

exposure; (iv) there is no significant construction impact; (v) there is no significant increase in the potential for or consequences from radiological accidents; and (vi) the requirements from which an exemption is sought involves one of several matters, which includes scheduling requirements under 10 CFR 51.22(c)(25)(vi)(G). The basis for NRC's determination is provided below.

Requirements in 10 CFR 51.22(c)(25)(i)

The regulation at 10 CFR 51.22(c)(25)(i) requires an exemption to involve a no significant hazards consideration if it is to qualify for a categorical exclusion. The criteria for making a no significant hazards consideration determination are found in 10 CFR 50.92(c). Because there is no existing operating nuclear facility associated with ESP-001, and the exemption only effects the timeframe for submitting the ESP-001 renewal application, the exemption would not involve changes to accident analyses source term parameters, the possibility for new or different kinds of accidents, or associated margins of safety. Therefore, the NRC has determined that the granting of this exemption request involves a no significant hazards consideration because allowing the submittal of the ESP renewal application less than 12 months before expiration of the existing permit while maintaining the protection of the timely renewal provision in 10 CFR 2.109(c) does not (1) involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety. Therefore, the requirements of 10 CFR 51.22(c)(25)(i) are met.

Requirements in 10 CFR 51.22(c)(25)(ii) and (iii)

The regulation at 10 CFR 51.22(c)(25)(ii) requires the exemption to involve no significant change in the types or significant increase in the amounts of any effluents that may be released offsite. In addition, the regulation at 10 CFR 51.22(c)(25)(iii) requires the exemption to involve no significant increase in individual or cumulative public or occupational radiation exposure. The requested exemption constitutes a change to the schedule by which the permit holder must submit its ESP renewal application while still maintaining timely renewal, which is administrative in nature. Therefore, the exemption does not involve any change in the types or

significant increase in the amounts of effluents that may be released offsite and also does not contribute to any significant increase in individual or cumulative public or occupational radiation exposure. Therefore, the requirements of 10 CFR 51.22(c)(25)(ii) and (iii) are met.

Requirements in 10 CFR 51.22(c)(25)(iv)

The regulation at 10 CFR 51.22(c)(25)(iv) requires the exemption to involve no significant construction impact. The requested exemption is not associated with construction, and the exemption does not propose any changes or alterations to the site. Therefore, the requirements of 10 CFR 51.22(c)(25)(iv) are met because there is no significant construction impact.

Requirements in 10 CFR 51.22(c)(25)(v)

The regulation at 10 CFR 51.22(c)(25)(v) requires the exemption to involve no significant increase in the potential for or consequences from radiological accidents. The requested exemption constitutes a change to the schedule by which the permit holder must submit its ESP renewal application while still maintaining timely renewal. This exemption is administrative in nature and does not impact the probability or consequences of accidents. Thus, there is no significant increase in the potential for, or consequences of, a radiological accident. Therefore, the requirements of 10 CFR 51.22(c)(25)(v) are met.

Requirements in 10 CFR 51.22(c)(25)(vi)

The regulations at 10 CFR 51.22(c)(25)(vi)(A–I) list the specific types of requirements from which an exemption may be sought. These include 10 CFR 51.22(c)(25)(vi)(G) which involves scheduling requirements. This exemption, which allows the permit holder to submit the ESP renewal application no later than 45 days prior to expiration of the permit, involves scheduling requirements. Therefore, the requirement in 10 CFR 51.22(c)(25)(vi)(G) is met.

Based on the above, the NRC concludes that the proposed exemption meets the eligibility criteria for a categorical exclusion set forth in 10 CFR 51.22(c)(25). Therefore, pursuant to 10 CFR 51.22(b), no environmental assessment or environmental impact statement need be prepared in connection with the approval of this exemption request.

IV. Conclusions

Accordingly, the NRC has determined that, pursuant to 10 CFR 52.7 and 10

CFR 50.12, the requested exemption is authorized by law, will not present an undue risk to the public health and safety, and is consistent with the common defense and security. Additionally, special circumstances, as defined in 10 CFR 50.12(a)(2), are present. Therefore, the NRC hereby grants the permit holder a one-time exemption from 10 CFR 2.109(c) and 10 CFR 52.29 for the Clinton Early Site Permit ESP-001 to allow the submittal of the Clinton Early Site Permit ESP-001 renewal application no later than 45 days prior to expiration of the permit while still receiving the protections of timely renewal.

This exemption is effective upon issuance.

Dated at Rockville, Maryland, this 16th day of April 2025.

For the Nuclear Regulatory Commission.

/RA/

Michele Sampson,

Director, Division of New and Renewed Licenses, Office of Nuclear Reactor Regulation.

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NUCLEAR REGULATORY COMMISSION

[NRC-2024-0094]

Information Collection: Physical Protection of Plants and Materials

AGENCY: U.S. Nuclear Regulatory Commission.

ACTION: Notice of submission to the Office of Management and Budget; request for comment.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) has recently submitted a request for renewal of an existing collection of information to the Office of Management and Budget (OMB) for review. The information collection is entitled, "Physical Protection of Plants and Materials."

DATES: Submit comments by May 28, 2025. Comments received after this date will be considered if it is practical to do so, but the Commission is able to ensure consideration only for comments received on or before this date.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to <https://www.reginfo.gov/public/do/PRAMain>. Find this particular information collection by selecting "Currently under Review—Open for Public Comments" or by using the search function.

FOR FURTHER INFORMATION CONTACT:

Kristen Benney, NRC Clearance Officer,
U.S. Nuclear Regulatory Commission,
Washington, DC 20555-0001; telephone:
301-415-6355; email:
Infocollects.Resource@nrc.gov.

SUPPLEMENTARY INFORMATION:**I. Obtaining Information and Submitting Comments***A. Obtaining Information*

Please refer to Docket ID NRC-2024-0094 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-2024-0094.

- *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, at 301-415-4737, or by email to PDR.Resource@nrc.gov. The supporting statement and burden spreadsheet are available in ADAMS under Accession Nos. ML25069A657 and ML25069A669, respectively.

- *NRC's PDR:* The 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.

- *NRC's Clearance Officer:* A copy of the collection of information and related instructions may be obtained without charge by contacting the NRC's Acting Clearance Officer, Kristen Benney, Office of the Chief Information Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-6355; email: Infocollects.Resource@nrc.gov.

B. Submitting Comments

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to <https://www.reginfo.gov/public/do/PRAMain>. Find this particular information collection by selecting "Currently under Review—

Open for Public Comments" or by using the search function.

The NRC cautions you not to include identifying or contact information in comment submissions that you do not want to be publicly disclosed in your comment submission. All comment submissions are posted at <https://www.regulations.gov> and entered into ADAMS. Comment submissions are not routinely edited to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the OMB, 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 comment submissions are not routinely edited to remove such information before making the comment submissions available to the public or entering the comment into ADAMS.

II. Background

Under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the NRC recently submitted a request for renewal of an existing collection of information to OMB for review entitled, "Physical Protection of Plants and Materials." The NRC hereby informs potential respondents that an agency may not conduct or sponsor, and that a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The NRC published a **Federal Register** notice with a 60-day comment period on this information collection on December 6, 2024, 89 FR 97078.

1. *The title of the information collection:* Part 73 of title 10 of the *Code of Federal Regulations* (10 CFR), "Physical Protection of Plants and Materials."

2. *OMB approval number:* 3150-0002.

3. *Type of submission:* Extension.

4. *The form number, if applicable:* Not applicable.

5. *How often the collection is required or requested:* Once for the initial submittal of Cyber Security Plans, Physical Security Plans, Safeguards Contingency Plans, and Security Training and Qualification Plans and then on occasion when changes are made. Required reports are submitted and evaluated as events occur.

6. *Who will be required or asked to respond:* Nuclear power reactor licensees licensed under 10 CFR part 50, "Domestic licensing of production and utilization facilities" or 10 CFR part 52, "Licenses, certifications, and approvals for nuclear power plants," who possess,

use, import, export, transport, or deliver to a carrier for transport, special nuclear material (SNM); actively decommissioning reactor licensees; Category I, Category II, and Category III fuel facilities; non-power reactors (research and test reactors); and other entities who mark and handle Safeguards Information.

7. *The estimated number of annual responses:* 135,164.

8. *The estimated number of annual respondents:* 205.

9. *The estimated number of hours needed annually to comply with the information collection requirement or request:* 482,088 (25,725 hours reporting + 428,784 hours recordkeeping + 23,579 hours third-party disclosure).

10. *Abstract:* The NRC regulations in 10 CFR part 73, "Physical Protection of Plants and Materials," prescribe requirements to establish and maintain a physical protection system and security organization with capabilities for protection of (1) SNM at fixed sites, (2) SNM in transit, and (3) plants in which SNM is used. Reporting and recordkeeping requirements contained in 10 CFR part 73 is necessary to ensure an adequate level of protection is provided for nuclear facilities and nuclear material, such as: development and maintenance of security documents, including a physical security plan, a training and qualification plan, a safeguards contingency plan, a cyber security plan, and security implementing procedures; notifications to the NRC regarding safeguards and cyber security events; notifications to State Governors and Tribes regarding shipments of irradiated reactor fuel; and requirements for conducting criminal history records checks of individuals granted unescorted access to a nuclear power facility, a non-power reactor, or access to Safeguards Information. The objective is to ensure activities involving SNM provide for the common defense and security, and do not constitute an unreasonable risk to public health and safety. The information in the reports and records submitted by licensees is used by the NRC staff to verify that possession and use of SNM complies with applicable regulatory requirements and the terms of their respective license and ensure protection of public health and safety and the environment.

Dated: April 23, 2025.

For the Nuclear Regulatory Commission.

Kristen Benney,

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

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