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August 26, 2019

Mr. Frederick Brown  
Director, Office of New Reactors  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

**Subject:** Request for NRC Endorsement of NEI 18-04, Rev. 1

**Project Number: 689**

Dear Mr. Brown:

The purpose of this letter is to request that the U.S. Nuclear Regulatory Commission (NRC) review for endorsement the proposed final version of NEI<sup>1</sup> 18-04, Revision 1, "Risk-Informed Performance-Based Technology Inclusive Guidance for Non-Light Water Reactor Licensing Basis Development."

Over the course of the last several years the industry's Advanced Reactor Regulatory Task Force has worked in close collaboration with the Southern-led Licensing Modernization Project to develop the guidance. There have been numerous meetings conducted with the NRC staff as well as several interactions with the Advisory Committee on Reactor Safeguards on the subject guidance. Draft Revision N of NEI 18-04, was provided to NRC following the culmination of a series of public meetings and workshops on the development of this guidance. Lessons learned and associated insights from several table top exercises conducted with advanced reactor designers have also been shared with the staff, made publicly available and incorporated into the guidance.

Subsequent to industry and NRC interactions for the development of NEI 18-04, NRC issued draft regulatory guidance for a technology-inclusive, risk-informed, and performance-based approach to inform the content of applications for licenses, certifications, and approvals for non-light water reactors (DG-1353). The draft regulatory guide proposed endorsement of draft NEI 18-04, Rev N, with clarifications but without exceptions. Following the completion of the public comment period for DG-1353, NEI developed Revision 1

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<sup>1</sup> The Nuclear Energy Institute (NEI) is responsible for establishing unified policy on behalf of its members relating to matters affecting the nuclear energy industry, including the regulatory aspects of generic operational and technical issues. NEI's members include entities licensed to operate commercial nuclear power plants in the United States, nuclear plant designers, major architect and engineering firms, fuel cycle facilities, nuclear materials licensees, and other organizations involved in the nuclear energy industry.

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to NEI 18-04 which includes editorial clarifications and corrections made to the guidance since draft Revision N.

NEI and the nuclear industry view the development of NEI 18-04 and NRC endorsement via regulatory guide as an essential step to creating a streamlined and predictable licensing pathway to deployment for advanced reactors. Significant time and resources have been devoted to this effort by both the industry and the NRC. NEI urges the NRC to expeditiously move forward with the issuance of the final regulatory guidance that endorses the use of NEI 18-04. This action will help to provide increased regulatory certainty associated with the licensing of advanced reactor technologies.

If there are any questions on this matter, please contact me ([mdt@nei.org](mailto:mdt@nei.org); 202-471-0277) or Kati Austgen ([kra@nei.org](mailto:kra@nei.org); 202-739-8068).

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Tschiltz". The signature is fluid and cursive, with a long horizontal stroke at the end.

Michael D. Tschiltz

Attachment

c: Ho Nieh, Director, NRR  
John Monninger, Director, Division of Advanced Reactors, NRO  
John Segala, Branch Chief, Division of Advanced Reactors, NRO  
William Reckley, Division of Advanced Reactors, NRO