



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

November 29, 2016

COMSECY-16-0029

**PLEASE RESPOND BY:
December 13, 2016**

MEMORANDUM TO: Chairman Burns
Commissioner Svinicki
Commissioner Baran

FROM: Victor M. McCree /*RA Michael R. Johnson Acting for*
Executive Director for Operations

SUBJECT: FINAL RULEMAKING PLAN TEMPLATE

The purpose of this memorandum is to submit for Commission review and approval a final rulemaking plan template. In SECY-15-0129 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML15267A759), "Commission Involvement in Early Stages of Rulemaking," dated October 19, 2015, the U.S. Nuclear Regulatory Commission (NRC) staff requested Commission approval of its proposed plan to increase the Commission's involvement in the rulemaking process with the objective of ensuring early Commission engagement before expending significant NRC staff resources. In the staff requirements memorandum (SRM) for SECY-15-0129 (ADAMS Accession No. ML16034A441), dated February 3, 2016, the Commission approved most of the staff's recommendations including the need to submit a rulemaking plan (in the form of a template-based, brief notation vote paper) for Commission approval for all rulemakings except those that had already been explicitly delegated to the staff.

Enclosure 1 to this memorandum is the final rulemaking plan template for Commission approval. The rulemaking plan template incorporates the modifications noted in the SRM for SECY-15-0129 and is consistent with the Joint Explanatory Statement accompanying the Consolidated Appropriations Act, 2016 (Public Law 114-113). The template now includes the criteria that trigger a rulemaking review by the Committee to Review Generic Requirements.

To improve the template's usability, the staff has included for approval additional changes to the template aimed to improve both document authoring and the clarity of the rulemaking plans. Finally, the template complies with the format requirements for Commission correspondence in Management Directive 3.57, "Correspondence Management" (<http://www.internal.nrc.gov/policy/directives/catalog/md3.57.pdf>).

CONTACT: Cindy Bladey, ADM/DAS
(301) 415-3280

The Commissioners

-2-

Enclosure 2 compares the draft rulemaking plan template and the final template and explains each change.

The staff requests that the Commission approve the enclosed rulemaking plan template. In addition, the staff requests the authority to make future minor editorial and formatting changes or updates to improve user guidance and instruction without seeking Commission approval. In these instances, the staff would inform the Commission of the changes via Commissioners' Assistants note.

SECY, please track.

Enclosures:

1. Final Rulemaking Plan Template
2. Comparison Table

cc: SECY
OGC
OCA
OPA
OCFO
NRR
NRO
NMSS
OIP
NSIR

Enclosure 2 compares the draft rulemaking plan template and the final template and explains each change.

The staff requests that the Commission approve the enclosed rulemaking plan template. In addition, the staff requests the authority to make future minor editorial and formatting changes or updates to improve user guidance and instruction without seeking Commission approval. In these instances, the staff would inform the Commission of the changes via Commissioners' Assistants note.

SECY, please track.

Enclosures:

1. Final Rulemaking Plan Template
2. Comparison Table

cc: SECY
 OGC
 OCA
 OPA
 OCFO
 NRR
 NRO
 NMSS
 OIP
 NSIR

DISTRIBUTION:

LTerry, ADM	RidsNmssMailCenter	RidsNsirMailCenter	RidsOCIO Resource
CBladey, ADM	RidsNroMailCenter	RidsOcfoMailCenter	RidsResOd Resource
JWiddup, ADM	RidsNrrMailCenter	RidsOgcMailCenter	
RidsAdmMailCenter	RidsEdoMailCenter	RidsOipMailCenter	

ADAMS Accession Number: ML16308A235 (Package)

***via e-mail concurrence**

OFFICE	ADM/DAS/RADB	ADM/DAS/RAD B	NRR*	NRO*	NMSS*
NAME	LTerry	CBladey	BDean (MKhanna)	JUhle (JColaccino for)	MDapas (SMoore for)
DATE	09/23/16	11/ /16	10/25/16	10/20/16	10/17/16
OFFICE	NSIR*	OCFO*	OIP*	QTE*	OGC*
NAME	BHolian (MKohen for)	MWylie (MMauer for)	NMamish (JOwens for)	JDougherty for	MSpencer
DATE	10/7/16	10/6/16	10/24/16	10/3/16	11/02/16
OFFICE	OCIO*	RES*	ADM/DAS/DD	ADM/DD	ADM/D
NAME	DNelson	MWeber	JWiddup	SStewart-Clark	CCarpenter
DATE	10/19/16	09/26/16	11/ /16	11/ /16	11/ /16
OFFICE	DEDM	EDO			
NAME	GTracy MWeber for (w/ revisions)	VMcCree			
DATE	11/28/16	11/ /16			

OFFICIAL RECORD COPY