

Rules of Interaction with External Light Water Reactor Sustainability (LWRS) Working Groups

Purpose: Provide clarification to Nuclear Regulatory Commission (NRC) staff on guidelines for technical and knowledge exchanges with Department of Energy (DOE) staff described under Addendum No. 4 to the [Memorandum of Understanding \(MOU\) on Nuclear Energy Innovation](#), “Cooperative Nuclear Safety Research Related to Light Water Reactor Sustainability” (hereafter, “MOU Addendum 4”) (ML21083A072). These rules of engagement also make clear for staff when public meetings should be considered.

Coordination: MOU Addendum 4 states, “Consistent with the purpose of the Addendum, the NRC will continue to cooperate with DOE on the LWRS program’s five focus areas (pathways): Materials Research, Plant Modernization, Flexible Plant Operation and Generation, Risk-Informed Systems Analysis, and Physical Security. This coordination includes a wide variety of activities including information exchange meetings, support for expert panels, demonstrations and pilots, jointly sponsored projects, and research aimed at achieving light water reactor sustainability objectives, including but not limited to digital instrumentation and control.”

Section IV of MOU Addendum 4 outlines the NRC’s and DOE’s respective roles and responsibilities under the addendum.

Outcome: Technical exchanges on LWRS should result in meaningful dialogue between NRC and DOE/Office of Nuclear Energy (NE) to assure a common understanding of NRC regulations, processes, and regulatory guidance and to gain valuable insights into industry trends and use of new technologies. The NRC will not make recommendations regarding specific commercial reactor designs, regulatory findings, modification concepts, or physical protection system approaches, nor participate in any concept selection or approach process.

Process:

Technical Exchanges Between the NRC and DOE Allowed on:

- Publicly available information on NRC’s regulations, licensing and oversight processes, and regulatory guidance.
- Technical information on LWRS issues such as, improving management during long term operations (LTO) at commercial nuclear facilities.
- Research, development, and testing of new instrumentation and control technologies and advanced condition-monitoring techniques for more automated and reliable plant operation.
- Feasibility of flexible plant operations and supplying energy to industrial process, including technical and licensing basis information needed.
- Improved risk-assessment methods that enable more cost-effective plant operation, supporting effective safety margin management for both active and passive structures, systems, and components of nuclear power plants.
- Methods, tools, and technologies that advance the technical basis necessary to optimize and modernize a nuclear facility’s security posture.
- Programmatic information concerning the objectives, priorities, project scopes, milestones, planned approaches, and schedules for ongoing and planned LWRS-related tasks.
- Technical information such as findings of technology demonstrations or pilots and the data needs associated with regulatory oversight.

- Industry interest in new technologies and proposals for those technologies to be used to meet NRC's regulations.
- Technical information on safety and security analyses from NRC subject matter experts who possess appropriate experience and expertise.

Technical Exchanges Between the NRC and DOE Not Allowed on:

- Non-public information on current NRC licensing or topical report reviews and/or ongoing inspections
- Information to be withheld from public disclosure that is a trade secret or confidential or privileged commercial or financial information.
- Pre-decisional NRC policy, guidance or rulemaking information that has not been publicly released.
- Information that could be used to provide an unfair advantage in the development of a work product for industry (e.g., help to refine how Sandia National Laboratories Vulnerability Assessment tool software may be used to evaluate an advanced reactor physical protection program).
- Recommendations regarding specific commercial reactor designs, modification concepts, the feasibility of new technologies, or physical protection system approaches
- Any concept selection or approach process.

Technical Exchanges Where Public Meetings Should Be Considered:

- Where a nexus to a regulatory decision exists (e.g., decision on licensing, oversight, policy, rulemaking, or guidance).
- Where high external stakeholder interest may exist (e.g., industry interest on a new technology being developed).

Information Exchange Between the NRC and DOE:

- Documents that are publicly available can be shared via email.
- Starting on June 2023, all technical exchanges of documents that are not publicly available will be done using the LWRS Box folderⁱ.
- The documents that will be shared using the Box folder are documents that are not publicly available.

EPID:

- An EPID for the LWRS Program has been created to capture the hours spent on LWRS across the program.
- EPID ID: G-2023-GEN-0003
- EPID Name: Light Water Reactor Sustainability Program Activities
- This EPID will not have a specific CAC code. All program offices will keep using existing licensing support CACs in combination with the new EPID.
- This will allow us to aggregate the hours spent across all the offices that supports LWRS.

ⁱ Box is a FedRAMP certified Cloud-based application for content management and file/data sharing and collaboration.