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

<INSERT: DATE>

FOR: The Commissioners

FROM: <INSERT: NAME>
Executive Director for Operations

SUBJECT: RULEMAKING PLAN ON <INSERT: TOPIC>

PURPOSE:

The purpose of this paper is to request Commission approval to initiate a rulemaking about <INSERT: brief description of topic>. This rulemaking would <INSERT: a brief description of the proposed change to the NRC's regulations>.

<INSERT, if applicable:

SUMMARY:

A summary section is required on all papers that are six or more pages. Summarize the major issues, recommendations, etc.>.

BACKGROUND:

In the staff requirements memorandum (SRM) for SECY-15-0129, "Commission Involvement in Early Stages of Rulemaking," dated February 3, 2016, the Commission approved institution of a requirement for a streamlined rulemaking plan in the form of a SECY paper that would request Commission approval to initiate all rulemakings not already explicitly delegated to the staff as a staff-delegated rulemaking (Accession No. ML16056A614 in the NRC's Agencywide Documents Access and Management System (ADAMS)). Accordingly, the staff requests approval to initiate a rulemaking about <INSERT: a brief description of topic>.

<INSERT: a summary of the reason to pursue rulemaking (consider answering these questions: what is the current regulation, what is the problem with the current regulation, what is the high-level aim of the rulemaking/regulatory change (for example, would the rule enhance safety and/or reduce regulatory burden), what information about the policy issue is already available

CONTACTS: <INSERT: Name, OFF/DIV>
<INSERT: 301-XXX-XXXX>

ADAMS Accession No. MLXXXXXXXX

(this might include previous Commission direction, statutes, stakeholder feedback, etc.). Describe any internal or external drivers for rulemaking (e.g., new Congressional mandate, Executive Order, petition for rulemaking (PRM)>.

DISCUSSION:

Title

<INSERT: title of proposed rulemaking>.

Regulation

<INSERT: all parts of the *Code of Federal Regulations* that would be affected by this proposed rulemaking>.

Estimated Schedule

Initiate regulatory basis phase—<INSERT: Month, Year>.
Complete regulatory basis—<INSERT: Month, Year>.
Publish proposed rule—<INSERT: Month, Year>.
Publish final rule—<INSERT: Month, Year>.

Preliminary Priority

Based on the Common Prioritization of Rulemaking (CPR) prioritization methodology (ADAMS Accession No. ML15086A074), the preliminary priority for this rulemaking activity is <SELECT: high/medium/low>. <INSERT: a brief discussion of the basis for the preliminary priority determination>. The priority for a rulemaking activity can change over time. Common reasons for a change in priority are new Commission or senior management direction or changes in the rulemaking scope.

Description and Scope

<INSERT: a discussion that defines the regulatory issue (i.e., what CFR parts would change and who would be affected), describes the existing regulatory framework (i.e., regulations and guidance), identifies regulatory options and alternatives to rulemaking, and explains why rulemaking is preferable to these other alternatives (i.e., what is the benefit of the regulatory change; what is the benefit of using the rulemaking process; if the rule would not reduce burden, what types of additional costs might there be>.

Costs and Benefits

The proposed action is estimated to involve a <SELECT: high/medium/low> magnitude of costs through <INSERT: a brief description of the estimate of the magnitude of the costs of the proposed action>. The proposed action is estimated to provide the following benefits:
<INSERT: list and describe the benefits (in terms of pros/cons) of the proposed change>.

Backfitting and Issue Finality (As applicable)

<INSERT: a brief description of whether the staff expects that the proposed change will constitute backfitting or a matter of issue finality. For such matters, discuss whether one or more of the exceptions to preparing a backfit analysis are likely to apply and be relied upon by the staff. Otherwise, identify the potential safety or security significance of the action, and the nature of the cost of the possible backfitting, to the extent known. Identify the bases for the discussion of the significance and cost determination, or identify the information to be developed to support the backfitting determination>.

Cumulative Effects of Regulation (As applicable)

<INSERT: a preliminary assessment of the cumulative effects of regulation, to the extent known, including a description of any early stakeholder engagement upon which this assessment is based. Include in the discussion whether there are any critical skill sets within the NRC or impacted entities that will affect implementation, whether there are ongoing NRC activities that will impact the implementation of the proposed change, and an overview of preliminary plans for interactions with external stakeholders during the development of the rulemaking>.

Agreement State Considerations (As applicable)

<INSERT: a brief description of any Agreement State considerations and how they will be addressed. All rulemaking plans shall include Agreement State compatibility classifications for the proposed rule>.

Guidance

The staff estimates that the following guidance document(s) will be updated in parallel with the rulemaking: <INSERT: a list the guidance documents>. <INSERT, if applicable: The staff also estimates that new guidance documents(s) on <INSERT: topic(s)> will need to be developed in parallel with the rulemaking>.

Advisory Committee on Reactor Safeguards (ACRS) Review (As applicable)

The staff recommends that <INSERT: the staff's recommendation on the need for ACRS review, including any details of that review process such as timing>.

Committee to Review Generic Requirements (CRGR) Review (As applicable)

The staff recommends that <INSERT: the staff's recommendation on the need for CRGR review including any details of that review process such as timing>. [NOTE: The rulemaking office will request a CRGR review of the rulemaking package when any one of the following conditions is met:

a. In the rulemaking plan, the staff indicated that the rulemaking would not constitute backfitting. However, in developing the proposed rule, the staff identifies that a backfit is possible.

b. The regulatory basis identifies significant costs incurred as a result of the proposed rulemaking, and qualitative factors were used to justify the rulemaking.
c. There is substantial uncertainty (in the statistical sense) in the quantitative benefit determinations in the backfit analysis. The backfitting is justified or issue finality provisions in 10 CFR part 52 are avoided based on reliance on the compliance exception or adequate protection exception.
d. The EDO directs that the CRGR review the rulemaking package, or substantive concerns have been raised by stakeholders or NRC staff regarding the backfit or regulatory analysis.]

Advisory Committee on the Medical Use of Isotopes (ACMUI) (As applicable)

The staff recommends that <INSERT: the staff's recommendation on the need for ACMUI review, including any details of that review process such as timing>.

Analysis of Legal Matters

<OGC will select, as appropriate:

Enclosure 1 includes the Office of the General Counsel's analysis of legal matters associated with this rulemaking.

OR

OGC has reviewed this rulemaking plan and has not identified any issues necessitating a separate legal analysis at this time>.

COMMITMENT:

If the Commission approves initiation of the rulemaking, in accordance with SECY-16-0042, "Recommended Improvements for Rulemaking Tracking and Reporting," dated April 4, 2016 (ADAMS Accession No. ML16075A070), the staff will add the rulemaking activity to the agency's rulemaking tracking tool.

RECOMMENDATION:

The NRC staff recommends that the Commission approve initiation of a rulemaking about <INSERT: brief description of topic>.

The staff also recommends that the Commission approve its recommendations on <SELECT: ACRS and CRGR review OR ACRS, CRGR, and ACMUI review>.

RESOURCES:

Enclosure 2 includes an estimate of the resources needed to complete this rulemaking.

COORDINATION:

The Office of the General Counsel has no legal objection to this action. The Office of the Chief Financial Officer has reviewed this paper and has no concerns with the estimated resources in Enclosure 2.

<INSERT: NAME>
Executive Director
for Operations

Enclosures:
1. Analysis of Legal Matters
2. Resources

COORDINATION:

The Office of the General Counsel has no legal objection to this action. The Office of the Chief Financial Officer has reviewed this paper and has no concerns with the estimated resources in Enclosure 2.

<INSERT: NAME>
Executive Director
for Operations

Enclosures:
1. Analysis of Legal Matters
2. Resources

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