

**POLICY ISSUE**  
**NOTATION VOTE**

**RESPONSE SHEET**

**TO:** Carrie M. Safford, Secretary

**FROM:** Commissioner Caputo

**SUBJECT:** SECY-25-0020: Rulemaking Plan on Cost Expenditure  
Criteria for Research and Development Utilization  
Facilities

Approved  X  Disapproved      Abstain      Not Participating    

**COMMENTS:** Below  X  Attached      None    

I approve a modified version of the staff's recommended alternative 2, to amend only 10 CFR 50.22 to replace the current cost expenditure criterion for utilization facilities with the criteria from Section 104c of the Atomic Energy Act of 1954, as amended (AEA). This amendment should be accomplished using the final rule process including not developing a regulatory basis with signature authority delegated to the Executive Director for Operations. I approve the staff's recommendations on reviews by the Advisory Committee on Reactor Safeguards, the Committee for Review of Generic Requirements, and the Advisory Committee on the Medical Use of Isotopes.

The reference to § 50.21(b) should be retained in § 50.22 because we continue to issue operating licenses under § 50.21(b) and Section 104b of the AEA that would not otherwise be compared to the criteria of Section 104c of the AEA as incorporated in § 50.22. (See, e.g., the subsequently renewed operating license for Monticello Nuclear Generating Plant, Unit 1, dated December 30, 2024, at page 2 (ML052910355)).

**Entered in STAR**

Yes  X

No    

  
\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Date**

3-27-25