

RIC 2024 Hybrid

U.S. Nuclear Regulatory Commission
36th Annual Regulatory Information Conference

**ADAPTING TO A
CHANGING LANDSCAPE**

MARCH 12-14, 2024

Bethesda North Marriott Hotel
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Nonproliferation Considerations for the Export of Advanced Reactors: Role of State Department in Advanced Reactor Exports

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Outline of Presentation

- Role of State Department in Advanced Reactor Exports
- Differing Role for Advanced Reactor Designs?
- 123 Agreements
- 810/110/Dual-Use Licensing Responsibilities
- Specific State Department Considerations for Advanced Reactor Exports

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Role of State Department in Advanced Reactor Exports

- The U.S. Department of State (DOS) sees all reactor and technology exports through the lens of national security and foreign policy-related considerations
- DOS makes policy decisions on the export of advanced reactors on the basis of our ability to leverage civil nuclear cooperation to strengthen our strategic, security, diplomatic, and economic relationships with partners

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Differing DOS Role for Advanced Reactor Designs?

The Atomic Energy Act requires the entry into force of an agreement for peaceful nuclear cooperation (123 agreement) as a legal basis for the export of advanced U.S. reactor designs, as has been the case for Generation III and other previous reactor designs.

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123 Agreements

- Section 123 of the Atomic Energy Act provides a legal framework for significant exports of nuclear material (fuel), equipment (reactors), and significant reactor components
- Section 123 requires a partner state to make a suite of legal nonproliferation commitments to the United States regarding how U.S.-obligated items will be maintained
- As part of an Agreement submittal package to the Congress, a Nuclear Proliferation Assessment Statement is prepared containing a critique of a partner's nonproliferation bona fides

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810/110/Dual-Use Licensing Responsibilities

- DOS must provide its concurrence for the issuance of any Department of Energy Part 810 authorizations
- DOS must provide a consolidated Executive Branch non-inimicality finding to NRC for the issuance of a Part 110 licenses
- DOS provides its position on whether the USG should authorize the transfer of nuclear dual-use items as a member of all relevant interagency reviewing bodies

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Specific State Department Considerations for Advanced Reactor Exports

- National security
- Geopolitical/geostrategic
- Potential Diversion to
 - Military programs
 - Non-state actors

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