



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

November 20, 2024

SECRETARY

MEMORANDUM TO: Mirela Gavrilas  
Executive Director for Operations

FROM: Carrie M. Safford, Secretary

SUBJECT: STAFF REQUIREMENTS – SECY-22-0052 – PROPOSED RULE:  
ALIGNMENT OF LICENSING PROCESSES AND LESSONS  
LEARNED FROM NEW REACTOR LICENSING (RIN 3150-A166)

The Commission has approved publication of a revised proposed rule in the *Federal Register* that would include the following items that were addressed in the draft proposed rule:

1. Expand the applicability of 10 CFR 50.69, "Risk-informed categorization and treatment of structures, systems and components for nuclear power reactors," to allow design certification applicants, construction permit holders, and combined license holders to risk-inform the categorization of structures, systems, and components.
2. Simplify the schedule for upgrading the probabilistic risk assessment.
3. Require operating license applicants to submit a description of the plant-specific probabilistic risk assessment and its results.
4. Require operating license applicants for large light-water power reactors to submit a description and analysis of design features for the prevention and mitigation of significant severe accidents.
5. Require 10 CFR Part 50 operating license applicants to provide information related to addressing lessons learned from the Three Mile Island accident in the same manner as currently required for 10 CFR Part 52 applicants.
6. Remove the requirement for a stand-alone console to display important plant parameters and trends.
7. Clarify the 10 CFR Part 50 requirements on the submittal of information related to fire protection design features and fire protection plans to be consistent with those currently required for 10 CFR Part 52 applicants.
8. Change the definition of "plant-referenced simulator" to enable plant operator license applicants to meet certain operator experience requirements during construction of the plant and change the definition of "reference plant" to clarify that the plant does not need to be fully constructed in order to have a plant-referenced simulator.
9. Permit the use of suitable alternatives in lieu of the plant walkthrough portion of the operating test while the plant is under construction.
10. When an operator license application is submitted before the facility licensee is required to have the requalification program in effect, require the application to describe how the applicant's knowledge, skills, and abilities will be maintained after the applicant passes

the written examination and operating test and before participation as a licensed operator in the requalification program.

11. Permit a licensee to ask for a waiver for examination and test requirements for licensing of operators at multiple unit sites of the same design.
12. Change the implementation milestone for the security requirements in 10 CFR 73.55, "Requirements for physical protection of licensed activities in nuclear power reactors against radiological sabotage," and 10 CFR 73.56, "Personnel access authorization requirements for nuclear power plants," from before fuel is allowed onsite to initial fuel load into the reactor.
13. Amend 10 CFR 70.22, "Contents of applications," and 10 CFR 73.67, "Licensee fixed site and in-transit requirements for the physical protection of special nuclear material of moderate and low strategic significance," to make security requirements for Category II and III quantities of special nuclear material brought on site at nuclear power reactors for new and existing facilities licensed under 10 CFR Part 50 consistent with those requirements for facilities licensed under 10 CFR Part 52.
14. Change the implementation milestone for an FFD program required to implement all requirements of 10 CFR Part 26, "Fitness for Duty Programs," except for Subpart I, "Managing Fatigue," and Subpart K, "FFD Programs for Construction," from establishment of the protected area to prior to initial fuel load into the reactor.
15. Revise requirements that address the escorting of construction workers at the construction site and procedures for Medical Review Officers in 10 CFR Part 26 as recommended by the staff in the proposed rule.
16. Clarify regulatory language in 10 CFR Part 26 as recommended by the staff in the proposed rule.
17. Address lessons learned, align the licensing process within 10 CFR Parts 50 and 52 (including recommended conforming changes in Part 50 Appendix E), and clarify requirements related to the emergency plan change process, emergency preparedness exercises, and the review of emergency plans. Specifically, clarify the emergency plan change process in § 50.54(q), "Emergency plans," applies to 10 CFR Part 52 licensees before the Commission's § 52.103(g) finding; revise overly burdensome requirements related to the need for a subsequent exercise at multiunit sites; clarify the scope of the area surrounding the site for the identification of physical characteristics that could pose a significant impediment to the development of emergency plans and distinguish the siting requirement from the review of measures proposed by the applicant to mitigate or eliminate any such impediment; clarify the requirements related to the descriptions of contacts and arrangements with Federal, State, and local governmental agencies that are required to be included in an ESP application.
18. Address lessons learned related to standard design approvals and certifications, such as the change process for standard design approvals and the scope of the design that standard design certification applicants must submit for NRC review.
19. Eliminate requirements for evaluating the impact on standardization when approving departures from design certification or manufacturing license information.
20. Amend 10 CFR 51.50, "Environmental report construction permit, early site permit, or combined license stage," to clarify that an applicant for a construction permit can incorporate by reference an environmental document prepared by the NRC for a different approval.
21. Revise 10 CFR 50.71(i) to require that all future Part 50 power reactor licensees and Part 52 COL holders promptly notify successful completion of power ascension testing to facilitate compliance with 10 CFR 171.15(a) for annual fees.

22. Remove the requirement for applicants to include an evaluation of conformance with the Standard Review Plan and clarify requirements on submittal of technical resolutions of generic issues.
23. Amend § 50.71(h), regarding the maintenance and upgrading of plant-specific PRAs to make it applicable to operating license holders under Part 50 and combined operating license holder under Part 52, consistent with item 3 listed above. § 50.71(h)(1) should be revised to require that the PRA cover those initiating events and modes for which NRC-endorsed standards exist at the time of issuance of the OL or COL. Section 50.71(h)(2) should be revised consistent with staff's recommendation in the proposed rule.
24. Clarify applicability of annual final safety analysis report update requirements consistent with staff's recommended changes to 10 CFR 50.71(e).
25. Clarify applicability of reporting requirements consistent with staff's recommended changes to 10 CFR 50.46(a)(3).
26. Clarify backfitting and issue finality requirements that govern changes to SDAs, ESPs, and MLs.
27. Amend 10 CFR 50.54 to make clear which requirements are applicable to power reactors and which are applicable to all production and utilization facilities.
28. Amend 10 CFR 50.34(b)(9) as recommended in the draft proposed rule.
29. Amend Parts 2 and 21 as recommended by the staff in the draft proposed rule.
30. Clarify and correct miscellaneous sections, including the Sections 50.100, 52.1, 52.3, 52.6, 52.11, 52.18, 52.41, 52.47, 52.73, 52.79, 52.93, 52.97, 52.99, 52.133, 52.137, 52.145, 52.153, and 52.157 as recommended in the draft proposed rule.
31. Amend Part 52 appendices as recommended in the draft proposed rule to address lessons learned on change processes, and remove and reserve appendices B and C.
32. Amend 10 CFR 52.173 and 52.181 to change the license term for manufacturing licenses from 15 to 40 years.

The staff should ensure the changes in the proposed rulemaking align with the provisions of the ADVANCE Act.

Within 120 days of the date of this staff requirements memorandum, the staff should develop a paper evaluating options for providing regulatory flexibility in Part 52 during construction and operational phases, including a change process for Tier 1 and Tier 2\* and adjustment of Tier designations. During development of the paper, the staff should consider experience to date and engage with external stakeholders. The staff should also provide proposed rule language, if applicable, to implement considered options. The staff should pause issuance of this proposed rule until the Commission provides direction on the options paper.

cc: Chair Hanson  
Commissioner Wright  
Commissioner Caputo  
Commissioner Crowell  
OGC  
CFO  
OCA  
OPA  
ODs, RAs, ACRS, ASLBP  
PDR