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## II. Background

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the NRC is requesting public comment on its intention to request the OMB's approval for the information collection summarized below.

1. *The title of the information collection:* NRC CUI Program Challenge Request
2. *OMB approval number:* 3150–XXXX.
3. *Type of submission:* New.
4. *The form number, if applicable:* N/A.
5. *How often the collection is required or requested:* On occasion.
6. *Who will be required or asked to respond:* Authorized holders, including any individual or organization who has been provided with CUI and has a lawful government purpose to possess CUI.
7. *The estimated number of annual responses:* 12.
8. *The estimated number of annual respondents:* 12.
9. *The estimated number of hours needed annually to comply with the information collection requirement or request:* 18.
10. *Abstract:*

The NRC CUI Program Challenge Request Process, also referred to as the "CUI Challenge Request Process" in this document, provides the process used for NRC Controlled Unclassified Information (CUI) authorized holders to challenge the designation of information that has been marked as CUI as improperly or incorrectly designated.

government purpose to possess the information. Any authorized holder who believes that the designation of specific information as CUI is improper or incorrect, or who believes they have received unmarked CUI, may use this process to formally notify the NRC CUI Senior Agency Official (SAO). The process also allows for the NRC CUI SAO and CUI Program Manager to process such requests and to issue a Final Decision from the CUI SAO.

The CUI Challenge Request Process is not intended to be used to address all disagreements regarding the proper designation of CUI. Authorized holders are encouraged to seek or utilize less formal means when resolving internal good faith disputes over the proper designation of information as CUI, such as discussion with the creator or designator of the information in dispute. Where resolution cannot be achieved through less formal means, the CUI challenge request process is available.

The CUI Challenge Request Process does not supersede any obligations under law or NRC policy to report information spills.

## III. Specific Requests for Comments

The NRC is seeking comments that address the following questions:

1. Is the proposed collection of information necessary for the NRC to properly perform its functions? Does the information have practical utility?
2. Is the estimate of the burden of the information collection accurate?
3. Is there a way to enhance the quality, utility, and clarity of the information to be collected?
4. How can the burden of the information collection on respondents be minimized, including the use of automated collection techniques or other forms of information technology?

Dated: April 14, 2020.

For the Nuclear Regulatory Commission.

**David C. Cullison,**

*NRC Clearance Officer, Office of the Chief Information Officer.*

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**BILLING CODE 7590–01–P**

## NUCLEAR REGULATORY COMMISSION

[NRC–2020–0057]

### Standard Format and Content of Safeguards Contingency Plans for Transportation

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Regulatory guide; withdrawal.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) is withdrawing Regulatory Guide (RG) 5.56, "Standard Format and Content of Safeguards Contingency Plans for Transportation." RG 5.56 is being withdrawn because it contains regulatory guidance that is out of date and not currently necessary.

**DATES:** The withdrawal of RG 5.56 takes effect on April 17, 2020.

**ADDRESSES:** Please refer to Docket ID NRC–2020–0057 when contacting the NRC about the availability of information regarding this document. You may obtain publicly-available information related to this document using any of the following methods:

- *Federal Rulemaking website:* Go to <https://www.regulations.gov> and search for Docket ID NRC–2020–0057. Address questions about NRC docket IDs in *Regulations.gov* to Jennifer Borges; telephone: 301–287–9127; email: [Jennifer.Borges@nrc.gov](mailto:Jennifer.Borges@nrc.gov). For technical questions, contact the individuals listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- *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 Web-based ADAMS Search." For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, 301–415–4737, or by email to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov). The basis for withdrawal of RG 5.56 is available in ADAMS under Accession No. ML20030A085.

**FOR FURTHER INFORMATION CONTACT:** Albert N. Tardiff, telephone: 301–287–3613, email: [Al.Tardiff@nrc.gov](mailto:Al.Tardiff@nrc.gov), or Mekonen Bayssie, telephone: 301–415–1699, email: [Mekonen.Bayssie@nrc.gov](mailto:Mekonen.Bayssie@nrc.gov); U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

## SUPPLEMENTARY INFORMATION:

### I. Background

RG 5.56 was published for comment in March 1978 to provide guidance on the development of safeguards contingency plans for transportation. This guide supports meeting NRC physical protection requirements for transportation of special nuclear material (SNM). In addition, it supports meeting the NRC licensing requirements to transport formula quantities of strategic SNM (also referred to as Category I quantities of strategic SNM).

The NRC is withdrawing RG 5.56, "Standard Format and Content of Safeguards Contingency Plans for Transportation," because the guide no

longer provides methods that the NRC staff finds acceptable to meet the NRC's regulatory requirements.

As a matter of agreement, the U.S. Department of Energy (DOE) currently transports Category I quantities of strategic SNM using its own guidance. This is expected to continue into the foreseeable future. The NRC's regulatory requirements for transportation security of this material are still in place. However, these requirements have not been updated for the current threat environment. Moreover, given the lack of any private transport of these materials, no post-9/11 security orders were developed to address contingency plans for transportation. Therefore, the NRC staff considers RG 5.56 to be outdated and is not satisfactory for developing contingency plans for the transportation of Category I strategic SNM in the future.

It may be possible for the staff to update the guidance to make it useful for potential future use; however, the staff concludes that the expenditure of resources to revise the guide is neither necessary nor warranted. If an NRC licensee or applicant proposed to transport Category I quantities of strategic SNM today without DOE, the staff would evaluate the need for additional physical protection, given the current threat environment, and provide approval to the licensee or applicant, as appropriate, on a case-by-case basis. The likelihood of such a proposal is expected to be remote. Other general NRC guidance on the development of contingency plans can be found in NUREG/CR-6667, "Standard Review Plan for Safeguards Contingency Response Plans for Category I Fuel Facilities," and such guidance could be useful in developing a contingency plan for transportation of Category I quantities of SNM.

## II. Further Information

The withdrawal of RG 5.56 does not alter any prior or existing NRC licensing approval, or the acceptability of licensee commitments made regarding the withdrawn guidance. Although RG 5.56 is withdrawn, current licensees referencing this RG may continue to do so, and withdrawal does not affect any existing licenses or agreements. However, by withdrawing RG 5.56, the NRC no longer approves use of the guidance in future requests or applications for NRC licensing actions.

Dated: April 14, 2020.

For the Nuclear Regulatory Commission.

**Thomas H. Boyce,**

*Chief, Regulatory Guidance and Generic Issues Branch, Division of Engineering, Office of Nuclear Regulatory Research.*

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## NUCLEAR REGULATORY COMMISSION

[NRC-2019-0181]

### Standard Format and Content for Applications to Renew Nuclear Power Plant Operating Licenses

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Regulatory guide; issuance.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) is issuing Revision 2 to Regulatory Guide (RG) 1.188, "Standard Format and Content for Applications to Renew Nuclear Power Plant Operating Licenses." This RG describes the standard format and content that the NRC staff considers acceptable for applications for renewal and subsequent renewal of operating licenses for commercial nuclear power plants.

**DATES:** Revision 2 to RG 1.188 is available on April 17, 2020.

**ADDRESSES:** Please refer to Docket ID NRC-2019-0181 when contacting the NRC about the availability of information regarding this document. You may obtain publicly-available information related to this document using any of the following methods:

- *Federal Rulemaking website:* Go to <https://www.regulations.gov> and search for Docket ID NRC-2019-0181. Address questions about NRC docket IDs in *Regulations.gov* to Jennifer Borges; telephone: 301-287-9127; email: [Jennifer.Borges@nrc.gov](mailto:Jennifer.Borges@nrc.gov). For technical questions, contact the individuals listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- *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 Web-based ADAMS Search." For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1-800-397-4209, 301-415-4737, or by email to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov). Revision 2 to RG 1.188 and the regulatory analysis may be found in ADAMS under Accession Nos. ML20017A265 and ML19213A343, respectively.

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**FOR FURTHER INFORMATION CONTACT:** Bennett Brady, telephone: 301-415-2981, email: [Bennett.Brady@nrc.gov](mailto:Bennett.Brady@nrc.gov), Amy Hull, telephone: 301-415-2435, email: [Amy.Hull@nrc.gov](mailto:Amy.Hull@nrc.gov), and Michael Eudy, telephone: 301-415-3104, email: [Michael.Eudy@nrc.gov](mailto:Michael.Eudy@nrc.gov). All are staff of the U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

## SUPPLEMENTARY INFORMATION:

### I. Discussion

The NRC is issuing a revision to an existing guide in the NRC's "Regulatory Guide" series. This series was developed to describe and make available to the public information regarding methods that are acceptable to the NRC staff for implementing specific parts of the agency's regulations, techniques that the NRC staff uses in evaluating specific issues or postulated events, and data that the NRC staff needs in its review of applications for permits and licenses.

Revision 2 of RG 1.188 was issued with a temporary identification of Draft Regulatory Guide, DG-1341. Revision 2 of RG 1.188 broadens the scope of the guide to include subsequent license renewal. Revision 2 of the guide endorses two industry guidance documents that describe methods that the staff of the NRC considers acceptable for use in preparing applications for license renewal and subsequent license renewal.

Specifically, this revision endorses Nuclear Energy Institute (NEI) 17-01, "Industry Guideline for Implementing the Requirements of 10 CFR part 54 for Subsequent License Renewal" (ADAMS Accession No. ML17339A599), which provides an acceptable approach for implementing the requirements of title 10 of the *Code of Federal Regulations* (10 CFR) part 54, "Requirements for Renewal of Operating Licenses for Nuclear Power Plants," for subsequent license renewal. The guidance in NEI 17-01 is consistent with previously published NRC guidance. Among this guidance, in particular, NUREG-2191, Volumes 1 and 2, "Generic Aging Lessons Learned for Subsequent License Renewal (GALL-SLR) Report," and NUREG-2192, "Standard Review Plan for Review of Subsequent License Renewal Applications for Nuclear Power Plants—Final Report," (ADAMS Accession Nos. ML17187A031, ML17187A204 and ML17188A158). Both NUREG-2191 and NUREG-2192 underwent significant public interaction