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November 14, 2023
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Subject: Joint NGO Comment Supporting Commission Action to Promulgate a Policy Statement on Efficient, Effective, and Predictable Licensing of New Reactors.

Dear Chair Hanson:

The U.S. Nuclear Regulatory Commission (NRC) has a critical role in the future development and deployment of U.S. nuclear energy technology. Every commercial reactor applicant will need to engage with the NRC to construct and operate a new facility. An effective regulator enhances confidence in the licensing process and upholds the NRC's important safety and security mission. As such, it is imperative that the NRC's interactions are as efficient, effective, and predictable as possible so that both NRC staff and applicants are confident in the regulatory process.

On June 9th, former Commissioner Baran issued a memo to the Commission outlining an approach to develop a Policy Statement on new reactor licensing to improve the predictability and effectiveness of new reactor reviews.¹ During the June 14th House Energy and Commerce hearing on ensuring efficient nuclear safety regulation, every Commissioner expressed support for improving the timeliness and effectiveness of the licensing process through Commission direction.² Following the hearing, Commissioner Crowell issued the first vote in support of establishing expectations for new reactor reviews, and Commissioners Wright and Caputo issued a related memo proposing the establishment of "transparent, detailed, objective performance metrics" in the "requested activities" of the Commission.^{3 4} Further Commission action is required to move these efforts to develop expectations for new reactor licensing and performance metrics forward.

Our organizations agree that Commission action on these issues is a priority for the development of predictable and efficient licensing practices that are consistent with the NRC's Principles of Good Regulation. The NRC can foster a culture of proactiveness and continual improvement across the Commission's activities by developing clear expectations for new reactor licensing and performance metrics. We encourage the Commission to promptly develop a policy statement in a manner consistent with the approaches outlined in the June 9th and August 29th Commissioner memos. In doing so, the Commission should solicit appropriate

¹ COMJMB-23-001, Establishing Commission Expectations for the Effectiveness, Efficiency, and Timeliness of New Reactor Reviews, June 9, 2023 (ADAMS Accession No. ML23160A213)

² U.S. House Committee on Energy and Commerce, [hearing](#) "Oversight of NRC: Ensuring Efficient and Predictable Nuclear Safety Regulation for a Prosperous America," June 14, 2023. Timemark 02:44:55.

³ Commission Voting Record (Crowell), COMJMB-23-0001: Establishing Commission Expectations for the Effectiveness, Efficiency, and Timeliness of New Reactor Reviews, July 26, 2023 (ML23207A180)

⁴ COMDAW-23-0001/COMAXC-23-0002, Measuring NRC Success, August 29, 2023 (ML23241B013)

feedback from NRC staff and external stakeholders and demonstrate efficiency by completing and implementing these policies in a timely fashion.

The organizations signing this letter agree that, at a minimum, the following elements should be addressed within a new Policy Statement on efficient, effective, and predictable licensing of new reactors:

1. Expected licensing timelines for each licensing and permitting activity from docketing through Commission decision.
2. Distinct expected licensing timelines for first-of-a-kind and next-of-a-kind reactors (i.e., subsequent applications referencing a previously licensed design).
3. Aggressive yet achievable staff performance standards to better measure progress and ensure accountability. Standards should include metrics related to the completion of application activities needed to move an application to the next action.⁵
4. An NRC commitment to prompt resolution of disagreements between applicants and staff, including the development and public communication of such an internal process.
5. An NRC commitment to foster a culture of continuous improvement, including seeking out and incorporating external feedback, lessons learned, and best practices to further improve its activities.

In considering these elements, we urge the Commission to articulate specific goals that provide clear expectations for continuous improvement, recognizing that staff will achieve some goals over time as new experience is gained. Such specific goals could include:

- Goals for expected licensing timelines for first-of-a-kind reactor applications that are no longer than 24 months; and for next-of-a-kind reactor applications that are no longer than 12 months from docketing to Commission decision.
- 30-day average duration for acceptance reviews.
- Clear, predictable, and transparent expectations for both staff and applicants regarding what elements of the application should be the Commission's focus within first-of-a-kind and next-of-a-kind application reviews.

Further, the Commission should direct staff to identify specific changes to staff practices, management direction, regulations, and existing statutory requirements that would improve the efficiency and effectiveness of the licensing process and enable the NRC to meet or exceed these goals. A Commission policy statement aligned on these standards would result in predictable and effective licensing practices that enable the growth of the advanced reactor industry while maintaining the NRC's focus on safety, security, and efficiency.

Our organizations appreciate the hours of quality work and consideration that the Commission and staff have poured into these efforts and look forward to continued engagement with the NRC to make deploying advanced reactors another national success story.

Sincerely,

⁵ For example, acceptance reviews, completion of audits, requests for supplemental or additional information, filing Federal Register notices, dispositioning public comments, scheduling and preparatory actions related to application meetings and hearings, etc.

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cc: CMR. Wright
CMR. Caputo
CMR. Crowell
Mr. Dan Dorman, EDO
Ms. Andrea Veil, NRR