



## ENCLOSURE 2

### Feedback request for “Considerations for Including Principal Design Criteria in the Licensing Basis in 10 CFR Part 52” White Paper

There has been recent discussion that the U.S. Nuclear Regulatory Commission (NRC) is considering how to incorporate principal design criteria (PDC) for advanced reactors within a combined license (COL) issued pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52, “Licenses, certifications, and approvals for nuclear power plants,” and whether to require additional license conditions to address the use of PDC. In enclosure 1, Oklo Inc. (Oklo) discusses its understanding of the basis and regulatory history of the relation of the PDC to 10 CFR Part 50, “Domestic Licensing of Production and Utilization Facilities,” and 52 licenses.

Oklo requests the following feedback related to the discussion in enclosure 1:

1. Does the NRC consider a licensee’s compliance with the NRC’s regulations and the Inspections, Tests, Analyses, and Acceptance Criteria attribute of COLs, together with NRC oversight, necessary and sufficient to ensure that nuclear power plant facilities licensed under 10 CFR Part 52 have been constructed in conformity to the COL and the PDC in the COL?
2. Does the NRC consider changes to PDCs to meet the criteria of 10 CFR 50.59, “Changes, tests, and experiments,” as requiring prior NRC approval because changes to the PDCs fail the “more than a minimal increase” tests of 10 CFR 50.59?
3. If the NRC considers that COLs must include conditions requiring conformance with the PDCs, what is the NRC’s reasoning for that conclusion?