

Part 53 Rulemaking

NEI Perspectives

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Significance of Part 53

- U.S. is embarked on an unprecedented effort to decarbonize the electrical sector and the broader economy
 - Utilities being driven to decarbonize and maintain reliable grid
 - Federal policies are encouraging the deployment of advanced nuclear
 - Urgency is rapidly accelerating
- Efficient and inclusive regulatory framework is a key enabler
 - Could be many applications per year as early as 2025
 - Can avoid NRC resources and timing of reviews as bottleneck

Part 53 is NRC's opportunity to enable
safe, reliable advanced nuclear

An Efficient & Effective Part 53

- Licensing of new technologies
 - Enable variety of technologies to be safely and efficiently approved
 - Safety is assured without unnecessary burden
 - Risk-informed, performance-based approach
- Deployment & operations
 - Improved safety profiles should enable:
 - ◆ Efficient licensing approvals
 - ◆ Greater licensee flexibility
 - ◆ Long-term regulatory stability

Utilities and developers alike have interest in
an efficient and effective Part 53

Progress to Date

- NRC staff has accomplished a monumental task of creating a preliminary Part 53 framework and requirements
 - NRC has been timely in releasing rule language
- Effectiveness of stakeholder engagement has not been high
 - Industry has actively engaged
 - Industry has provided timely, clear and extensive feedback
 - Little feedback or explanation has been provided
- Industry's Nov. 5 letter compiles feedback previously provided, with additional details to provide clarity

The preliminary Part 53 provides a foundation
for addressing industry's concerns

Key Issues

- Part 53 benefits should be available to all advanced reactors
 - Technology-inclusive, performance-based design requirements
- Part 53 should not Increase regulatory burden, without a commensurate increase in safety. Areas of concern:
 - Expanding ALARA beyond an operating principle to be an absolute
 - Increased regulatory burden and reduced clarity on non-safety SSCs
 - Inclusion of beyond design basis events in the design basis
 - Proliferation of duplicative and unnecessary programs
 - Facility Safety Program
- Part 53 should not unnecessarily exclude licensing approaches and technologies
 - Excluding risk-informed licensing approaches

Productive engagement is needed to address

Next Steps

- Comprehensive comments contained in Industry's November 5 letter provide a basis for straightforward changes that build upon the preliminary language
- Time is now for robust engagement with the industry on important issues
- Industry has initiated work to develop additional guidance for NRC endorsement on risk-informed approaches
- Industry remains ready to support in other areas, as needed

Common Goal: a Part 53 that is Used & Useful