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NUCLEAR REGULATORY COMMISSION

10 CFR Parts 1, 2, 50, 52, 53 and 54

[NRC–2025–0974]

RIN 3150–AL43

Advisory Committee on Reactor Safeguards Functions

AGENCY: Nuclear Regulatory Commission.

ACTION: Direct final rule.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is amending its regulations in response to section 4.(b) of Executive Order (E.O.) 14300, ''Ordering the Reform of the Nuclear Regulatory Commission.'' Specifically, this direct final rule revises the NRC's regulations to reduce the personnel and functions of the Advisory Committee on Reactor Safeguards (ACRS) to the minimum necessary to fulfill the ACRS's statutory obligations.

DATES: The final rule is effective on February 1, 2027, unless significant adverse comments are received. Comments must be submitted electronically using *https://www.regulations.gov* by 11:59 p.m. eastern time on December 17, 2026. If the direct final rule is withdrawn as a result of such comments, timely notice of the withdrawal will be published in the **Federal Register**. Comments received on this direct final rule will also be considered to be comments on the companion proposed rule published in the Proposed Rules section of this issue of the **Federal Register**.

ADDRESSES: Submit your comments, identified by Docket ID NRC–2025–0974, at *https://www.regulations.gov.* If your material cannot be submitted using *https://www.regulations.gov,* call or email the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions.

Do not include any personally identifiable information (such as name, address, or other contact information) or confidential business information that you do not want publicly disclosed. All comments are public records; they are publicly displayed exactly as received, and will not be deleted, modified, or redacted. Comments may be submitted anonymously.

Follow the search instructions on *https://www.regulations.gov* to view public comments. You can read a plain language description of this direct final rule at *https://www.regulations.gov/docket/NRC-2025-0974.* For additional direction on obtaining information and submitting comments, see ''Obtaining Information and Submitting Comments'' in the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Denise Edwards, Office of Nuclear Material Safety and Safeguards, telephone: 301–415–7204, email: *Denise.Edwards@nrc.gov.*

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I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC–2025–0974 when contacting the NRC about the availability of information for this action. You may obtain publicly available information related to this action by any of the following methods:

- *Federal Rulemaking Website:* Go to *https://www.regulations.gov* and search for Docket ID NRC–2025–0974.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly available documents online in the ADAMS Public Documents collection at *https://www.nrc.gov/reading-rm/adams.html.* To begin the search, select ''Begin ADAMS Public Search.'' For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, at 301–415–4737, or by email to *PDR.Resource@nrc.gov.*
- *NRC's PDR:* The NRC Public Document Room (PDR), where you may examine and order copies of publicly available documents, is open by appointment. To make an appointment to visit the PDR, please send an email to *PDR.Resource@nrc.gov* or call 1–800–397–4209 or 301–415–4737, between 8 a.m. and 4 p.m. eastern time (ET), Monday through Friday, except Federal holidays.

B. Submitting Comments

Comments must be submitted electronically using *https://www.regulations.gov* no later than 11:59 p.m. eastern time on December 17, 2026. Please include Docket ID NRC–2025–0974 in your comment submission.

The NRC cautions you not to include identifying or contact information that you do not want to be publicly disclosed in your comment submission. The NRC will post all comment submissions at *https://www.regulations.gov* as well as enter the comment submissions into ADAMS. The NRC does not routinely edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment submissions to remove such information before making the comment submissions available to the public or entering the comment into ADAMS.

II. Executive Order 14300: Ordering the Reform of the Nuclear Regulatory Commission

On May 23, 2025, President Donald J. Trump signed Executive Order (E.O.) 14300, ''Ordering the Reform of the Nuclear Regulatory Commission.'' Section 4(b) of E.O. 14300 directs the NRC to reduce the personnel and functions of the ACRS to the minimum necessary to fulfill the ACRS's statutory obligations. It also directs the NRC to focus the ACRS's review of permitting and licensing issues on issues that are truly novel or noteworthy. This rulemaking implements Section 4(b) by revising the NRC's regulations to focus the ACRS's reviews on safety-significant issues, commensurate with risk, and novel or noteworthy technologies or analytical approaches.

III. Rulemaking Procedure

The NRC uses the ''direct final rule procedure'' for rulemaking when the NRC anticipates the rule is unlikely to attract significant adverse comments because the rule is non-controversial. As explained below, this rulemaking would limit the ACRS's functions to those obligations required by the Atomic Energy Act of 1954, as amended (AEA), and cease review of matters not identified as statutorily required. Moreover, the rescission of these regulations, which authorize the ACRS to conduct activities not expressly required by statute, does not prevent the Commission from requesting that the ACRS undertake a particular review or study in the future. Therefore, because the NRC does not anticipate significant adverse comments on this rulemaking and considers it to be non-controversial, the NRC is using the ''direct final rule procedure'' for this rule. The amendments are effective on February 1, 2027. However, if the NRC receives significant adverse comments on this direct final rule by December 17, 2026, then the NRC will publish a document that withdraws this action and will address the comments received in a subsequent final rule as otherwise appropriate. Absent significant modifications to the revisions requiring republication, the NRC will not initiate a second comment period on this action.

A significant adverse comment is a comment where the commenter explains why the rule would be inappropriate, including challenges to the rule's underlying premise or approach, or would be ineffective or unacceptable without a change. A comment is adverse and significant if:

(1) The comment opposes the rule and provides a reason sufficient to require a substantive response in a notice-and-comment process. For example, a substantive response is required when:

(a) The comment causes the NRC to reevaluate (or reconsider) its position or conduct additional analysis;

(b) The comment raises an issue serious enough to warrant a substantive response to clarify or complete the record; or

(c) The comment raises a relevant issue that was not previously addressed or considered by the NRC.

(2) The comment proposes a change or an addition to the rule, and it is apparent that the rule would be ineffective or unacceptable without incorporation of the change or addition.

(3) The comment causes the NRC to make a change (other than editorial) to the rule.

For detailed instructions on filing comments, please see the **ADDRESSES** section of this document.

IV. Background

The ACRS was established by a 1957 amendment to the AEA as a statutory committee with an independent advisory role and focus to advise the Atomic Energy Commission. Following the enactment of the Energy Reorganization Act of 1974, the ACRS was assigned to the NRC with its statutory requirements intact. The ACRS assists the Commission's review and resolution of certain technical safety issues associated with the licensing of production and utilization facilities and the establishment of NRC reactor safety regulations.

The ACRS's minimum statutory obligations are specified in sections 29 and 182b. of the AEA. 42 U.S.C. 2039, 2232. Since its formation, the ACRS has provided independent reactor safety advice to the Commission in the review of safety issues associated with regulation of nuclear power plants. Since 1975, the Commission has codified minimum statutory obligations and referred additional duties to the ACRS, as authorized by the AEA, in the NRC's regulations in title 10 of the *Code of Federal Regulations* (10 CFR) parts 1, ''Statement of Organization and General Information,'' 2, ''Agency Rules of Practice and Procedure,'' 50, ''Domestic Licensing of Production and Utilization Facilities,'' 52, ''Licenses, Certifications, and Approvals for Nuclear Power Plants, 53, ''Risk-Informed, Technology-Inclusive Regulatory Framework for Advanced Reactors,'' and 54, ''Requirements for Renewal of Operating Licenses for Nuclear Power Plants.'' Over time, the depth of ACRS review increased beyond its minimum statutorily required functions, due to additional duties referred to it by the Commission and additional reviews assumed by the ACRS without Commission referral. While ACRS recently began making certain improvements to perform more focused and efficient reviews, this rulemaking codifies some of those improvements and redefines the scope of the ACRS reviews to ensure that the size and duties of the ACRS are consistent with the statutorily required functions, to support timely and efficient licensing and rulemaking while maintaining its ability to conduct independent safety analyses.

V. Discussion

The NRC is amending its regulations to ensure the personnel and functions of the ACRS are reduced to the minimum necessary to fulfill the ACRS's statutory functions and to focus the ACRS's review of permitting and licensing issues on issues that are novel or noteworthy. This direct final rule aligns with the purpose of E.O. 14300 to efficiently promote the deployment of safe, abundant civilian nuclear energy and reform the structure, personnel, regulations, and basic operations of the NRC. Specifically, the NRC is amending its regulations governing the ACRS to focus on safety-significant reviews, promote balanced expertise, provide flexibility in the ACRS's structure, and clarify the scope and conduct of the ACRS's reviews and meetings. These amendments will reduce unnecessary regulatory burden on licensees and applicants and save the NRC resources without any compromise in the NRC's commitment to protect public health and safety and to promote the nation's common defense and security.

The ACRS's minimum statutory obligations are specified in AEA sections 29 and 182b. Section 29 states that the Committee shall ''advise the Commission with regard to the hazards of proposed or existing reactor facilities and the adequacy of proposed reactor safety standards, and shall perform such other duties as the Commission may request.'' In addition, Section 182b. states in part that the ACRS shall review certain license applications. The review of and reporting on the hazards of proposed and existing facilities and proposed reactor safety standards are the core statutory functions of the ACRS under the AEA. Section 29 also directs the ACRS to ''perform such other duties as the Commission may request.'' Over the past 50 years, the Commission has added additional duties for the ACRS via regulation. This direct final rule will modify the NRC's regulations to make licensing more efficient by limiting the

ACRS's work to its statutory obligations contained in the AEA without compromising safety.

Scope of ACRS Review and Reports

When discharging its duty under AEA section 29 to ''advise the Commission with regard to the hazards of proposed or existing reactor facilities and the adequacy of proposed reactor safety standards,'' and its duty under AEA section 182b to review certain license applications the scope of the ACRS's review and reports should be focused on novel or noteworthy attributes of a facility's design, siting, and operation associated with (1) safety-related structures, systems, and components as described by the definitions given in NRC rules and regulations or (2) structures, systems, and components that perform safety-significant functions. This includes safety analyses and methodologies used to evaluate and classify structures, systems, and components, as well as structures, systems and components used to prevent reactor accidents and mitigate the consequences of a spectrum of analyzed events, including those used to control reactivity, ensure heat removal, or retain radionuclides to appropriately manage the radiological risks to the public.

This scope of review includes, for instance, issues such as reviewing and developing reports on licensing documents for construction permits and operating licenses for production and utilization facilities, advising the Commission regarding the hazards of proposed or existing nuclear facilities and the adequacy of proposed reactor safety standards, and evaluating new safety bases and analytical methods. However, the scope of ACRS's review does not include issues that are unrelated or merely tangential to a facility's safety. Examples include offsite emergency preparedness and response, threat assessment, physical security, force-on-force assessments, or operational radiation protection and siting matters that do not present significant reactor safety questions. Under this direct final rule the ACRS will focus its review on novel or noteworthy aspects of license applications or reactor safety standards. Re-reviewing technology or methods that have already been reviewed by the ACRS during previous licensing reviews or reviewing matters of no safety significance does not assist the Commission in making the findings that it is required to make under the AEA. This rule does not prohibit the ACRS from recommending that the Commission request the ACRS's review of specific safety-significant matters in a license application consistent with the discretionary review authority in AEA sections 29 and 182b., which specify the Commission may request the ACRS to perform other duties.

Accordingly, the NRC is amending §§ 1.13, 2.809, 50.58, 52.23, 52.53, 52.87, 52.141, 52.165, 52.177, 53.1155, 53.1215, 53.1245, 53.1286, 53.1324, 53.1381, 53.1431, and 53.1470 to clarify that the ACRS must report on those portions of the application which directly relate to safety issues that are novel or noteworthy. These changes clarify the scope of the ACRS's review to align with the minimum statutory responsibilities of the ACRS and with E.O. 14300, and to support timely and efficient licensing and rulemaking without compromising safety.

Review of Manufacturing License Applications

This direct final rule revises § 52.165 and § 53.1286 to focus the ACRS's review of manufacturing license applications on those portions of the application that concern reactor safety issues that are novel or noteworthy. Although the AEA does not address manufacturing license applications, allowing the ACRS to review portions of the license application directly related to reactor safety will increase efficiency by providing regulatory stability and finality on the issues reviewed and streamline downstream licensing actions.

Under section 182b of the AEA, the ACRS is required to review an ''application under section [103] or section [104](b) . . . for a construction permit or an operating license for a facility'' and an ''application under section [104](c) . . . for a construction permit or an operating license for a testing facility.'' 42 U.S.C. 2232(b). For all other activities that require a license—like manufacturing—ACRS review of the license application is not statutorily required.

Notwithstanding that ACRS review is not required for the NRC to issue a manufacturing license, a manufacturing license does provide regulatory stability and finality under § 52.171 with respect to the design of the reactor described in the Final Safety Evaluation Report (FSAR) submitted as part of the manufacturing license application. That is, the NRC makes regulatory findings on the adequacy of the design proposed in the manufacturing license application that can then be applied in a proceeding on a construction permit, operating license, or combined license without the need for further review by the NRC. This process streamlines downstream licensing actions. Specifically, an applicant may reference the use of one or more manufactured nuclear power reactors in a construction permit, operating license, or combined license application. In the proceeding on the referencing application, the Commission must treat as resolved those matters resolved in the proceeding on the manufacturing license application, including the adequacy of the design of the manufactured reactor.

Accordingly, to increase efficiency by providing regulatory finality on reactor safety issues, the NRC staff and applicant would engage with the ACRS on aspects of the manufacturing license that would otherwise be reviewed and reported as part of a construction permit, operating license, or combined license review. Under this scenario, the ACRS would have completed its statutory function by reviewing at the manufacturing license stage reactor safety issues that the ACRS otherwise would have to review in each application for a construction permit, operating license, or combined license. *See generally Nuclear Information and Resource Service* v. *NRC,* 969 F.2d 1169 (D.C. Cir. 1992) (approving the NRC regulatory provisions in 10 CFR part 52, subpart B, ''Standard Design Certifications,'' for approving a design via design certification rulemaking and thereby resolving safety issues in applications referencing the design certification). Under this direct final rule, the ACRS would only review portions of the manufacturing license application directly related to reactor safety issues that are novel or noteworthy to ensure issue finality for future construction permit, operating license, or combined license applicants relying on the manufactured design.

Qualifications for Appointment to the ACRS

This direct final rule revises § 1.13 to require that members of the ACRS possess demonstrated and recognized experience and backgrounds relevant to reactor safety, while not establishing a minimum number of years of education or professional experience. The AEA neither prescribes nor implies a minimum number of years of experience for appointment to the ACRS. Several past **Federal Register** notices issued by the Commission to solicit candidates for the ACRS have sought candidates with ''approximately 20 years of education and experience.'' [1] While such statements were non-binding recruiting

[1] *See, e.g.,* Request for Qualified Candidates for Appointment to the Advisory Committee on Reactor Safeguards, 89 FR 57946–47 (July 16, 2024).

guidance rather than firm eligibility requirements, such language may be misconstrued as establishing a de facto minimum experience threshold. This direct final rule revises § 1.13 to standardize the solicitation notices and eliminate references to a specific number of years of experience to be considered for appointment to the ACRS. The Commission will continue to seek highly qualified candidates with demonstrated expertise, judgment, or specialized knowledge directly relevant to reactor safety issues and the ability to provide independent advice on reactor safety matters. Eliminating references to a specific number of years of experience while maintaining a high standard for membership qualification would provide the benefit of an expanded pool of potential qualified applicants. Further, modern reactor safety issues frequently span multiple technical and operational disciplines and therefore benefit from hiring members across a range of multidisciplinary backgrounds. Eliminating references to a specific number of years of experience and recruiting members to the ACRS across multidisciplinary backgrounds would also avoid limitations on viewpoints within the ACRS, particularly for novel or noteworthy technologies that may be developed in the future where multidisciplinary backgrounds may be more beneficial to reviews involving novel or noteworthy technologies. Therefore, this direct final rule clarifies that members of the ACRS, collectively, should have expertise across multiple disciplines, without prescribing rigid experience requirements.

Restructuring the ACRS Membership

This direct final rule revises the NRC's regulations to restructure the membership of the ACRS to implement E.O. 14300, Section 4(b). Specifically, this direct final rule revises § 1.13 to establish a minimum of seven members for the ACRS. While the AEA states that the ACRS consist of a maximum of 15 members appointed by the Commission, codified as 42 U.S.C. 2039, the statute does not prescribe a minimum number of members on the ACRS. Based on past experience, the Commission has determined that 7 members is an adequate number of members for carrying out the ACRS statutory functions in ordinary circumstances. The determination of the minimum number of ACRS members necessary to effectively and efficiently fulfill its statutory obligations is predicated on ensuring the ACRS has the balanced technical expertise necessary to fulfill the Committee's statutory functions. However, the ACRS can scale up its membership, when needed, to respond effectively to increased demands associated with licensing activity, new reactor technologies, or other emerging safety issues. Although the Commission has set the minimum number of ACRS members at 7, it is understood that ACRS membership may temporarily drop below 7 members due to unexpected attrition.

Coordination Requirements Between the ACRS and the NRC Staff

This direct final rule also revises the NRC's regulations in § 1.13 to make a change to improve coordination between the ACRS and the NRC Staff. The NRC is revising its regulations to require that the ACRS work with leadership in the NRC's program offices to ensure that meetings between the ACRS and the NRC staff are limited to issues within the ACRS's scope of review. The purpose of this amendment is to promote disciplined meeting agendas and improve coordination between the ACRS and the NRC staff.

Self-Initiated Safety Reviews and Conducting Studies

This direct final rule revises § 1.13 so that the ACRS may not, on its own initiative, conduct reviews of specific generic matters or nuclear facility safety-related items. Nothing in this direct final rule prohibits the ACRS from requesting review of safety matters from the Commission nor does it limit the Commission's ability to request additional advice from the ACRS. In 1977, Congress amended AEA Section 29 to require a research study and annual report to Congress. Sec. 5, Public Law 95–209, 91 Stat. 1483. The relevant provision stated: ''Section 29 of the Atomic Energy Act of 1954 is amended by adding the following at the end thereof: 'In addition to its other duties under this section, the committee, making use of all available resources, shall undertake a study of reactor safety research and prepare and submit annually to the Congress a report containing the results of such study.' '' Congress then removed this requirement in 1998. Sec. 1201(a), Public Law 105–362, 112 Stat. 3292. From 1998 to 2004 the ACRS provided an annual report to the Chairman, per Commission direction, evaluating the NRC's safety research program. From 2004–2021, this report was biennial, and the frequency changed to triennial with the last report issued in March 2025. Rescinding this review authority from NRC regulations will align the ACRS's function with the AEA, promote timely and efficient agency operations, and will not affect NRC reactor safety research.

Authority To Recommend Rulemaking

This direct final rule rescinds § 2.809(a) and removes the authorization for the ACRS to recommend that the Commission initiate rulemaking in a particular area and require a response from the Commission within 90 days. The rescission of this provision will align the ACRS's function with the AEA, while retaining the ACRS's ability to review and report to the Commission on reactor safety standards. In addition, § 2.809(b) is moved to § 1.13(e), ''Review of Rulemakings,'' to more appropriately relocate it to § 1.13, ''Advisory Committee on Reactor Safeguards,'' where additional regulations on ACRS functions are located.

Referral of Applications for License Amendments

This direct final rule revises paragraph § 50.58(a) to remove the language that an application for an amendment to a construction permit or operating license may be referred to the ACRS for review and report. However, the Commission retains discretion to refer such applications to the ACRS in appropriate circumstances.

Section 182b. of the AEA states that the ACRS shall review ''any application for an amendment to a construction permit or an amendment to an operating license under section 103 or 104 a., b., or c. specifically referred to it by the Commission.'' Absent Commission referral, the ACRS review of amendments to licenses is not statutorily mandated by the AEA.

Referral of Applications for License Renewals

The direct final rule also amends §§ 52.29(d), 52.57(c), 52.177(e), and 54.25, to remove the requirement that the Commission refer license renewal applications. Section 182b. does not explicitly refer to applications for renewal of a license as requiring ACRS review. Therefore, the rescission of the corresponding regulations related to review of license renewal applications will align the ACRS's function with the AEA statutory obligations in accordance with E.O. 14300 and promote timely and efficient licensing decisions without compromising safety.

Conditional Review Authority Upon Commission Referral

The rescission of the regulations that authorized the ACRS to conduct activities not expressly required by statute does not prevent the Commission from requesting that the ACRS undertake a particular review or study in the future. Section 29 of the AEA authorizes the ACRS to perform

''such other duties the Commission may request.'' If the Commission is of the view that a particular activity supports fulfillment of the agency's statutory obligations, the Commission remains able to provide that direction pursuant to AEA sections 29 and 182b.

VI. Regulatory Flexibility Certification

Under the Regulatory Flexibility Act (5 U.S.C. 605(b)), the NRC certifies that this rule does not have a significant economic impact on a substantial number of small entities. These amendments will reduce unnecessary regulatory burden on licensees and applicants without any reduction in safety or security. This direct final rule affects only the licensing and operation of production and utilization facilities. The companies that own these plants do not fall within the scope of the definition of ''small entities'' set forth in the Regulatory Flexibility Act or the size standards established by the NRC (§ 2.810).

VII. Regulatory Analysis

A. Need for the Rule

The NRC was created by Congress in 1974 to ensure the safe use of radioactive materials for beneficial civilian purposes while protecting people and the environment. The NRC protects public health and safety and advances the nation's common defense and security by enabling the safe and secure use and deployment of civilian nuclear energy technologies and radioactive materials through efficient and reliable licensing, oversight, and regulation for the benefit of society and the environment. From an economic perspective, common defense and national security are public goods for which the markets cannot maximize net benefits, and markets alone can sometimes create unintended impacts to public health and safety. Consistent with its statutory authority, NRC's regulatory framework provides reasonable assurance of adequate protection of public health and safety.

One way to conceptualize nuclear reactor licensing is not as a departure from a well-functioning market, but as a response to market failures that could cause a purely private market to produce suboptimal outcomes. Under this framework, the licensing regime exists because the market, left to itself, could systematically underprice certain risks and overproduce others.

The principal market failure is that an unregulated market may not account for the presence of significant negative externalities. A nuclear accident can impose costs on people who are not parties to the transactions between the reactor owner, its investors, its insurers, and its customers. Those costs include offsite health effects, environmental contamination, emergency response expenditures, long-term land-use restrictions, and broader economic disruption. Because these harms fall on third parties, a reactor developer may not fully internalize them when making capital investment decisions.

A second market failure that exists is information asymmetry. Reactor safety depends upon technical engineering judgments. Members of the public generally lack both the expertise and the access to evaluate whether a reactor has been designed and will be operated safely. The developer therefore possesses substantially better information than those who bear the risk. Licensing functions as a certification mechanism that reduces this asymmetry by requiring the applicant to demonstrate compliance with objective safety standards before construction or operation.

A third market failure arises from the creation of public goods in an efficient market. Much of the knowledge necessary to evaluate nuclear safety is costly but broadly beneficial once available. Because private firms cannot capture all the benefits of generating this information, they could underinvest in its development. A centralized regulator can produce and maintain this body of knowledge as a public good.

Another market failure concerns coordination. The safety of one reactor affects perception of the entire nuclear industry. A catastrophic accident at a single facility may reduce public confidence in all reactors. Individual firms therefore may have incentive to free ride on the safety investments of others while externalizing reputational risks onto the industry as a whole. Uniform licensing standards mitigate this by imposing minimum safety requirements.

These benefits must be weighed against the costs of regulation. Licensing imposes direct compliance costs and the time required to deploy new reactors, raising financing costs and exposing projects to regulatory uncertainty. Excessively prescriptive regulation may discourage innovation, favor incumbent technologies over novel designs, and create barriers to entry that reduce competition. From an economic perspective, these costs represent the deadweight losses associated with correcting the underlying market failures.

The normative justification for reactor licensing therefore depends on whether the social benefits of correcting these market failures exceed the social costs of regulation. An efficient licensing regime is one that requires applicants to internalize the expected external costs of reactor operation, reduces information asymmetries sufficiently to permit informed public and private decision-making, creates credible long-term commitments to safety, and supplies public safety information, while minimizing unnecessary delays, compliance burdens, and impediments to technological innovation.

This rulemaking is responsive to E.O. 14300 which requires the NRC to undertake a review and wholesale revision of its regulations and guidance documents. In accordance with E.O. 14300 the NRC identified changes across 10 CFR parts 1, 2, 50, 52, 53, and 54. These changes would yield significant efficiencies and reduce regulatory burden for licensees, and NRC while upholding our shared commitment to public safety.

B. Discussion

The NRC is amending its regulations to ensure the personnel and functions of the ACRS are reduced to the minimum necessary to fulfill the ACRS's statutory obligations in the AEA. By amending, removing, and providing administrative changes to these provisions, the NRC anticipates a more streamlined approval process for license renewal applications. The direct final rule will also result in alleviating the economic burden associated with the ACRS's review of license renewal applications and reactor safety research. As part of this rulemaking, the ACRS will no longer perform self-initiated reviews and will not recommend rulemaking that requires a Commission response within 90 days. These two provisions have historically been used infrequently and there is no data to determine what cost savings would occur due to their removal.

The NRC is also codifying language in § 1.13 to promote balanced expertise, provide flexibility in the ACRS's structure, and clarify the scope and conduct of the ACRS's reviews and meetings. Since its formation, the ACRS membership size has increased and decreased due to its workload. Revising § 1.13 to establish a minimum of 7 members for the ACRS is within the statutory requirement of maintaining a maximum number of 15 members. The ACRS has been operating above the minimum of 7 members with 9 members the past year; therefore, the change in regulation to include a minimum number of members does not result in a quantifiable cost savings for the NRC. This direct final rule also amends and

clarifies ACRS membership solicitation, screening, and qualification requirements that have been utilized by the NRC in the past. These revisions to the NRC's regulations do not result in quantifiable cost savings for the NRC, since these are matters of routine agency management.

Finally, the direct final rule's revisions to § 1.13(e) codifies existing ACRS practices relating to conduct of meetings and coordination with NRC staff. Therefore, the subpart to § 1.13 does not present any quantifiable cost savings in this direct final rule.

In addition, this direct final rule adds new clarifying language in 10 CFR part 52 for early site permit, design certification, combined license, standard design approval and manufacturing licenses that would focus future ACRS reviews. The ACRS implemented these focused reviews in June 2025, prior to this direct final rule. The NRC staff is unable to determine what cost savings would occur due to the clarification of the scope of the ACRS's review to align with the minimum statutory responsibilities of the ACRS, since there is no available data.

The remaining regulatory analysis focuses the calculations on the changes resulting from the ACRS no longer reviewing referred applications for license amendments (license renewal) or conducting studies of reactor safety research (triennial reviews).

For calculation purposes, the NRC assumed five license renewal applications per year with 85 plants anticipated for both initial and subsequent license renewals in the coming years. The ACRS normally allocates 87.5 hours to review a license renewal application. Therefore, during a one-year period, the ACRS spends a total of 437.5 hours reviewing 5 license renewals. The NRC estimates the annualized savings from rescinding the regulatory requirements for the ACRS's review of license renewal applications at $69,125, given the NRC's labor rate of $158 per hour. Moreover, during the application process, the licensee, the NRC regional staff, and the ACRS members meet to discuss the license renewal applications. The NRC staff has estimated the cost of attending this meeting at about $1,000 per person per meeting with 5 meetings occurring annually. The staff also estimates the number of participants in these meetings to be 23 in total including licensee, NRC, and ACRS personnel, at a cost of $23,000 for travel per meeting. Total annual savings for rescinding requirements for ACRS review of renewal applications is $115,000 non-discounted ($23,000 per meeting * 5 meetings annually). The staff calculated the total savings over a 17-year[2] period from rescinding ACRS involvement in license renewal applications to be $3.1 million non-discounted with total net present values (NPV) of 7 and 3 percent at $1.74 million and $2.3 million respectively. The staff assesses the annualized savings to be $184,125 discounted at both 7 and 3 percent.

In addition, the NRC is also rescinding ACRS triennial reviews of reactor safety research. The NRC observed a 50-year period for calculating the savings attributed to rescinding triennial reviews. In our analysis, the NRC determined that 17 triennial reviews would take place over a 50-year period.[3] The NRC also estimated that a triennial review meeting results in 430 hours of ACRS and NRC staff time. There are approximately 10 meetings that occur every triennial review period, for a total of 170 meetings throughout the 50-year period of analysis. The NRC calculated the amount of time saved from rescinding triennial reviews at 73,100 hours (430 hours per meeting * 170 meetings) over 50 years. The NRC estimated travel costs associated with triennial reviews to be $10,000 per meeting for the 170 meetings, totaling $1.7 million non-discounted. To quantify the savings from rescinding triennial reviews, the staff multiplied total hours saved over 50 years by using an NRC wage rate of $158 resulting in $11.6 million saved, non-discounted. With the combined hours saved and travel costs, the staff estimates total savings of $13.25 million non-discounted with total NPVs of 7 and 3 percent at $3.6 million and $6.7 million respectively, and an annualized savings of $259,800 at both 7 and 3 percent discount.

Furthermore, this direct final rule clarifies the scope of ACRS's reviews under 10 CFR part 53. The NRC has not received an application under 10 CFR part 53 regulation. Therefore, the NRC cannot determine the savings that would be generated as a result of these revisions to 10 CFR part 53.

The total cost savings from rescinding these provisions are estimated at $16.1 million[4] non-discounted with the annualized savings of $390,058 at 7 percent discount and $354,018 at 3 percent discount. The NRC expects this direct final rule to provide a net quantitative benefit without affecting public health and safety. In addition, the NRC has estimated, in 2024 dollars, the annualized in perpetuity for this rulemaking at $0.39 million at 7 percent.

[2] The 17-year figure is the estimated number of reviewing 5 applications per year out of 85 potential applicants (85 plants are anticipated to submit initial and subsequent license renewal applications at approximately 5 reviews per year).

[3] The 17-review figure is rounded up from the calculation of using the 50-year period of analysis divided by 3 (triennial), with the actual calculated value being 16.67.

[4] Final non-discounted value may not add due to rounding during the calculation process.

VIII. Backfitting and Issue Finality

This direct final rule does not constitute backfitting as that term is defined in the backfit rule in § 50.109, ''Backfitting,'' or affect the issue finality of an approval issued under 10 CFR part 52, ''Licenses, Certifications, And Approvals for Nuclear Power Plants,'' because it does not impose new or revised requirements on existing licensees or approval holders. As a general matter, eliminating a requirement does not meet the definition of ''backfitting'' because such an act by the NRC would be a nonmandatory relaxation of an existing requirement. For the same reason, the elimination of a requirement would not affect the issue finality of a 10 CFR part 52 approval.

IX. Plain Writing

The Plain Writing Act of 2010 (Pub. L. 111–274) requires Federal agencies to write documents in a clear, concise, and well-organized manner. The NRC has written this document to be consistent with the Plain Writing Act as well as the Presidential Memorandum, ''Plain Language in Government Writing,'' published June 10, 1998 (63 FR 31885).

X. National Environmental Policy Act

In accordance with the National Environmental Policy Act of 1969, as amended (NEPA), and NRC's NEPA implementing regulations in 10 CFR part 51, ''Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions,'' the NRC has determined that this direct final rule is the type of action eligible for categorical exclusion because it meets criterion described in § 51.22(a)(1) regarding actions that are administrative, procedural, or solely financial in nature, and § 51.22(a)(3), which categorically excludes certain types of rules from environmental review. The agency action, therefore, belongs to a category of actions that the Commission, by rule or regulation, has declared to be a categorical exclusion, after first finding that the actions within the category do not individually or cumulatively have a significant effect on the human environment. Therefore, neither an environmental impact

statement nor environmental assessment has been prepared for this rule.

XI. Paperwork Reduction Act

This direct final rule does not contain any new or amended collections of information subject to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). Existing collections of information were approved by the Office of Management and Budget, approval numbers 3150–0011, 3150–0151, 3150–0274, and 3150–0155.

Public Protection Notification

The NRC may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the document requesting or requiring the collection displays a currently valid OMB control number.

XII. Executive Orders

The following are Executive Orders that are related to this direct final rule:

A. Executive Order 12866: Regulatory Planning and Review (as Amended by Executive Order 14215, Ensuring Accountability for All Agencies)

E.O. 12866 provides that the Office of Information and Regulatory Affairs (OIRA) within the OMB will review all significant rules. OIRA has determined that this direct final rule is a significant regulatory action under section 3(f) of E.O. 12866; though not economically significant under section 3(f)(1). Accordingly, the NRC submitted this direct final rule to OIRA for review. The NRC has prepared an economic analysis in accordance with section 6(a)(3)(B) of E.O. 12866. More information can be found in Section VII of this document, ''Regulatory Analysis.''

B. Executive Order 14154: Unleashing American Energy

The NRC has examined this direct final rule and has determined that it is consistent with the policies and directives outlined in E.O. 14154.

C. Executive Order 14192: Unleashing Prosperity Through Deregulation

This action is a deregulatory action as defined by E.O. 14192. Details on the estimated costs of this direct final rule can be found in Section VII of this document, ''Regulatory Analysis.''

D. Executive Order 14270: Zero-Based Regulatory Budgeting To Unleash American Energy

E.O. 14270, ''Zero-Based Regulatory Budgeting to Unleash American Energy,'' requires the NRC to insert a conditional sunset date into all new or amended NRC regulations provided the regulations are (1) promulgated under the AEA, the Energy Reorganization Act of 1974, as amended (ERA), or the Nuclear Waste Policy Act of 1982, as amended (NWPA); (2) not statutorily required; and (3) not part of the NRC's permitting regime. The NRC determined that the regulatory changes amended in this direct final rule are part of the NRC's regulatory permitting scheme authorized by the AEA, ERA, or NWPA. Therefore, the NRC views this rulemaking to be outside the scope of E.O. 14270 and did not insert conditional sunset dates for the regulatory changes in this direct final rule.

XIII. Congressional Review Act

This direct final rule is a rule as defined in the Congressional Review Act (5 U.S.C. 801–808). However, the Office of Management and Budget has not found it to be a major rule as defined in the Congressional Review Act.

XIV. Availability of Documents

The documents identified in the following table are available to interested persons through one or more of the following methods, as indicated.

Document	Adams Accession No./ **Federal Register** Citation
Executive Order 12866, ''Regulatory Planning and Review,'' October 4, 1993	58 FR 51735
Executive Order 14154, ''Unleashing American Energy,'' January 29, 2025	90 FR 8353
Executive Order 14192, ''Unleashing Prosperity Through Deregulation,'' February 6, 2025	90 FR 9065
Executive Order 14215, ''Ensuring Accountability for All Agencies,'' February 24, 2025	90 FR 10447
Executive Order, ''Zero-Based Regulatory Budgeting to Unleash American Energy,'' April 15, 2025	90 FR 15643
Executive Order 14300, ''Ordering the Reform of the Nuclear Regulatory Commission,'' May 29, 2025	90 FR 22587
Presidential Memorandum, ''Plain Language in Government Writing,'' June 10, 1998	63 FR 31885

List of Subjects

10 CFR Part 1

Flags, Organization and functions (Government Agencies), Seals and insignia.

10 CFR Part 2

Administrative practice and procedure, Antitrust, Byproduct material, Classified information, Confidential business information, Freedom of information, Environmental protection, Hazardous waste, Nuclear energy, Nuclear materials, Nuclear power plants and reactors, Penalties, Reporting and recordkeeping requirements, Sex discrimination, Source material, Special nuclear material, Waste treatment and disposal.

10 CFR Part 50

Administrative practice and procedure, Antitrust, Backfitting, Classified information, Criminal penalties, Education, Emergency planning, Fire prevention, Fire protection, Intergovernmental relations, Nuclear power plants and reactors, Penalties, Radiation protection, Reactor siting criteria, Reporting and recordkeeping requirements, Whistleblowing.

10 CFR Part 52

Administrative practice and procedure, Antitrust, Combined license, Early site permit, Emergency planning, Fees, Inspection, Issue finality, Limited work authorization, Manufacturing license, Nuclear power plants and reactors, Probabilistic risk assessment, Prototype, Reactor siting criteria, Redress of site, Penalties, Reporting and recordkeeping requirements, Standard design, Standard design certification.

10 CFR Part 53

Administrative practice and procedure, Antitrust, Backfitting, Construction permit, Combined license, Classified information, Criminal penalties, Early site permit, Emergency planning, Fees, Fire prevention, Fire protection, Inspection, Intergovernmental relations, Limited work authorization, Manufacturing license, Nuclear power plants and reactors, Operating license, Penalties, Prototype, Radiation protection, Reactor siting criteria, Reporting and recordkeeping requirements, Standard

design, Standard design certification, Training programs.

10 CFR Part 54

Administrative practice and procedure, Age-related degradation, Backfitting, Classified information, Criminal penalties, Environmental protection, Nuclear power plants and reactors, Penalties, Radiation protection, Reporting and recordkeeping requirements.

For the reasons set out in the preamble and under the authority of the Atomic Energy Act of 1954, as amended; the Energy Reorganization Act of 1974, as amended; and 5 U.S.C. 552 and 553, the NRC is adopting the following amendments to 10 CFR parts 1, 2, 50, 53, 52, and 54:

PART 1—STATEMENT OF ORGANIZATION AND GENERAL INFORMATION

■ 1. The authority citation for part 1 continues to read as follows:

Authority: Atomic Energy Act of 1954, secs. 23, 25, 29, 161, 191 (42 U.S.C. 2033, 2035, 2039, 2201, 2241); Energy Reorganization Act of 1974, secs. 201, 203, 204, 205, 209 (42 U.S.C. 5841, 5843, 5844, 5845, 5849); Administrative Procedure Act (5 U.S.C. 552, 553); Reorganization Plan No. 1 of 1980, 5 U.S.C. Appendix (Reorganization Plans).

■ 2. Revise § 1.13 to read as follows:

§ 1.13 Advisory Committee on Reactor Safeguards.

(a) *Establishment and purpose.* The Advisory Committee on Reactor Safeguards (ACRS) was established by section 29 of the Atomic Energy Act of 1954, as amended. The ACRS reviews and reports on safety studies and applications for construction permits and facility operating licenses; advises the Commission with regard to hazards of proposed or existing reactor facilities and the adequacy of proposed reactor safety standards; upon request of the Department of Energy (DOE), reviews and advises with regard to the hazards of DOE nuclear activities and facilities; and reviews any generic issues or other matters referred to it by the Commission for advice.

(b) *Membership and qualifications.* The ACRS must consist of no fewer than seven members and no more than 15 members, appointed by the Commission. No specific years' education and experience requirement is necessary to become a member of the ACRS. Individuals appointed to the ACRS should possess demonstrated technical competence, recognized expertise in disciplines relevant to reactor safety, sound judgement, intellectual independence, and the ability to contribute effectively in a multidisciplinary advisory environment. Collectively, the membership of the ACRS should provide balanced expertise across the relevant disciplines.

(c) *Conduct of meetings and coordination with the NRC staff.* The ACRS and the NRC staff are jointly responsible for ensuring that meetings between the ACRS and the NRC staff are conducted on matters limited to the statutory responsibilities of the ACRS and matters that are novel or noteworthy.

(d) *Scope of ACRS review.* (1) The ACRS will review novel or noteworthy attributes of a facility's design, siting, and operation associated with either:

(i) Safety-related structures, systems, and components as described by the definitions outlined in NRC rules and regulations; or

(ii) Structures, systems, and components that perform safety-significant functions.

(2) This includes safety analyses and methodologies used to evaluate and classify structures, systems, and components, as well as structures, systems and components used to prevent reactor accidents and mitigate the consequences of a spectrum of analyzed events, including those used to control reactivity, ensure heat removal, or retain radionuclides to appropriately manage the radiological risks to the public.

(e) *Review of rulemakings.* When a rule is within the purview of the ACRS, as defined in paragraph (d) of this section, and under development by the NRC staff, the NRC staff will ensure that the ACRS is given an opportunity to provide advice to the Commission on the adequacy of the rule focusing on novel or noteworthy issues.

(f) *Advice and recommendations.* Nothing in this section alters the Commission's ability to consider reports and recommendations by the ACRS that are timely received, nor does it limit the Commission's ability to request additional advice from the ACRS.

PART 2—AGENCY RULES OF PRACTICE AND PROCEDURE

■ 3. The authority citation for part 2 continues to read as follows:

Authority: Atomic Energy Act of 1954, secs. 29, 53, 62, 63, 81, 102, 103, 104, 105, 161, 181, 182, 183, 184, 186, 189, 191, 234 (42 U.S.C. 2039, 2073, 2092, 2093, 2111, 2132, 2133, 2134, 2135, 2201, 2231, 2232, 2233, 2234, 2236, 2239, 2241, 2282); Energy Reorganization Act of 1974, secs. 201, 206 (42 U.S.C. 5841, 5846); Nuclear Waste Policy Act of 1982, secs. 114(f), 134, 135, 141 (42 U.S.C. 10134(f), 10154, 10155, 10161); Administrative Procedure Act (5 U.S.C. 552, 553, 554, 557, 558); National Environmental Policy Act of 1969 (42 U.S.C. 4332); 44 U.S.C. 3504 note. Section 2.205(j) also issued under Sec. 31001(s), Pub. L. 104–134, 110 Stat. 1321–373 (28 U.S.C. 2461 note).

§ 2.809 [Removed and Reserved]

■ 4. Remove and reserve § 2.809.

PART 50—DOMESTIC LICENSING OF PRODUCTION AND UTILIZATION FACILITIES

■ 5. The authority citation for part 50 continues to read as follows:

Authority: Atomic Energy Act of 1954, secs. 11, 101, 102, 103, 104, 105, 108, 122, 147, 149, 161, 181, 182, 183, 184, 185, 186, 187, 189, 223, 234 (42 U.S.C. 2014, 2131, 2132, 2133, 2134, 2135, 2138, 2152, 2167, 2169, 2201, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2239, 2273, 2282); Energy Reorganization Act of 1974, secs. 201, 202, 206, 211 (42 U.S.C. 5841, 5842, 5846, 5851); Nuclear Waste Policy Act of 1982, sec. 306 (42 U.S.C. 10226); National Environmental Policy Act of 1969 (42 U.S.C. 4332); 44 U.S.C. 3504 note; ADVANCE Act of 2024, sec. 301 (42 U.S.C. 2133 note).

■ 6. In § 50.58, revise paragraph (a) to read as follows:

§ 50.58 Hearings and report of the Advisory Committee on Reactor Safeguards (ACRS).

(a) Each application for a construction permit or an operating license for a facility which is of a type described in § 50.21(b) or § 50.22, or for a testing facility, must be referred to the ACRS for a review and report. The ACRS must report on those portions of the application which concern its scope as defined in § 1.13 of this chapter and focus on issues that are novel or noteworthy. Any report must be made part of the record of the application and available to the public, except to the extent that security classification prevents disclosure.

* * * * *

PART 52—LICENSES, CERTIFICATIONS, AND APPROVALS FOR NUCLEAR POWER PLANTS

■ 7. The authority citation for part 52 continues to read as follows:

Authority: Atomic Energy Act of 1954, secs. 103, 104, 147, 149, 161, 181, 182, 183, 185, 186, 189, 223, 234 (42 U.S.C. 2133, 2134, 2167, 2169, 2201, 2231, 2232, 2233, 2235, 2236, 2239, 2273, 2282); Energy Reorganization Act of 1974, secs. 201, 202, 206, 211 (42 U.S.C. 5841, 5842, 5846, 5851); 44 U.S.C. 3504 note.

■ 8. Revise § 52.23 to read as follows:

§ 52.23 Referral to the Advisory Committee on Reactor Safeguards (ACRS).

The Commission must refer a copy of the application for an early site permit to the ACRS. The ACRS must report on those portions of the application which concern its scope as defined in § 1.13 of this chapter and focus on issues that are novel or noteworthy.

§ 52.29 [Amended]

■ 9. In § 52.29, remove paragraph (d).

■ 10. Revise § 52.53 as follows:

§ 52.53 Referral to the Advisory Committee on Reactor Safeguards (ACRS).

The Commission must refer a copy of the application for design certification to the ACRS. The ACRS must report on those portions of the application which concern its scope as defined in § 1.13 of this chapter and focus on issues that are novel or noteworthy.

§ 52.57 [Amended]

■ 11. In § 52.57, remove paragraph (c).

■ 12. Revise § 52.87 as follows:

§ 52.87 Referral to the Advisory Committee on Reactor Safeguards (ACRS).

The Commission must refer a copy of the application for a combined license under this subpart to the ACRS. The ACRS must report on those portions of the application that concern its scope as defined in § 1.13 of this chapter and focus on issues that are novel or noteworthy, and must apply the standards referenced in § 52.81, in accordance with the finality provisions in § 52.83.

■ 13. Revise § 52.141 as follows:

§ 52.141 Referral to the Advisory Committee on Reactor Safeguards (ACRS).

The Commission must refer a copy of the application for standard design approval to the ACRS. The ACRS must report on those portions of the application that concern its scope as defined in § 1.13 of this chapter and focus on issues that are novel or noteworthy.

■ 14. Revise § 52.165 to read as follows:

§ 52.165 Referral to the Advisory Committee on Reactor Safeguards (ACRS).

The Commission must refer a copy of the application for a manufacturing license to the ACRS. The ACRS must report on those portions of the manufacturing license application that concern its scope as defined in § 1.13 of this chapter and focus on issues that are novel or noteworthy.

§ 52.177 [Amended]

■ 15. In § 52.177, remove paragraph (e).

■ 16. Revise appendix N to part 52 to read as follows:

Appendix N to Part 52—Standardization of Nuclear Power Plant Designs: Combined Licenses To Construct and Operate Nuclear Power Reactors of Identical Design at Multiple Sites

The ACRS must report on each of the applications as required by § 52.87. Each report must be limited to those safety matters for each application which are not relevant to the common design. In addition, the ACRS must separately report on the safety of the common design, provided, however, that the report need not address the safety of a referenced standard design certification or reactor manufactured under subpart F of this part.

PART 53—RISK-INFORMED, TECHNOLOGY-INCLUSIVE REGULATORY FRAMEWORK FOR COMMERCIAL NUCLEAR PLANTS

■ 17. The authority citation for part 53 continues to read as follows:

Authority: Atomic Energy Act of 1954, secs. 11, 101, 103, 108, 122, 147, 161, 181, 182, 183, 184, 185, 186, 187, 189, 223, 234 (42 U.S.C. 2014, 2131, 2132, 2133, 2134, 2135, 2138, 2152, 2167, 2169, 2201, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2239, 2273, 2282); Energy Reorganization Act of 1974, secs. 201, 202, 206, 211 (42 U.S.C. 5841, 5842, 5846, 5851); Nuclear Waste Policy Act of 1982, sec. 306 (42 U.S.C. 10226); National Environmental Policy Act of 1969 (42 U.S.C. 4332); 44 U.S.C. 3504 note; Pub. L. 115–439, 132 Stat. 5571.

■ 18. Revise § 53.1155 to read as follows:

§ 53.1155 Referral to the Advisory Committee on Reactor Safeguards.

The Commission must refer a copy of the application for an early site permit to the Advisory Committee on Reactor Safeguards (ACRS). The ACRS must report on those portions of the application that concern its scope as defined in § 1.13 of this chapter and focus on issues that are novel or noteworthy.

■ 19. Revise § 53.1215 to read as follows:

§ 53.1215 Referral to the Advisory Committee on Reactor Safeguards.

The Commission must refer a copy of the application for standard design approval to the ACRS. The ACRS must report on those portions of the application that concern its scope as defined in § 1.13 of this chapter and focus on issues that are novel or noteworthy.

■ 20. Revise § 53.1245 to read as follows:

§ 53.1245 Referral to the Advisory Committee on Reactor Safeguards.

The Commission must refer a copy of the application for design certification to the ACRS. The ACRS must report on those portions of the application that concern its scope as defined in § 1.13 of this chapter and focus on issues that are novel or noteworthy.

■ 21. Revise § 53.1286 to read as follows:

§ 53.1286 Referral to the Advisory Committee on Reactor Safeguards.

The Commission must refer a copy of the copy of the application for a manufacturing license to the ACRS. The ACRS must report on those portions of the application that concern its scope as defined in § 1.13 of this chapter and focus on issues that are novel or noteworthy.

■ 22. Revise § 53.1324 to read as follows:

§ 53.1324 Referral to the Advisory Committee on Reactor Safeguards.

The Commission must refer a copy of the application for a construction permit to the ACRS. The ACRS must report on those portions of the application that concern its scope as defined in § 1.13 of this chapter and focus on issues that are novel or noteworthy, and must apply the standards referenced in § 53.1315, in accordance with the finality provisions in § 53.1318.

■ 23. Revise § 53.1381 to read as follows:

§ 53.1381 Referral to the Advisory Committee on Reactor Safeguards.

The Commission must refer a copy of the application for an operating license to the ACRS. The ACRS must report on those portions of the application that concern its scope as defined in § 1.13 of this chapter and focus on issues that are novel or noteworthy, and must apply the standards referenced in § 53.1375.

■ 24. Revise § 53.1431 to read as follows:

§ 53.1431 Referral to the Advisory Committee on Reactor Safeguards.

The Commission must refer a copy of the application for a COL to the ACRS. The ACRS must report on those portions of the application that concern its scope as defined in § 1.13 of this chapter and focus on issues that are novel or noteworthy, and must apply the standards referenced in § 53.1422, in accordance with the finality provisions in § 53.1425.

■ 25. In § 53.1470, revise paragraph (g) to read as follows:

§ 53.1470 Standardization of commercial nuclear plant designs: licenses to construct and operate nuclear power reactors of identical design at multiple sites.

* * * * *

(g) The ACRS must report on each of the applications as required by the applicable sections of this subpart. Each report must be limited to the scope as defined in § 1.13 of this chapter, for each application not resolved by the common design and must focus on issues that are novel or noteworthy. In addition, the ACRS must separately report on reactor safety matters of the common design, *provided, however,* that the report need not address reactor safety matters resolved in a referenced standard design certification or reactor manufactured under this part.

* * * * *

PART 54—REQUIREMENTS FOR RENEWAL OF OPERATING LICENSES FOR NUCLEAR POWER PLANTS

■ 26. The authority citation for part 54 continues to read as follows:

Authority: Atomic Energy Act of 1954, secs. 102, 103, 104, 161, 181, 182, 183, 186, 189, 223, 234 (42 U.S.C. 2132, 2133, 2134, 2136, 2137, 2201, 2231, 2232, 2233, 2236, 2239, 2273, 2282); Energy Reorganization Act of 1974, secs. 201, 202, 206 (42 U.S.C. 5841, 5842, 5846); 44 U.S.C. 3504 note. Section 54.17 also issued under E.O. 12829, 58 FR 3479, 3 CFR, 1993 Comp., p. 570; E.O. 13526, 75 FR 707, 3 CFR, 2009 Comp., p. 298; E.O. 12968, 60 FR 40245, 3 CFR, 1995 Comp., p. 391; ADVANCE Act of 2024, sec. 301 (42 U.S.C. 2133 note).

§ 54.25 [Removed]

■ 27. Remove § 54.25.

Dated: November 12, 2026.

For the Nuclear Regulatory Commission.

Jody Martin,

Secretary of the Commission.

[FR Doc. 2026–23343 Filed 11–16–26; 8:45 am]

BILLING CODE 7590–01–P

NATIONAL CREDIT UNION ADMINISTRATION

12 CFR Part 701

RIN 3133–AF93

Chartering and Field of Membership for Federal Credit Unions; Associational Common Bonds and Client-Customer Relationships

AGENCY: National Credit Union Administration (NCUA).

ACTION: Final rule.

SUMMARY: The NCUA Board (Board) is issuing a final rule to amend its criteria for determining associational common bonds. The amendments clarify that requiring members to buy a good, product, or service from a group as a condition of membership will no longer automatically bar eligibility as a recognized association. After considering public comments, the Board finalizes the proposed rule with certain modifications. The Board's revisions detail how NCUA assesses client-customer relationships (including relevant examples). These changes also simplify NCUA's process for reviewing pre-approved groups.

DATES: This final rule is effective on January 4, 2027.

FOR FURTHER INFORMATION CONTACT: John Tamashiro, Director, Division of Consumer Access, Office of Credit Union Resources and Expansion at (703) 548–2577 or 1775 Duke Street, Alexandria, VA 22314, or Keisha Brooks, Attorney-Advisor, Office of General Counsel, at (703) 518–6540 or at the above address.

SUPPLEMENTARY INFORMATION:

I. Introduction

A. Background

The Federal Credit Union Act (FCU Act) recognizes three types of federal charters—single common bond (occupational and associational), multiple common bond (more than one group each having a common bond of occupation or association), and community. NCUA's Chartering and Field of Membership Manual, incorporated as Appendix B to part 701 of NCUA's regulations (Chartering Manual) implements the FCU Act.[1] For chartering purposes, a common bond is a fundamental requirement for a recognized association.[2]

In the Credit Union Membership Access Act (CUMAA), Congress found that ''[a] meaningful affinity and bond among members, manifested by a commonality of routine interaction, shared and related work experiences, interests, or activities, or the maintenance of an otherwise well understood sense of cohesion or identity is essential to the fulfillment of the public mission of credit unions.'' [3] While the FCU Act does not explicitly define ''common bond,'' the Board clarified its meaning in the Chartering Manual. A common bond is the characteristic or combination of characteristics which distinguishes a particular group of persons from the general public.[4] Furthermore, the Chartering Manual defines an associational common bond to include individuals and groups whose members participate in activities developing common loyalties, mutual benefits, and mutual interests.[5]

Within this framework, the Chartering Manual reflects a long-standing policy that associations based primarily on a client-customer relationship do not meet associational common bond requirements.[6] Based on agency experience with particular requests, the members of an association based primarily on a client-customer relationship had only an interest in purchasing a good, product, or service from the group.[7] The group operated in a manner indistinguishable from a vendor providing a good, product, or service to the general public. Its charter and bylaws lacked provisions for membership governance or qualifications beyond paying for a good, product, or service. Membership fees (in terms of amount, timing, and structure) functioned merely as payments for a good, product, or service.

Still, the Chartering Manual does not preclude an association with an incidental client-customer relationship if other associational common bond requirements are met.[8] In such circumstances, NCUA staff generally considered a client-customer relationship as incidental when it served a secondary role in relation to the group's associational common bond and activities. For this purpose, NCUA often considered multiple factors.

For example, past chartering policies mentioned electric cooperatives as groups that could meet associational standards, even though purchasing

[1] 12 CFR part 701, app. B (hereinafter cited as Chartering Manual). The Chartering Manual addresses all aspects of chartering FCUs. In that respect, it is similar to the regulations of the Office of the Comptroller of the Currency applicable to the chartering of national banks or federal savings associations. 12 CFR part 5.

[2] *See* 12 U.S.C. 1759(b).

[3] Public Law 105–219, 112 Stat. 913, 914 (Aug. 7, 1998).

[4] Chartering Manual, App. 1—Glossary ''Common bond.''

[5] Chartering Manual, App. 1—Glossary ''Associational common bond.''

[6] *See* IRPS 89–1, 54 FR 31166 (July 27, 1989); IRPS 94–1, 59 FR 29066, 29077 (June 3, 1994).

[7] For a discussion of the Board's evaluation of this client-customer relationship, see NCUA Board Decision, *In The Matter Of Tri-State Federal Credit Union,* Docket BD–18–10, 2010 WL 11814914 (December 1, 2010); *https://ncua.gov/regulation-supervision/board-appeals/decision-and-order-appeal-tri-state-federal-credit-union* (denying YMCA).

[8] 63 FR 71998, 72008 (Dec. 30, 1998). For an example of such an association, see NCUA Board Decision, *In the Matter of CACL Federal Credit Union,* Docket No. 00–FOM–002 (Apr. 13, 2000), *https://ncua.gov/regulation-supervision/board-appeals/decision-and-order-appeal-cacl-federal-credit-union.*