarding the second part of the comment, the NRC staff intends to recommend consideration of this item for the rulemaking process, based on Criterion 3, to revise the regulations to allow 60 days for the preparation of followup reports with the intent of reducing unnecessary burden while preserving the capability to meet the NRC’s mission.
18	NEI	Modify	10 CFR 72.48(d)(2) – Submit a report on changes, tests, and experiments to NMSS at least every 24 months.	These requirements should be revised from “submit report” to “maintain as a record” (NEI Table 7: Reporting of Items Available in CAP or Site Records).	The NRC staff recommends not to adopt the proposal for licensees to maintain changes as a record instead of submitting a report to the NRC because the reports are necessary to ensure that the NRC has a current record of the facility licensing basis and any changes. This is needed for inspection planning, event response, and to answer any questions related to the current licensing basis of the facility. However, the NRC staff intends to recommend consideration of this item for the rulemaking process, based on Criterion 3, to evaluate the reporting frequency with the intent of reducing unnecessary burden while preserving the capability to meet the NRC’s mission.
19	NEI	Modify	10 CFR 72.70(c)(6) – Submit updates to the ISFSI Final Safety Analysis Report (FSAR) every 24 months.	These requirements should be revised from “submit report” to “maintain as a record” (NEI Table 7: Reporting of Items Available in CAP or Site Records).	The NRC staff recommends not to adopt the proposal for licensees to maintain changes as a record instead of submitting a report to the NRC because the reports are necessary to ensure that the NRC has a current record of the facility licensing basis and any changes. This is needed

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					<p>for inspection planning, event response, and to answer any questions related to the current licensing basis of the facility.</p> <p>However, the NRC staff intends to recommend consideration of this item for the rulemaking process, based on Criterion 3, to evaluate the reporting frequency, with the intent of reducing unnecessary burden while preserving the capability to meet the NRC's mission.</p>
20	NEI	Modify	10 CFR 70.50 – This section specifies immediate and 24-hour reports for a number of occurrences, and written followup reports in 30 days.	<p>These requirements should be revised from “submit report” to “maintain as a record.”</p> <p>Where the requirement for submitting a report must be retained in the regulations, the timing for submittal of that report should be set to 60 days, if it is currently less than 60 days, to align with the response time expected for the preparation of LERs (NEI Table 7: Reporting of Items Available in CAP or Site Records).</p>	<p>The NRC staff recommends not to adopt the proposal for licensees to maintain changes as a record instead of submitting a report to the NRC because these reports are for significant events that may require a prompt NRC response. Prompt responses may include reactive inspections, press releases, or communications to inform other licensees of safety significant issues.</p> <p>However, regarding the second part of the comment, the NRC staff intends to recommend consideration of this item for the rulemaking process, based on Criterion 3, to evaluate the report submittal timing with the intent of reducing unnecessary burden while preserving the NRC's ability to maintain adequate situational awareness.</p>
21	NEI	Modify	10 CFR 72.75(g) – Submit written followup report within 60 days of the initial notification.	These requirements should be revised from “submit report” to “maintain as a record” (NEI Table 7: Reporting of Items Available in CAP or Site Records).	<p>The NRC staff recommends not to adopt the proposal for licensees to maintain changes as a record instead of submitting a report to the NRC because these reports are needed to support the agency's openness and transparency objectives given the high level of public interest in the reports.</p> <p>However, the NRC staff intends to recommend consideration of this item for the rulemaking process, based on Criterion 3, to evaluate the report submittal timing with the intent of reducing unnecessary burden while preserving the capability to meet the NRC's mission.</p>
22	NEI	Modify	10 CFR 20.2201(a)(1)(ii) – 30-day report following discovery	Recognize that information captured in the licensee's CAP or quality assurance (QA) records program is available	The NRC staff recommends not to adopt the proposal for licensees to maintain changes as a record instead of submitting a report to the NRC because the reports are

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			of theft, loss, or missing licensed material.	<p>for NRC inspection and can satisfy NRC's need for information without requiring formal submittal of a report.</p> <p>Change the timing on all written followup reports from 30 days to 60 days to align with the timing of LER submittals (NEI Table 1: Radiological Dose Reporting in Parts 19 and 20).</p>	<p>necessary to inform the NRC and transport carriers of the spread of contamination or excessive radiation levels.</p> <p>However, regarding the second part of the comment, the NRC staff intends to recommend consideration of this item for the rulemaking process, based on Criterion 3, to revise the regulations to allow 60 days for the preparation of followup reports with the intent of reducing unnecessary burden.</p>
23	NEI	Modify	10 CFR 20.2201(b) – 30-day report following telephone report on lost, stolen, or missing licensed material.	<p>Recognize that information captured in the licensee's CAP or QA records program is available for NRC inspection and can satisfy NRC's need for information without requiring formal submittal of a report.</p> <p>Change the timing on all written followup reports from 30 days to 60 days to align with the timing of LER submittals (NEI Table 1: Radiological Dose Reporting in Parts 19 and 20).</p>	<p>The NRC staff recommends not to adopt the proposal for licensees to maintain changes as a record instead of submitting a report to the NRC because the reports are necessary to inform the NRC and transport carriers of the spread of contamination or excessive radiation levels.</p> <p>However, regarding the second part of the comment, the NRC staff intends to recommend consideration of this item for the rulemaking process, based on Criterion 3, to revise the regulations to allow 60 days for the preparation of followup reports with the intent of reducing unnecessary burden.</p>
24	NEI	Modify	10 CFR 20.2201(d) – 30-day report after learning of additional information on lost, stolen, or missing licensed material.	<p>Recognize that information captured in the licensee's CAP or QA records program is available for NRC inspection and can satisfy NRC's need for information without requiring formal submittal of a report.</p> <p>Change the timing on all written followup reports from 30 days to 60 days to align</p>	<p>The NRC staff recommends not to adopt the proposal for licensees to maintain changes as a record instead of submitting a report to the NRC because the reports are necessary to inform the NRC and transport carriers of the spread of contamination or excessive radiation levels.</p> <p>However, regarding the second part of the comment, the NRC staff intends to recommend consideration of this item for the rulemaking process, based on Criterion 3, to revise the regulations to allow 60 days for the preparation of followup reports with the intent of reducing unnecessary burden.</p>

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				with the timing of LER submittals (NEI Table 1: Radiological Dose Reporting in Parts 19 and 20).	
25	NEI	Modify	10 CFR 72.186(b) – Submit a report of changes in the physical security plan, guard training plan, or safeguards contingency plan within 2 months of the change.	Reconsider which of these reports is still adding value to the NRC's mission sufficient to require formal submittal to the NRC. If onsite inspection of the information contained in any of these reports is sufficient to meet NRC's mission, consider eliminating the formal submission to NRC (NEI Table 7: Reporting of Items Available in CAP or Site Records) (NEI Table 9: Treatment of Current Licensing Basis Information).	<p>The NRC staff recommends not to adopt the proposal for licensees to maintain changes as a record instead of submitting a report to the NRC because these reports are needed to preserve the agency's programmatic needs for maintaining a record of the most recent version of the licensing basis, which is needed for inspection planning, event response, and to support the response to inquiries.</p> <p>However, the NRC staff intends to recommend consideration of this item for the rulemaking process, based on Criterion 3, to evaluate the report submittal timing with the intent of reducing unnecessary burden.</p>
26	NEI	Modify	<p>10 CFR 26.719(b) – Call the NRC Operations Center within 24 hours after finding significant fitness-for-duty (FFD) policy violations and programmatic failures listed.</p> <p>10 CFR 26.417(b)(1) – Call the NRC Operations Center regarding significant FFD policy violations or programmatic failures. The following significant</p>	These non-emergency prompt notifications should be eliminated (NEI Table 4: Prompt Notifications on Work Hours).	The NRC staff intends to recommend consideration of this item for the rulemaking process, based on Criterion 3, to evaluate the reporting requirements and potentially narrow the reportability criteria with respect to "supervisory personnel" to those individuals who perform activities that a risk-informed evaluation process has shown to be significant to public health and safety.

Item	Submitter Affiliation	NRC Staff's Recommendation	CFR Section	Comment	NRC Staff's Analysis
			FFD program weaknesses must be reported: an intentional act that casts doubt on the integrity of the FFD program and any programmatic failure, degradation, or discovered vulnerability of the FFD program that may permit undetected drug or alcohol use or abuse by individuals who are subject to § 26.417.		
27	NEI	Modify	10 CFR 50.59(d)(2) – Submit a report on changes, tests, and experiments at least every 24 months.	<p>These requirements should be revised from “submit report” to “maintain as a record.”</p> <p>For formal submissions that remain essential to the NRC's mission, consider setting a common frequency (e.g., every two years) or deadline for the submittal to NRC (e.g., the 60-day interval allowed for completing a Licensee Event Report)” (NEI Table 7: Reporting of Items Available in CAP or Site Records) and (NEI Table 9: Treatment of Current Licensing Basis Information).</p>	<p>The NRC staff recommends not to adopt the proposal for licensees to maintain changes as a record instead of submitting a report to the NRC because the reports are necessary to ensure that the NRC has a current record of the facility licensing basis and any changes. Submitting these reports as proposed is needed for inspection planning, event response, and to answer any questions related to the current licensing basis of the facility.</p> <p>However, regarding the second part of the comment, the NRC staff intends to recommend consideration of this item for the rulemaking process, based on Criterion 3, to evaluate the reporting frequency with the intent of reducing unnecessary burden while preserving the capability to meet the NRC's mission.</p>
28	NEI	Modify	10 CFR 70.32(c)(2) – Licensees to keep records of	These requirements should be revised from “submit report” to “maintain as a record” (NEI	The NRC staff recommends not to adopt the proposal for licensees to maintain changes as a record instead of submitting a report to the NRC because the reports are

Item	Submitter Affiliation	NRC Staff's Recommendation	CFR Section	Comment	NRC Staff's Analysis
			changes in the Material Control and Accounting (MC&A) program made without prior NRC approval for 5 years and submit a report describing each change within 2 or 6 months of the change (depending on fissile isotopes and enrichments).	Table 7: Reporting of Items Available in CAP or Site Records).	<p>necessary to ensure that the NRC has a current record of the facility licensing basis and any changes. This is needed for inspection planning, event response, and to answer any questions related to the current licensing basis of the facility.</p> <p>However, the NRC staff recommends acceptance of this item for consideration in the rulemaking process, based on Criterion 3, to evaluate the report submittal timing with the intent of reducing unnecessary burden while preserving the capability to meet the NRC's mission.</p>
29	NEI	Modify	<p>10 CFR 70.32(d) – Licensees to keep records of changes in the physical protection plan for material in transit made without prior NRC approval for three years and submit a report describing the changes within 2 months of the change.</p> <p>§ 70.32(e) – Licensees to keep records of changes in the security plan made without prior NRC approval for three years and submit a report describing the changes within</p>	These requirements should be revised from “submit report” to “maintain as a record.” (NEI Table 7: Reporting of Items Available in CAP or Site Records).	<p>The NRC staff recommends not to adopt the proposal for licensees to maintain changes as a record instead of submitting a report to the NRC because the reports are necessary to ensure that the NRC has a current record of the facility licensing basis and any changes. This is needed for inspection planning, event response, and to answer any questions related to the current licensing basis of the facility.</p> <p>However, the NRC staff intends to recommend consideration of this item for the rulemaking process, based on Criterion 3, to evaluate the report submittal timing with the intent of reducing unnecessary burden while preserving the capability to meet the NRC's mission.</p>

Item	Submitter Affiliation	NRC Staff's Recommendation	CFR Section	Comment	NRC Staff's Analysis
			<p>2 months of the change.</p> <p>§ 70.32(g) – Licensees to keep records of changes in the safeguards contingency plan made without prior NRC approval for three years and submit a report describing the changes within 60 days of the change.</p>		
30	NEI/ NRC	Modify	10 CFR 50.54(p)(2) – Maintain records of changes in security plans listed in § 50.54(p)(1) for three years after and submit a report within 2 months after.	<p>These requirements should be revised from “submit report” to “maintain as a record.”</p> <p>For formal submissions that remain essential to the NRC's mission, consider setting a common frequency (e.g., every two years) or deadline for the submittal to NRC (e.g., the 60-day interval allowed for completing a Licensee Event Report) (NEI Table 7: Reporting of Items Available in CAP or Site Records) and (Table 9: Treatment of Current Licensing Basis Information).</p>	<p>The NRC staff recommends not to adopt the proposal for licensees to maintain changes as a record instead of submitting a report to the NRC because these reports are needed to preserve the agency's programmatic needs for maintaining a record of the most recent version of the licensing basis, which is needed for inspection planning, event response, and to support the response to inquiries.</p> <p>However, regarding the second part of the comment, the NRC staff intends to recommend consideration of this item for the rulemaking process, based on Criterion 3, to evaluate the report submittal timing with the intent of reducing unnecessary burden.</p>
31	NRC	Modify	10 CFR 50.71(e)(5) – FSAR replacement.	Providing electronically a complete FSAR replacement and a redline/strikeout or other standard means of showing changes is more efficient.	The NRC staff intends to recommend consideration of this item for the rulemaking process, based on Criterion 4, with regard to paper page replacement, with the intent of reducing unnecessary burden.

Item	Submitter Affiliation	NRC Staff's Recommendation	CFR Section	Comment	NRC Staff's Analysis
32	NRC	Eliminate	10 CFR 50.71(e) – Paper replacement pages for nuclear power reactor FSAR update.	Electronic submission of the updated, complete FSAR version will be the quickest and most efficient way to update FSARs.	The NRC staff intends to recommend consideration of this item for the rulemaking process, based on Criterion 4, with regard to paper page replacement, with the intent of reducing unnecessary burden while preserving the capability to meet the NRC's mission.
33	NRC	Modify	10 CFR 50.4(b)(6) – Paper replacement pages for nuclear power reactor FSAR update.	Electronic submission of the updated, complete FSAR version will be the quickest and most efficient way to update FSARs.	The NRC staff intends to recommend consideration of this item for the rulemaking process, based on Criterion 3, with regard to paper page replacement, with the intent of reducing unnecessary burden while preserving the capability to meet the NRC's mission.
34	NRC	Modify	10 CFR 50.4 – Written Communications	Review requirements to allow flexibility on how submittals are made to allow use of technology and ensure request is an appropriate submittal for staff review.	The NRC staff intends to recommend consideration of this item for the rulemaking process, based on Criterion 3, to allow the use of the current technologies for document submittals, with the intent of reducing unnecessary burden while preserving the capability to meet the NRC's mission.
35	NRC	Modify	Chapter I, Multiple Parts, Multiple Sections	Eliminate multiple requirements for licensees or applicants to submit multiple copies of the same document to multiple organizations within the NRC. This requires additional effort/costs by licensees and applicants - copying and postage - and handling by the NRC warehouse and mailroom.	The NRC staff intends to recommend consideration of this item for the rulemaking process, based on Criterion 3, to allow the use of the current technologies for document submittals, with the intent of reducing unnecessary burden while preserving the capability to meet the NRC's mission.
36	NRC	Modify	10 CFR 50.91(b)(4) – State consultation	Requires the NRC to “telephone” the State. The NRC staff should be able to use whatever communication means available (exclude social media) to inform the State regarding the issuance of an amendment.	10 CFR 50.91(b)(4) does not include a recordkeeping or reporting requirement. However, the NRC staff intends to recommend consideration of this item for the rulemaking process, based on Criterion 3, to allow the use of alternate communication means with the intent of reducing unnecessary burden while preserving the capability to meet the NRC's mission.
37	NRC	Eliminate	Portion of 10 CFR 20.2207(g) that requires that each	The information is available from other sources.	The NRC staff intends to recommend consideration of this item for the rulemaking process, based on Criterion 2, to eliminate the requirement to submit to the NRC an AIR with

Item	Submitter Affiliation	NRC Staff's Recommendation	CFR Section	Comment	NRC Staff's Analysis
			licensee who possesses Category 1 and Category 2 nationally tracked sources shall reconcile their inventory of nationally tracked sources against that licensee's data in the National Source Tracking System (NSTS) in the month of January in each year. By January 31 of each year, each licensee must submit to the NRC, confirmation that the data in NSTS is correct in an Annual Inventory Reconciliation (AIR).		the intent of reducing unnecessary burden while preserving the capability to meet the NRC's mission.
38	NRC	Modify	Requirements in 10 CFR Part 20, Appendix G, to remove the official NRC Forms 540, 541, and 542, themselves, while maintaining all the required information to be submitted.	The regulation could be made less burdensome by removing the official NRC Forms 540, 541, and 542. The NRC staff determined that the information contained is already required by Appendix G, and most waste transfers use equivalent forms and not NRC Forms 540, 541, and 542.	The NRC staff intends to recommend consideration of this item for the rulemaking process, based on Criterion 3, to evaluate the reporting requirements with the intent of reducing unnecessary burden while preserving the capability to meet the NRC's mission.

Item	Submitter Affiliation	NRC Staff's Recommendation	CFR Section	Comment	NRC Staff's Analysis
39	NEI	Modify	10 CFR 72.212(b)(2) – By letter to NMSS and copy to regional office, register use of each cask within 30 days after using cask to store spent fuel.	<p>These requirements should be revised from “submit report” to “maintain as a record.”</p> <p>Where the requirement for submitting a report must be retained in the regulations, the timing for submittal of that report should be set to 60 days, if it is currently less than 60 days, to align with the response time expected for the preparation of LERs (NEI Table 7: Reporting of Items Available in CAP or Site Records).</p>	<p>The NRC staff recommends not to adopt the proposal for licensees to maintain changes as a record instead of submitting a report to the NRC because the staff use the information provided under 10 CFR 71.212(b)(2) for several purposes. The submittal alerts the NRC that an approved cask is being used and by whom. The staff uses the information to track, trend data, and prepare for inspections of licensees, vendors, Certificate of Compliance holders, and users. The burden created by these requirements appears to be minimal, and the information is valuable for inspection planning and oversight of related program areas and are needed to support the agency’s openness and transparency objectives given the high level of public interest in the reports.</p> <p>However, regarding the second part of the comment, the NRC staff intends to recommend consideration of this item for the rulemaking process, based on Criterion 3, to revise the regulations to allow 60 days for the preparation of followup reports with the intent of reducing unnecessary burden while preserving the capability to meet the NRC’s mission.</p>
40	NEI	Modify	10 CFR 72.212(b)(4) – By letter to NMSS and copy to the regional office, register each loaded cask subject to changes authorized by an amended Certificate of Compliance.	<p>These requirements should be revised from “submit report” to “maintain as a record.”</p> <p>Where the requirement for submitting a report must be retained in the regulations, the timing for submittal of that report should be set to 60 days, if it is currently less than 60 days, to align with the response time expected for the preparation of LERs (NEI Table 7: Reporting of Items Available in CAP or Site Records).</p>	<p>The NRC staff recommends not to adopt the proposal for licensees to maintain changes as a record instead of submitting a report to the NRC because the staff use the information provided under 10 CFR 71.212(b)(4) for several purposes. The submittal alerts the NRC that an approved cask is being used and by whom. The staff uses the information to track, trend data, and prepare for inspections of licensees, vendors, Certificate of Compliance holders, and users. The burden created by these requirements appears to be minimal, and the information is valuable for inspection planning and oversight of related program. These reports are also needed to support the agency’s openness and transparency objectives given the high level of public interest in the reports.</p> <p>However, regarding the second part of the comment, the NRC staff intends to recommend consideration of this item for the rulemaking process, based on Criterion 3, to revise</p>

Item	Submitter Affiliation	NRC Staff's Recommendation	CFR Section	Comment	NRC Staff's Analysis
					the regulations to allow 60 days for the preparation of followup reports with the intent of reducing unnecessary burden while preserving the capability to meet the NRC's mission.
41	NEI	Modify	10 CFR 72.44(e) – Furnish a report describing each change to the physical security plan within 2 months after the change is made; keep records of the changes for three years.	<p>These requirements should be revised from “submit report” to “maintain as a record.”</p> <p>For formal submissions that remain essential to the NRC's mission, consider setting a common frequency (e.g., every two years) or deadline for the submittal to NRC (e.g., the 60-day interval allowed for completing a Licensee Event Report) (NEI Table 7: Reporting of Items Available in CAP or Site Records) (NEI Table 9: Treatment of Current Licensing Basis Information).</p>	<p>The NRC staff recommends not to adopt the proposal for licensees to maintain changes as a record instead of submitting a report to the NRC because these reports are needed to preserve the agency's programmatic needs for maintaining a record of the most recent version of the licensing basis, which is needed for inspection planning, event response, and to support the response to inquiries.</p> <p>However, regarding the second part of the comment, the NRC staff intends to recommend consideration of this item for the rulemaking process, based on Criterion 3, to evaluate the reporting requirements to modify the report submittal timing with the intent of reducing unnecessary burden.</p>
42	NRC	Modify	10 CFR 72.248(c)(6) – Updates shall be filed every 24 months from the date of issuance of the Certificate of Compliance.	If we go forward to change or eliminate § 72.70(c)(6) requirement, we should strive for consistency with § 72.248 (c)(6).	The NRC staff intends to recommend consideration of this item for the rulemaking process, based on Criterion 3, to evaluate the reporting requirements with the intent of reducing unnecessary burden while preserving the capability to meet the NRC's mission.
43	NRC	Modify	10 CFR 72.248(c)(1) – The update of the FSAR must be filed in accordance with § 72.4. If the update is filed on paper, then it should be filed on a page-replacement basis; if filed	Also note that for requirements in 10 CFR 50.71(e), 10 CFR 50.71(e)(5), and 10 CFR 50.4(b)(6) of this document that have to do with paper page replacement, we do have similar regulatory requirements in 10 CFR Part 72 (e.g., § 72.248(c)(1-3)) that we should strive to be consistent	The NRC staff intends to recommend consideration of this item for the rulemaking process, based on Criterion 3, with regard to paper page replacement, with the intent of reducing unnecessary burden while preserving the capability to meet the NRC's mission.

Item	Submitter Affiliation	NRC Staff's Recommendation	CFR Section	Comment	NRC Staff's Analysis
			<p>electronically, it should be filed on a full replacement basis. See Guidance for Electronic Submissions to the Commission at http://www.nrc.gov/site-help/e-submittals.html.</p> <p>10 CFR 72.248(c)(2) – A paper update filed on a page-replacement basis must include a list that identifies the current pages of the FSAR following page replacement. If the update is filed electronically on a full replacement basis, it must include a list of changed pages.</p> <p>10 CFR 72.248(c)(3) – Each replacement page shall include both a change indicator for the area changed, e.g., a bold line vertically drawn in the margin adjacent to the portion actually</p>	with, although not provided to the NRC for consideration.	

Item	Submitter Affiliation	NRC Staff's Recommendation	CFR Section	Comment	NRC Staff's Analysis
			changed, and a page change identification (date of change or change number or both).		
44	NRC	Modify	All	<p>Please review the rationale for hard copy submission of any or all documents from the licensee to the NRC. The licensee generates these documents electronically, prints them, mails them, NRC receives them, scans them, and places them electronically into ADAMS. This does not seem very efficient and wastes resources.</p> <p>If a hard copy document is necessary, then keep that requirement. I would venture that a large number aren't necessary.</p>	Although the commenter did not specify an administrative requirement, The NRC staff intends to recommend consideration of this item for the rulemaking process, based on Criterion 3, to allow the use of the current technologies for document submittals with the intent of reducing unnecessary burden while preserving the capability to meet the NRC's mission.

Comments to be incorporated into the annual administrative corrections rulemaking.

Item	Submitter Affiliation	NRC Staff's Recommendation	CFR Section	Comment	NRC Staff's Analysis
45	NEI	Eliminate	10 CFR 20.2207(h) references historical requirements from the regulation's implementation phase.	It is no longer relevant (NEI Table 2: Historical Reports That Are No Longer Relevant).	The NRC staff intends to recommend consideration of this item in the rulemaking process, based on Criterion 1.
46	NEI	Eliminate	10 CFR Part 50, Appendix E, Sec. IV.D.4 – Report alert and notification system design by June 24, 2013.	These regulations reference historical requirements from the regulations' implementation phase. They are no longer relevant and should be eliminated (NEI Table 2: Historical Reports That Are No Longer Relevant).	The NRC staff intends to recommend consideration of this item in the rulemaking process, based on Criterion 1.
47	NRC	Eliminate	10 CFR Part 50, Appendix E, Sec. VI.4	These regulations reference historical requirements from the regulations' implementation phase. They are no longer relevant and should be eliminated.	The NRC staff intends to recommend consideration of this item in the rulemaking process, based on Criterion 1.
48	NRC	Eliminate	10 CFR 50.63(c)(4) – Station Blackout (SBO) Implementation Requirements	Discusses the implementation requirements for plants licensed earlier than 1988. As these actions are complete, and (b)(1) has the requirements for current and proposed facilities, it is no longer necessary.	The NRC staff intends to recommend consideration of this item in the rulemaking process, based on Criterion 1.
49	NRC	Eliminate	10 CFR 50.71(e)(3)(ii) – Notifications related to NRC's Systematic Evaluation Program (SEP).	Efforts for the SEP, including lessons learned for the SEP, were completed approximately 20 years ago.	The NRC staff intends to recommend consideration of this item in the rulemaking process, based on Criterion 1.

Comments to be addressed as part of an ongoing rulemaking activity outside of the RROAR initiative.

Item	Submitter Affiliation	NRC Staff's Recommendation	CFR Section	Comment	NRC Staff's Analysis
50	NEI	Eliminate	Requirements in 10 CFR 50.75(f)(1)-(2) – Power reactor licensees report every two years on the status of decommissioning funds.	1. Consolidate financial report requirements as much as possible. 2. Align reporting requirement frequencies as much as possible (NEI Table 10: Financial Reporting).	This comment is already being considered as part of the ongoing 10 CFR Part 50 rulemaking in SECY-18-0055 , “Proposed Rule: Regulatory Improvements for Production and Utilization Facilities Transitioning to Decommissioning (RIN 3150-AJ59),” dated May 7, 2018.
51	NEI	Modify	10 CFR Part 50, Appendix H, – Submit summary technical report on test results for each capsule within one year of capsule withdrawal.	NEI recommends relaxing the 12-month deadline for reporting test results. We understand the staff has proposed relaxing this requirement to 18 months, per NRC staff presentation April 30, 2019 (slide 9), retrieved from www.regulations.gov , docket NRC-2017-0151, file 0010 (NEI Table 16: Vessel Coupon Reporting).	This comment was considered and adopted as part of the 10 CFR Part 50 rulemaking in a direct final rule, “Reactor Vessel Material Surveillance Program” (RIN 3150-AK07; NRC-2017-0151). The FR notice to confirm the effective date of this direct final rule was published on December 29, 2020 (85 FR 85503) and the revised regulations became effective on February 1, 2021. This change reduced burden on licensees and the NRC staff by revising the reporting requirements in Section VI of Appendix H to 10 CFR Part 50.
52	NRC	Modify	10 CFR Part 50, Appendix H, – Submit summary technical report on test results for each capsule within one year of capsule withdrawal.	Extend licensee’s submittal of the material integrity test coupon results from within one year of capsule withdrawal to within 18 months.	This comment was considered and adopted as part of the 10 CFR Part 50 rulemaking direct final rule, “Reactor Vessel Material Surveillance Program” (RIN 3150-AK07; NRC 2017-0151). The FR notice to confirm the effective date of this direct final rule was published on December 29, 2020 (85 FR 85503), and the revised regulations became effective on February 1, 2021. This change reduced burden on licensees and the NRC staff by revising the reporting requirements in Section VI of Appendix H to 10 CFR Part 50.
53	NRC	Eliminate	10 CFR 51.29 (b) for staff to prepare, and for the agency to publish and	This information can be accessed from other sources, such as (1) the agency’s publication at the outset of the	The NRC staff recommended a rulemaking plan (SECY-21-0001), “Rulemaking Plan—Transforming the NRC’s Environmental Review Process,” dated December 31, 2020) to pursue a 10 CFR Part 51 rulemaking

Item	Submitter Affiliation	NRC Staff's Recommendation	CFR Section	Comment	NRC Staff's Analysis
			distribute, a separate "summary" report (also known as scoping summary report) to members of the public and local, State, Tribal, and Federal government agencies. This information can be accessed from other sources.	"notice of intent" to conduct scoping and prepare an environmental impact statement (as prescribed by §§ 51.26, 51.27, and 51.116) already communicates the scoping information that will be considered by the NRC as listed in § 51.29(a)(1)–(8); (2) the results of the agency's scoping process with respect to § 51.29(a)(1)–(8), are otherwise documented in the draft environmental impact statement per § 51.70, which is distributed for review and comment; (3) the staff's responses received on the draft environmental impact statement or on any supplement are included in the final environmental impact statement, which is prepared in accordance with 10 CFR 51.90 et seq.; and (4) the President's Council on Environmental Quality's regulations (40 CFR 1500-1508) do not require the preparation of a scoping summary report.	focusing on changes that would streamline agency environmental reviews. The NRC staff intends to recommend that proposed revisions to 10 CFR 51.29(b) be considered as part of the rulemaking if approved by the Commission.
54	NRC	Eliminate	Either 10 CFR 71.95(a)(3) or 71.95(b) to remove duplication.	Remove duplication	This comment is already being considered as part of the ongoing 10 CFR Part 71 rulemaking, SECY-20-0102 , "Proposed Rule: Harmonization of Transportation Safety Requirements with International Atomic Energy Agency Standards (RIN 3150-AJ85; NRC-2016-0179)," dated October 30, 2020.

II. Comments on Administrative Requirements to be Maintained

The following administrative requirements should be maintained because they (1) did not meet the Commission--approved Criteria 1–4, (2) did meet Commission-approved Criterion 5, or (3) both.² This section also includes comments that are outside the scope of the RROAR initiative. The NRC staff has identified two comments (items #87 and #94) that may be considered for action, as appropriate, outside of the RROAR initiative, and will provide these comments to those conducting the agency’s innovation and transformation efforts for consideration as directed by the Commission in SRM-SECY-17-0119.

Comments that did not meet the Commission-approved Criteria 1–4.

The NRC staff determined that the administrative requirements should be maintained because they did not meet the Commission-approved Criteria 1–4 for the following reasons: 1) the NRC staff has consulted or referenced submittals from the requirements within the last 3 years; 2) information is not reasonably accessible to the agency from alternative resources; 3) requirements cannot be modified to result in reduced burden without impacting programmatic needs, regulatory efficiency, or transparency; and 4) requirements do not result in significant burden. This subsection summarizes the submitter’s suggestion for the NRC to modify requirements from “submit report” to “maintain as a record.” In addition, the submitter suggested that if the regulations must retain the requirement for submitting a report, the NRC should set the timing for submittal of that report to 60 days, if it is currently less than 60 days, to align with the response time expected for the preparation of licensee event reports (LERs). The submitter also recommended that, where feasible, immediate and 24-hour notifications should be made through the facility resident inspector, rather than through the NRC Operations Center, as described in PRM-50-116, “Petition for Rulemaking to Amend 10 CFR 50.72, ‘Immediate notification requirements for operating nuclear power reactors,’” dated August 2, 2018 (ADAMS Accession No. [ML18247A204](#)). The submitter also provided various other suggestions, including to consolidate the reporting requirements by moving 10 CFR Part 19 reporting of dose to NRC and workers into 10 CFR Part 20 and consolidate financial report requirements as much as possible.

Item	Submitter Affiliation	NRC Staff’s Recommendation	CFR Section	Comment	NRC Staff’s Analysis
55	NEI	No Change	10 CFR 20.1906(d) – Immediate report on surface contamination or external radiation levels above limits.	Eliminate prompt reporting via the NRC’s Event Notification System or Operations Center in favor of reporting promptly to NRC via the resident inspector, when applicable, as described in Petition for Rulemaking PRM-50-116 (NEI Table 1: Radiological	<p>The NRC staff screened out this item because it has determined that the reporting requirements do not meet Criteria 1–4.</p> <p>The NRC staff notes that an immediate notification is appropriate in order to inform the NRC and transport carriers of the spread of contamination or excessive radiation levels. In addition, notification of resident inspectors may not be practical or efficient as many materials licensed facilities</p>

² Per COMSECY-18-0027, the staff considered its programmatic experience, the intent of the requirement, the effect of elimination or modification of a requirement on the NRC’s mission, and overall effect on resources, when applying the criteria.

Item	Submitter Affiliation	NRC Staff's Recommendation	CFR Section	Comment	NRC Staff's Analysis
				Dose Reporting in Parts 19 and 20).	<p>subject to this requirement do not have assigned resident inspectors.</p> <p>To the extent that this comment references PRM-50-116, that PRM is currently being evaluated by the NRC and will be addressed in the NRC's petition for rulemaking process.</p>
56	NEI	No Change	10 CFR 20.2202(a) – Immediate notification of event involving exposure or release of byproduct, source, or special nuclear material.	Eliminate prompt reporting via the NRC's Event Notification System or Operations Center in favor of reporting promptly to NRC via the resident inspector, when applicable, as described in Petition for Rulemaking PRM-50-116 (NEI Table 1: Radiological Dose Reporting in Parts 19 and 20).	<p>The NRC staff screened out this item because it has determined that the reporting requirements do not meet Criteria 1–4.</p> <p>The NRC staff notes that an immediate notification is warranted for any serious radiological event as described in 10 CFR 20.2202(a). In addition, notification of resident inspectors may not be practical or efficient as many materials licensed facilities subject to this requirement do not have assigned resident inspectors.</p> <p>To the extent that this comment references PRM-50-116, that PRM is currently being evaluated by the NRC and will be addressed in the NRC's petition for rulemaking process.</p>
57	NEI	No Change	10 CFR 20.2201(a)(1)(i) – Immediate report on discovery of theft, loss, or missing licensed material.	Eliminate prompt reporting via the NRC's Event Notification System or Ops Ctr in favor of reporting promptly to NRC via the resident inspector, when applicable, as described in Petition for Rulemaking PRM-50-116 (NEI Table 1: Radiological Dose Reporting in Parts 19 and 20).	<p>The NRC staff screened out this item because it has determined that the reporting requirements do not meet Criteria 1–4.</p> <p>The NRC staff notes that an immediate notification is appropriate in order to inform the NRC and transport carriers of the spread of contamination or excessive radiation levels. In addition, notification of resident inspectors may not be practical or efficient as many licensed facilities subject to this requirement do not have assigned resident inspectors.</p> <p>To the extent that this comment references PRM-50-116, that PRM is currently being evaluated by the NRC and will be addressed in the NRC's petition for rulemaking process.</p>
58	NEI	No Change	10 CFR 26.719(c)(1) –Within 30 days of discovering errors in drug and alcohol testing, submit a report on the incident and	The annual reports should be eliminated. The 30-day report should be made due in 60 days, like LERs (NEI Table 3: Annual Reporting on Work Hours).	<p>The NRC staff screened out this item because it has determined that the reporting requirements do not meet Criteria 1–4.</p> <p>The NRC staff notes that timely submission of the reported information is significantly important because it promptly informs the NRC of laboratory testing errors that could</p>

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			corrective actions taken or planned.		<p>adversely affect multiple individuals and multiple licensees. The importance of this timely report is increased because the commercial nuclear industry uses only a few Department of Health and Human Services (HHS)-certified laboratories. The 30-day timeliness requirement is needed to minimize the duration of the laboratory error/failure to reduce the number of individuals, licensees, and other entities that may have been adversely affected. Consequently, there are significant program and worker protection consequences if the reporting requirement is increased to 60 days.</p> <p>With regard to licensee testing facilities (LTF), three LTFs continue to operate in the nuclear industry, and the impact of unsatisfactory testing at these facilities would be substantial because of the direct impact on the nuclear workforce that has unescorted access to the NRC-licensed facilities. Equally important, an LTF is not inspected by a certifying agency such as the HHS but instead is audited by the licensee, and elements of the operation may be inspected by the NRC during the triennial 10 CFR Part 26 fitness-for-duty (FFD) program inspection.</p>
59	NEI	No Change	10 CFR Part 50, Appendix E, Sec. VI – Various requirements for the Emergency Response Data System (ERDS) installation, maintenance, and configuration control.	These regulations duplicate requirements in the site emergency plan, technical specifications, or §§ 50.72 and 50.73 and can be eliminated (NEI Table 6: Duplication of Requirements in Part 50, Emergency Plan, and Reporting Rules).	<p>The NRC staff screened out this item because it has determined that the reporting requirements do not meet Criteria 1–4.</p> <p>The NRC staff notes that this reporting requirement supports the NRC's ability to keep the ERDS secure, available, and fully operational.</p> <p>In 10 CFR 50.72(a)(4), the NRC provides only the general requirement that "The licensee shall activate the Emergency Response Data System (ERDS) 3 as soon as possible but not later than one hour after declaring an Emergency Class of alert, site area emergency, or general emergency. The ERDS may also be activated by the licensee during emergency drills or exercises if the licensee's computer system has the capability to transmit the exercise data." It refers readers to Appendix E, Section VI, for the detailed requirements (responsibilities) for ensuring continued system functionality, so the content of Appendix E.VI cannot</p>

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					<p>be considered a replication. Appendix E, Section VI.3, on maintaining the ERDS provides the more detailed guidelines that ensure the ERDS remains maintained, secure, and fully operational.</p> <p>Specifically, Section VI.3.a states that "Any hardware and software changes that affect the transmitted data points identified in the ERDS Data Point Library (site-specific data base residing on the ERDS computer) must be submitted to the NRC within 30 days after the changes are completed." The ERDS is configured such that the system can receive the data points sent from the licensee site. When licensees change the data points, the NRC needs to make corresponding changes to ensure data integrity or even to be able to receive them free of error. This section notifies/reminds licensees of the need to inform the NRC of changes they make to data points.</p> <p>Section VI.3.b states that "Hardware and software changes, with the exception of data point modifications, that could affect the transmission format and computer communication protocol to the ERDS must be provided to the NRC as soon as practicable and at least 30 days prior to the modification." The ERDS is an information technology system that relies on the hardware and software on both the licensee and the NRC sides to be able to communicate with each other for the data transmission to be functional. This section notifies/reminds licensees of the need to inform the NRC of changes they make to hardware and software affecting the ERDS.</p> <p>Section VI.3.c states that "In the event of a failure of NRC-supplied equipment, a replacement will be furnished by the NRC for licensee installation." This section notifies/reminds licensees that the NRC will replace nonfunctioning devices. The NRC supplies licensees with the preconfigured communication devices needed for ERDS data transmission.</p>

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					Therefore, the information collected in this subsection is necessary to ensure (1) data transmission is not hindered (corrupted) and data integrity is not affected by mismatched data point identifications and values between the licensee and NRC databases, (2) data are protected (cybersecurity considerations) and available/uninterrupted (due to formatting and network configuration changes), and (3) the NRC maintains its ability to receive ERDS data that licensees are required to submit.
60	NEI	No Change	10 CFR 74.17(a) – If subject to § 74.31 or § 74.33, submit special nuclear material (SNM) physical inventory summary report within 60 days of starting the inventory required by 74.31(c) or 74.33(c)(4).	These requirements should be revised from “submit report” to “maintain as a record.” Where the requirement for submitting a report must be retained in the regulations, the timing for submittal of that report should be set to 60 days, if it is currently less than 60 days, to align with the response time expected for the preparation of LERs (NEI Table 7: Reporting of Items Available in CAP or Site Records).	<p>The NRC staff screened out this item because it has determined that the reporting requirements do not meet Criteria 1–4.</p> <p>The NRC staff notes that modifying the regulation would impact programmatic needs and regulatory efficiency. The report should be submitted to NRC, and not just kept as a site record for inspection, in order to allow timely review by staff to detect possible loss, theft, or diversion of special nuclear material, and to detect any unmeasured SNM losses for timely review of any reported physical inventory results that pose safeguards or security concerns. The time for submitting these reports in the cited regulations is 60 calendar days, so it is already consistent with the minimum time in the evaluation criteria.</p>
61	NEI	No Change	10 CFR 70.59 – Effluent monitoring reports due within 60 days after January 1 and July 1 of each year.	<p>These requirements should be revised from “submit report” to “maintain as a record.”</p> <p>Where timing of the report is less than 60 days from the end of the reporting period, it should be set to 60 days to align with the response time expected for the preparation of Licensee Event Reports (NEI Table 8: Reporting of Effluent Data versus Retain in Records).</p>	<p>The NRC staff screened out this item because it has determined that the reporting requirements do not meet Criteria 1–4.</p> <p>The NRC staff notes that these reports are made publicly available and the public has expressed a high level of interest in this information. These reports support the agency's openness and transparency objectives. This information is also used for inspection planning and responding to questions from the public.</p> <p>No further changes are recommended since the report timing is already at a 60-days from the end of the reporting period.</p>

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62	NEI	No Change	10 CFR 26.719(c)(2) – Notify NRC within 24 hours after discovery of a false positive error on a blind test sample.	These non-emergency prompt notifications should be eliminated (NEI Table 4: Prompt Notifications on Work Hours).	<p>The NRC staff screened out this item because it has determined that the reporting requirements do not meet Criteria 1–4.</p> <p>The NRC staff notes that timely submission of the reported data is significantly important because it promptly informs the NRC of laboratory testing or blind performance specimen testing formulation errors that could adversely affect multiple individuals, multiple licensees, and possibly test results for individuals subject to other federally mandated drug testing programs (e.g., DOT, DOE). The importance of this timely report is increased because the commercial nuclear industry uses only a few HHS-certified laboratories and only one blind performance test specimen provider. This notification helps ensure that the HHS National Laboratory Certification Program (NLCP) is timely informed if the error was attributed to a laboratory failure or the blind performance test specimen provider. This enables the NLCP to assess corrective actions by the laboratory, blind performance test specimen provider, or both and any generic testing/formulation issues across the drug testing industry.</p> <p>There is also no alternative process to communicate these significant program errors uniformly and efficiently to other laboratories, the NRC, and external entities in a timely manner.</p>
63	NEI	No Change	10 CFR 20.2206(b) – Annual report on personnel exposure and monitoring.	Recognize that information captured in the licensee's CAP or QA records program is available for NRC inspection and can satisfy NRC's need for information without requiring formal submittal of a report (NEI Table 1: Radiological Dose Reporting in Parts 19 and 20).	<p>The NRC staff screened out this item because it has determined that the reporting requirements do not meet Criteria 1–4.</p> <p>The NRC staff notes that this annual reporting requirement provides the NRC with data that are used for research safety studies, the evaluation of licensee performance and radiation safety program effectiveness, and the tracking of transient individuals who are exposed at several facilities during any given year.</p>

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64	NEI	No Change	10 CFR 26.719(c)(3) – Notify NRC within 24 hours after discovery of a false negative error on a QA check of validity screening tests.	These non-emergency prompt notifications should be eliminated (NEI Table 4: Prompt Notifications on Work Hours).	<p>The NRC staff screened out this item because it has determined that the reporting requirements do not meet Criteria 1–4.</p> <p>The NRC staff notes that timely submission of the reported data is important because it promptly informs the NRC of a false negative on a QA check of a validity screening test. This type of testing error indicates that the licensee's drug testing facility cannot accurately identify whether a donor has attempted to subvert the testing process. This type of a testing error directly undermines the accuracy of the licensee's testing program and must be addressed immediately because an inaccurate validity test could result in granting unescorted access to individuals who are not trustworthy and reliable.</p> <p>There is also no alternative process to communicate this significant program error uniformly and efficiently to the NRC to ensure an effective regulatory review.</p>
65	NEI	No Change	10 CFR 50.46(a)(3)(ii) (See also 10 CFR Part 50, Appendix K) – Annually report effects of changes or errors in Emergency Core Cooling Systems (ECCS) evaluation models. If change or error is significant, provide report within 30 days.	These requirements should be revised from “submit report” to “maintain as a record.” Where the requirement for submitting a report must be retained in the regulations, the timing for submittal of that report should be set to 60 days, if it is currently less than 60 days, to align with the response time expected for the preparation of LERs (NEI Table 7: Reporting of Items Available in CAP or Site Records).	<p>The NRC staff screened out this item because it has determined that the reporting requirements do not meet Criteria 1–4.</p> <p>The NRC staff notes that eliminating or modifying these reporting requirements would unacceptably degrade the NRC's ability to identify ECCS evaluation model (EM) errors, evaluate the significance of such EM errors, gauge the extent of condition of ECCS EM errors within the operating reactor fleet, and maintain an accurate and up -to -date awareness of operating reactor margins to the acceptance criteria in 10 CFR 50.46(b). The existing reporting requirements are critical for the NRC staff to have sufficient information to determine the level of regulatory action needed when new ECCS EM errors are identified, particularly if they are significant, affect large portions of the operating reactor fleet, or both.</p>
66	NEI	No Change	10 CFR 50.54(a)(3) – Changes in QA program description.	Reconsider which of these reports is still adding value to the NRC's mission sufficient to require formal submittal to	The NRC staff screened out this item because it has determined that the reporting requirements do not meet Criteria 1–4.

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				the NRC. If onsite inspection of the information contained in any of these reports is sufficient to meet NRC's mission, consider eliminating the formal submission to NRC (NEI Table 7: Reporting of Items Available in CAP or Site Records) (NEI Table 9: Treatment of Current Licensing Basis Information).	<p>The NRC staff notes that eliminating or modifying these reporting requirements would adversely impact the NRC's mission because the QA program description is used to provide assurance that design, fabrication, construction, installation, repair, replacement, and testing of structures, systems, and components (SSCs) are performed to provide an adequate basis to find that these SSCs will meet their intended safety functions.</p> <p>In 10 CFR 50.54(a)(3), the NRC allows licensees to make changes to their approved QA program without NRC review and approval, provided the change does not reduce commitments to the approved program.</p> <p>The NRC reactor oversight program does not include provisions for periodically inspecting the QA program description.</p> <p>The NRC staff reviews the periodic submittals (submitted 6 months after an outage, not to exceed 2 years) to ensure that changes made to a licensee's QA program description continue to meet the requirements of Appendix B to 10 CFR Part 50. In addition, the required submittal of the QA program description currently exceeds the 60-day timeline proposed by the NEI.</p>
67	NEI	No Change	10 CFR 74.17(b) – If subject to § 74.41(a), submit SNM physical inventory summary report within 60 days of starting the inventory required by § 74.43(c)(7).	These requirements should be revised from “submit report” to “maintain as a record” (NEI Table 7: Reporting of Items Available in CAP or Site Records).	<p>The NRC staff screened out this item because it has determined that the reporting requirements do not meet Criteria 1–4.</p> <p>The NRC staff notes that modifying the regulation would impact programmatic needs and regulatory efficiency. The reports should be submitted to NRC, and not just kept as site records for inspection, in order to allow timely review by staff to detect possible loss, theft, or diversion of special nuclear material, and to detect any unmeasured SNM losses that pose safeguards or security concerns.</p>
68	NEI	No Change	Immediate Notifications: 10 CFR 37.57(a) –	Eliminate immediate non-emergency notifications to the NRC Ops Ctr in favor of	The NRC staff screened out this item because it has determined that the reporting requirements do not meet Criteria 1–4.

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			<p>Licensee immediately notify local law enforcement agency (LLEA) after determining that unauthorized entry resulted in actual or attempted theft, sabotage, or diversion of Cat. 1 or 2 rad material. Notify NRC Operations Center within four hours after LLEA.</p> <p>Immediate Notifications: § 37.57(b) – Licensee assess and notifies LLEA of any suspicious activity related to theft, sabotage, or diversion of Cat. 1 or 2 rad material. Notify NRC Operations Center within four hours after LLEA.</p> <p>Immediate Notifications: § 37.81(b) – Shipping licensee notify NRC Ops Ctr within four hours of determining that a shipment of Cat. 2 material is lost or missing. If still</p>	promptly notifying NRC (via call to resident inspector), as described in PRM-50-116 (NEI Table 5: Immediate Notifications and Written Follow-up Reports in Part 37).	<p>The NRC staff notes that modifying the requirements to have licensees make event notifications to an intermediary could have an adverse effect on public health or safety. These reporting requirements support the NRC's capability to collect facts quickly and accurately, assess the facts, and take necessary actions, including potentially informing other agencies in the homeland security and intelligence communities for expanded response and recovery of risk-significant radioactive materials.</p> <p>Revising 10 CFR Part 37 to notify an intermediary (e.g., resident inspector), who is in turn responsible for notifying the NRC Operations Center after evaluating the event information, could affect the accuracy of facts related to events and would impact the timing of expanded response and mitigation activities. In addition, during emergencies, the intermediary may be tasked with other priority functions, which could further affect the timeliness of event reports to the NRC Operations Center. This modification to event reporting could significantly reduce the NRC's capability to make appropriate notifications to support response and recovery of risk-significant radioactive materials.</p> <p>Licensees' direct notification to the NRC Operations Center is critical to the NRC headquarters Operations Officer's ability to make a determination to immediately contact NRC technical staff and Intelligence Threat Liaison Branch staff to review notifications of suspicious activities and evaluate whether potential preoperational activities (i.e., multiple events at a single site or multiple events at multiple sites) may be part of a larger plan, as well as to integrate this information with that from other agencies in the homeland security and intelligence communities.</p> <p>To the extent that this comment references PRM-50-116, that PRM is currently being evaluated by the NRC and will be addressed in the NRC's petition for rulemaking process.</p>

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			<p>missing after 24 hours, immediately notify NRC Ops Ctr.</p> <p>Immediate Notifications: § 37.81(c) – Shipping licensee notifies LLEA along shipment route as soon as possible upon discovery of actual or attempted theft or diversion or suspicious activities related to same for Cat. 1 material. As soon as possible after notifying LLEA, licensee shall notify NRC Ops Ctr.</p> <p>Immediate Notifications: § 37.81(d) – Shipping licensee to notify NRC Ops Ctr ASAP upon discovering actual or attempted theft of Cat. 2 quantity of radioactive material</p> <p>Immediate Notifications: § 37.81(e) – Shipping licensee to notify NRC Ops Ctr and LLEA ASAP upon</p>		

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			<p>recovery of lost or missing Cat. 1 quantity of radioactive material</p> <p>Immediate Notifications: § 37.81(f) – Shipping licensee to notify NRC Operations Center as soon as possible upon recovery of lost or missing Cat. 2 quantity of radioactive material.</p>		
69	NEI	No Change	10 CFR 70.38 – This section specifies a number of documents on decommissioning plans and milestones that are to be submitted to the NRC.	These requirements should be revised from “submit report” to “maintain as a record” (NEI Table 7: Reporting of Items Available in CAP or Site Records).	<p>The NRC staff screened out this item because it has determined that the reporting requirements do not meet Criteria 1–4.</p> <p>The NRC staff notes that the reporting requirement in 10 CFR 70.38 is not a routine recordkeeping or reporting requirement but rather involves a one-time notification and documents submitted as part of the NRC staff's approval of a decommissioning plan or as documentation to support a license termination request. The documents discussed in this section are directly tied to licensing actions, as opposed to routine recordkeeping.</p>
70	NEI/ NRC	No Change	<p>10 CFR 26.203(e)(1) – Annual Fatigue Reporting Requirements</p> <p>§ 26.203(e)(2) – Annual Fatigue Reporting Requirements</p> <p>§ 26.717(b)(9) – Annual Fatigue</p>	The annual reports should be eliminated. NEI and certain NRC staff have proposed the elimination of annual reporting requirements under 10 CFR Part 26, Subpart I, Managing Fatigue. Both groups state that it is not apparent if/how the data provided in these reports is used. NEI suggests that the data is accessible on site to	<p>The NRC staff screened out this item based on the determination that the reporting requirements do not meet Criteria 1–4.</p> <p>The NRC staff notes that the NRC staff has used the data from annual licensee submittals since 1989 for drug and alcohol (D&A) information and since 2009 for fatigue-management information to assess program effectiveness and to inform inspection and policy decisions. The staff routinely aggregates, evaluates, and communicates fatigue and D&A performance information to NRC training programs</p>

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			<p>Reporting Requirements</p> <p>§ 26.203(e)(1) – Annually report the use of waivers under which work was performed and</p> <p>§ 26.203(e)(2) – Annually report corrective actions resulting from analyses of fatigue data</p> <p>§ 26.417(b)(2) – Annually submit FFD program performance reports</p> <p>§ 26.717(e) – Annually submit FFD program performance data</p>	<p>NRC inspectors, and that it is periodically reviewed under existing NRC inspections (IP 71130.08, 71153). NEI also states that other inspections (e.g., 71153, 95001, 95002, 95003) are (or can be) used to review issues and events, when they arise (NEI Table 3: Annual Reporting on Work Hours) (NEI Table 4: Prompt Notifications on Work Hours).</p>	<p>and NRC inspectors to risk-inform their performance-based inspections.</p> <p>The NRC headquarters staff also reviews the collected information to monitor industry trends, identify potential concerns/needs, inform NRC oversight activities, and coordinate with other Federal agencies that mandate fatigue management and D&A testing programs in other industries.</p> <p>Similar to all federally mandated D&A testing programs, the NRC annually reports D&A performance data to a responsible agency. For example, Federal agencies report their D&A data to the HHS, and the transportation industry reports its data to the DOT. Reports generated by the NRC aid the Federal government's assessment of whether the overall regulatory framework (designed and issued to provide reasonable assurance of acceptable human performance) is relatively consistent between Federal agencies and contribute to the fitness of individuals who conduct or direct the performance of safety- or security-related activities in the commercial nuclear, transportation, and energy industries, or other industries subject to human performance standards.</p> <p>The annual FFD performance report issued by the NRC is also the NRC's only publicly available report that details D&A performance across the industry. Consequently, this report substantially contributes to the NRC's openness and could not be accomplished annually if the periodicity of the licensee D&A information report was markedly changed, or if site-specific inspections were necessary to obtain FFD-related information.</p> <p>The staff considered possible alternate means of obtaining the annually reported information (such as via inspection) and determined that, while the associated FFD data can be obtained through onsite inspection, this approach would be ineffective. The current annual reporting requirement and process ensure precision, consistency, and a periodicity that</p>

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					<p>enables effective internal and external assessment and trending.</p> <p>Furthermore, the NRC staff considered the possibility of reducing reporting frequency (e.g., by requiring reports to be submitted biennially or "as needed" by inspection) and concluded that a reduction in reporting frequency would result in a substantial adverse impact on the NRC's ability to timely assess and respond to human performance-related events and adverse trends and communicate with internal and external stakeholders. Furthermore, the burden on licensees from annually generating the electronically submitted reports is considered to be relatively insubstantial, given that licensees are required to maintain records of the associated information regardless of the reporting requirements. Additionally, the development of an electronic reporting framework has also substantially reduced regulatory burden for the NRC and licensees by providing a consistent and efficient means of providing the required information. The benefits achieved would be significantly challenged if site-specific efforts were implemented (e.g., through NRC inspection-related information requests).</p>
71	NEI	No Change	10 CFR Part 50, Appendix E, Sec. IV.D.3 – Notify State and local agencies within 15 minutes of declaring an emergency.	These regulations duplicate requirements in the site emergency plan, technical specifications, or 10 CFR 50.72 and 50.73 and can be eliminated (NEI Table 6: Duplication of Requirements in Part 50, Emergency Plan, and Reporting Rules).	<p>The NRC staff screened out this item because it has determined that the reporting requirements do not meet Criteria 1–4.</p> <p>The NRC staff notes that the requirement in 10 CFR Part 50, Appendix E, Section IV.D.3, is not a duplication of a reporting requirement for licensees or applicants to notify or submit documents to the NRC. Rather, it is an emergency plan content requirement to describe the licensee's capability to notify responsible State and local government officials within 15 minutes of declaring an actual emergency. Eliminating or modifying the 15-minute notification requirement would adversely impact the NRC's mission of providing for public health and safety with regard to a declared radiological emergency.</p>
72	NEI	No Change	10 CFR 50.66 – Submit a report describing the plan	These requirements should be revised from "submit report" to "maintain as a	The NRC staff screened out this item because it has determined that the reporting requirements do not meet Criteria 1–4.

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			for thermal annealing at least three years before the limiting fracture toughness criteria would be exceeded.	record" (NEI Table 7: Reporting of Items Available in CAP or Site Records).	<p>The NRC staff notes that thermal annealing of the reactor pressure vessel is a significant evolution that is not expected to occur periodically or routinely, and it involves NRC review and evaluation of the thermal annealing report in accordance with 10 CFR 50.66. Furthermore, as required by 10 CFR 50.66(f)(1), members of the public, including State and local governments, are afforded opportunities to engage in the process before to the reactor vessel is thermally annealed to ensure transparency and participation with all stakeholders.</p> <p>This regulation specifically requires submittal of the thermal annealing report to the NRC at least 3 years before the limiting fracture toughness criteria would be exceeded. The timing for this report submittal ensures sufficient time for NRC evaluation of the thermal annealing report and stakeholder participation in its review.</p>
73	NEI	No Change	10 CFR 50.72(a)(1)-(3) Notify NRC Ops Ctr via ENS or phone for (i) declaring specified emergencies; (ii) declaring specified non-emergencies within three years of date of discovery; or within one hour after notifying State or local agencies. § 50.72(a)(4) – Activate the ERDS within one hour after declaring an emergency.	These regulations duplicate requirements in the site emergency plan, technical specifications, or 10 CFR 50.72 and 50.73 and can be eliminated (NEI Table 6: Duplication of Requirements in Part 50, Emergency Plan, and Reporting Rules).	<p>The NRC staff screened out this item because it has determined that the reporting requirements do not meet Criteria 1–4.</p> <p>The NRC staff notes that these reports are necessary for public health and safety and the common defense and security. These regulations are not considered duplicative to other NRC reporting requirements and licensee documents. These regulations are necessary to provide a statutory basis by which the NRC could ensure that these requirements are included in licensee emergency plans and thus ensure the adequate protection of public health and safety and the common defense and security. The Commission has defined the NRC's role in the event of an emergency as primarily one of monitoring the licensee to assure that appropriate recommendations are made with respect to offsite protective actions.</p> <p>To fulfill the NRC's role, the NRC requires accurate timely data. Experience with the voice-only emergency communications link, currently used for data transmission, has demonstrated that excessive amounts of time are</p>

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					needed for the routine transmission of data and for verifying or correcting data that appear questionable. Error rates have been excessive, and there have been problems in getting new data and frequent updates. In addition, the voice-only emergency communications link creates an excessive drain on the time of valuable experts. When errors occur, they can create false issues that, at best, divert experts from the real problems for long periods of time. At worst, incorrect data may cause the NRC to respond to offsite officials with inaccurate or outdated advice that results in inappropriate actions. Thus, the ERDS provides accurate and timely data necessary for the NRC to fulfill its role.
74	NRC	No Change	10 CFR 2.106 – Notice of issuance	The commenter requested a change to allow publishing of Notices of Issuances/ Consideration of Issuances on the NRC website for operating reactor amendments, and would include new and advanced reactors, with a summary/referral document being placed in the <i>Federal Register</i> once a month, similar to what is done for material licensees.	<p>The NRC staff screened out this item because it has determined that the reporting requirements do not meet Criteria 1–4.</p> <p>The NRC staff notes that the Atomic Energy Act of 1954, as amended, statutorily requires publication in the <i>Federal Register</i> for these notices of issuance and consideration of issuance. As such, the NRC is unable to adopt the commenter's requested change to instead publish notices of issuance and consideration of issuance on the NRC Web site.</p> <p>(Note: On October 6, 2020, as part of a separate process outside of RROAR, the NRC published a <i>Federal Register</i> notice (85 FR 63153) to change the publication frequency of notices of issuance and consideration of issuance in the <i>Federal Register</i> from 14 days to 28 days, which partly addresses this comment.)</p>
75	NEI	No Change	10 CFR 72.75(a) – Part 72 licensee to notify Ops Ctr upon declaration of emergency.	These regulations duplicate requirements in the site emergency plan, technical specifications, or §§ 50.72 and 50.73 and can be eliminated (NEI Table 6: Duplication of Requirements in Part 50, Emergency Plan, and Reporting Rules).	<p>The NRC staff screened out this item because it has determined that the reporting requirements do not meet Criteria 1–4.</p> <p>The NRC staff notes that the requirements in 10 CFR 72.75(a) are not duplicative of the requirements in 10 CFR 50.72 or 10 CFR 50.73. Specifically, 10 CFR Part 72 requirements apply to licensees other than facilities licensed under 10 CFR Part 50 (e.g., nuclear reactors).</p>

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76	NEI	No Change	10 CFR 71.17(c)(3) – Holder of a general license for an NRC-approved package shall submit in writing before first use of NRC-approved package the licensee's name, license number, and package identification number.	NRC should reexamine the need for this submittal and explain why this information is still essential to the NRC's mission (NEI Table 14: Cask Use).	<p>The NRC staff screened out this item because it has determined that the reporting requirements do not meet Criteria 1–4.</p> <p>The NRC staff notes that inspectors use the information provided under 10 CFR 71.17(c)(3) for several purposes. The submittal alerts the NRC that an approved package is being used and by whom. The staff includes the information in a reference database of the number of users and packages that are in use. For example, if a single incident reveals a common issue, the NRC can alert the other package users. The database also provides tracking and trending data useful to help inform inspection planning for licensees, vendors, Certificate of Compliance holders, and users. The burden created by these requirements appears to be minimal, and the information is valuable for inspection planning and oversight of related programs. In addition, a significant consideration is the Department of Transportation regulations (DOT) requirements in 49 CFR 173.471(a) also require <i>"The offeror shall be registered with the USNRC as a party to the packaging approval, and make the shipment in compliance with the terms of the packaging approval."</i> Even if NRC were to remove that requirement, all shippers would be required to register with the NRC, via DOT requirements.</p>
77	NEI	No Change	10 CFR 19.13(a) – Annual report on radiation exposure of employees. § 19.13(b) – Annual report on radiation exposure of employees. § 19.13(c) – Report on radiation exposure of former employees. § 19.13(d) – Copy of report to NRC on individual radiation exposure. § 19.13(e)	Consolidate the reporting requirements above by moving Part 19 reporting of dose to NRC and workers into Part 20 (NEI Table 1: Radiological Dose Reporting in Parts 19 and 20).	<p>The NRC staff screened out this item because it has determined that the reporting requirements do not meet Criteria 1–4.</p> <p>The NRC staff notes that the reporting requirements in 10 CFR Part 19 are for reports to individuals, and the reporting requirements in 10 CFR Part 20 are for reports to the NRC. Consolidation of the radiological reporting requirements in 10 CFR Part 19 and 10 CFR Part 20 would not provide significant improvement to regulatory recordkeeping or reporting requirements.</p>

Item	Submitter Affiliation	NRC Staff's Recommendation	CFR Section	Comment	NRC Staff's Analysis
			– Report of radiation exposure of terminating employees.		
78	NEI	No Change	10 CFR 20.2205 – Copy of report to NRC on individual exceeding dose limits. § 20.2206(b) – Annual report on personnel exposure and monitoring.	Consolidate the reporting requirements by moving Part 19 reporting of dose to NRC and workers into Part 20 (NEI Table 1: Radiological Dose Reporting in Parts 19 and 20).	<p>The NRC staff screened out this item because it has determined that the reporting requirements do not meet Criteria 1–4.</p> <p>The NRC staff notes that the reporting requirements in 10 CFR Part 19 are for reports to individual radiation workers for them to know their annual dose from all licensee work; and the reporting requirements in 10 CFR Part 20 are for reports to the NRC to use in annual collective dose analysis report and for future health studies. Consolidation of the radiological reporting requirements in 10 CFR Part 19 and 10 CFR Part 20 would not provide significant improvement to regulatory recordkeeping or reporting requirements.</p>
79	NEI	No Change	10 CFR 55.46(d)(3) – Make results of any uncorrected simulator performance test failures available for NRC review before each operating test or requalification program inspection.	Revise requirement from “submit a report” to “maintain as a record.” (NEI Table 7: Reporting of Items Available in CAP or Site Records).	<p>The NRC staff screened out this item because it has determined that the reporting requirements do not meet Criteria 1–4.</p> <p>The NRC staff notes that 10 CFR 55.46(d)(3) does not define any reporting requirements. The regulation has no requirement to “submit a report.” Rather, the current requirement is to make those records available for NRC review before or concurrent with examination preparations. The staff typically requests this reference material from the facility by the staff as part of examination development or review activities (as stated in NUREG-1021, “Operator Licensing Examination Standards for Power Reactors,” Revision 11, issued February 2017).</p>
80	NEI	No Change	10 CFR 50.74 – Licensed facility to notify the regional administrator within 30 days of (a) permanent reassignment of an operator from the	The NRC should consider ways to simplify the reporting requirements governing licensed operators to reflect the reality that the operator's 10 CFR Part 55 license is tied to the facility licensed under 10 CFR Part 50 for which the	<p>The NRC staff screened out this item because it has determined that the reporting requirements do not meet Criteria 1–4.</p> <p>The NRC staff notes that the NRC needs to know this information, reported under 10 CFR 50.74, in order to maintain its records for licensed operators and to decide</p>

Item	Submitter Affiliation	NRC Staff's Recommendation	CFR Section	Comment	NRC Staff's Analysis
			position for which the license was needed, (b) termination, or (c) permanent disability or illness described in 10 CFR 55.25.	operator works. While it is understandable that NRC would want the regulations to enforce notification obligations on the licensed individual, it should suffice for the obligation of the licensed individual to be to notify the employer of the specified occurrences (NEI Table 13: Reporting on Operator Licenses).	<p>whether a license should be modified or revoked based on a new medical condition.</p> <p>The regulation in 10 CFR 50.74 is a reporting requirement, as it mandates that the facility licensee notify the NRC of changes in status for licensed operators that would affect the NRC's licensing decision or would result in license expiration, including if a permanent medical condition is identified for the licensed operator.</p> <p>This requirement should be maintained due to the possible safety impact associated with an operator with a disqualifying medical condition operating the plant. The NRC must be made aware of these conditions as they can impact the operator's license. The NRC may need to suspend, modify, or revoke the license based on this disqualifying medical condition, and therefore, needs to be informed in a timely manner—in this case, within 30 days. Note that neither 10 CFR 55.25 nor 10 CFR 50.74 has a reporting requirement for the individual licensed operator.</p> <p>30 days seems to be a reasonable time period due to the impact on licensing decisions and reactor safety. The staff evaluated the burden on the facility to make this report and determined that 30 days was not an unacceptable burden. The 30-day requirement does not begin until after the determination has been made that the condition is permanent, and therefore, the 30-day requirement does not include the time to make that determination.</p>
81	NEI	No Change	10 CFR 55.53(g) – Licensed operator to notify NRC within 30 days about conviction for a felony.	The NRC should consider ways to simplify the reporting requirements governing licensed operators to reflect the reality that the operator's 10 CFR Part 55 license is tied to the facility licensed under 10 CFR Part 50 for which the operator works. While it is understandable that NRC would want the regulations to	<p>The NRC staff screened out this item because it has determined that the reporting requirements do not meet Criteria 1–4.</p> <p>The NRC staff notes that the agency is interested in knowing about felonious criminal convictions of an individual licensee. The NRC considers that there may be a relationship between a conviction for a felony and job performance, and this information is used as part of the determination of whether or not the individual's license should be revoked or modified. As such, a notification from</p>

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				enforce notification obligations on the licensed individual, it should suffice for the obligation of the licensed individual to be to notify the employer of the specified occurrences (NEI Table 13: Reporting on Operator Licenses).	the operator to the employing facility would not suffice. Considering that the reporting requirement becomes applicable once an operator is convicted of a felony (not when he or she is charged with a felony), the 30-day reporting period seems to be an appropriate timeframe, as the licensee will have the added time before any conviction to prepare to report to the NRC if it becomes necessary.
82	NEI	No Change	10 CFR 50.82(a)(8)(v) – After submitting its Decommissioning Cost Estimate, Licensee must submit annually a financial assurance status report, current through the end of the previous calendar year.	<p>1. Consolidate financial report requirements as much as possible.</p> <p>2. Align reporting requirement frequencies as much as possible (NEI Table 10: Financial Reporting).</p>	<p>The NRC staff screened out this item because it has determined that the reporting requirements do not meet Criteria 1–4.</p> <p>For reactors undergoing decommissioning, the NRC staff reviews this information on an annual basis to ensure adequate funding to complete decommissioning.</p>
83	NEI	No Change	10 CFR 72.30(b) – ISFSI licensee must submit decommissioning funding plan and submit adjustments to it at least every three years. § 72.30(c) – ISFSI licensee must submit decommissioning funding plan and submit adjustments to it at least every three years. § 72.30(g)(3) – ISFSI licensee must report	<p>1. Consolidate financial report requirements as much as possible.</p> <p>2. Align reporting requirement frequencies as much as possible (NEI Table 10: Financial Reporting).</p>	<p>The NRC staff screened out this item because it has determined that the reporting requirements do not meet Criteria 1–4.</p> <p>The NRC staff notes that the information submitted by a licensee is used to ensure adequate financial means are available to safely decommission its NRC-licensed facility. Based on the level of risk associated with, and level of funding required of, radiological decommissioning of an ISFSI, staff reviews these materials on a 3-year basis, which it considers to be adequate.</p>

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			replenishments of its decommissioning funds within 30 days if necessary.		
84	NEI	No Change	10 CFR 72.80(b) – ISFSI licensee must furnish its annual financial report unless it already submits a Form 10-Q to the Securities and Exchange Commission.	<p>1. Consolidate financial report requirements as much as possible.</p> <p>2. Align reporting requirement frequencies as much as possible (NEI Table 10: Financial Reporting).</p>	<p>The NRC staff screened out this item because it has determined that the reporting requirements do not meet Criteria 1–4.</p> <p>The NRC staff notes that the 10 CFR 72.80(b), annual reporting of financial statements is considered the least frequent reporting interval that will still give the NRC staff the ability to maintain oversight of a licensee's overall financial wherewithal and that is in line with financial reporting requirements for licensees that file with the Securities and Exchange Commission (SEC) or Federal Energy Regulatory Commission (FERC).</p>
85	NEI	No Change	10 CFR 50.54(w)(3) – Report to NRC on April 1 of each year the current levels of insurance and its sources.	<p>1. Consolidate financial report requirements as much as possible.</p> <p>2. Align reporting requirement frequencies as much as possible (NEI Table 10: Financial Reporting).</p> <p>Revise requirement from “submit a report” to “maintain as a record” (NEI Table 7: Reporting of Items Available in CAP or Site Records).</p>	<p>The NRC staff screened out this item because it has determined that the reporting requirements do not meet Criteria 1–4.</p> <p>The NRC staff notes that the NRC uses the information submitted by licensees to ensure that they are complying with the requirements to maintain appropriate levels of onsite property damage/accident recovery insurance. While a licensee may be asked to provide copies of these reports during an onsite inspection, the timing of these inspections may not coincide with the April 1 deadline each year.</p> <p>The current reporting frequencies are adequately aligned for these facilities on an annual basis, by April 1.</p>
86	NEI	No Change	10 CFR 50.71(b) – Submit annual financial report.	<p>1. Consolidate financial report requirements as much as possible.</p> <p>2. Align reporting requirement frequencies as much as possible (NEI Table 10: Financial Reporting).</p>	<p>The NRC staff screened out this item because it has determined that the reporting requirements do not meet Criteria 1–4.</p> <p>The NRC staff notes that the information submitted by licensees serves as a primary source of financial information from those licensees that do not file publicly available financial reports with the SEC and FERC.</p>

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				Revise requirement from "submit a report" to "maintain as a record" (NEI Table 7: Reporting of Items Available in CAP or Site Records).	<p>Annual reporting of financial statements is considered the least frequent reporting interval that will still give the NRC staff the ability to maintain oversight of a licensee's overall financial wherewithal and that is in line with financial reporting requirements for licensees that file with the SEC or FERC.</p> <p>Further, this reporting frequency aligns with the narrative presented in item staff's analysis for 10 CFR 72.80(b).</p>
87	NEI	No Change	10 CFR 21.21(e) – NRC may require those subject to 10 CFR Part 21 to supply additional information related to a defect or failure to comply.	The NRC should consider replacing such regulations as these with a Request for Additional Information (RAI) process like that used in licensing submittals. Replacing the regulations in question with the use of an RAI-like process would enable licensees to simplify their procedures (NEI Table 12: Supplemental Responses).	<p>The NRC staff screened out this item because it has determined that the reporting requirements do not meet Criteria 1–4.</p> <p>Eliminating or modifying this reporting requirement could adversely impact the NRC's programmatic needs by eliminating the regulation explicitly authorizing staff to request additional 10 CFR Part 21 information from those organizations subject to 10 CFR Part 21. However, the NRC staff notes that a revision to NEI 14-09, "Guidelines for Implementation of 10 CFR Part 21 Reporting of Defects," Revision 0, issued August, 2014, could address its comment. The NRC would need to review and concur with any revision made to NEI 14-09 before making a subsequent endorsement revision to Regulatory Guide 1.234, "Evaluating Deviations and Reporting Defects and Noncompliance under 10 CFR Part 21," issued April 2018. The NRC may also need to revise an office instruction in order to implement a program for requests for additional information under 10 CFR Part 21.</p>

Comments that met Criterion 5.

The NRC staff determined that the administrative requirements should be maintained because they met Criterion 5; that is, they include reports or records that contain information used by other Federal agencies, State and local governments, or federally recognized Tribes, and the information collected is necessary to support the NRC's mission or to fulfill a binding NRC obligation.

Item	Submitter Affiliation	NRC Staff's Recommendation	CFR Section	Comment	NRC Staff's Analysis
88	NEI	No Change	10 CFR 74.13(a) – Submit Material Balance Reports for March 31 and September 30 of each year within 30 days after the end of the period.	These requirements should be revised from “submit report” to “maintain as a record.” Where the requirement for submitting a report must be retained in the regulations, the timing for submittal of that report should be set to 60 days, if it is currently less than 60 days, to align with the response time expected for the preparation of LERs. Where feasible, immediate and 24-hour notifications should be made through the facility resident inspector, rather than through the NRC Ops Ctr, as described in PRM-50-116 (NEI Table 7: Reporting of Items Available in CAP or Site Records).	<p>The NRC staff screened out this item because it has determined that the reporting requirements meet Criterion 5 for the following reasons:</p> <p>Modifying the regulation would impact programmatic needs and regulatory efficiency. Material status reports are required to be submitted to the Nuclear Material Management and Safeguards System (NMMSS) in order to maintain current information on special nuclear material (SNM) in the U.S. Licensees subject to 10 CFR 73.51 are required to submit reports within 30 days of the end of the reporting period. Other licensees are required to submit within 60 days of beginning of their physical inventory, or by the annual deadline if a physical inventory is not required. The 30-day period for some licensees is due to the nature of the material possessed, strategic SNM (Category I material). Under the graded approach for MC&A, additional requirements and tighter material reporting schedules apply to Cat I material because it is considered more attractive than other types of material that is subject to different reporting requirements.</p> <p>The information in 10 CFR 73.13(a) is collected on a joint DOE/NRC Form 742 (used by other Federal agencies). Also, the U.S. Government uses the information covered by this reporting requirement to fulfill reporting obligations under the U.S./IAEA Safeguards Agreement and under bilateral nuclear cooperation agreements with international trading partners.</p> <p>To the extent that this comment references PRM-50-116, that PRM is currently being evaluated by the NRC and will be addressed in the NRC's petition for rulemaking process.</p>

Item	Submitter Affiliation	NRC Staff's Recommendation	CFR Section	Comment	NRC Staff's Analysis
89	NEI	No Change	10 CFR 74.15 – This section specifies the conditions under which a licensee is to submit nuclear material transaction reports to NRC headquarters.	These requirements should be revised from “submit report” to “maintain as a record.” Where the requirement for submitting a report must be retained in the regulations, the timing for submittal of that report should be set to 60 days, if it is currently less than 60 days, to align with the response time expected for the preparation of LERs. Where feasible, immediate and 24-hour notifications should be made through the facility resident inspector, rather than through the NRC Ops Ctr, as described in PRM-50-116 (NEI Table 7: Reporting of Items Available in CAP or Site Records).	<p>The NRC staff screened out this item because it has determined that the reporting requirements meet Criterion 5 for being dropped from the review for the following reasons:</p> <p>This reporting requirement contains information used by other Federal agencies. The DOE/National Nuclear Safety Administration uses the reports of transactions of SNM in the U.S. NMMSS for reporting under the U.S.-IAEA Safeguards Agreements. The timing requirements to maintain current knowledge in the system to meet U.S. international obligations.</p> <p>In addition, modifying the regulation would impact programmatic needs and regulatory efficiency. Material transaction reports are required to be submitted to NMMSS in order to maintain current information on SNM in the United States. Reports are required to be submitted by the material shipper no later than the close of business of the next working day. Reports are required to be submitted by the material receiver within 10 days of receipt. This schedule is necessary so that NMMSS can complete transit matching and resolve any shipper-receiver differences rapidly, in order to detect possible loss, theft, or diversion of SNM. Extending the reporting time would interfere with timely resolution of shipper-receiver differences and potentially lead to unacceptable quantities of SNM to be unaccounted for longer periods of time.</p> <p>To the extent that this comment references PRM-50-116, that PRM is currently being evaluated by the NRC and will be addressed in the NRC's petition for rulemaking process.</p>
90	NEI	No Change	10 CFR 50.78(a) – Upon request, applicant or recipient of a license shall submit facility information on Form N-71 and Form AP-A	The burden of these requirements falls disproportionately on the few facilities selected for reporting to the International Atomic Energy Agency (IAEA). The information required by these regulations is available to the NRC through license	<p>The NRC staff screened out this item because it has determined that the reporting requirements meet Criterion 5 for being dropped from the review for the following reasons:</p> <p>These regulations are part of the international safeguards responsibilities of the U.S. Government. The requirements cited come directly from the U.S.-IAEA Agreements, their Protocols, and Subsidiary Arrangements. The NRC is empowered by law to implement these agreed requirements</p>

Item	Submitter Affiliation	NRC Staff's Recommendation	CFR Section	Comment	NRC Staff's Analysis
			<p>10 CFR 50.78(b) – As required by the Additional Protocol, applicant or licensee shall submit location information per Part 75.11 on Form AP-1</p> <p>10 CFR 75.7 – Licensee must inform NRC before beginning an activity subject to the US-IAEA Safeguards Agreement or within 30 days of beginning an activity subject to the Additional Protocol</p> <p>10 CFR 75.10(a) – Applicant or licensee subject to Part 75 shall submit facility information in response to notification from NRC within the period specified by NRC</p> <p>10 CFR 75.10(c) – Licensee subject to this Part shall submit to NRC information on any modifications affecting response provided in Part 75.10(a) at least 180 days before the mod is to be started</p>	<p>amendment requests submitted to NRC, site records or CAP entries available for NRC inspection, and through resident inspector observations and oversight of their assigned facilities. It is not apparent that the paperwork required by these regulations contributes to public health and safety of the United States. The NRC should reevaluate its approach to submitting the information owed to the IAEA and find a less burdensome way to meet the treaty obligations without imposing the weight of the obligation on the selected licensees (NEI Table 11: IAEA Reporting Requirements). These requirements should be revised from “submit report” to “maintain as a record.” Where the requirement for submitting a report must be retained in the regulations, the timing for submittal of that report should be set to 60 days, if it is currently less than 60 days, to align with the response time expected for the preparation of LERs. Where feasible, immediate and 24 hour notifications should be made through the facility resident inspector, rather than through</p>	<p>for the commercial nuclear sector. Changing these requirements for commercial facilities in the United States. would negatively impact the United States’ commitments to the IAEA, as required by law. The U.S.-IAEA Agreements are a major component of the longstanding global nonproliferation framework that the United States has strong national security interest in maintaining.</p> <p>In addition, modifying the regulation would impact programmatic needs and regulatory efficiency. Material transaction reports are required under 10 CFR 75.34 to be submitted to NMMSS in order to maintain current information on SNM in the United States. Reports are required to be submitted by the material shipper no later than the close of business of the next working day. Reports are required to be submitted by the material receiver within 10 days of receipt. This schedule is necessary so that NMMSS can complete transit matching and resolve any shipper-receiver differences rapidly, in order to detect possible loss, theft, or diversion of SNM.</p> <p>For additional information on International Safeguards in the United States, including access to the U.S.-IAEA Safeguards Agreements, visit the NRC’s public Website: https://www.nrc.gov/materials/fuel-cycle-fac/international-safeguards.html.</p> <p>To the extent that this comment references PRM-50-116, that PRM is currently being evaluated by the NRC and will be addressed in the NRC’s petition for rulemaking process. To the extent that this comment references PRM-50-116, that PRM is currently being evaluated by the NRC and will be addressed in the NRC’s petition for rulemaking process.</p>

Item	Submitter Affiliation	NRC Staff's Recommendation	CFR Section	Comment	NRC Staff's Analysis
			<p>10 CFR 75.11(a) – Applicant or licensee shall submit location information specified in DOC/NRC Form AP-1</p> <p>10 CFR 75.11(c) – Submit information on DOC/NRC Form AP- 1 annually; submit a “No change” report if the information has not changed; notify NRC when the activity is no longer performed.</p> <p>10 CFR 75.34 – This section specifies when and how licensees are to submit inventory change reports to NRC Headquarters.</p> <p>10 CFR 75.35 – This subject specifies when and how licensees are to submit material status reports no later than 30 days after the start of a physical inventory or at least every 12 months, depending on circumstances.</p>	the NRC Ops Ctr, as described in PRM-50-116 (NEI Table 7: Reporting of Items Available in CAP or Site Records).	

Comments that are outside the scope of the RROAR initiative.

The NRC staff determined that the comments listed below are outside the scope of the RROAR initiative because they do not contain administrative requirements.

Item	Submitter Affiliation	NRC Staff's Recommendation	CFR Section	Comment	NRC Staff's Analysis
91	NEI	No Change	§ 2.390(c)(1) – If the NRC grants the request of an entity to withhold information from public disclosure per 10 CFR 2.390, the Commission will notify the submitter of its determination to withhold the information from public disclosure.	<p>NRC should stop sending confirmation letters affirming that the licensee submittal will be withheld from public disclosure. NRC should send a letter only when it disagrees with the licensee's request to withhold from public disclosure (per 10 CFR 2.390(c)(2)).</p> <p>As the basis for the recommendation, NEI states that confirmation letters become official records required to be retained for the life of the facility (NEI Table 17: Letters Approving Proprietary Withholdings).</p>	<p>The NRC staff screened out this item because it has determined that the reporting requirements do not meet any of the evaluation criteria.</p> <p>The NRC staff notes that the requirement in 10 CFR 2.390(c)(1) does not include a recordkeeping or reporting requirement. During the August 27, 2020, public meeting, the NRC pointed out that licensees have no regulatory obligation to retain the confirmation letters sent by the NRC, and the NEI acknowledged that no recordkeeping or reporting requirements or obligations are associated with this comment.</p>
92	NEI	No Change	10 CFR 50.61(b)(1) – Update the assessment of projected Reference Temperatures whenever there is a significant change in projected values of reference temperature – pressurized thermal shock (RT-PTS) or upon a request for a change in the expiration date for operation of the facility.	These requirements should be revised from “submit report” to “maintain as a record” (NEI Table 7: Reporting of Items Available in CAP or Site Records).	<p>The NRC staff screened out this item because it has determined that the reporting requirements do not meet any of the evaluation criteria.</p> <p>The NRC staff notes that the regulation in 10 CFR 50.61(b)(1) does not include a recordkeeping or periodic reporting requirement.</p> <p>The assessment required by 10 CFR 50.61 ensures that there is reasonable assurance of adequate protection of the reactor pressure vessel against a pressurized thermal shock event (i.e., transient in pressurized-water reactors causing severe overcooling (thermal shock) concurrent with or followed by significant pressure in the reactor vessel).</p> <p>In addition, licensees are only required to submit analyses if the reference temperature—pressurized thermal shock</p>

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					(RT _{PTS}) for any material in the beltline is projected to exceed the PTS screening criterion using the end-of-life fluence (see 10 CFR 50.61(b)(3) though (b)(6)). The submittals under these regulations would require NRC approval in accordance with 10 CFR 50.61. It should be noted that these RT _{PTS} analyses are also submitted as part of license amendments for power uprates or license renewal applications to demonstrate continued compliance with the regulations if the end-of-life fluence, which impacts the analyses for RT _{PTS} , changes due to uprated conditions or extended plant operation.
93	NEI	No Change	10 CFR 55.25 – Licensed operator to notify NRC within 30 days of learning of diagnosis of a permanent physical or mental condition that causes the operator to fail to meet medical conditions of license.	The NRC should consider ways to simplify the reporting requirements governing licensed operators to reflect the reality that the operator's 10 CFR Part 55 license is tied to the facility licensed under 10 CFR Part 50 for which the operator works. While it is understandable that NRC would want the regulations to enforce notification obligations on the licensed individual, it should suffice for the obligation of the licensed individual to be to notify the employer of the specified occurrences (NEI Table 13: Reporting on Operator Licenses).	<p>The NRC staff screened out this item because it has determined that the reporting requirements do not meet any of the evaluation criteria.</p> <p>The NRC staff notes that the regulations in 10 CFR 55.25 do not include a recordkeeping or reporting requirement and only define what a disqualifying condition is and refers to the 10 CFR 50.74 reporting requirement. The requirement additionally states that a license condition to account for the medical condition may be requested. If so, then NRC Form 396 must be provided with medical certification. Therefore, 10 CFR 55.25 is not a reporting requirement (rather, the requirement to report is covered in 10 CFR 50.74). Because there is no change recommended for 10 CFR 50.74 and 10 CFR 55.25 only references the 10 CFR 50.74 requirement, there is no basis for revising 10 CFR 55.25.</p> <p>However, 10 CFR 50.74 is a reporting requirement as it requires the facility licensee to notify the NRC of changes in status for licensed operators that would affect the licensing decision of the NRC or would result in license expiration, including if a permanent medical condition is identified for the licensed operator. This requirement should be maintained due to the possible safety impact associated with an operator with a disqualifying medical condition operating the plant. The NRC must be made aware of these conditions as they can impact the operator's license. The NRC may need to suspend, modify, or revoke the license</p>

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					<p>based on this disqualifying medical condition, and therefore, needs to be informed in a timely manner, in this case within 30 days. Note that neither 10 CFR 55.25 nor 10 CFR 50.74 has a reporting requirement for the individual licensed operator.</p> <p>30 days seems to be a reasonable time period due to the impact on licensing decisions and reactor safety. The 30-day requirement does not begin until after the determination has been made that the condition is permanent, and therefore, the 30-day requirement does not include the time to make the determination.</p>
94	NEI	No Change	10 CFR 55.33(a) – The Commission will approve an initial application for a license pursuant to the regulations...if it finds that (1) the applicant's medical condition and general health will not adversely affect the performance of assigned operator job duties or <u>cause operational errors endangering public health and safety.</u> " [Emphasis added by NEI.]	<p>This requirement should be modified to allow for alternate means for operator medical qualification at non-power utilization facilities (NPUFs), in order to 1) better align with the Atomic Energy Act of 1954, as amended, which dictates "minimum regulations" be imposed upon NPUFs and 2) align with their inherently low risk-profile. One alternative is to incorporate ANSI/ANS Standard 15.4, Section 7.3, which NRC has previously endorsed. It permits in 7.3.1(3), "Certification from Level 2 indicating that the individual can safely perform his or her assigned duties." 10 CFR 55.33 could incorporate a new part (c), which states, "Medical qualification for facilities licensed under 104(a), (b), or (c) of this part may be justified at the time of initial</p>	<p>The NRC staff screened out this item because it is outside the scope of the RROAR initiative.</p> <p>The NRC staff notes that 10 CFR 55.33(a) does not include a recordkeeping or reporting requirement. The burden can be reduced in another path outside of the RROAR initiative. The NRC staff will consider ways to apply a risk -informed approach to the medical requirements for licensed operators at nonpower production and utilization facilities. This activity will include an evaluation of the current rule and applicable industry standards to determine existing flexibilities that may allow risk insights to be considered through the development or endorsement of guidance.</p>

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				application and subsequent renewal by having a valid U.S. driver's license, by consent of the Level 2 individual, or in accordance with the established Requalification Plan. An operator shall obtain written statement from a licensed physician, physician's assistant, or nurse practitioner stating the individual can reasonably be expected to perform operations consistent with those necessary to operate a commercial motor vehicle" (NEI Table 18: Medical Requirements for Research and Test Reactor Operators).	
95	NRC	No Change	10 CFR 52.17 Footnote 2; § 52.47 Footnote 4; § 52.79 Footnote 6; § 52.137 Footnote 10; § 52.157 Footnote 12	A whole body dose of 25 rem has been stated to correspond numerically to the once in a lifetime accidental or emergency dose for radiation workers which, according to National Council on Radiation Protection & Measurements (NCRP) recommendations at the time, could be disregarded in the determination of their radiation exposure status (see [National Bureau of Standards] NBS Handbook 69 dated June 5, 1959). However, its use is not intended to imply that this number constitutes an acceptable limit for an	The NRC staff screened out this item because it has determined that the comment is outside the scope of the RROAR initiative. The NRC staff notes that the requirements in 10 CFR 52.17, footnote 2; 10 CFR 52.47, footnote 4; 10 CFR 52.79, footnote 6; 10 CFR 52.137, footnote 10; and 10 CFR 52.157, footnote 12, are not related to reporting or recordkeeping and are needed to provide additional basis and facilitate the implementation of the associated requirements in 10 CFR Part 50, 10 CFR Part 52, and 10 CFR Part 100.

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				emergency dose to the public under accident conditions. Rather, this dose value has been set forth in this section as a reference value, which can be used in the evaluation of plant design features with respect to postulated reactor accidents, to assure that these designs provide assurance of low risk of public exposure to radiation, in the event of an accidents.	
96	NRC	No Change	10 CFR 100.11 Footnote 2	The whole body dose of 25 rem referred to above corresponds numerically to the once in a lifetime accidental or emergency dose for radiation workers which, according to NCRP recommendations may be disregarded in the determination of their radiation exposure status (see NBS Handbook 69 dated June 5, 1959). However, neither its use nor that of the 300 rem value for thyroid exposure as set forth in these site criteria guides are intended to imply that these numbers constitute acceptable limits for emergency doses to the public under accident conditions. Rather, this 25 rem whole body value and the 300 rem thyroid value have been set forth in these guides as reference values,	<p>The NRC staff screened out this item because it has determined that the comment is outside the scope of the RROAR initiative.</p> <p>The NRC staff notes that the requirements in 10 CFR 100.11, footnote 2, are not related to reporting or recordkeeping and are needed to provide additional basis and facilitate the implementation of the requirements in 10 CFR Part 50, 10 CFR Part 52, and 10 CFR Part 100.</p>

Item	Submitter Affiliation	NRC Staff's Recommendation	CFR Section	Comment	NRC Staff's Analysis
				which can be used in the evaluation of reactor sites with respect to potential reactor accidents of exceedingly low probability of occurrence, and low risk of public exposure to radiation.	
97	NRC	No Change	10 CFR 50.34 Footnote 7	A whole body dose of 25 rem has been stated to correspond numerically to the once in a lifetime accidental or emergency dose for radiation workers which, according to NCRP recommendations at the time could be disregarded in the determination of their radiation exposure status (see NBS Handbook 69 dated June 5, 1959). However, its use is not intended to imply that this number constitutes an acceptable limit for an emergency dose to the public under accident conditions. Rather, this dose value has been set forth in this section as a reference value, which can be used in the evaluation of plant design features with respect to postulated reactor accidents, in order to assure that such designs provide assurance of low risk of public exposure to radiation, in the event of such accidents.	<p>The NRC staff screened out this item because it has determined that the comment is outside the scope of the RROAR initiative.</p> <p>The NRC staff notes that the requirements in 10 CFR 50.34, footnote 7, are not related to reporting or recordkeeping and are needed to provide additional basis and facilitate the implementation of the requirements in 10 CFR Part 50, 10 CFR Part 52, and 10 CFR Part 100.</p>
98	NRC	No Change	10 CFR 50.67 Footnote 2	The use of 0.25 Sv (25 rem) total effective dose equivalent (TEDE) is not intended to	The NRC staff screened out this item because it has determined that the comment is outside the scope of the RROAR initiative.

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				imply that this value constitutes an acceptable limit for emergency doses to the public under accident conditions. Rather, this 0.25 Sv (25 rem) TEDE value has been stated in this section as a reference value, which can be used in the evaluation of proposed design-basis changes with respect to potential reactor accidents of exceedingly low probability of occurrence and low risk of public exposure to radiation.	The NRC staff notes that the requirements in 10 CFR 50.67, footnote 2, are not related to reporting or recordkeeping and are needed to provide additional basis and facilitate the implementation of the requirements in 10 CFR Part 50, 10 CFR Part 52, and 10 CFR Part 100.
99	NRC	No Change	10 CFR Part 160	10 CFR Part 160 duplicates regulations found in 10 CFR Part 73. Because there are no NRC-owned or regulated facilities, installations, or real property that must comply with Part 160 and the NRC's facilities are not engaged in nuclear weapons production or development, Part 160 is unnecessary. Removing Part 160 will resolve any conflict or duplication between Parts 73 and 160 and will also improve agency effectiveness and efficiency through the removal of unnecessary regulations.	<p>The NRC staff screened out this item because it has determined that the comment is outside the scope of the RROAR initiative.</p> <p>The NRC staff notes that this requirement applies to the use of NRC facilities and does not contain any administrative requirements.</p>
100	Member of the Public	No Change	N/A	Since I am not up to speed on these requirements, I am giving my time to President Trump, who wants to talk about his favorite topic: preexisting conditions:	<p>The NRC staff screened out this item because it has determined that the comment is outside the scope of the RROAR initiative.</p> <p>The NRC staff notes that this item does not contain any administrative requirements.</p>

Item	Submitter Affiliation	NRC Staff's Recommendation	CFR Section	Comment	NRC Staff's Analysis
				<p>"... we'll have great healthcare, including preexisting conditions -- 100 percent preexisting conditions... we're replacing it with a great healthcare at far less money, and it includes preexisting conditions. There will never be a time when we don't have preexisting conditions included... we're going to replace Obamacare with great healthcare at a lesser price, and preexisting conditions will be included." - President Trump, May 6 2020.</p> <p>Sorry, I didn't realize it was going to be so repetitious. But the key point is that preexisting conditions will be covered. 100%. It's a promise. In fact, it's the same promise Trump made in 2019... and 2018... and 2017... and 2016. He's just waiting for the right time.</p>	