

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

**RESPONSE SHEET**

**TO:** Annette L. Vietti-Cook, Secretary

**FROM:** Commissioner Caputo

**SUBJECT:** SECY-19-0117: Technology-Inclusive, Risk-Informed, and Performance-Based Methodology to Inform the Licensing Basis and Content of Applications for Licenses, Certifications, and Approvals for Non-Light-Water Reactors

Approved   X   Disapproved        Abstain        Not Participating       

COMMENTS: Below        Attached   X   None       

**Entered in STARS**

Yes   X  

No       

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

2-14-20  
\_\_\_\_\_  
**DATE**

Commissioner Caputo's comments on SECY-19-0117: Technology-Inclusive, Risk-Informed, and Performance-Based Methodology to Inform the Licensing Basis and Content of Applications for Licenses, Certifications, and Approvals for Non-Light-Water Reactors

The staff requests that the Commission approve the use of the technology-inclusive, risk-informed, and performance-based methodology described in SECY-19-0117 as a reasonable approach to establish key parts of the licensing basis and content of applications for licenses, certifications, and approvals for non-light-water reactors (non-LWRs).

Related industry guidance was developed as part of the current Licensing Modernization Project, an effort led by Southern Company with others from industry contributing and cost-shared by DOE. Specifically, the Nuclear Energy Institute (NEI) submitted industry guidance in NEI 18-04, Revision 1, and the NRC staff prepared guidance document (DG-1353) to implement the approach, endorsing with clarifications, NEI 18-04.

SECY-19-0117 and DG-1353 are an integrated set, with the SECY describing the approach and the DG describing how the approach can be applied. The methodology described in the SECY is central to finalizing the DG and is an essential step toward creating a predictable licensing pathway for non-LWRs. It is also a necessary step toward developing the technology-inclusive rulemaking required under the Nuclear Energy Innovation and Modernization Act.

The Advisory Committee on Reactor Safeguards (ACRS) has reviewed draft SECY-19-0117, DG-1353 and NEI 18-04. In a March 19, 2019 letter to the NRC Chairman, the ACRS concluded that SECY-19-0117 proposes a licensing approach that has been developed over the past thirty years, concluded that the approach has matured to the point of being ready for application, and recommended that the Commission adopt the approach. The ACRS also concluded that the guidance in DG-1353 and NEI 18-04 are adequate for an applicant to successfully prepare an acceptable application.

For the reasons stated above, I approve the staff's use of the methodology described in SECY-19-0117.