



Fee Exemption Request for Kemmerer Power Station Unit 1

TP-LIC-LET-0528

Docket Number 50-613
Project Number 99902100
10 CFR 170.11

October 1, 2026

Mr. Christopher Carroll
Chief Financial Officer
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Dear Mr. Carroll,

On March 30, 2026, the U.S. Nuclear Regulatory Commission (NRC) issued the final rule, “Risk-Informed, Technology-Inclusive Regulatory Framework for Advanced Reactors.” This rule, codified in Title 10 of the *Code of Federal Regulations*, Part 53 (10 CFR 53), became legally effective and available for applicant use on April 29, 2026. TerraPower, LLC (TerraPower) and its subsidiary, US SFR Owner, LLC (USO), share the NRC’s goal of establishing a clear, stable, and predictable licensing pathway for advanced reactors. TerraPower and USO intend to demonstrate the implementation of Part 53 through the Kemmerer Power Station Unit 1 (KU1) Operating Licensing Application (OLA), contributing to the continued maturation of the NRC’s review processes for innovative technologies.

In accordance with 10 CFR 170.11, TerraPower and USO believe that a fee exemption is warranted for NRC review activities associated with the KU1 OLA, including topical report submittals that will be incorporated into the OLA. These activities will provide significant benefit to the NRC by enabling improved safety-focused licensing approaches, supporting generic regulatory enhancements, and helping optimize NRC staff resource use. Accordingly, TerraPower and USO request a fee exemption for NRC staff review and approval activities associated with the use of Part 53 for the KU1 OLA.

Specifically, this fee exemption request is based on 10 CFR 170.11(a)(1)(ii), which states:

- (a) No application fees, license fees, renewal fees, inspection fees, or special project fees shall be required for:
 - (1) A special project that is a request/report submitted to the NRC [...]

(ii) When the NRC, at the time the request/report is submitted, plans to use the information in response to an NRC request from the Office Director level or above to resolve and to assist the NRC in generic regulatory improvements or efforts (e.g., rules, regulatory guides, regulations, policy statements, generic letters, or bulletins).

The KU1 construction permit was issued on March 9, 2026, and the “Regulatory Engagement Plan for the Kemmerer Unit 1 Operating License Application,” Revision 1, was submitted to the NRC on March 3, 2026. TerraPower is actively participating in pre-application engagement activities for the KU1 OLA and is submitting this fee-exemption request to the Chief Financial Officer in accordance with 10 CFR 170.5 and 10 CFR 170.11(c). TerraPower will submit an updated Regulatory Engagement Plan within 90 days of NRC approval of this fee exemption request.

The requested fee exemption would apply to NRC activities associated with the KU1 OLA review, including topical report submittals that will be incorporated into the OLA.

For the topical report and OLA reviews, the fee exemption would apply to the acceptance review and all other review activities, including audits, requests for additional information, requests for confirmation of information, and development of the safety evaluation.

As the first applicant implementing Part 53 for an operating license, TerraPower’s early engagement and submittals will provide essential insights and information that can inform NRC guidance development, staff training, review consistency, and overall regulatory readiness for future Part 53 applications. These activities will directly support broader NRC safety, security, safeguards, and environmental objectives and contribute to ongoing generic regulatory improvements. Further, USO’s OLA materials will supply practical, technology-inclusive examples that NRC staff can use in refining risk-informed review processes and strengthening the Part 53 regulatory framework. This is particularly relevant to the new and novel aspects of regulatory assessment included in Part 53 that differ from historic licensing pathways under 10 CFR 50 and 10 CFR 52.

This represents an opportunity to establish a more mature and predictable licensing framework that can provide benefits beyond the review of the KU1 OLA. Throughout this review, the NRC will develop experience exercising the Part 53 framework, establish precedents for addressing novel technical and regulatory issues, and build institutional knowledge. It is expected that the regulatory precedents and refined review approaches established during the KU1 OLA review will result in greater efficiency and lower review costs for the NRC as future applicants use Part 53. The NRC and industry will benefit from these efficiencies through meaningful savings, while maintaining consistent, timely, and effective implementation of the Part 53 framework.

If you have any questions regarding this submittal, please contact Ian Gifford at igifford@terrapower.com.

Sincerely,

A handwritten signature in black ink that reads "George Wilson".

George Wilson
Chief Nuclear Officer and Senior Vice President
Regulatory Affairs & Licensing
TerraPower, LLC