

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 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

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 as follows.

1. *The title of the information collection:* NRC Form 396, Certification of Medical Examination by Facility Licensee.
2. *OMB approval number:* 3150–0024.
3. *Type of submission:* Extension.
4. *The form number, if applicable:* NRC Form 396.
5. *How often the collection is required or requested:* Upon application for an initial or upgrade license; every 6 years for the renewal of an operator or senior operator license, and notices of disability that occur during licensed tenure.
6. *Who will be required or asked to respond:* Facility licensees who are tasked with certifying the medical fitness or operator licensee.
7. *The estimated number of annual responses:* 1,862.
8. *The estimated number of annual respondents:* 133.
9. *The estimated number of hours needed annually to comply with the information collection requirement or request:* 2,161 hours (1,729 reporting hours + 432 recordkeeping hours).
10. *Abstract:* NRC Form 396 is used to transmit information to the NRC regarding the medical condition of applicants for initial operator licenses or renewal of operator licenses and for the maintenance of medical records for all licensed operators. The information is used to determine whether the physical condition and general health of applicants for operator licensees is such that the applicant would not be expected to cause operational errors and endanger public health and safety.

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? Please explain your answer.

2. Is the estimate of the burden of the information collection accurate? Please explain your answer.

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: August 29, 2025.

For the Nuclear Regulatory Commission.

David Cullison,

NRC Clearance Officer, Office of the Chief Information Officer.

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NUCLEAR REGULATORY COMMISSION

[NRC–2024–0203]

Regulatory Guide: Acceptability of ASME Code, Section III, Division 5, “High Temperature Reactors”

AGENCY: Nuclear Regulatory Commission.

ACTION: Final guide; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is issuing Revision 3 to Regulatory Guide (RG), 1.87, “Acceptability of ASME Code, Section III, Division 5, “High Temperature Reactors.”” This regulatory guide (RG) 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 exceptions and limitations, 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.

DATES: Revision 3 to RG 1.87 is available on September 3, 2025.

ADDRESSES: Please refer to Docket ID NRC–2024–0203 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–2024–0203. Address questions about Docket IDs in *Regulations.gov* to Bridget Curran; telephone: 301–415–1003; email: Bridget.Curran@nrc.gov. For technical questions, contact the individual(s) 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 ADAMS Public 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 ADAMS accession number for each document referenced (if it is available in ADAMS) is provided the first time that it is mentioned in this document.

- *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.

Revision 3 to RG 1.87 and the regulatory analysis may be found in ADAMS under Accession Nos. ML25176A084 and ML24275A267, respectively.

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FOR FURTHER INFORMATION CONTACT: Ramón L Gascot Lozada, Office of Nuclear Regulatory Research, telephone: 301–415–2004; email: Ramon.Gascot@nrc.gov; Joseph Bass, Office of Nuclear Regulatory Research, telephone: 301–287–9278; email: Joseph.Bass@nrc.gov or Margaret Audrain, Office of Nuclear Reactor Regulation, telephone: 301–415–2133; email: Margaret.Audrain@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 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.

The proposed Revision 3 to RG 1.87 was issued with a temporary identification of Draft Regulatory Guide, DG-1436 (ADAMS Accession No. ML24275A266). This revision (Revision 3) updates the guidance to endorse, with exceptions and limitations, the 2023 Edition of ASME Code Section III, Division 5, as a method acceptable to the staff for the materials, mechanical/structural design, construction, testing, and quality assurance of mechanical systems and components and their supports in high-temperature reactors. This revision removes conditions from Revision 2 of the RG that have been addressed in the 2023 version of the Code. This revision also endorses, with exceptions and limitations, the Code Cases N-812-1, N-861-2, N-862-2, N-872, N-898-1, N-924 and N-940.

II. Additional Information

The NRC published a notice of the availability of DG-1436 in the **Federal Register** on December 13, 2024 (89 FR 100921) for public comment. The NRC extended the public comment period on February 3, 2025 (90 FR 8782). The public comment period closed on February 26, 2025. Public comments on DG-1436 and the staff responses to the public comments are available in ADAMS under Accession No. ML25188A048.

III. Congressional Review Act

This RG is a rule as defined in the Congressional Review Act (5 U.S.C. 801-808). However, the Office of Management and Budget has not found it to be a major rule as defined in the Congressional Review Act.

IV. Backfitting, Forward Fitting, and Issue Finality

The NRC staff may use this RG as a reference in its regulatory processes, such as licensing, inspection, or enforcement. However, the NRC staff does not intend to use the guidance in this RG to support NRC staff actions in a manner that would constitute backfitting as that term is defined in section 50.109 of title 10 of the *Code of Federal Regulations* (10 CFR), “Backfitting,” and as described in NRC Management Directive (MD) 8.4, “Management of Backfitting, Forward Fitting, Issue Finality, and Information Requests,” (Ref. 11); nor does the NRC staff intend to use the guidance to affect the issue finality of an approval under 10 CFR part 52, “Licenses, Certifications, and Approvals for Nuclear Power Plants.” The staff also does not intend to use the guidance to

support NRC staff actions in a manner that constitutes forward fitting as that term is defined and described in MD 8.4. If a licensee believes that the NRC is using this RG in a manner inconsistent with the discussion in the Implementation section of this RG, then the licensee may file a backfitting or forward fitting appeal with the NRC in accordance with the process in MD 8.4.

V. Submitting Suggestions for Improvement of Regulatory Guides

A member of the public may, at any time, submit suggestions to the NRC for improvement of existing RGs or for the development of new RGs. Suggestions can be submitted on the NRC’s public website at <https://www.nrc.gov/reading-rm/doc-collections/reg-guides/contactus.html>. Suggestions will be considered in future updates and enhancements to the “Regulatory Guide” series.

VI. Executive Order (E.O.) 12866

The Office of Information and Regulatory Affairs determined that this RG is not a significant regulatory action under E.O. 12866.

(Authority: 42 U.S.C. 2011 *et seq.*)

Dated: August 29, 2025.

For the Nuclear Regulatory Commission.

Meraj Rahimi,

Chief, Regulatory Guide and Programs Management Branch, Division of Engineering, Office of Nuclear Regulatory Research.

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-103801; File No. SR-NYSETEX-2025-25]

Self-Regulatory Organizations; NYSE Texas, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend the Connectivity Fee Schedule

August 28, 2025.

Pursuant to Section 19(b)(1)¹ of the Securities Exchange Act of 1934 (“Act”)² and Rule 19b-4 thereunder,³ notice is hereby given that, on August 20, 2025, the NYSE Texas, Inc. (“NYSE Texas” or “Exchange”) filed with the Securities and Exchange Commission (“Commission”) the proposed rule change as described in Items I and II below, which Items have been prepared by the self-regulatory organization. The

¹ 15 U.S.C. 78s(b)(1).

² 15 U.S.C. 78a.

³ 17 CFR 240.19b-4.

Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization’s Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend the Connectivity Fee Schedule (“Fee Schedule”) regarding colocation services and fees to update the list of included data products. The proposed rule change is available on the Exchange’s website at www.nyse.com and at the principal office of the Exchange.

II. Self-Regulatory Organization’s Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

A. Self-Regulatory Organization’s Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend the Fee Schedule regarding colocation services and fees to update the list of included data products (“Included Data Products”).

Currently, the table of Included Data Products in Colocation Note 4 sets forth the market data feeds that Users⁴ can connect to at no additional cost when they purchase a service that includes access to the LCN or IP network.⁵

The Exchange filed to establish a “NYSE Texas Order Imbalances”

⁴ For purposes of the Exchange’s colocation services, a “User” means any market participant that requests to receive colocation services directly from the Exchange. See Securities Exchange Act Release No. 87408 (October 28, 2019), 84 FR 58778 at n.6 (November 1, 2019) (SR-NYSECHX-2019-12). As specified in the Fee Schedule, a User that incurs colocation fees for a particular colocation service pursuant thereto would not be subject to colocation fees for the same colocation service charged by the New York Stock Exchange LLC, NYSE American LLC, NYSE Arca, Inc., and NYSE National, Inc. (together, the “Affiliate SROs”). Each Affiliate SRO has submitted substantially the same proposed rule change to propose the change described herein. See SR-NYSE-2025-32, SR-NYSEAMER-2025-53, SR-NYSEARCA-2025-61, and SR-NYSENAT-2025-18.

⁵ See 84 FR 58778, *supra* note 4.