



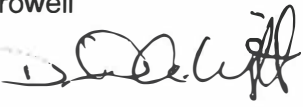
UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

**PLEASE RESPOND BY:  
June 18, 2024**

COMDAW-24-0001

June 4, 2024

MEMORANDUM TO: Chair Hanson  
Commissioner Caputo  
Commissioner Crowell

FROM: David A. Wright 

SUBJECT: REVISING THE DURATION OF DESIGN CERTIFICATIONS

I appreciate the staff's thoughtful proposals outlined in SECY-22-0052. This paper seeks to better align Parts 50 and 52 by making changes to 61 technical areas ranging from environmental rules to operator licensing. As the staff points out, many of these changes would impact current licensees as well as future applicants. Due to their significance, these proposals warrant careful consideration by the Commission, and we should continue to be thoughtful and deliberative in our approach.

There is one proposal that I believe to be more straightforward than the others: revisiting the 15-year duration of design certifications. This duration made sense when Part 52 was first developed, as we had not yet fully exercised the design certification process. As it stands today, we have successfully certified seven designs, starting with the ABWR in 1997. The experience we have gained over the last 25+ years has convinced me that the 15-year duration adds little to no safety benefit and needlessly cycles both the applicant and the NRC staff. The next applicant to reach the end of this duration would be Westinghouse with the AP1000 design certification expiring in February 2026.

I believe that a more efficient use of our resources would be for the Commission to make a decision on the design certification aspect of the proposed rule now by moving forward with a standalone rule on the design certification updates, while we continue to deliberate on other, more complicated issues discussed in SECY-22-0052. With that in mind, the staff should issue, without the need for further Commission review and with signature authority delegated to the Executive Director for Operations, a direct final rule and companion proposed rule, that updates Part 52 to replace the current 15-year duration for design certifications with a 40-year duration period. This would harmonize the durations of design certifications, Part 50 operating licenses, Part 52 combined licenses, and the staff's proposal for manufacturing licenses outlined in the SECY paper. The 40-year duration should apply to design certifications currently in effect<sup>1</sup> as

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<sup>1</sup> "Currently in effect" means in effect when the final rule proposed by this COM takes effect. The new durations of these design certifications should be calculated by replacing "15-years" with "40-years" in Section VII of each applicable Part 52 appendix.

well as future design certification applications and the staff should ensure that the final rule takes effect no later than December 31, 2025.

SECY-22-0052 recommends other changes to the design certification process such as eliminating the requirement to consider standardization when proposing departures and clarifying the term "essentially complete." These are outside the scope of this Commission Action Memorandum (COM) and staff is not directed to take action on them at this time.

SECY, please track.

cc: SECY  
EDO  
CFO  
OGC  
OCA  
OPA  
NRR

SUBJECT: REVISING THE DURATION OF DESIGN CERTIFICATIONS DATED: June 4, 2024

**ADAMS Accession Number:** ML24156A066

<b>OFFICE</b>	COM	COM		
<b>NAME</b>	C. Fong	D. Wright		
<b>DATE</b>	06/04/2024	06/04/2024		

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