



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

May 12, 2025

SECRETARY

MEMORANDUM TO: Mirela Gavrilas, PhD
Executive Director for Operations

FROM: Carrie M. Safford, Secretary

SUBJECT: STAFF REQUIREMENTS – SECY-25-0020 – RULEMAKING
PLAN ON COST EXPENDITURE CRITERIA FOR RESEARCH
AND DEVELOPMENT UTILIZATION FACILITIES

The Commission has approved the staff's recommended alternative 2, initiation of rulemaking to address the financial criteria used to determine whether a non-power utilization facility is licensed as a commercial facility under Section 103, "Commercial Licenses," of the Atomic Energy Act of 1954, as amended (AEA), or as a research and development facility under paragraph c of Section 104, "Medical Therapy and Research and Development," of the AEA. This rulemaking would amend Title 10 of the *Code of Federal Regulations* Part 50 "Domestic Licensing of Production and Utilization Facilities," to be consistent with the amendments made to Section 104c of the AEA by the Nuclear Energy Innovation and Modernization Act, enacted on January 14, 2019, and the Accelerating Deployment of Versatile, Advanced Nuclear for Clean Energy Act of 2024, enacted on July 9, 2024.

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. The Commission has also approved 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.

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