

March 26, 2008

MEMORANDUM TO: Luis A. Reyes
Executive Director for Operations

FROM: Andrew L. Bates, Acting Secretary **/RA/**

SUBJECT: STAFF REQUIREMENTS – SECY-07-0167 – REVISIONS OF
POLICY STATEMENT ON REGULATION OF ADVANCED
REACTORS

The Commission has disapproved the staff's recommendation to publish a final revision to the policy statement on the regulation of advanced reactors without soliciting comments from the public. The staff should revise the policy statement as noted below and publish it in the *Federal Register* to seek formal public comments. Unless the staff's consideration of the public comments results in substantive changes to the proposed revision, the staff should publish the revised policy statement in the *Federal Register* without further approval from the Commission.

Changes to the *Federal Register* notice in SECY-07-0167

1. On page 3, replace the 2nd full paragraph with the following: 'The Commission's expectation for advanced reactor designs that consider the effects of a large, commercial airplane impact is currently being addressed through rulemaking. The Commission believes that reactors designed with potential aircraft impact considerations resulting from this rule would be more robust than if they were designed in the absence of this rule.'
2. On page 5, 1st full paragraph, delete the 2nd sentence (Combination of some ... burden.) and replace it with the following: 'Incorporating the above attributes may promote more efficient and effective design reviews.'
3. On page 6, last paragraph, revise line 2 to read ' ... capability, when appropriate, for timely'
4. On page 6, last paragraph, revise line 9 to read ' ... new safety or security features' Revise line 11 to read ' ... safety or security function.'
5. On page 7, last paragraph, revise lines 1 through 3 to read ' ... that it will be in the interest of the public as well as both the design vendors' and the prospective license applicants' interest to address security'

cc: Chairman Klein
Commissioner Jaczko
Commissioner Lyons
OGC
CFO
OCA
OPA
Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)
PDR