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Sweeping Advanced Reactor Licensing Modernization Proposed

Washington DC -- Former U.S. NRC Commissioner Jeffrey S. Merrifield called for a comprehensive new framework for Advanced Reactor licensing reform in an issue brief outlined at the National Press Club today.

Merrifield, who served two terms with the Nuclear Regulatory Commission, chairs the Advanced Reactors Task Force of the U.S. Nuclear Infrastructure Council, a nuclear industry business consortium. The Council is the founder and organizer of the Advanced Reactors Technical Summit, most recently held at the Oak Ridge National Laboratory earlier this month. Merrifield is a Partner with Pillsbury Winthrop Shaw Pittman law firm.

Merrifield noted that a confluence of environmental, energy security and competitiveness considerations are accelerating the compelling need for the expedited development of Advanced Nuclear Reactors in the United States and worldwide.

"Deployment of this new generation of reactors," he said, "will require a new model, one that is more dynamic and capable of forming private-public partnerships in support of private-sector innovation driven initially by private-sector investment.

"The current framework of U.S. government policy, legislation, regulation and requirements, research and development support, and fee-based licensing is more aligned with past development efforts than what is needed for the future to commercialize a new generation of Advanced Reactors," Merrifield said.

"This is particularly true of the U.S. Nuclear Regulatory Commission (NRC) licensing process, which presents one of the largest risk factors confronting private developers of Advanced Reactors as it does not accommodate a staged investment approach as the technology development and licensing risks are addressed and resolved.

"Congress should consider significant policy changes. It should provide additional resources to both agencies as well as direct them to focus and mobilize their resources and expertise on the goal of expanding nuclear energy options with Advanced Reactors.

Both the DOE and NRC must be proactive in developing their capabilities and engaging with the Advanced Reactor community. The unique features being trail blazed by Advanced Reactors justify an updated and modernized NRC design review and licensing process," added the former Commissioner.

Among the 11 specific reforms proposed in the licensing modernization framework are:

- A mandate for a 36-month Advanced Reactor licensing review by the NRC;
- General revenue funding to allow the NRC to waive the fees for the review of Advanced Reactors through their final design approval and for regulatory infrastructure and staffing to review and approve Advanced Reactor technology designs;
- Establishment of a phased design review and licensing process that would provide intermediate milestones towards a design certification that would include an early determination of licensability to enable continued development of designs without requiring a complete design to be submitted upfront;
- Development of a risk informed licensing process for Advanced Reactors that recognizes their reduced source term risk and avoids the unnecessary implementation of regulatory requirements that are more appropriate for large light water reactor technologies;
- Resolution of generic policy issues pertinent to Advanced Reactors within two years.

The issue brief's conclusion: "It is time to make dramatic changes in the way we pursue, support and license Advanced Reactor technologies to achieve the full measure of their promise and the success the nation needs for the future. While this will require a sustained focus and investment of resources by government, the return on investment will be pivotal in ensuring the U.S. maintains its technological leadership in nuclear energy's vital and carbon-free source of clean energy while providing jobs, economic competitiveness and energy security while improving our nation's environment and health."

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The USNIC Advanced Reactors Working Group is a project of the U.S. Nuclear Infrastructure Council (www.usnic.org), the leading business consortium for new nuclear energy and promotion of the U.S. supply chain globally. The views above represent a consensus of the USNIC's Advanced Reactors Task Force and the Council, but do not necessarily represent the specific views of individual member companies and organizations.