



17 December 2024

(24-8899)

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Committee on Technical Barriers to Trade

Original: English

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

1.	Notifying Member: UNITED STATES OF AMERICA If applicable, name of local government involved (Article 3.2 and 7.2):
2.	Agency responsible: Nuclear Regulatory Commission (NRC) [2201] Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above: Please submit comments to: USA WTO TBT Enquiry Point, Email: usatbtep@nist.gov
3.	Notified under Article 2.9.2 [], 2.10.1 [], 5.6.2 [], 5.7.1 [], 3.2 [], 7.2 [], other [X]: The NRC is issuing for public comment a Draft Guide (DG) in the NRC's "Regulatory Guide" series. This series was developed to describe methods that are acceptable to the NRC staff for implementing specific parts of the agency's regulations, to explain techniques that the staff uses in evaluating specific issues or postulated events, and to describe information that the staff needs in its review of applications for permits and licenses.
4.	Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): High temperature reactors; Standardization. General rules (ICS code(s): 01.120); Reactor engineering (ICS code(s): 27.120.10)
5.	Title, number of pages and language(s) of the notified document: Draft Regulatory Guide: Acceptability of ASME Code, Section III, Division 5, "High Temperature Reactors"; (2 page(s), in English)
6.	Description of content: Draft guide; request for comment - The U.S. Nuclear Regulatory Commission (NRC) is issuing for public comment a draft Regulatory Guide (DG), DG-1436, "Acceptability of ASME Code, Section III, Division 5, High Temperature Reactors" This DG is proposed Revision 3 of Regulatory Guide (RG) 1.87, "Acceptability of ASME Code, Section III, Division 5, High Temperature Reactors," and describes an approach that is acceptable to the staff of the NRC to assure the mechanical/structural integrity of components that operate in elevated temperature environments and that are subject to time-dependent material properties and failure modes. It endorses, with conditions, the 2023 Edition of the American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel (BPV) Code (ASME Code) Section III, "Rules for Construction of Nuclear Facility Components," Division 5, High Temperature Reactors, and several related code cases. Submit comments by 27 January 2025. Comments received after this date will be considered if it is practical to do so, but the NRC is able to ensure consideration only for comments received on or before this date.

7.	Objective and rationale, including the nature of urgent problems where applicable: Protection of human health or safety
8.	<p>Relevant documents:</p> <p>89 Federal Register (FR) 100921, Title 10 Code of Federal Regulations (CFR) Parts 50 and 52:</p> <p>https://www.govinfo.gov/content/pkg/FR-2024-12-13/html/2024-29418.htm</p> <p>https://www.govinfo.gov/content/pkg/FR-2024-12-13/pdf/2024-29418.pdf</p> <p>NRC Draft Regulatory Guides for Public Comment:</p> <p>https://www.nrc.gov/public-involve/doc-comment.html#rg</p> <p>This draft guide; request for comment is identified by Docket Number NRC-2024-0203. The Docket Folder is available on Regulations.gov at https://www.regulations.gov/docket/NRC-2024-0203/document and provides access to primary documents as well as comments received. Documents are also accessible from Regulations.gov by searching the Docket Number. WTO Members and their stakeholders are asked to submit comments to the USA TBT Enquiry Point by or before 4pm Eastern Time on 27 January 2025. Comments received by the USA TBT Enquiry Point from WTO Members and their stakeholders will be shared with NRC and will also be submitted to the Docket on Regulations.gov if received within the comment period.</p>
9.	<p>Proposed date of adoption: To be determined</p> <p>Proposed date of entry into force: To be determined</p>
10.	Final date for comments: 27 January 2025
11.	<p>Texts available from: National enquiry point [] or address, telephone and fax numbers and email and website addresses, if available, of other body:</p> <p>https://members.wto.org/crnattachments/2024/TBT/USA/24_08441_00_e.pdf</p>