MEMORANDUM TO: Daniel H. Dorman  
Executive Director for Operations

FROM: Annette L. Vietti-Cook, Secretary

SUBJECT: STAFF REQUIREMENTS – SECY-21-0109 – RULEMAKING PLAN ON USE OF INCREASED ENRICHMENT OF CONVENTIONAL AND ACCIDENT TOLERANT FUEL DESIGNS FOR LIGHT-WATER REACTORS

The Commission has approved the staff’s proposal to initiate a rulemaking to amend requirements for the use of light water reactor fuel containing uranium enriched to greater than 5.0 weight percent uranium 235. The provisions of the rule should only apply to high-assay low-enriched uranium fuel, both for nonproliferation and safeguards reasons and to focus the staff’s analysis on the range of enrichment most likely to be contemplated in future applications.

Fuel fragmentation, relocation, and dispersal issues relevant to fuels of higher enrichment and burnup levels should be appropriately addressed and analyzed in the regulatory basis for this rulemaking.

The staff should take a risk-informed approach when developing this rule and the associated regulatory basis and guidance.

The staff should work expeditiously with stakeholders to identify and develop necessary regulatory guidance and technical bases to support effective and efficient licensing of increased enrichment applications.

The staff should re-examine the schedule to determine if key milestones can be achieved sooner than projected by leveraging ongoing regulatory innovation efforts.

The Commission has also approved staff’s recommendation to engage the Advisory Committee on Reactor Safeguards to review the proposed and final rules, and to engage the Committee to Review Generic Requirements early if there is an indication of a potential backfit.

cc: Chairman Hanson  
Commissioner Baran  
Commissioner Wright  
OGC  
CFO  
OCA  
OPA