

Operator Licensing Flexibilities: Selected Considerations for Advanced Reactor Developers

Presented on June 29, 2023

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Background

- The Atomic Energy Act of 1954, as amended, requires uniform conditions for the licensing of operators within classes of utilization facilities
- Applicants under 10 CFR Part 50 or 52 need to address the operator licensing requirements of 10 CFR Part 55
 - Part 55 is tailored toward the currently operating fleet of power reactors (i.e., large light water reactors (LWRs)) and non-power reactors
- On April 17, 2023, the NRC staff met with X-energy to discuss operator licensing-related topics (ML23159A020)
- In today's meeting the NRC staff will discuss potential flexibilities associated with operator licensing at advanced reactors
 - **A closed session with X-energy will follow this open session**

Exemption Considerations under the Current Regulatory Framework (10 CFR 50/52/55)

- Exemptions, sought under 10 CFR 55.11, from certain 10 CFR Part 55 operator licensing-related regulations may be justifiable for advanced reactor applications
 - For example, a facility license applicant could potentially seek exemption from aspects of 10 CFR 55.40 to support a proposed operator licensing program that differs from that of NUREG-1021, “Operator Licensing Examination Standards for Power Reactors”
 - A facility license applicant could also seek staffing-related flexibilities by applying for exemptions under 10 CFR 50.12 from regulations such as 10 CFR 50.54(m)

New Guidance Under Development

- Draft Interim Staff Guidance DRO-ISG-2023-01, “Operator Licensing Programs,” (ML22272A047) is currently under review by the Commission as part of the proposed Part 53 rulemaking
 - Also designed to serve the secondary purpose of informing the staff review of certain Part 50, Part 52, and Part 55 exemption requests for facility license applicants under Parts 50 & 52
- For non-LWRs, Draft Interim Staff Guidance DANU-ISG-2022-05, Advanced Reactor Content of Application Project Chapter 11, "Organization and Human-System Considerations"(ML22048B542) may also provide useful insights into operator licensing programmatic considerations for new facilities
- Additionally, Draft Interim Staff Guidance DRO-ISG-2023-04, “Facility Training Programs,” is being developed as well (ML23017A130) to provide guidance for the review of operator licensing training programs at new facilities

Questions?

We will now transition to the closed session.