



NUCLEAR REGULATORY COMMISSION

10 CFR Part 52

[NRC-2026-2377]

RIN 3150-AL70

AP1000 Design Certification Renewal

AGENCY: Nuclear Regulatory Commission.

ACTION: Direct final rule and issuance of environmental assessment.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is amending its regulations to renew the AP1000 design certification and incorporate Revision 20 of the AP1000 design control document. The purpose of this rulemaking action is to update the AP1000 design to be consistent with changes made to the design during the licensing, construction, and operation of Vogtle Electric Generating Plant, Units 3 and 4. This rulemaking incorporates AP1000 design control document Revision 20, which includes updates made to the AP1000 design to represent a current, construction-validated design. The NRC is also issuing an environmental assessment supporting this rule.

DATES: The final rule is effective **[INSERT DATE 75 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]**, unless significant adverse comments are received by **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]**. If the direct final rule is withdrawn as a result of such comments, timely notice of the withdrawal will be published in the *Federal Register*. (For more on NRC's consideration of comments received, see **SUPPLEMENTARY INFORMATION.**)

The incorporation by reference of certain publications listed in this regulation is approved by the Director of the Office of the Federal Register as of **[INSERT DATE 75 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

ADDRESSES: Submit your comments, identified by Docket ID NRC-2026-2377, 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-2026-2377>. 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: Jason Carneal, Office of the Chief Information Officer, U.S. Nuclear Regulatory Commission, Washington DC 20555-0001; telephone: 301-415-1451, email: Jason.Carneal@nrc.gov.

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I. Obtaining Information, Submitting Comments, and Consideration of Comments

A. Obtaining Information

Please refer to Docket ID NRC-2026-2377 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-2026-2377.

- **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, 301-415-4737, or by email to pdr.resource@nrc.gov. For the convenience of the reader, instructions about obtaining materials referenced in this document are provided in the "Availability of Documents" section.

- **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, Monday through Friday, except Federal holidays.

B. Submitting Comments

The NRC encourages electronic comment submission through the **Federal Rulemaking Website** (<https://www.regulations.gov>). Please include Docket ID **NRC-2026-2377** 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.

C. Consideration of Comments

Comments received on this direct final rule will also be considered to be comments on a companion proposed rule published in the Proposed Rules section of this issue of the *Federal Register*.

II. Rulemaking Procedure

Because the NRC considers this action to be non-controversial, the NRC is using the “direct final rule procedure” for this rule. This amendment is effective on **[INSERT DATE 75 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]**. However, if the NRC receives significant adverse comments on this direct final rule by **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]**, then the NRC will publish a document that withdraws this action and will address the comments received in a subsequent final rule as a response to the companion proposed rule published in the Proposed Rules section of this issue of the *Federal Register*. Absent significant modifications to the proposed 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.

III. Background

The NRC originally approved the AP1000 design certification in a final rule published on January 27, 2006 (71 FR 4464). On December 30, 2011 (76 FR 82079), the NRC published a final rule amending appendix D, “Design Certification Rule for the AP1000 Design,” to part 52, “Licenses, Certifications, and Approvals for Nuclear Power Plants,” of title 10 of the *Code of Federal Regulations* (10 CFR) to incorporate AP1000 Design Control Document (DCD), Revision 19, APP-GW-GL-702, dated June 13, 2011. On September 22, 2021 (86 FR 52593), the NRC published a direct final rule extending the duration of the AP1000 design certification by five years, with an effective date of December 6, 2021.

On July 2, 2025 (90 FR 28869), the NRC amended its regulations to replace the 15-year duration of design certifications with a 40-year duration, both for existing design certifications currently in effect and generically for future design certifications, including renewals. The NRC did not change the date of issuance or renewal for existing design certifications but changed their expiration dates based on the most recent date of issuance or renewal. The current AP1000 design certification expires on February 27, 2046.

On February 10, 2012, the NRC issued combined licenses (COLs) to Southern Nuclear Operating Company (SNC) for the Vogtle Electric Generating Plant (VEGP) Units 3 and 4 (COLs NPF-91 and NPF-92). During the licensing, construction, and operation of VEGP Units 3 and 4, SNC submitted over 180 license amendment requests (LARs) to the NRC addressing design changes, construction-discovered issues, and operational refinements. The NRC reviewed and approved these LARs through safety evaluations for each approved amendment. In addition, SNC implemented numerous

Tier 2 departures under the section VIII.B.5 of appendix D to 10 CFR part 52 change process that did not require prior NRC approval. The VEGP licensing process also resolved the COL action items identified in DCD Revision 19 with site-specific design details, operational program descriptions, and as-built information. The VEGP Unit 3 entered commercial operation on July 31, 2023, and Unit 4 did so on April 29, 2024.

In SECY-26-0034, “NRC Regulatory Pathways and Licensing Readiness for Near Term Large Light-Water Reactor Deployment,” dated March 9, 2026, the NRC staff informed the Commission, among other things, that it anticipated submission of the Westinghouse Electric Company LLC (Westinghouse) application to update and renew the AP1000 design certification. The NRC staff also informed the Commission of its plan to incorporate the as-built changes incorporated into VEGP Units 3 and 4, previously approved safety findings, and lessons learned into a revised AP1000 design certification. The NRC’s verification review determined that no new changes were incorporated into AP1000 DCD Revision 20 that require additional technical review, and that all changes incorporated into the AP1000 DCD Revision 20 were either previously reviewed and approved by the NRC or were incorporated using a process that does not require NRC approval. Therefore, the NRC is using the direct final rule process to update appendix D to 10 CFR part 52 to include AP1000 DCD Revision 20. This renewal would improve regulatory clarity, avoid unnecessary re-review, and streamline future AP1000 licensing activities by providing applicants with an updated, standardized design basis. The NRC is amending appendix D to 10 CFR part 52 to include AP1000 DCD Revision 20. The NRC is also retaining the incorporation by reference of AP1000 DCD Revision 19 in appendix D to 10 CFR part 52 because several combined license holders were licensed to AP1000 Revision 19 and the incorporation of the AP1000 DCD Revision 19 in appendix D to 10 CFR part 52 remains part of the licensing basis for those combined license holders. Applicants could reference either revision in future applications.

While 10 CFR 52.63(a) imposes restrictive limits on the types of changes that may be made while a design certification rule is in effect, 10 CFR 52.59(c) allows a

design certification renewal applicant greater flexibility in seeking changes to the design certification. Thus, a design certification renewal application that includes amendments to a certified design is not required to address the criteria in 10 CFR 52.63, "Finality of standard design certifications." However, if the amendment request entails such an extensive change to the design certification that an essentially new standard design is being proposed, 10 CFR 52.59(c) provides that an application for a design certification must be filed. The AP1000 amendment request does not propose an essentially new standard design.

The NRC is amending the design certification for the AP1000 standard plant design to renew the AP1000 design certification for 40 years from the effective date of this direct final rule. The NRC determined the submitted application for incorporation by reference of DCD Revision 20 into appendix D to 10 CFR part 52 is acceptable. Further, the Commission granted an exemption from 10 CFR 52.57(a) to allow renewal more than 36 months before expiration of the current design certification rule (91 FR 40596; July 2, 2026). The requirements of 10 CFR 52.55, "Duration of certification," govern the duration of a design certification and the effect of timely renewal. The AP1000 design certification rule does not expire until 2046.

The NRC is amending section VIII.B.6 of appendix D to 10 CFR part 52 to incorporate the alternative change process that was previously reviewed and approved for Vogtle Units 3 and 4 into appendix D to 10 CFR part 52. The license amendments and exemptions included in AP1000 DCD Revision 20 include a previously reviewed and approved change process for Tier 2* information. On December 21, 2017, SNC submitted LAR-17-037, and an associated exemption request, seeking changes to the Vogtle Units 3 and 4 COLs to add a license condition that would apply the change process for Tier 2 information for a proposed departure from Tier 2* information provided that specific criteria are not met. If one of the criteria were met for the proposed departure, then the proposed departure would continue to require prior NRC approval. On September 20, 2018, the NRC granted the amendments and exemptions to Vogtle

Units 3 and 4 that effectively replaced the Tier 2* change process with an alternative process (reflected in a license condition) that applied the Tier 2 change process along with nine additional criteria to determine whether a license amendment was required. Inclusion of this change process in section VIII.B.6 of appendix D to 10 CFR part 52 promotes regulatory efficiency by eliminating the need for unnecessary licensing actions for applicants referencing either AP1000 DCD Revision 19 or AP1000 DCD Revision 20.

IV. Discussion

A. Final Safety Evaluation Report

The final safety evaluation report for the renewed AP1000 standard design consists of (1) the original final safety evaluation report NUREG–1793 published in September 2004 and Supplement No. 1 published in December 2005, supporting the original certification of the AP1000 design; (2) NUREG–1793 Supplement 2 published in September 2011, supporting an amendment to the AP1000 design certification; and (3) the final safety evaluation report published in August 2026 supporting this renewal of the AP1000 design certification. These final safety evaluation reports and supplements are available as indicated in section XVI, “Availability of Documents,” of this document.

B. AP1000 Design Certification Renewal Rule

The discussion in section V, “Section-by-Section Analysis,” of this document describes the purpose and key aspects of each amended section of the AP1000 design certification renewal rule. The AP1000 design certification renewal rule maintains the structure of the existing design certification rule and is consistent with the other design certification rules (i.e., appendices A through G to 10 CFR part 52).

V. Section-by-Section Analysis

The following paragraphs describe the specific changes in this direct final rule.

Appendix D to Part 52—Design Certification Rule for the AP1000 Design

Section III. Scope and Contents

This direct final rule revises paragraph A to include DCD Revision 20. This revision is appropriate because DCD Revision 20 includes all of the information necessary to incorporate by reference. This direct final rule retains DCD Revision 19 and its supplemental information document because several combined license holders were licensed to DCD Revision 19, and it is necessary to retain these documents in this rule. Future applicants may reference either DCD Revision 19 or DCD Revision 20, as specified in paragraph B. As used in appendix D, the term generic design control document refers to both revisions of the AP1000, unless otherwise specified.

Section IV. Additional Requirements and Restrictions

This direct final rule makes conforming changes to the requirement in paragraph A.3 to provide sensitive unclassified non-safeguards information and safeguards information in the plant-specific DCD to reflect the certification of the AP1000 DCD Revision 20.

Section V. Applicable Regulations

This direct final rule makes conforming changes in paragraphs A.1 and A.2, and adds a new paragraph A.3 to show the regulations that are applicable to the generic AP1000 design, as amended, and updates language to reflect the certification of DCD Revision 20. This section retains the references to safety evaluations supporting prior design certifications and adds the safety evaluation supporting the renewal because portions of the AP1000 design were initially certified or amended under different regulations.

Section VI. Issue Resolution

This direct final rule revises paragraph B.1 to reference the final safety evaluation report supporting this renewal and to reference the rulemaking record for this renewal. It also revises paragraph B.7 to include the NRC's final environmental assessment of the renewal of the AP1000 design certification. These changes are necessary to specify those matters resolved as a result of this design certification renewal.

Section VII. Duration of This Appendix

This direct final rule revises the period of reference for this appendix D to 40 years after the effective date of this direct final rule. This change is necessary to indicate the renewed rule's duration. The NRC's regulations in 10 CFR 52.61 require a design certification renewal duration to be not less than 10 nor more than 40 years.

Section VIII. Processes for Changes and Departures

This direct final rule revises paragraph B.6 to incorporate the alternative change process that was previously reviewed and approved for Vogtle Units 3 and 4. This change is necessary because the NRC approved significant changes to the changes and departures process while licensing Vogtle Units 3 and 4. These processes are appropriate for future licensees referencing the renewed AP1000 design certification.

VI. Regulatory Flexibility Certification

Under the Regulatory Flexibility Act (5 U.S.C. 605(b)), the NRC certifies that this direct final rule does not have a significant economic impact on a substantial number of small entities. This direct final rule affects only the licensing and operation of large nuclear power plants. The companies that own these plants or would apply to own such a plant 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 (10 CFR 2.810).

VII. Regulatory Analysis

The NRC has not prepared a regulatory analysis for this direct final rule. The NRC prepares regulatory analyses for rulemakings that establish generic regulatory requirements applicable to all licensees. Design certifications are not generic rulemakings in the sense that design certifications do not establish standards or requirements with which all licensees must comply. Rather, design certifications are NRC approvals of specific nuclear power plant designs by rulemaking, which then may be voluntarily referenced by applicants for combined licenses or construction permits. For these reasons, the NRC concludes that preparation of a regulatory analysis is neither required nor appropriate.

VIII. Backfitting and Issue Finality

The NRC has determined that this direct final rule does not constitute backfitting as defined in 10 CFR 50.109, “Backfitting,” and does not affect the issue finality of an approval under 10 CFR part 52. This direct final rule renewing the AP1000 design certification does not constitute backfitting because it does not impose new or changed requirements on any previously issued licenses that incorporate by reference this design certification. Further, as discussed in section III of this document, the NRC does not need to address the finality criteria in 10 CFR 52.63.

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: Environmental Assessment and Final Finding of No Significant Impact

A. Introduction

The NRC is renewing the design certification for the AP1000 standard plant design for 40 years from the effective date of this direct final rule. The NRC also is updating the design certification to reflect changes provided by Westinghouse, by letter dated March 27, 2026.

The NRC issues design certification rules as appendices to 10 CFR part 52. The purpose of this amendment is to renew the period that the AP1000 design certification is valid for referencing by an applicant and includes incorporation of VEGP Units 3 and 4 license amendment approvals under their respective COLs. Specifically, Revision 20 of the AP1000 DCD incorporates the issuance of Amendments 142 and 141 for VEGP Units 3 and 4 granting changes to the Tier 2* departure evaluation process with a 10 CFR 51.22(c)(9) categorical exclusion determination and is incorporated by reference into this NEPA evaluation. This rule amends Section VIII.B.6 of appendix D to 10 CFR part 52 to include changes to the Tier 2* departure evaluation process for the AP1000 design. With the renewal approval, the AP1000 design certification rule would remain valid for referencing until 40 years after the effective date of this direct final rule.

The NRC developed in section X, "National Environmental Policy Act: Environmental Assessment and Final Finding of No Significant Impact," of this document containing this evaluation of the environmental impacts of the renewal request. The NRC has documented its finding of no significant impact in accordance with the requirements of 10 CFR 51.21, "Criteria for and identification of licensing and regulatory actions requiring environmental assessments"; 10 CFR 51.31, "Determinations based on

environmental assessment”; and the National Environmental Policy Act of 1969, as amended (NEPA). This evaluation also addresses the severe accident mitigation design alternatives (SAMDA) that the NRC has previously evaluated for the Westinghouse AP1000 design in the environmental assessment (EA) dated September 1, 2021. The evaluation does not address the site-specific environmental impacts of constructing and operating any facility that references the AP1000 design certification at a particular site. The SAMDA analysis completed as part of this direct final rule can be incorporated by reference into the environmental determination related to an application for siting, construction, or operation of a nuclear plant that references the AP1000 standard design. The NRC would evaluate those impacts as part of any application(s) for the siting, construction, or operation of such a facility.

As discussed later in this section of this direct final rule, the NRC has determined that issuing the subject renewal does not constitute a major Federal action significantly affecting the quality of the human environment. This determination is based on the generic finding made in 10 CFR 51.32(b)(2) that there is no significant environmental impact associated with this renewal of the AP1000 design certification. This renewal does not authorize the siting, construction, or operation of a facility referencing the AP1000 design; it only codifies an extension of the period an applicant can reference the AP1000 design in a COL application. Furthermore, because the certification and update of the design constitute a rule change rather than a physical action, it does not involve the commitment of any resources that have alternative uses. The 10 CFR 51.32(b)(2) generic finding of no significant impact is, essentially, the legal equivalent of a categorical exclusion (72 FR 49427; August 28, 2007). Therefore, the NRC has not prepared an environmental impact statement (EIS) for this direct final rule.

Under 10 CFR 51.30(d), an EA for an amendment, of which a renewal is, to a design certification is limited to the consideration of whether the design change that is the subject of the proposed amendment renders a SAMDA previously rejected in the earlier EA to become cost beneficial, or results in the identification of new SAMDAs, in

which case, the costs and benefits of new SAMDAs and the bases for not incorporating new SAMDAs in the design certification must be addressed.

This amendment renewal request brings the AP1000 design certification up to date. Revision 20 to the DCD includes construction and operating experience from current AP1000 nuclear power plants operating in the U.S. today (i.e., Vogtle Units 3 and 4) and will allow for consistency and standardization in future AP1000 plant applications. Although DCD Revision 20 does not affect the overall risk profile for the AP1000 design (i.e., Revision 20 to the AP1000 DCD does not change the risk insights and conclusions of the AP1000 design certification or COL probabilistic risk assessments), as discussed in this section of the direct final rule, the NRC updated its SAMDA evaluation and performed sensitivity analyses in section X.B.2 of this document to determine whether any SAMDAs previously rejected in the earlier AP1000 design certification EAs could become cost beneficial due to updated cost parameter information.

B. Severe Accident Mitigation Design Alternative Evaluation

Consistent with the objectives of standardization and early resolution of design issues, the Commission decided to evaluate SAMDAs as part of the original design certification for the AP1000 design. In its “Policy Statement on Severe Reactor Accidents Regarding Future Designs and Existing Plants” (50 FR 32138; August 8, 1985), the Commission defined the term “severe accident” as an event that is “beyond the substantial coverage of design-basis events (DBEs),” including events where there is substantial damage to the reactor core (whether or not there are serious offsite consequences). These DBEs are analyzed in accordance with NUREG-0800, “Standard Review Plan for the Review of Safety Analysis Reports for Nuclear Power Plants: LWR Edition,” and documented in several chapters of the AP1000 DCD, such as Chapters 2, 3, 15, and 19.

B.1 Westinghouse’s DCD Revision 20 Assessments of SAMDAs

In the transmittal letter for the AP1000 renewal, Westinghouse states that Appendix 1B of the AP1000 DCD Revision 19 fulfills this requirement and addresses the

costs and benefits of 15 SAMDAs that are not included in the AP1000 plant design. Revision 19 Appendix 1B has been retained in AP1000 DCD Revision 20. Westinghouse continues to find that the previously considered SAMDAs, which were deemed to be non-cost beneficial, remain non-cost beneficial and that no new design alternatives were identified. Their evaluation concludes that the SAMDA review performed in AP1000 DCD Revision 19 with regard to the viability of the proposed SAMDAs remains valid and applicable to the AP1000 plant design presented in AP1000 DCD Revision 20.

B.2 NRC Evaluation

The NRC conducted an audit of Appendix 1B as part of its DCD Revision 20 application review. During that review, the NRC found that Westinghouse did not evaluate the effect of applying current dollar values to the cost analysis in Appendix 1B of Revision 20 of the AP1000 DCD. An environmental evaluation considers the present conditions at the time of the application submission and this would include cost evaluations related to SAMDAs. Several recent new reactor construction permit applications have used appropriate current cost values in their initial SAMDA evaluations. For example, these applicants applied the updated dollar-per-person-rem value in accordance with NUREG-1530, "Reassessment of NRC's Dollar per Person-Rem Conversion Factor Policy," Revision 1, issued February 2022. These new reactor applicants also applied current dollar inflation adjustments to undiscounted dollar parameter values in the cost formulas in Section 5.7 as directed in Section 5.8 of NUREG/BR-0184, "Regulatory Analysis Technical Evaluation Handbook," published in January 1997.

The NRC uses the dollar-per-person-rem value to monetize the impact of a potential severe accident, which the agency then compares to the costs of a mitigation measure to determine if it is cost beneficial. Significantly, the agency published the revised dollar-per-person-rem values in 2022, after the agency reviewed Revision 19 of the AP1000 DCD, but before Westinghouse submitted Revision 20. Thus, consideration

of this new information could change the agency's determination on whether any of the proposed SAMDAs are cost beneficial.

Similarly, Westinghouse did not provide a discussion on adjusting for inflation for undiscounted cost parameters as recommended in Section 5.8 of NUREG/BR-0184. Therefore, the NRC conducted a review of Appendix 1B to DCD Revision 20 to determine if the Westinghouse SAMDA conclusion is still valid when applying the noted updated monetary values.

The NRC reviewed the information in Appendix 1B to Tier 2, Chapter 1, of the AP1000 DCD, Revision 20, and in the EAs issued for the original AP1000 design certification rule in January 2006, for the amendment to the AP1000 design certification in January 2011, and for the amendment to extend the design certification in September 2021. Due to the intervening time between when Westinghouse originally developed Appendix 1B and the submission of Revision 20, the NRC examined, with respect to the guidance in Section 5.8 of NUREG/BR-0184 and Revision 1 of NUREG-1530, whether the revised dollar values have the potential to change the cost-benefit conclusions for any of the SAMDAs. The NRC evaluated new cost information on updates to a dollar-per-person-rem value of \$7,300 consistent with guidance in NUREG-1530, Revision 1, and inflated to 2026 dollars the previously undiscounted cost parameters used in the maximum benefit valuation formulas of NUREG/BR-0184. Based on the updated maximum benefit valuation with sensitivity analyses, the NRC concluded that the new cost information would not change the conclusions reached in the EAs issued for the original, amended AP1000 design certification rules and the renewal AP1000.

For any future application referencing the AP1000 design certification, the inflation of cost parameters (e.g., the dollar-per-person-rem value) and revised cost-benefit guidance should be considered in determining the subsequent AP1000 applicability of the SAMDA conclusions previously described. This clarification for future AP1000 applications is noted in paragraph VI.7 of appendix D of 10 CFR part 52.

C. Summary of the Environmental Impacts of the Direct Final Rule

On the basis of 10 CFR 51.32(b) and the evaluation in section X.B of this document, the NRC concludes that the direct final rule will not have a significant effect on the quality of the human environment. Accordingly, the NRC is not required to prepare an EIS for this direct final rule.

Since no physical changes would occur in the human environment, the agency action (rulemaking) would not affect any threatened or endangered species or historic properties. Accordingly, the NRC finds that the direct final rule would have no significant environmental impact.

D. Finding of No Significant Impact

The NRC has prepared this evaluation to determine the environmental effects of the agency action (rulemaking). This rule is primarily administrative or procedural in nature and therefore would not have any physical environmental effect. As explained in sections X.A through C of this document, the NRC has determined that the rulemaking would not change the conclusions in Appendix 1B of Revision 20 to the AP1000 DCD and would result in no new or different environmental effects. Therefore, the NRC concludes that the rule's action would not have a significant effect on the quality of the human environment. Based on this conclusion, the NRC has determined there is no need to prepare an environmental impact statement. Accordingly, the NRC finds the direct final rule would have no significant environmental impact. This environmental assessment and finding of no significant impact can be tracked with identification number NEPA ID EAXX-429-00-000-1784080234.

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 number 3150-0151.

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 Office of Management and Budget 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 E.O. 14215, Ensuring Accountability for All Agencies)

The Office of Information and Regulatory Affairs (OIRA) has determined that this direct final rule is not a significant regulatory action.

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 determined to be a deregulatory action as defined by E.O. 14192. The AP1000 renewal and amendments will facilitate future reactor licensing by resolving design issues generically, which will lead to shorter and more efficient reviews yielding savings to the agency and future applicants.

D. Executive Order 14267: Reducing Anti-Competitive Regulatory Barriers

E.O. 14267 requires the NRC to identify anti-competitive regulations for rescission or modification. The purpose of a design certification rule is to facilitate the licensing process for future applicants that reference the certified design. Therefore, there are no anti-competitive regulatory barriers associated with this rule.

E. 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 Atomic Energy Act of 1954, as amended (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 in this rule are part of the NRC permitting regime as future licensing applicants may reference the AP1000 certified design to obtain operating licenses. 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 found that it does not meet the criteria at 5 U.S.C. 804(2).

XIV. Compatibility of Agreement State Regulations

Under the “Agreement State Program Policy Statement” approved by the Commission on October 2, 2017, and published in the *Federal Register* (82 FR 48535; October 18, 2017), this rule is classified as compatibility “NRC.” Category NRC consists of program elements over which the NRC cannot discontinue its regulatory authority pursuant to the Atomic Energy Act of 1954 (AEA), as amended, or provisions of 10 CFR. Under the Policy Statement, a program element means any component or function of a radiation control regulatory program, including regulations and other legally binding requirements imposed on regulated persons, which contributes to the implementation of that program. The NRC maintains regulatory authority over program elements classified

as category NRC and the Agreement States must not adopt these NRC program elements. However, an Agreement State may inform its licensees of these NRC requirements through a mechanism under the State's administrative procedure laws, as long as the State adopts these provisions solely for the purposes of notification, and does not exercise any regulatory authority as a result.

XV. Voluntary Consensus Standards

The National Technology Transfer and Advancement Act of 1995, Pub. L. 104-113, requires that Federal agencies use technical standards that are developed or adopted by voluntary consensus standards bodies unless the use of such a standard is inconsistent with applicable law or otherwise impractical. Design certifications are not generic rulemakings establishing a generally applicable standard with which all 10 CFR parts 50 and 52 nuclear power plant licensees must comply. Design certifications are Commission approvals of specific nuclear power plant designs by rulemaking. Furthermore, design certifications are initiated by an applicant for rulemaking, rather than by the NRC. This action does not constitute the establishment of a standard that contains generally applicable requirements.

XVI. 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. / WEB LINK / FEDERAL REGISTER CITATION
Reactor Regulatory History on Design Certification Rules, dated April 26, 2000 ¹	ML003761550 (pkg)

¹ The regulatory history of the NRC's design certification reviews is a package of documents that is available in the NRC's Public Document Room and NRC Library: Reactor Regulatory History on Design Certification Rules, April 26, 2000. This history spans the period during which the NRC simultaneously developed the regulatory standards for reviewing these designs and the form and content of the rules that certified the

Westinghouse Electric Company LLC, AP1000 Design Certification Renewal Request, dated March 27, 2026	ML26086A409
Westinghouse Electric Company LLC, AP1000 Design Control Document, Revision 20 (Non-proprietary), DCP_NRC_260001, dated 2026	ML26086A412
Final Safety Evaluation Report Related to Renewal of the AP1000 Standard Design, dated August 2026.	ML26225A350
Vogtle, Units 3 and 4, Request for License Amendment and Exemption: Changes to Tier 2* Departure Evaluation Process (LAR-17-037), dated December 21, 2017	ML17355A416
Vogtle Electric Generating Plant, Units 3 and 4, Issuance of Amendments 142 and 141 and Granting of Exemptions RE: Changes to the Tier 2* Departure Evaluation Process (LAR 17-037), dated September 20, 2018	ML18235A029 (pkg)
Westinghouse Electric Company LLC, Supplemental Information to Support the AP1000 Design Certification Extension (Non-proprietary), DCP_NRC_003343, dated March 19, 2021	ML21081A023 (pkg)
Westinghouse AP1000 Design Control Document Revision 19, dated June 13, 2011	ML11171A500 (pkg)
Westinghouse AP1000 Revision 19 Design Certification Extension Verification Evaluation Report, dated May 11, 2021	ML21131A221
Environmental Assessment and Finding of No Significant Impact by the U.S. Nuclear Regulatory Commission Relating to the Certification of the AP1000 Standard Plant Design, dated January 2006	ML053630176
Environmental Assessment by the U.S. Nuclear Regulatory Commission Relating to the Certification of the Amendment to the AP1000 Standard Plant Design, dated January 2011	ML112380827
Environmental Assessment by the U.S. Nuclear Regulatory Commission Regarding Extending the Duration of the AP1000 Design Certification, dated September 2021	ML21181A109
NUREG-1530, Rev. 1, "Reassessment of NRC's Dollar per Person-Rem Conversion Factor Policy" Final Report, dated February 2022	ML22053A025
NUREG-0800, "Standard Review Plan for the Review of Safety Analysis Reports for Nuclear Power Plants: LWR Edition"	https://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr0800/index
NUREG/BR-0184, "Regulatory Analysis Technical Evaluation Handbook," dated January 1997	ML050190193

designs. This document predates this rulemaking and therefore does not contain a regulatory history for this rulemaking.

SECY-26-0034: NRC Regulatory Pathways and Licensing Readiness for Near Term Large Light-Water Reactor Deployment, dated March 9, 2026	ML25351A230
NRC Agreement State Program Policy Statement, Revision to Policy Statement; Correction, dated October 18, 2017	82 FR 48535
AP1000 Design Certification, Final Rule, dated January 27, 2006	71 FR 4464
AP1000 Design Certification Amendment, Final Rule, dated December 30, 2011	76 FR 82079
Extending the Duration of the AP1000 Design Certification, Direct Final Rule and Issuance of Environmental Assessment, dated September 22, 2021	86 FR 52593
Revising the Duration of Design Certifications, Direct Final Rule, dated July 2, 2025	90 FR 28869
Westinghouse Electric Company LLC; AP1000 Design Certification Renewal; Exemption, Notice; Issuance, dated July 2, 2026	91 FR 40596
Licenses, Certifications, and Approvals for Nuclear Power Plants, Final Rule, dated August 28, 2007	72 FR 49427
Policy Statement on Severe Reactor Accidents Regarding Future Designs and Existing Plants, Policy Statement, dated August 8, 1985	50 FR 32138
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 14267, "Reducing Anti-Competitive Regulatory Barriers," April 15, 2025	90 FR 15629
Executive Order 14270, "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

The NRC may post materials related to this document, including public comments, on the Federal rulemaking website at <https://www.regulations.gov> under

Docket ID NRC-2026-2377. In addition, the Federal rulemaking website allows members of the public to receive alerts when changes or additions occur in a docket folder. To subscribe: 1) navigate to the docket folder (NRC-2026-2377); 2) click the “Subscribe” button; and 3) enter an email address and click on the “Subscribe” button.

XVII. Procedures for Access to Proprietary and Security-Related Information for Preparation of Comments on the Direct Final Rule

This section contains instructions regarding how the non-publicly available documents related to this rule, and specifically the information contained in Enclosure 2 of the March 27, 2026, letter from Westinghouse, “AP1000 Design Certification Renewal Request,” may be accessed by interested persons who wish to comment on the design certification renewal. These documents contain proprietary information and security-related information.

Interested persons who desire access to proprietary information or security-related information on the AP1000 design certification extension should first request access to that information from Westinghouse Electric Company LLC, the design certification applicant. A request for access should be submitted to the NRC if the applicant does not either grant or deny access by the 10-day deadline described in the following section.

Submitting a Request to the NRC for Access

Within 10 days after publication of this direct final rule, any individual or entity who believes access to proprietary information or security-related information is necessary in order to submit comments on this rule may request access to such information. Requests for access to proprietary information or security-related information submitted more than 10 days after publication of this document will not be considered absent a showing of good cause for the late filing explaining why the request could not have been filed earlier.

The requestor shall submit a letter requesting permission to access proprietary information or security-related information to the Office of the Secretary, U.S. Nuclear Regulatory Commission, Attention: Rulemakings and Adjudications Staff, Washington, DC 20555–0001. The email address for the Office of the Secretary is Rulemaking.Comments@nrc.gov. The requestor must send a copy of the request to the design certification applicant at the same time as the original transmission to the NRC using the same method of transmission. Requests to the applicant must be sent to Zachary S. Harper, Manager, Licensing Engineering, Westinghouse Electric Company LLC, 1000 Westinghouse Drive, Cranberry Township, Pennsylvania 16066.

The request must include the following information:

(1) The name of this design certification, AP1000 Design Certification; the rulemaking identification number, RIN 3150-AL70; the rulemaking docket number, NRC-2026-2377; and the *Federal Register* citation for this rule.

(2) The name, address, and email of the requestor.

(3) The identity of the individual(s) to whom access is to be provided, including the identity of any expert, consultant, or assistant who will aid the requestor in evaluating the information.

(4) The requestor's need for the proprietary information or security-related information in order to prepare meaningful comments on the design certification extension must be demonstrated. Each of the following areas must be addressed with specificity:

(a) The specific issue or subject matter on which the requestor wishes to comment.

(b) An explanation why information which is publicly available is insufficient to provide the basis for developing meaningful comment on the AP1000 design certification extension rule with respect to the issue or subject matter described in paragraph 4.a. of this section.

(c) The technical competence (demonstrable knowledge, skill, training or

education) of the requestor to effectively utilize the requested information to provide the basis for meaningful comment. Technical competence may be shown by reliance on a qualified expert, consultant, or assistant who satisfies these criteria.

(d) A chronology and discussion of the requestor's attempts to obtain the information from the design certification applicant, and the final communication from the requestor to the applicant and the applicant's response, if any was provided, with respect to the request for access to proprietary information or security-related information must be submitted.

Based on an evaluation of the information submitted under paragraph (4) of this section, as applicable, the NRC will determine within 10 days of receipt of the request whether the requestor has established a legitimate need for access to proprietary information or security-related information.

Determination of Legitimate Need for Access

If the NRC determines that the requestor has established a legitimate need for access to proprietary information or security-related information, the NRC will notify the requestor in writing that access to proprietary information or security-related information has been granted. The written notification will contain instructions on how the requestor may obtain copies of the requested documents and any other conditions that may apply to access to those documents. These conditions may include, but are not limited to, the signing of a Non-Disclosure Agreement or Affidavit by each individual who will be granted access.

Filing of Comments on the AP1000 Design Certification Renewal Rule Based on Non-Public Information

Any comments on this final rule that are based upon the disclosed proprietary information or security-related information must be filed by the requestor no later than 25 days after receipt of (or access to) that information, or the close of the public comment period, whichever is later. The commenter must comply with all NRC requirements regarding the submission of proprietary information and security-related information to

the NRC when submitting comments to the NRC (including marking and transmission requirements).

Review of Denials of Access

If the request for access to proprietary information or security-related information is denied by the NRC after a determination on requisite need, the NRC staff shall immediately notify the requestor in writing, briefly stating the reason or reasons for the denial.

The requestor may challenge the NRC staff's adverse determination by filing a challenge within five days of receipt of that determination with the NRC's Executive Director for Operations under 10 CFR 9.29(d).

XVIII. Incorporation by Reference—Reasonable Availability to Interested Parties

The NRC is incorporating by reference a document submitted by Westinghouse that updates the AP1000 design certification to Revision 20. As discussed in the "Discussion" section of this document, DCD Revision 20 includes updates made to the AP1000 design to represent a current, construction-validated design. The NRC is required by law to obtain approval for incorporation by reference from the Office of the Federal Register.

The Office of the Federal Register's requirements for incorporation by reference are set forth in 1 CFR part 51. These regulations require an agency to include in a direct final rule a discussion of the ways that the materials the agency incorporates by reference are reasonably available to interested parties or how it worked to make those materials reasonably available to interested parties. The discussion in this section complies with the requirement for direct final rules as set forth in 1 CFR 51.5(b)(2).

The NRC considers "interested parties" to include all potential NRC stakeholders, not only the individuals and entities regulated or otherwise subject to the NRC's regulatory oversight. These NRC stakeholders are not a homogeneous group but

vary with respect to the considerations for determining reasonable availability. Therefore, the NRC distinguishes between different classes of interested parties for the purposes of determining whether the material is “reasonably available.” The NRC considers the following to be classes of interested parties in NRC rulemakings with regard to the material to be incorporated by reference:

- Individuals and small entities regulated or otherwise subject to the NRC’s regulatory oversight (this class also includes applicants and potential applicants for licenses and other NRC regulatory approvals) and who are subject to the material to be incorporated by reference by rulemaking. In this context, “small entities” has the same meaning as a “small entity” under 10 CFR 2.810.
- Large entities otherwise subject to the NRC’s regulatory oversight (this class also includes applicants and potential applicants for licenses and other NRC regulatory approvals) and who are subject to the material to be incorporated by reference by rulemaking. In this context, “large entities” are those that do not qualify as a “small entity” under 10 CFR 2.810.
- Non-governmental organizations with institutional interests in the matters regulated by the NRC.
- Other Federal agencies, States, local governmental bodies (within the meaning of 10 CFR 2.315(c)).
- Federally-recognized and State-recognized² Indian Tribes.
- Members of the general public (i.e., individual, unaffiliated members of the public who are not regulated or otherwise subject to the NRC’s regulatory oversight) who may wish to gain access to the materials which the NRC incorporates by reference by rulemaking in order to participate in the rulemaking process.

The NRC makes the materials incorporated by reference available for inspection to all interested parties, by appointment, at the NRC Technical Library, which is located

² State-recognized Indian Tribes are not within the scope of 10 CFR 2.315(c). However, for purposes of the NRC’s compliance with 1 CFR 51.5, “interested parties” includes a broad set of stakeholders, including State-recognized Indian Tribes.

at Two White Flint North, 11545 Rockville Pike, Rockville, Maryland 20852; telephone: 301-415-7000; email: Library.Resource@nrc.gov. In addition, as described in the “Availability of Documents” section of this document, documents related to this direct final rule are available online in the NRC’s Agencywide Documents Access and Management System (ADAMS) Public Documents collection at <https://www.nrc.gov/reading-rm/adams.html>.

The NRC concludes that the materials the NRC is incorporating by reference in this final rule are reasonably available to all interested parties because the materials are available to all interested parties in multiple ways and in a manner consistent with their interest in the materials.

List of Subjects in 10 CFR Part 52

Administrative practice and procedure, Antitrust, Combined license, Early site permit, Emergency planning, Fees, Incorporation by reference, Inspection, Issue finality, Limited work authorization, 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.

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 part 52:

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

1. 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.

2. In appendix D to part 52:

- a. Revise Section III.A;
- b. In Section III.B, add a sentence to the end of the paragraph;
- c. In Section IV.A.3, remove the text “the AP1000 DCD” and add, in its place, the text “the generic DCD incorporated by reference under section III.A of this appendix (the AP1000 DCD Revision 19 or AP1000 DCD Revision 20)”; and
- d. Revise Sections V.A, VI.B.1 and 7, VII, and VIII.B.6.

The revisions and addition read as follows:

Appendix D to Part 52—Design Certification Rule for the AP1000 Design

* * * * *

III. Scope and Contents

A. Tier 1, Tier 2 (including the investment protection short-term availability controls in Section 16.3), and the generic TSs in both the AP1000 Design Control Document, Revision 19, (Public Version) (AP1000 DCD Revision 19), APP-GW-GL-702, dated June 13, 2011, and the amendments thereto in DCP_NRC_003343, Supplemental Information to Support the AP1000 Design Certification Extension (Non-proprietary), and APP-GW-GL-705 Rev. 0, copyright 2021 (Supplemental Information); and in the AP1000 Design Control Document, Revision 20, (Public Version) (AP1000 DCD Revision 20), APP-GW-GL-702, Revision 2, dated 2026, are approved for incorporation by reference by the Director of the Office of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. Copies of either generic DCD may be obtained from Zachary S. Harper, Manager, Licensing Engineering, Westinghouse Electric Company, 1000 Westinghouse Drive, Cranberry Township, Pennsylvania 16066, telephone (412) 374–5093. Copies of the generic DCDs and Supplemental Information are also available for examination and copying at the NRC’s PDR, Room O-1F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852. Copies are available, by appointment, for examination at the NRC Library, Two White Flint North, 11545 Rockville Pike, Rockville, Maryland 20852, telephone (301) 415–5610, email Library.Resource@nrc.gov. The generic DCDs and

Supplemental Information can also be viewed online in the NRC Library at www.nrc.gov/reading-rm/adams.html by searching under ADAMS Accession Nos. ML11171A500 (AP1000 DCD Revision 19), ML21081A023 (Supplemental Information), and ML26086A412 (AP1000 DCD Revision 20). If you do not have access to ADAMS or if you have problems accessing documents located in ADAMS, contact the NRC's PDR reference staff at 1-800-397-4209, at 301-415-3747, or by email at PDR.Resource@nrc.gov. Copies of the AP1000 materials are available in the ADAMS Public Documents Collection. All approved material is available for inspection at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, visit www.archives.gov/federal-register/cfr/ibr-locations.html or email fr.inspection@nara.gov.

B. * * * Applicants and licensees may reference either the AP1000 DCD Revision 19, APP-GW-GL-702, dated June 13, 2011, and the amendments thereto in DCP_NRC_003343, Supplemental Information to Support the AP1000 Design Certification Extension (Non-proprietary), and APP-GW-GL-705 Rev. 0, copyright 2021 (Supplemental Information), or the AP1000 DCD Revision 20, APP-GW-GL-702, Revision 2, dated 2026.

* * * * *

V. Applicable Regulations

A.

1. Except as indicated in paragraphs A.2, A.3, and B of this section, the regulations that apply to the AP1000 design, in DCD Revision 15, are in 10 CFR parts 20, 50, 73, and 100, codified as of January 23, 2006, that are applicable and technically relevant, as described in the FSER (NUREG-1793) and Supplement No. 1.

2. Except as indicated in paragraphs A.1, A.3, and B of this section, the regulations that apply to those portions of the AP1000 design, in DCD Revision 19, approved by Amendment 1 are in 10 CFR parts 20, 50, 73, and 100, codified as of

December 30, 2011, that are applicable and technically relevant, as described in the Supplement No. 2 of the FSER (NUREG-1793).

3. Except as indicated in paragraphs A.1, A.2, and B of this section, the regulations that apply to those portions of the AP1000 design, in DCD Revision 20, are in 10 CFR parts 20, 50, 52, 73, and 100, codified as of **[INSERT DATE 75 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**, that are applicable and technically relevant, as described in the safety evaluation for the renewal of this design certification (renewal FSER) (ADAMS Accession No. ML26225A350).

* * * * *

VI. Issue Resolution

* * * * *

B. * * * 1. All nuclear safety issues, except for the generic TS and other operational requirements, associated with the information in the FSER, Supplement Nos. 1 and 2, the Verification Evaluation Report (ADAMS Accession No. ML21131A221), and, if applicable, the renewal FSER; Tier 1 and Tier 2 (including referenced information, which the context indicates is intended as requirements, and the investment protection short-term availability controls in Section 16.3 of the DCD) as amended by Supplemental Information; and the rulemaking records for initial certification, Amendment 1, the duration extension of the AP1000 design, and the renewal;

* * * * *

7. All environmental issues concerning severe accident mitigation design alternatives associated with the information in the NRC's EA for the AP1000 design, Appendix 1B of Revision 15 of the generic DCD, the NRC's final EA for Amendment 1 to the AP1000 design, Appendix 1B of Revision 19 of the generic DCD, the NRC's final EA relating to the extension of the AP1000 standard design certification, the NRC's final EA relating to the renewal of the AP1000 standard design certification, and Appendix 1B of Revision 20 of the generic DCD, for plants referencing this appendix whose site parameters are within those specified in the severe accident mitigation design

alternatives evaluation. Future applications relying on the AP1000 DCD Revision 20 under appendix D to part 52 will need to inflate the appropriate cost parameters (e.g., the dollar-per-person-rem value and undiscounted cost parameters).

* * * * *

VII. Duration of This Appendix

This appendix may be referenced for a period of 40 years from **[INSERT DATE 75 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**, except as provided for in 10 CFR 52.55(b) and 52.57(b). This appendix remains valid for an applicant or licensee who references this appendix until the application is withdrawn or the license expires, including any period of extended operation under a renewed license.

VIII. Processes for Changes and Departures

* * * * *

B. * * *

6. a. An applicant who references the AP1000 design certification rule may depart from Tier 2* information, which is designated with italicized text or brackets and an asterisk in the AP1000 design control document, without NRC approval, except for departures that:

(1) Involve a deviation from a code or standard credited in the plant-specific DCD for establishing the criteria for the design or construction of a structure, system, or component (SSC) important to safety;

(2) Result in a change to a design process described in the plant-specific DCD that is material to implementation of an industry standard or endorsed regulatory guidance;

(3) (i) Result in a change to the fuel criteria evaluation process, the fuel principal design requirements, or the nuclear design of the fuel or the reactivity control system that is material to a fuel or reactivity control system design function; or

(ii) Result in any change to the maximum fuel rod average burn-up limits or the small break LOCA analysis information in DCD Subsections 15.6.5.4B.2.2 or 15.6.5.4B.2.3;

(4) Adversely affect the containment debris limits or debris screen design criteria;

(5) Change the Reactor Coolant Pump (RCP) type from a canned motor to a different type of RCP;

(6) Result in a change to the Passive Residual Heat Removal Heat Exchanger natural circulation test (first plant test), the Core Makeup Tank Heated Recirculation Tests (first three plants test), or the Automatic Depressurization System Blowdown Test (first three plants test) that is material to the test objectives or test performance criteria;

(7) Involve structural materials or analytical or design methods, including design codes and analytical assumptions, that deviate from those credited in the plant-specific DCD for critical sections;

(8) Result in a change to the design of the steel faceplates, internal trusses, tie bars, or headed studs of the steel-concrete (SC) module walls in the Nuclear Island or the Shield Building, including SC-to-reinforced concrete (RC) connections; or

(9) Result in an increase in the demand to capacity (D/C) ratio of a critical section of the structure. The licensee must determine the D/C ratio under this condition for each critical section structural member including, but not limited to, wall segments, wall sections, concrete panels, slabs, or basemat sections, affected by a departure by:

(i) Using the Tier 2* information in the DCD Section 3.8 or Appendix 3H table that directly states the D/C ratio or states the area of steel provided and the area of steel required for the affected structural member; or

(ii) Providing the same total area of steel across the entire critical section using any combination of rebar sizes and spacing allowed by the design basis codes used in the DCD as the total area of steel specified in DCD Section 3.8 and Appendix 3H tables marked Tier 2*.

b. For a departure from Tier 2* information that does not require prior NRC approval, the licensee must comply with the requirements for Tier 2 departures in paragraph B.5 of this section. The departure or change to Tier 2* information must remain Tier 2* information in the plant-specific DCD.

c. Departures from Tier 2* information that are made under paragraph B.6 of this section do not require an exemption from this appendix.

* * * * *

Dated: October 5, 2026.

For the Nuclear Regulatory Commission.

Michael King,
Executive Director for Operations.

[FR Doc. 2026-21030 Filed: 10/13/2026 8:45 am; Publication Date: 10/14/2026]