

# **Accelerating Deployment of Versatile, Advanced Nuclear for Clean Energy Act of 2024 (ADVANCE Act of 2024) Section 207 - Combined License Review Procedure**

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March 4, 2025 – Feedback Questions

# Opening Remarks

NRC Core Team

For the Implementation of the ADVANCE Act of 2024

Mike King, Special Assistant for ADVANCE Act

Annie Ramirez, Executive Technical Assistant

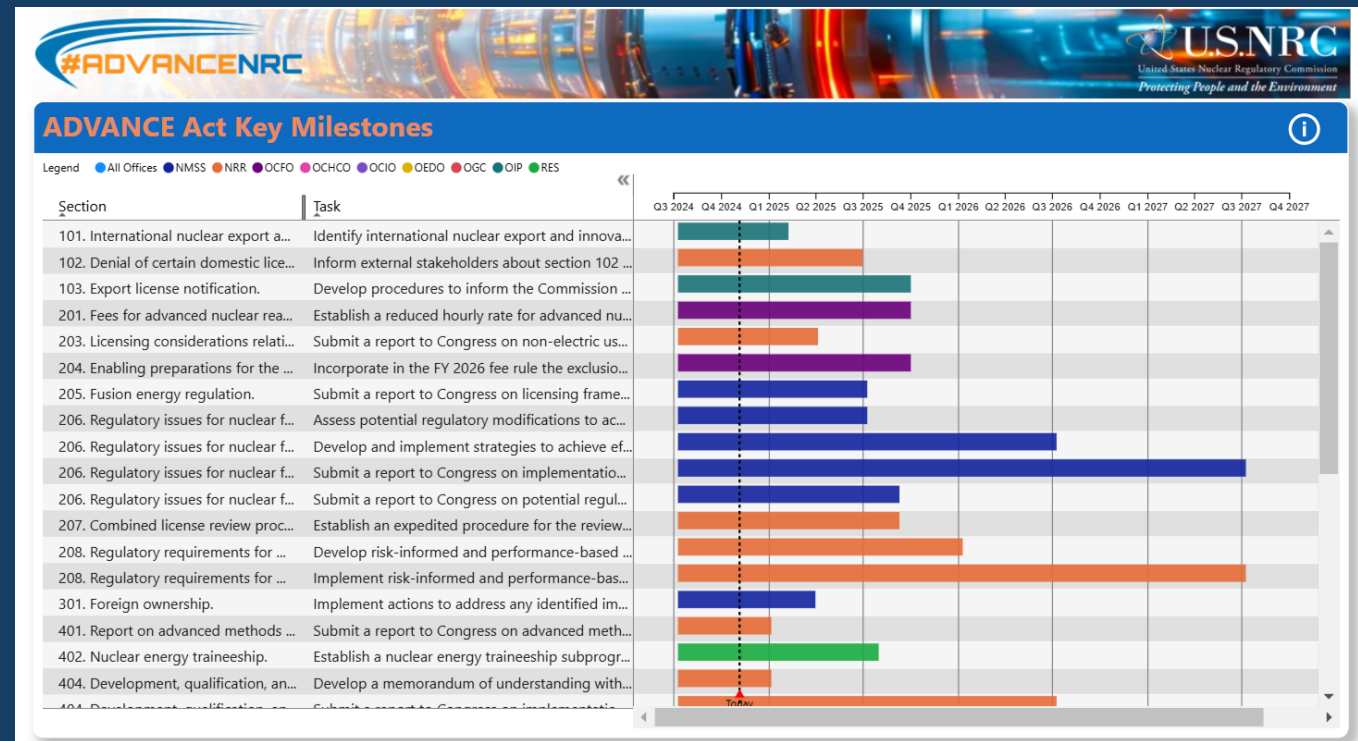
Luis Betancourt, Executive Technical Assistant

Aaron McCraw, Sr. Communications Specialist

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# For Upcoming and Past Meetings



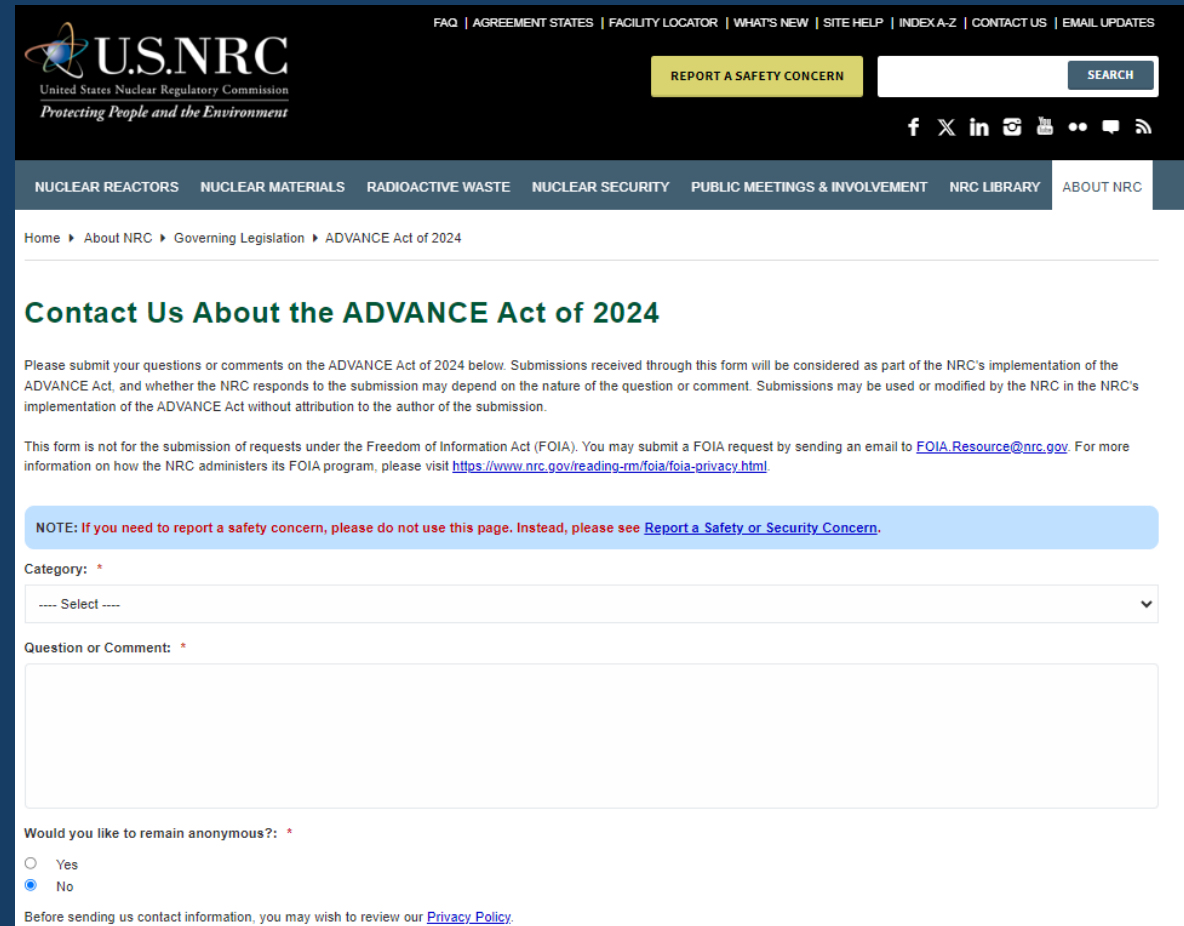
For NRC's public meeting information on ADVANCE Act

A screenshot of the U.S. Nuclear Regulatory Commission (NRC) website. The page title is "ADVANCE Act (Accelerating Deployment of Versatile, Advanced Nuclear for Clean Energy Act of 2024)". Below the title is a photograph of President Joe Biden signing the bill in the Oval Office, surrounded by other officials. At the bottom of the screenshot, there is a navigation menu with two sections: "Public Meetings" and "Questions, Comments, or Ideas". Under "Public Meetings", there are links for "Upcoming Meetings" and "Past Meetings". A large orange arrow points from the "Past Meetings" link towards the left side of the slide. Under "Questions, Comments, or Ideas", there is a link for "Contact Us about the ADVANCE Act".

# For Your Questions and Ideas



Contact us with ADVANCE Act questions, comments and ideas



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## Contact Us About the ADVANCE Act of 2024

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## Purpose

To receive your comments, feedback, and ideas on how the NRC should implement the combined license review procedure requirements in Section 207 of the ADVANCE Act.

Previous public engagements on Section 207:

December 12, 2024

January 28, 2025

Today's Public Meeting was noticed on February 7, 2025, and updated on February 18, 2025, with the meeting materials.

## **ADVANCE Act of 2024, Section 207 Combined License Review Procedure**

Section 207 of the ADVANCE Act requires the NRC to establish and carry out an expedited procedure for qualifying combined license applications with specified deadlines to meet to the maximum extent practicable, and report delays to the Commission and Congress.

## **ADVANCE Act of 2024, Section 207 Criteria to Qualify**

Section 207 prescribes the criteria to qualify for the expedited combined license review procedure:

(1) Reactor Design:

Option 1: A certified design

Option 2: A substantially similar design of a reactor in a combined license, operating license, or manufacturing license

(2) Proposed Site:

Option 1: On a site with a currently operating or previously operating reactor

Option 2: Adjacent to a site with an operating or previously operating reactor and has site characteristics substantially similar to that site.

(3) The applicant may not be subject to a Commission order to suspend or revoke a license.



## **ADVANCE Act of 2024, Section 207 Feedback Received**

From the December 12, 2024, Advanced Reactor Stakeholder Meeting:

- Consider broader application for industrial use and on a site with similar site characteristics.
- Clearly define “substantially similar” used in reference to a reactor design and a proposed site, and “adjacent” in reference to the proposed site.
- Consider using other environmental assessments.
- Consider applying the expedited review procedure to sites not previously approved.

## **ADVANCE Act of 2024, Section 207 Feedback Received**

From the January 28, 2025, Comment-Gathering Public Meeting:

- Consider Standard Design Approval and Early Site Permits within the scope of implementation.
- Define “substantially similar” and what processes will be used to evaluate changes from previous approvals.
- Consider and coordinate efforts related to microreactors.
- Consider conducting review steps in parallel for efficiencies.
- Consider comments on revising site suitability guidance in Regulatory Guide 4.7.
- Safety and security should be the priority over mandated timelines.
- General feedback: Consider a consistent public meeting format that allows more time for public comments and questions, and value each comment provided in any resulting documents.

## **ADVANCE Act of 2024, Section 207 General Considerations**

- The qualification criteria sets the framework for NRC reporting requirements.
- Existing procedures and guidance for a combined license application can support an expedited review.
- Preapplication engagements can facilitate a common understanding on information that might support or challenge the expedited review schedule requirements.

*What do you think of these considerations?*

*What other considerations should be included?*

## **ADVANCE Act of 2024, Section 207 Reactor Design Criteria to Qualify**

- The reactor design qualification requirements leverage previous approvals.
- Referencing a previously approved design can focus the NRC staff's review on significant new information since the approval.
- Understanding the degree of similarity of the proposed reactor design to one that has been previously approved is key to supporting the expedited review schedule.
- Understanding proposed changes to the previously approved design support identification of potential challenges to the review schedule.

*What do you think of these considerations?*

*What other considerations should be included?*

## **ADVANCE Act of 2024, Section 207 Proposed Site Criteria to Qualify**

- The reactor siting qualification requirements leverage previously approved sites.
- Selecting a previously NRC approved site can focus the NRC staff's review on significant new information since the approval.
- Understanding the degree of similarity of the proposed site adjacent to one that has been previously approved is key to supporting the expedited review schedule.
- Understanding other reviews or assessments for a selected site may support the expedited review schedule.

*What do you think of these considerations?*

*What other considerations should be included?*

## **ADVANCE Act of 2024, Section 207**

### **Applications Not Meeting Criteria to Qualify**

The following are examples that would not qualify for an expedited review required by Section 207:

- An application for a license other than a combined license.
- A combined license application that proposes:
  - Use of a first-of-a-kind methodology, non-endorsed codes and/or not approved topical and technical reports for that reactor design or site.
  - Use of a methodology or analytical technique to determine or confirm the site characteristics that does not follow existing NRC guidance.
  - Incorporation of significant new information.
  - Substantive changes to a previously approved design.

*What do you think of these examples?*

*Are there other examples that should be included?*

**NOTE:** The example applications can benefit from activities to improve review efficiencies and through preapplication engagements.

## **ADVANCE Act of 2024, Section 207 Combined License Review Procedure**

- The NRC is committed to reviewing a license application in an efficient and effective manner.
- The NRC has existing procedures and guidance to support an expedited review of a qualified combined license application to the maximum extent practicable.
- The NRC encourages preapplication engagements to establish a common understanding on the application to support regulatory stability and review timeliness.
- The NRC has on-going activities to improve efficiencies in its licensing review based on lessons-learned and requirements in recent legislation.

*What do you think of this approach?*

## **ADVANCE Act of 2024, Section 207 Next Steps and Schedule**

- Consider all feedback.
- Develop draft Regulatory Issue Summary.
- By Summer 2025, issue draft Regulatory Issue Summary for public comment.
- Conduct public meeting during comment period.
- Consider public comments.
- By January 2026, issue final Regulatory Issue Summary.

*What do you think of these steps and schedule?  
Is there anything missing?*

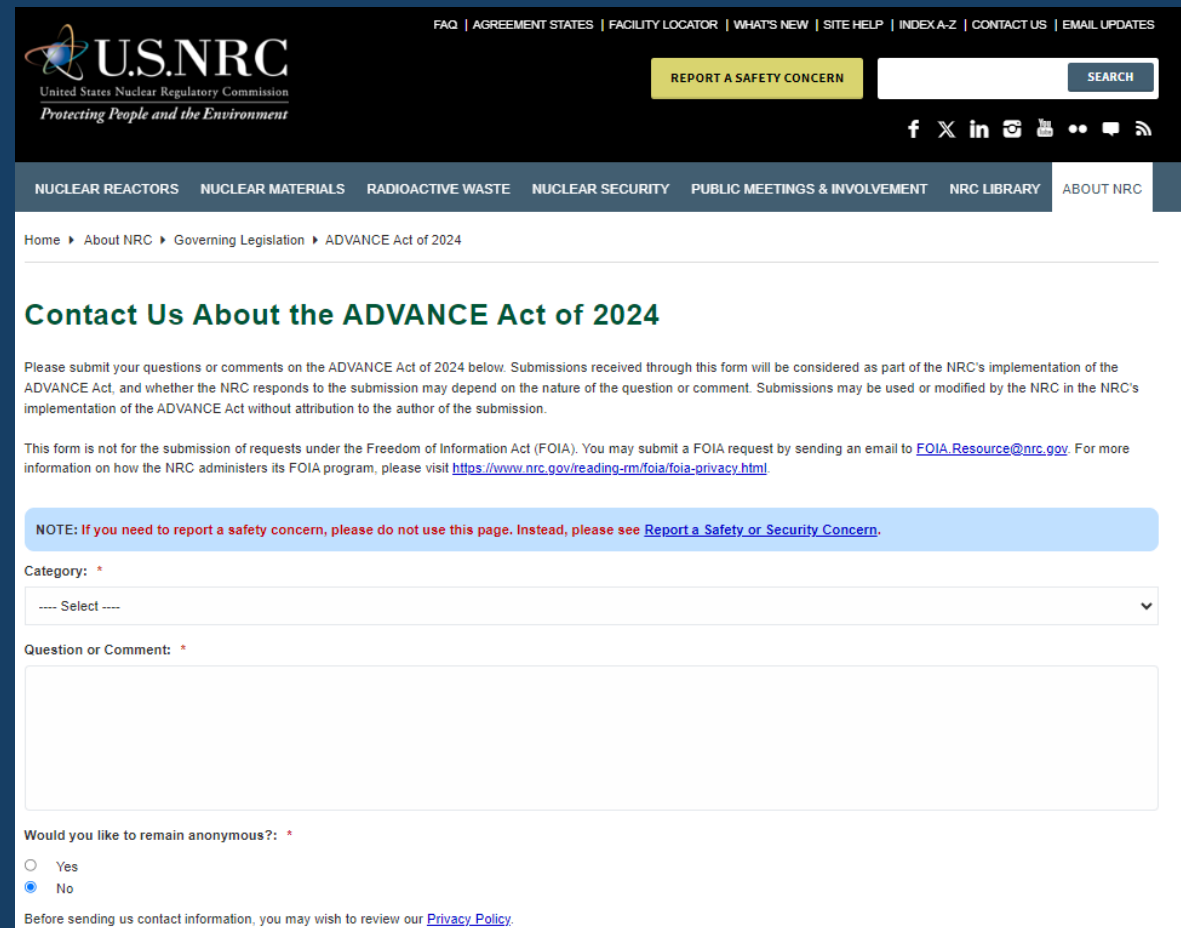




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## **ADVANCE Act of 2024, Section 207 Background Information**

December 12, 2024: Advance Reactor Stakeholder Meeting

Notice: ML24347A021

Presentation: ML24347A247

January 28, 2025: Public Comment-Gathering Meeting

Notice: ML25010A119

Presentation: ML25021A161

Summary: *Pending ML25033A001*

## ADVANCE Act of 2024

The ADVANCE Act of 2024 was passed with bipartisan support and signed by President Biden in July 2024. It requires the NRC to take a number of actions, particularly in the areas of licensing of new reactors and fuels, while maintaining the NRC's core mission to protect public health and safety. The Act affects a wide range of NRC activities, including by supporting the recruitment and retention of the NRC workforce, adding flexibility in the NRC's budgeting process, enhancing the regulatory framework for advanced reactors and fusion technology, and requiring initiatives to support the NRC's efficient, timely, and predictable reviews of license applications.

## **ADVANCE Act of 2024, Section 207 Combined License Review Procedure**

(a) IN GENERAL.—In accordance with this section, the Commission shall establish and carry out an expedited procedure for issuing a combined license pursuant to section 185 b. of the Atomic Energy Act of 1954 (42 U.S.C. 2235(b)).

## **ADVANCE Act of 2024, Section 207 Combined License Review Procedure**

(b) QUALIFICATIONS.—To qualify for the expedited procedure under subsection (a), an applicant—

(1) shall submit a combined license application for a new nuclear reactor that—

(A) references a design for which the Commission has issued a design certification (as defined in section 52.1 of title 10, Code of Federal Regulations (or any successor regulation)); or

(B) has a design that is substantially similar to a design of a nuclear reactor for which the Commission has issued a combined license, an operating license, or a manufacturing license under the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.);

## **ADVANCE Act of 2024, Section 207 Combined License Review Procedure**

- (2) shall propose to construct the new nuclear reactor on a site—
  - (A) on which a licensed commercial nuclear reactor operates or previously operated; or
  - (B) that is directly adjacent to a site on which a licensed commercial nuclear reactor operates or previously operated and has site characteristics that are substantially similar to that site; and
- (3) may not be subject to an order of the Commission to suspend or revoke a license under section 2.202 of title 10, Code of Federal Regulations (or any successor regulation).

## **ADVANCE Act of 2024, Section 207 Combined License Review Procedure**

(c) EXPEDITED PROCEDURE.—With respect to a combined license for which the applicant has satisfied the requirements described in subsection (b), the Commission shall, to the maximum extent practicable—

(1) not later than 18 months after the date on which the application is accepted for docketing—

- (A) complete the technical review process and issue a safety evaluation report; and
- (B) issue a final environmental impact statement or environmental assessment, unless the Commission finds that the proposed agency action is excluded pursuant to a categorical exclusion in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);



## **ADVANCE Act of 2024, Section 207 Combined License Review Procedure**

(2) not later than 2 years after the date on which the application is accepted for docketing, complete any necessary public licensing hearings and related processes; and

(3) not later than 25 months after the date on which the application is accepted for docketing, make a final decision on whether to issue the combined license.

## **ADVANCE Act of 2024, Section 207 Combined License Review Procedure**

### **(d) PERFORMANCE AND REPORTING.—**

**(1) DELAYS IN ISSUANCE.—**Not later than 30 days after the applicable deadline, the Executive Director for Operations of the Commission shall inform the Commission of any failure to meet a deadline under subsection (c).

## **ADVANCE Act of 2024, Section 207 Combined License Review Procedure**

(2) DELAYS IN ISSUANCE EXCEEDING 90 DAYS.— If any deadline under subsection (c) is not met by the date that is 90 days after the applicable date required under that subsection, the Commission shall submit to the appropriate committees of Congress a report describing the delay, including—

- a detailed explanation accounting for the delay; and
- a plan for completion of the applicable action.