

## Comment Resolution Matrix: U.S. Nuclear Regulatory Commission Strategic Plan for Fiscal Years 2022-2026

The comments included in the table below reflect the comments received from a Federal Register Notice (85 FR 56275) dated Sept. 11, 2020 and two public meetings that took place on September 22, 2020 and June 28, 2021. Questions during the public meetings related to agency process, scheduling, or clarifications were not included in the table below. In addition, comments from the public meetings have been edited for clarity in some instances. The full meeting transcripts are identified in the table.

Number	Commenter / Organization	Comment Source	Comment	Resolution
1	J. Kempfer  Third Way, ClearPath, Bipartisan Policy Center, Nuclear Innovation Alliance, and Nuclear Matters.	Federal Register Notice "Development of NRC's Strategic Plan for Fiscal Years 2022 Through 2026" (85 FR 56275) (ADAMS Accession No. <a href="#">ML20221A238</a> )  Letter dated November 13, 2020 (ADAMS Accession No. <a href="#">ML20324A254</a> )	<p>We believe that solving climate change is one of the most pressing and important challenges facing America and the world, and nuclear power is essential in meeting that challenge. This includes ensuring the continued, safe operation of America's existing nuclear power plants, and ensuring that the next generation of advanced nuclear technologies can be available to the market in time to meet the growing demand for clean energy that allows America to meet its clean energy goals.</p> <p>We recognize the important role the Nuclear Regulatory Commission (NRC) plays in ensuring the safety of America's civil nuclear fleet. Safety can be assured by a combination of smart regulations and technical innovations. Advanced nuclear technologies use a variety of features that can enhance safety. Thus, the new technologies being proposed by America's innovators will require a new approach to licensing, as the NRC has recognized in its efforts to develop 10 CFR Part 53.</p> <p>It is also important that these new designs are able to be rapidly deployed in conjunction with state and national climate goals to reduce emissions in the coming decades. Meeting the climate challenge will require us to rapidly decarbonize the power sector and determine the best ways to decarbonize other energy sectors. To do that, we will need advanced nuclear technologies available by the end of this decade.</p> <p>This means that the years 2022-2026 will be critical in the development and licensing of these decarbonization tools. We do not doubt that the NRC will continue to ensure that any reactor licensed for operation in the United States will be safe. However, a primary objective of the Atomic Energy Act is to enable the safe use of atomic energy to the maximum benefit of the general welfare. This objective is more urgent now than ever before. The NRC must view and understand its safety and security mission as a function of broader U.S. policy on nuclear energy, particularly in light of the serious threat of climate change.</p> <p>As such, we believe a modern, risk-informed NRC is essential to enabling continued safety and performance and to paving the way for new nuclear. There is a national need for safe, carbon-free nuclear power to play a major role to address climate change and the next five years are likely to be extremely consequential for the United States. Working with industry and other stakeholders, we believe the NRC can ensure that the licensing of advanced reactors happens quickly without compromising safety. Along these lines, we encourage the NRC to proactively modernize regulations to allow new technologies to operate safely and efficiently and provide a cost-competitive option for always available carbon-free power.</p> <p>The decisions made by the NRC in the next few years will determine whether or not there is a future for advanced nuclear energy in the United States. This will have a direct impact on our ability to meet our carbon reduction goals. Safe nuclear power, overseen by a strong, independent regulator, is a key element of our low carbon future. We encourage the emphasis and focus of the NRC's 2022-2026 Strategic Plan to recognize that both existing and new nuclear technologies play a significant role in addressing climate change, and to ensure a reasonable and effective process for licensing new advanced nuclear technologies so that they can be brought to market as quickly and efficiently as possible.</p> <p>Addressing climate change was not a consideration when the NRC was established. But as repeated analyses have made clear, addressing climate change is a significant challenge and threat to our nation.</p>	<p>The U.S. Nuclear Regulatory Commission (NRC) appreciates this comment and thanks you for participating in the process. The full draft Strategic Plan for Fiscal Years (FYs) 2022-2026 recognizes the influence climate change may have in the future and includes a new strategy related to climate change impacts under Safety and Security Objective 1: Provide quality licensing and oversight of nuclear facilities and radioactive materials. This strategy focuses on the safe and secure use of radioactive material that may be impacted by climate change. This topic is also addressed as an external key factor in Appendix A, External Key Factors of the draft plan. The Market Forces and Climate Change Mitigation section in Appendix A has been updated to reflect the agency's awareness of how climate change may influence the ability of the NRC to achieve its strategic goals and the associated objectives. Additionally, Safety and Security Objective 2 addresses the need, as required by the Nuclear Energy Innovation and Modernization Act (NEIMA), to develop the NRC's regulatory framework for new advanced reactor technologies.</p>

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2	Douglas E. True Nuclear Energy Institute	<p>Federal Register Notice "Development of NRC's Strategic Plan for Fiscal Years 2022 Through 2026" (85 FR 56275) (ADAMS Accession No. <a href="#">ML20221A238</a>)</p> <p>Letter dated November 13, 2020 (ADAMS Accession No. <a href="#">ML20324A255</a>)</p>	<p>We need every agency within the federal government to use its power to expedite the transition to safe, clean sources of energy that will allow us to rapidly decarbonize our economy.</p> <p><b>Significance of the 2022-2026 NRC Strategic Plan</b></p> <p>The current U.S. fleet is performing at unprecedented levels of safety, reliability, and cost competitiveness. The next five to seven years are arguably the most critical period for the U.S. nuclear power industry in over 40 years. Advances in nuclear technology offer new opportunities to improve upon this unprecedented performance and will enable nuclear energy to address the threat posed by climate change. As our nation and the world grapple with the challenge of reducing carbon emissions, many U.S. utilities are doing their part by making carbon reduction commitments. Reliable and dispatchable carbon-free generation sources – including nuclear power – must be available in order for U.S. utilities to fulfill these commitments. Simply put, nuclear power is essential to successfully mitigate the threat posed by climate change.</p> <p>A strong, independent, and efficient safety regulator is an essential element of meeting the nation's goals. The primary challenge faced by the NRC in the Fiscal Years (FYs) 2022-2026 timeframe will be its transformation into a modern, risk-informed regulator so that it can execute its radiological safety and security mission in the most effective, efficient and least burdensome manner possible. This will require the NRC to recognize the high levels of performance of the current fleet and apply a risk-informed approach to make possible the timely deployment of new, safe, cost-effective technologies, which are critical to the nation's success in, for example, reducing carbon. Adopting this strategic approach over the period covered by the next iteration of the agency's Strategic Plan will ensure that, in executing its safety mission, the NRC does not – without a compelling safety basis – maintain or erect unnecessary barriers to achieving the nation's broader carbon-reduction objectives.</p> <p>The NRC's FYs 2022-2026 Strategic Plan is critical to addressing the challenge described above. The changes the NRC should undertake are more fundamental than initial transformation efforts. The NRC's execution of its safety mission must continue to evolve; the Strategic Plan itself must be written in a manner that leads the agency to the needed change; and implementation of the Plan must continuously drive the needed change. Consequently, industry's input to the formulation of the NRC's 2022-2026 Strategic Plan is divided into the following elements:</p> <ul style="list-style-type: none"> <li>• The Strategic Plan Must Reflect a Shift in NRC's Implementation of its Mission in Light of the Broader Context of U.S. Energy Policy</li> <li>• The Strategic Plan Must Drive Real Transformation</li> <li>• NRC Should Continuously Reinforce the Strategic Plan's Goals and Objectives</li> </ul>	The NRC appreciates this comment and thanks you for participating in the process. Please see the response to comment 1.
2A	Douglas E. True Nuclear Energy Institute	<p>Federal Register Notice "Development of NRC's Strategic Plan for Fiscal Years 2022 Through 2026" (85 FR 56275) (ADAMS Accession No. <a href="#">ML20221A238</a>)</p> <p>Letter dated November 13, 2020 (ADAMS Accession No. <a href="#">ML20324A255</a>)</p>	<p><b>Refocusing on the NRC's Safety and Security Mission in the Broader Context of U.S. Energy Policy (responds to Federal Register Notice Questions 1, 2, 3, and 4)</b></p> <p>In essentially the first words of the Atomic Energy Act of 1954, as Amended (the Act), Congress declared it to be "the policy of the United States that . . . the development, use, and control of atomic energy shall be directed so as to make the maximum contribution to the general welfare, subject at all times to the paramount objective of making the maximum contribution to the common defense and security." Congress also found that "[t]he development, utilization, and control of atomic energy for military and for all other purposes are vital to the common defense and security." At the same time, Congress recognized that "regulation . . . of the production and utilization of atomic energy . . . is necessary," in the national interest to assure the common defense and security and to protect the health and safety of the public.<sup>6</sup> Thus, from the beginning, the primary purpose of the Act has been to establish a program for the safe, secure, and widespread use of atomic energy to maximize the contribution to the national welfare. Given the threat posed by climate change, this objective is more urgent now than ever before.</p> <p>Although Congress later separated the Atomic Energy Commission's (AEC's) regulatory and promotional functions, that separation did not change the overall U.S. policy with respect to use of atomic energy. The NRC should view and implement its mission through the lens of the broader context of the U.S. policy, which establishes that nuclear energy should make the "maximum contribution to the general welfare." To be clear, the NRC's decision-making on specific issues related to the operation of nuclear power reactors should remain focused on its primary statutory mandate to ensure that "utilization or production of special nuclear material will be in accord with the common defense and security and will provide adequate protection to the health and safety of the public." This mission is</p>	The NRC appreciates this comment and thanks you for participating in the process. The full draft Strategic Plan for FYs 2022-2026 addresses the agency's continued efforts to be a modern risk-informed regulator by promoting risk-informed decision-making to result in effective and efficient oversight, rulemaking, and licensing and certification activities.

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			<p>clearly focused on protecting the public from radiological hazards associated with production and utilization of special nuclear material.</p> <p>That said, it is also well-established that the Commission’s discretion in the manner in which it regulates radiological safety is so “broad” and “free of close prescription” that it is “virtually unique.” Radiological safety must remain the NRC’s primary focus, but that does not give the agency license to regulate in a vacuum. To the contrary, in the critical period addressed by this Strategic Plan, it is essential that the NRC set strategic goals that reflect an understanding of the broader policy context within which the agency has been given regulatory authority. Specifically, we encourage the NRC to redouble its efforts to ensure that it operates as a modern, risk-informed regulator and is executing its radiological safety and security mission in the most effective, efficient, and least burdensome manner possible. This will ensure that in executing its safety mission, the NRC removes current unnecessary burden, and does not inadvertently erect new barriers to achieving the broader policy objectives of the Atomic Energy Act and more recent legislation particularly at a time when nuclear power must play a vital role in addressing the climate crisis.</p> <p>The urgency of the need for the NRC to refocus on risk-informing and maximizing the effectiveness and efficiency of its regulatory programs is reflected in many actions and policies by states and at the federal level, including:</p> <ul style="list-style-type: none"> <li>• State policies are already driving utility commitments to carbon reduction that require reliable, firm, dispatchable carbon free power that nuclear can provide.</li> <li>• Congress has directed and funded NRC to develop a new regulatory framework to enable new safe, affordable advanced reactors to be more readily licensed.</li> <li>• Congress has made advanced nuclear a near-term priority by appropriating significant funding with the expressed goal of achieving technology demonstration within 5 to 7 years.</li> </ul> <p>The NRC’s Strategic Plan provides the ideal opportunity for the Commission to recognize these broader energy policy objectives included in the AEA. They form a compelling basis for maintaining strategic focus on ensuring that the agency’s regulatory approach keeps pace and evolves, as the nation’s need for safe and reliable carbon-free power intensifies.</p> <p>Failure to recognize the broader context within which the NRC is regulating could hinder the nation’s ability to reach its carbon reduction goals. Congress has signaled that safe nuclear power must play a role in addressing the nation’s future energy through numerous bipartisan legislative actions. In carrying out its mission, the NRC should strive to make the safe use of nuclear technology possible in order to ensure that nuclear energy is available to fulfill its needed role against climate change.</p> <p>The role of U.S. nuclear technologies does not stop at U.S. borders. The NRC is the global gold standard for regulators. Approval of SMRs and advanced nuclear technologies support U.S. national security interests by enabling safe, NRC-approved, nuclear technologies to be deployed in countries that are also looking to harness nuclear carbon-free energy as part of their carbon reduction/energy strategies. The deployment of these NRC-approved technologies ensures reactors in other countries adhere to proper safety and security standards, as well as enabling the U.S. to build long-term relationships with these countries.</p> <p>Thus, in the period of the next Strategic Plan, the NRC must play a key role in:</p> <ul style="list-style-type: none"> <li>• Enabling safe existing and new nuclear technology to play a significant role in addressing the environmental threat to the country and the world resulting from climate change.</li> <li>• Enabling new, safe US nuclear technologies to be expeditiously licensed and come to market in order to provide an exportable technology to counter the national security threat presented by proliferation of nuclear technology from China and Russia around the globe.</li> </ul>	
2B	Douglas E. True Nuclear Energy Institute	Federal Register Notice “Development of NRC’s Strategic Plan for Fiscal Years 2022 Through 2026”	<p><b>Driving Real Transformation (responds to Federal Register Questions 1, 2, 3, and 4)</b></p> <p>Given the NRC’s current focus on transforming into a “modern, risk-informed regulator,” the next Strategic Plan should specify a bold vision for organizational, cultural, and regulatory transformation. In light of the NRC staff’s own acknowledgement of the need for transformation, simply “updating” the existing plan is insufficient. Rather, the NRC should look at this update as an opportunity to demonstrate its commitment to change. Not only should the NRC’s goals and objectives be transformational, but the process through which the plan is developed and implemented should also</p>	The NRC appreciates this comment and thanks you for participating in the process. The current full draft Strategic Plan for FYs 2022-2026 addresses the transformation efforts the agency is taking to enhance stewardship of resources, technology, and the workforce to improve performance in achieving its mission. This will continue to facilitate the NRC’s transformation vision to be a more, modern risk-informed regulator.

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		<p>(85 FR 56275) (ADAMS Accession No. <a href="#">ML20221A238</a>)</p> <p>Letter dated November 13, 2020 (ADAMS Accession No. <a href="#">ML20324A255</a>)</p>	<p>be transformational. Historically, the NRC Strategic Plan seems to have had little impact on the NRC's day-to-day regulatory activities, aside perhaps from its budget development and execution. Rarely do NRC staff or commissioners refer to the Strategic Plan in its interactions with stakeholders; nor do agency documents typically discuss how a particular agency action is consistent with the Plan's objectives, goals, or strategies.</p> <p>The NRC and the industry are well-positioned to implement a bolder vision for transformative change from a safety and performance standpoint. The NRC has articulated an answer to the question of "how safe is safe enough?" in its Safety Goal Policy Statement. By all measures, based on the NRC Staff's own work, the current fleet's safety performance far exceeds the Commission's safety goals and prior risk-informed focus has reduced the risk of a radiological accident from internal event challenges by more than a factor of ten.<sup>15</sup> Further, the NRC's own Reactor Oversight Process (ROP) has shown a significant and sustained decline in findings. It is clear that the NRC and industry have accumulated substantial safety margin and the time is right for bold, transformative change to maximize the efficiency and effectiveness of the NRC's regulatory program. These improvements can be achieved without compromising safety or security. In fact, at this point in the industry's life cycle, we believe taking a more risk-informed approach will improve safety and performance of existing reactors and will facilitate the development of new, innovative technology with additional inherent safety features.</p> <p>The NRC has already taken useful, initial steps towards transformation. For example, the goal to become a "modern, risk-informed regulator" was first introduced into the NRC vernacular in the staff's 2018 paper, SECY-18-0060, "Achieving Modern Risk-Informed Regulation." In that paper, the staff commented that, despite long-term efforts to "apply risk insights in a systematic manner," it had "learned from internal and external stakeholders that both the NRC staff and licensees continue to believe that current regulatory practices lead to unnecessary burden evidenced by the expenditure of undue effort on matters of low safety significance across all technical areas." The staff also acknowledged that "unnecessary regulatory burden can discourage the introduction of technologies . . . that may have safety benefits" and that the NRC is obligated to "remove unnecessary barriers to enable the safe and secure use of new technology." The staff then aptly concluded:</p> <p>"Consequently, the staff believes the NRC is at a crossroads for using risk information in regulatory decision-making and determining review scope and level of detail, and the direction we take will impact the future of the agency. Either we embrace change in the industry or we will, through the continued use of dated, inflexible, and inefficient regulatory approaches, be an unnecessary barrier to technology advances. The technologies that the agency will regulate in the next 40 years will be different than the technologies that we have regulated in the previous 40 years. Therefore, our continued success as a safety and security regulator will be impeded by the application of existing approaches to the licensing and oversight of new technologies. Instead, as a modern, risk-informed regulator, we would keep pace with technological innovations, and remove unnecessary barriers to enable the safe and secure use of new technology."</p> <p>The staff also found that "[c]entral to transformation is the staff's sense of urgency and its view that 'Modern risk-informed regulation cannot wait.'"</p> <p>The need for significant and immediate change seems to have been embraced to a certain degree. For example, the Office of Nuclear Reactor Regulation (NRR) recently developed the following vision statement: "We make safe use of nuclear technology possible." The statement inherently recognizes NRC's role in facilitating the use of nuclear technology to further the general welfare through execution of its safety mission. The staff's prescient conclusions in SECY-18-0060 and the acknowledgement in NRR's vision statement are incremental steps in the right direction, but more is needed. And time is of the essence.</p> <p>In parallel with the NRC's transformation efforts, the industry is going through its own transformation, adopting and developing new technology at a rate not seen before. This spans from the adoption of readily available, industrial technologies such as digital systems to the use of performance monitoring supplemented by artificial intelligence to development of accident tolerant fuels. Work on advanced nuclear technologies that will define the fleet of the future is also moving forward. These advances manifest themselves in both enhanced technology and modern approaches to design, fabrication, construction, and operation that will not succeed if current regulatory approaches are applied. NRC's regulatory strategies, actions, and processes must quickly adapt to support the deployment of new technologies in many forms and applications.</p>	

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			<p>The Atomic Energy Act does not stand in the way of such an evolution. Rather, the AEA has provided enduring guidance allowing the agency to advance the regulatory framework and decisions with advancements in science and technology, as well as those made by the regulated community. The NRC's statutory mandate to provide reasonable assurance of adequate protection does not and has never been interpreted to maintain obsolete regulatory approaches. It allows for the NRC to adjust requirements and expectations over time, regardless of whether this means "less" or "more" regulation. A good example is the decision regarding the application of single failure criteria in the NuScale design certification review where the Commission determined that "In any licensing review or other regulatory decision, the staff should apply risk-informed principles when strict, prescriptive application of deterministic criteria such as the single failure criterion is unnecessary to provide for reasonable assurance of adequate protection of public health and safety". A critical point is that the agency has the authority to determine "necessary" regulatory burden but should not place "unnecessary" regulatory burden on the industry. The NRC's Strategic Plan can provide much needed clarity that eliminating "unnecessary" regulatory burden does not mean reducing safety.</p> <p>The implementation of the NRC's mission should reflect a modern, risk-informed view of what "reasonable assurance of adequate protection of public health and safety" means in 2020, as opposed to what it might have meant earlier in the industry's history. Implementation of the NRC's mission should take into consideration scientific, technical, and operational advancements since many of NRC mission-based standards were established.<sup>22</sup> It should also consider how sustained, high levels of industry performance have directly improved operational safety, which should in turn shape the NRC's goals, objectives and strategies.<sup>23</sup> Becoming a modern, risk-informed regulator also means that NRC would benefit from an improved understanding of the utility business planning process for new builds and decommissioning plants to better align the agency's strategic goals, objectives, strategies and performance metrics.</p> <p>We recommend that the goal of being a "modern, risk-informed regulator" be a central theme of the 2022-2026 Strategic Plan. Further, we recommend that the Plan be used as an opportunity to provide clarity and a uniform understanding of this phrase.</p> <p>For instance, industry's view is that "modern" should not simply be represented by the NRC's use of new technology and its openness to industry use of technology in performing its mission. Being "modern" also implies up-to-date, meaning that regulatory, enforcement, and licensing techniques should not be static, but should evolve as technology evolves. Modernization should also include the improved use of current scientific knowledge, understanding of technology and risk, and of decades of industry operating experience in how the NRC understands and implements its regulatory mission. In this light, the NRC's regulations and oversight should directly reflect these considerations. Modernizing the agency should enable it to capture, for example, key lessons learned from the COVID-19 Public Health Emergency, not only to improve future planning for pandemics, natural disasters, or other contingencies, but also NRC's licensing and inspections programs in the post- COVID-19 regulatory paradigm.</p> <p>Providing more clarity on the term "risk-informed" and offering direction through the Strategic Plan would facilitate development of a more consistent understanding of the term between the NRC, licensees, and stakeholders. Additional clarity and direction would also, per Commission direction, assist efforts to "identify and consider additional opportunities to apply more broadly risk insights to enhance our decision-making beyond traditional technical issues [including] our corporate and infrastructure programs."</p> <p>The bottom line is that the Strategic Plan should serve as a foundational framework, setting forth the agency's commitment to becoming a "modern, risk-informed regulator," and drive the application of that fundamental concept by those carrying out the NRC's mission during this critical period.</p>	
2C	Douglas E. True Nuclear Energy Institute	Federal Register Notice "Development of NRC's Strategic Plan for Fiscal Years 2022 Through 2026" (85 FR 56275) (ADAMS Accession No. <a href="#">ML20221A238</a> )	<p><b>Continuous Reinforcement of the Goals and Objectives Provided in the Strategic Plan (responds to Federal Register Questions 1, 2, 3 and 4)</b></p> <p>Historically, NRC Strategic Plans seem to have had little impact on the day-to-day activities of the agency aside from its use in formulating and executing the budget. The average NRC employee has little knowledge of or interaction with the Strategic Plan on a routine basis, compared to other NRC products such as the Principles of Good Regulation. We recommend that the NRC's next Strategic Plan be communicated to the staff at all levels much more comprehensively than in past years to ensure that every employee understands that they are accountable for embracing the objectives contained in the Plan as they carry out their work.</p> <p>Prior to the current 2018-2022 Strategic Plan, the NRC's Strategic Plan contained goals related to agency performance. In 2014-2018, these were identified as "Management Objectives," and in 2008-</p>	The NRC appreciates this comment and thanks you for participating in the process. The NRC staff is using innovative ways to engage the staff and keep them informed on the FY's 2022-2026 Strategic Plan development. Following the completion of the strategic plan in February of 2022, the strategic goals, objectives, and strategies will be communicated to all NRC staff and will be used to help guide operations across the agency. As mentioned at the public meeting, the NRC is developing an externally facing application that will provide ongoing visibility into the contributing activities and accomplishments that are completed to achieve the strategic goals, objectives, and strategies. The visibility of these actions will provide transparency

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		<p>Letter dated November 13, 2020 (ADAMS Accession No. <a href="#">ML20324A255</a>)</p>	<p>2013, the NRC plan called them “Organizational Excellence.” Similar concepts appear in earlier plans. In the 2018-2022 Strategic Plan, however, the NRC eliminated any goals or objectives related to management or organizational performance. These are worthy goals and should be reinstated. Current guidance from the Office of Management and Budget in Circular A-11, Section 230, encourages agencies to adopt what is now referred to as a “Stewardship Objective” (which has replaced the former “Management Objective”). Circular A-11 states that “Stewardship objectives communicate improvement priorities for management functions such as strategic human capital management, information technology, sustainability or financial stewardship. In general, these efforts will cut across the organization and should reflect priorities that leadership would like to emphasize over the period of performance established in the strategic plan.” (emphasis added)</p> <p>Many of the challenges that the NRC is currently grappling with, including transformation, modernization, becoming more risk-informed, and establishing a culture of innovation that is willing to embrace change fit well into a Stewardship Objective. Again, the NRC Strategic Plan could serve as the platform to unify all of these objectives and provide an improved guidepost to which the NRC staff can refer.</p> <p>In addition, establishing a Stewardship Objective in the Strategic Plan could also reflect the use of technology to enable the NRC to more efficiently and effectively carry out its mission. Increased use of machine learning, data analytics, and availability of data to the public should also be included under an agency performance goal.</p>	<p>to NRC stakeholders and will also provide a better connection to the NRC staff and the day-to-day work performed to achieve the strategic goals, objectives, and strategies.</p> <p>The full draft strategic plan for FYs 2022-2026 contains a goal addressing organization health. This goal focuses on the agency’s continued efforts to maintain an organization and infrastructure that facilitates continuous learning and innovation, knowledge management, diversity and inclusion, technology adoption, and strategic planning, which in turn inspires the NRC workforce.</p>
2D	Douglas E. True Nuclear Energy Institute	<p>Federal Register Notice “Development of NRC’s Strategic Plan for Fiscal Years 2022 Through 2026” (85 FR 56275) (ADAMS Accession No. <a href="#">ML20221A238</a>)</p> <p>Letter dated November 13, 2020 (ADAMS Accession No. <a href="#">ML20324A615</a>)</p>	<p>On September 11, 2020, the NRC requested comments on its update of the NRC’s Fiscal Years (FY) 2022-2026 Strategic Plan. Specifically, the NRC requested input on the agency’s strategic goals, actions to realize those goals, and how to address key challenges and external factors.</p> <p>We appreciate the progress being made by the NRC on its journey to become a modern, risk-informed regulator. These efforts have resulted in significant progress in multiple areas, including risk-informing of licensing and streamlining of processes and procedures. As identified in the NRC Futures Assessment, the NRC and the nuclear industry face a dynamic and evolving future. At the same time, the nation, and the world, are grappling with the need to reduce carbon emissions and many U.S. utilities are making carbon reduction commitments that require carbon-free generation like safe nuclear power. Safe nuclear power, overseen by a strong, independent regulator, is an essential element of meeting the nation’s goals and the NRC Strategic Plan should guide the agency’s conduct.</p> <p>The current U.S. fleet is performing at unprecedented levels of safety, reliability, and cost-competitiveness.<sup>1</sup> However, the next five to seven years are arguably the most critical period for the U.S. nuclear power industry in over 40 years. Consequently, the FY 2022-2026 NRC Strategic Plan requires more fundamental changes than prior revisions. We encourage the NRC to redouble its efforts to ensure that it is functioning as a modern, risk-informed regulator and is executing its radiological safety and security mission in the most effective and efficient manner possible. This will ensure that in executing its mission, the NRC does not maintain or erect unnecessary barriers to achieving the broader policy objectives of the Atomic Energy Act—that atomic energy shall make the maximum contribution to the general welfare—particularly at a time when nuclear power must play a vital role in addressing carbon reduction goals. Further, the manner in which the Strategic Plan is implemented should drive this needed change.</p>	<p>The NRC appreciates this comment and thanks you for participating in the process. Please see the response to comment 1.</p>
2E	Douglas E. True Nuclear Energy Institute	<p>Federal Register Notice “Development of NRC’s Strategic Plan for Fiscal Years 2022 Through 2026” (85 FR 56275) (ADAMS Accession No. <a href="#">ML20221A238</a>)</p>	<p><b>The Strategic Plan Must Reflect a Shift in NRC’s Implementation of its Mission in Light of the Broader Context of U.S. Energy Policy</b></p> <ul style="list-style-type: none"> <li>• Recognition of Broader U.S. Energy Policy Objectives. From the beginning, a primary objective of the Atomic Energy Act has been to enable the safe use of atomic energy to the maximum benefit of the general welfare. Given the vital role that nuclear power plays in combating the threat posed by climate change, this objective is more urgent now than ever before. The NRC should view and implement its mission through the lens of the broader U.S. policy of nuclear energy making “the maximum contribution to the general welfare” and encouraging “widespread participation in the development and utilization of atomic energy for peaceful purposes to the maximum extent consistent with the common defense and security and with the health and safety of the public.”</li> <li>• Evolving Context for NRC’s Mission. Failure to recognize the broader context within which NRC is regulating could hinder the nation’s ability to reach its carbon reduction goals. Congress has signaled</li> </ul>	<p>The NRC appreciates this comment and thanks you for participating in the process. Please see the response to comment 2A.</p>



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		Letter dated November 13, 2020 (ADAMS Accession No. <a href="#">ML20324A615</a> )	that safe nuclear power must play a role in addressing the nation's future energy needs through numerous bipartisan legislative actions. In carrying out its mission, the NRC should strive to make the safe use of nuclear technology possible in order to ensure that nuclear energy is available to fulfill its needed role in the nation's response to climate change.	
2F	Douglas E. True Nuclear Energy Institute	Federal Register Notice "Development of NRC's Strategic Plan for Fiscal Years 2022 Through 2026" (85 FR 56275) (ADAMS Accession No. <a href="#">ML20221A238</a> )  Letter dated November 13, 2020 (ADAMS Accession No. <a href="#">ML20324A615</a> )	<b>The Strategic Plan Must Drive Real Transformation</b>  The Strategic Plan Should be Truly Transformational. Given the NRC's current focus on transforming into a "modern, risk-informed regulator," the next Strategic Plan should specify a bold vision for organizational, cultural, and regulatory transformation. In light of the NRC staff's own acknowledgement of the need for transformation, simply "updating" the existing plan is insufficient. Rather, the NRC should look at this update as an opportunity to demonstrate its commitment to change.  The Strategic Plan Should Reflect the Agency's Goal to be a Modern, Risk-informed Regulator. The Strategic Plan should serve as a foundational framework, setting forth the agency's commitment to becoming a "modern, risk-informed regulator," and drive the application of that fundamental concept by those carrying out the NRC's mission during this critical period. The vision, strategies, and actions of a modern, risk-informed regulator must account for the improved use of current scientific knowledge, understanding of technology and risk, decades of industry operating experience and sustained high-levels of safety performance attained by the U.S. industry.  The Strategic Plan Should Identify Elimination of Unnecessary Regulatory Burden as a Priority. The NRC's statutory mandate to provide reasonable assurance of adequate protection does not and has never been interpreted to maintain obsolete regulatory approaches. It allows for the NRC to adjust requirements and expectations over time, regardless of whether this means "less" or "more" regulation. A critical point is that the agency has the authority to determine "necessary" regulatory burden and should take action to remove "unnecessary" regulatory burden on the industry. The NRC's Strategic Plan can provide much needed clarity that eliminating "unnecessary" regulatory burden does not mean reducing safety.	The NRC appreciates this comment and thanks you for participating in the process. Please see the response to comment 2B.
2G	Douglas E. True Nuclear Energy Institute	Federal Register Notice "Development of NRC's Strategic Plan for Fiscal Years 2022 Through 2026" (85 FR 56275) (ADAMS Accession No. <a href="#">ML20221A238</a> )  Letter dated November 13, 2020 (ADAMS Accession No. <a href="#">ML20324A615</a> )	<b>The Goals and Objectives Provided in the Strategic Plan Must be Continuously Reinforced</b>  The NRC Should Take Bold Steps to Implement the Goals and Objectives Agencywide, Including Continuous Reinforcement. We recommend that the NRC's next Strategic Plan be communicated to the staff at all levels much more comprehensively than in past years to ensure that every employee understands that they are accountable for embracing the objectives contained in the Plan as they carry out their work. Progress in achieving the objectives should also be communicated publicly in clear and transparent manner.  The Strategic Plan Should Reincorporate Goals and Objectives Related to Agency Management and Performance. Prior to the current FY 2018-2022 Strategic Plan, the NRC's Strategic Plan contained goals related to agency performance. These are worthy goals and should be reinstated. Current guidance from the Office of Management and Budget in Circular A-11, Section 230, encourages agencies to adopt Stewardship Objectives. Many of the challenges that the NRC is currently grappling with, including transformation, modernization, becoming more risk-informed, and establishing a culture of innovation that is willing to embrace change fit well into a Stewardship Objective. The NRC Strategic Plan could serve as the platform to unify all of these objectives and provide an improved guidepost to which the NRC staff can refer.	The NRC appreciates this comment and thanks you for participating in the process. Please see the response to comment 2C.
2H	Douglas E. True Nuclear Energy Institute	Federal Register Notice "Development of NRC's Strategic Plan for Fiscal Years 2022 Through 2026" (85 FR 56275) (ADAMS Accession No. <a href="#">ML20324A615</a> )	<b>How should NRC evolve to improve implementation of its statutory mission?</b>  Radiological safety and security must remain the NRC's focus, but during the critical period addressed by this Strategic Plan, it is essential that the NRC set goals and complete actions that recognize the NRC's role in facilitating the deployment of safe and secure nuclear power to address our nation's energy needs and carbon reduction goals. The implementation of the NRC's mission should reflect a modern, risk-informed view of what "reasonable assurance of adequate protection" means. Implementation of the NRC's mission should take into consideration how scientific, technical, and operational knowledge has increased since many of NRC mission-based standards were established. It should also consider how improved industry performance shapes the goals, objectives, and strategies.	The NRC appreciates this comment and thanks you for participating in the process. The NRC conducted benchmarking with other federal agencies in the development of the fiscal years 2022 – 2026 strategic plan. The NRC's evidence-building plan has numerous priority questions associated with organizational effectiveness, demonstrating NRCs commitment to organizational effectiveness. The proposed priority questions are included in the annotated outline for the Evidence-Building Plan (ADAMS Accession No. <a href="#">ML21165A244</a> ).

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		<p><a href="#">ML20221A238</a></p> <p>Letter dated November 13, 2020 (ADAMS Accession No. <a href="#">ML20324A255</a>)</p>	<p>A survey of the current strategic plans of other federal agencies with missions or governance structures similar to the NRC reveals interesting approaches to setting regulatory missions that explicitly recognize the need to facilitate innovation, reduce regulatory burden, and leverage knowledge about the regulated industry. We recommend that the NRC look closely at these different approaches. We offer the following observations on plans that stood out in this regard:</p> <p>The Department of Transportation. The DOT has several elements of its strategic plan that are applicable to the NRC. The DOT's first "Strategic Objective" is to "Mitigate risks and encourage infrastructure and behavior change by using a data-driven systemic safety approach to identify risks, enhance standards and programs, and evaluate effectiveness." The DOT implements this in part through "evidence-based risk elimination and mitigation strategies." The DOT also has an entire Goal dedicated to "Innovation." Strategic Objective under this goal is to "reduc[e] barriers to innovation and actively promoting innovations that enhance the safety and performance of the Nation's transportation system." The DOT implements this in part through "Advanc[ing] the integration of new transportation technologies and practices into transportation systems to improve safety and performance," and "Updat[ing] Departmental regulations, policies, and guidance to support deployment of advancements in technology and innovation." The DOT's strategic plan also includes an "Accountability" goal, including a Management Directive to "Reduce current regulatory burdens and bureaucracy to ensure a safe, efficient, accessible, and convenient transportation system for people and commerce."  <a href="https://www.transportation.gov/sites/dot.gov/files/docs/mission/administrations/officepolicy/304866/dot-strategic-plan-fy2018-2022508.pdf">https://www.transportation.gov/sites/dot.gov/files/docs/mission/administrations/officepolicy/304866/dot-strategic-plan-fy2018-2022508.pdf</a></p> <p>Securities and Exchange Commission (SEC). The SEC's plan contains several goals that are insightful. For example, Goal 2 is to "Recognize significant developments and trends in our evolving capital markets and adjust our efforts to ensure we are effectively allocating our resources." Sub-goals include to "[e]xpand market knowledge and oversight capabilities to identify, understand, analyze, and respond effectively to market developments and risks" and to "[i]dentify, and take steps to address, existing SEC rules and approaches that are outdated." This goal and its subcomponents align well with the NRC's efforts such as the Futures Assessment, to better understand the continuously evolving energy markets and their impact on the nuclear industry. Integration of this concept into the Strategic Plan would provide clearer direction regarding the importance of this understanding.  <a href="https://www.sec.gov/files/SEC_Strategic_Plan_FY18-FY22_FINAL_0.pdf">https://www.sec.gov/files/SEC_Strategic_Plan_FY18-FY22_FINAL_0.pdf</a></p> <p>Federal Communications Commission (FCC). The FCC's strategic plan seeks to "close the digital divide" through "[d]evelop[ing] a regulatory environment to encourage the private sector to build, maintain, and upgrade next generation networks so that the benefits of advanced communications services are available to all Americans." The FCC's formulation of this goal is similar to what we suggested in our earlier comments regarding the connection between NRC's mission and U.S. policy on nuclear energy. <a href="https://www.fcc.gov/document/strategic-plan-2018-2022">https://www.fcc.gov/document/strategic-plan-2018-2022</a></p> <p>Organizational Effectiveness. As discussed above, we recommend that the 2022-2016 Strategic Plan should contain one or more objectives related to agency performance, or Stewardship Objective. Our benchmarking revealed that such an objective is part of many other federal agencies' current strategic plans, for instance, the Federal Energy Regulatory Commission, the Department of Health and Human Services, the DOT, the SEC, the FCC, and the Department of Energy.</p>	
21	Douglas E. True Nuclear Energy Institute	Federal Register Notice "Development of NRC's Strategic Plan for Fiscal Years 2022 Through 2026" (85 FR 56275) (ADAMS Accession No. <a href="#">ML20221A238</a> )	<p><b>Are NRC's licensing and inspection programs optimized to ensure reasonable assurance of adequate protection while at the same time allowing for innovation that is informed by the business needs of the regulated community?</b></p> <p>During the timeframe covered by the FYs 2022 – 2026 NRC Strategic Plan, the national policy interests in decarbonizing the economy will continue to come into sharper focus. To this end, many U.S. utilities are making commitments or establishing goals to reduce carbon emissions. These goals depend on a mix of energy generation, including renewable sources that are complemented by firm, dispatchable carbon-free energy sources in order to maintain a reliable grid. Nuclear power is uniquely suited to fill that need at a scale that can support rapid, broad decarbonization. Consequently, there is a growing national urgency to enable the safe operation of existing and new nuclear. Despite the pressing need for nuclear energy to fight climate change and the unprecedented level of industry performance, much of the NRC's regulatory framework continues to focus on driving additional, small increases in an already deep safety margin, without</p>	The NRC appreciates this comment and thanks you for participating in the process. The proposed priority question as written was not included in the NRC's evidence-building plan that will be issued in February of 2022. However, priority question number 1, "How can the NRC improve licensing and oversight, based on recent operational experience (including lessons learned from the COVID-19 public health emergency)?" is focused on determining whether improvements can be made to the NRC's licensing and oversight process based on operational experience. The proposed priority question also considers innovation to be a key element for optimizing the NRC's licensing and inspection programs. Strategic Goal 2 of the full draft Strategic Plan for



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		<p>Letter dated November 13, 2020 (ADAMS Accession No. <a href="#">ML20324A255</a>)</p>	<p>consideration of the fact that those modest increases may not be necessary to fulfill the agency's statutory mandate and may negatively impact achievement of the broader environmental objective of carbon reduction.</p> <p>Nuclear energy has and will continue to be a major source of carbon-free energy in driving toward a net zero emissions by mid-century. Today, nearly 55 percent of the nation's carbon-free energy comes from nuclear energy, which highlights the strategic importance of NRC ensuring a highly efficient, risk-informed, predictable and reliable subsequent license renewal process as many utilities are firming up strategies for achieving net zero emissions goals. As the nation's sole licensing authority for nuclear reactors, the NRC would be well served to increase its understanding of the economic regulatory and business environment that licensees and technology developers operate within. The licensing and inspection for NRC's nuclear safety and security programs – in particular, the licensing and inspection performance goals and metrics – should be informed by insights from these business realities.</p> <p>Optimizing NRC programs, policies, operations, and regulations with a better-informed understanding of the external business and economic regulatory environment would not compromise NRC's independence. As then-Chairman Burns stated in his prepared remarks to the Institute for Nuclear Power Operations Atlanta, GA, on November 3, 2015:</p> <p>The NRC is often considered to be the "gold standard" nuclear regulator in the world, and a model of independence and technical competence. I should note that we are independent not because you are bad and we are good, but because independence is vital for our credibility; it's what people trust. It gives the public confidence that we are, indeed, protecting health and safety and the environment. That's what we all want. But I don't believe independence means isolation. I think it's important that the NRC effectively communicate with and engage in meaningful dialogue with industry, the Congress, the states, nongovernmental organizations, and the public. We need to continue to communicate and recognize that safety and security is the mission of both the NRC and the plants. In that shared vision we are, to quote the book by that title, 'Hostages of Each Other.'</p>	<p>FYs 2022-2026 discusses the agency's focus on innovation as we continue to foster a healthy organization.</p>
2J	Douglas E. True Nuclear Energy Institute	<p>Federal Register Notice "Development of NRC's Strategic Plan for Fiscal Years 2022 Through 2026" (85 FR 56275)</p> <p>Letter dated November 13, 2020 (ADAMS Accession No. <a href="#">ML20324A255</a>)</p>	<p><b>What COVID-19 public health emergency lessons learned can be adapted to further evolve NRC's programs, policies, operations, and regulations in the post-COVID-19 regulatory paradigm while continuing to ensure reasonable assurance of adequate protection?</b></p> <p>In the continuing challenges arising from the ongoing COVID-19 public health emergency, both NRC and its licensees have successfully managed their respective roles in ensuring the safe operation of the US nuclear fleet. It appears likely that the end of the pandemic will happen gradually as efforts to develop effective vaccines mature, but it will not be like flipping a switch. For these reasons, some of the COVID-19 adaptations will continue for the foreseeable future and should be evaluated as part of the post-COVID-19 regulatory paradigm.</p> <p>As noted by the U.S. NRC Inspector General in OIG-20-A-16: The NRC demonstrated agile decisionmaking in rethinking work processes to perform mission activities while using telework to protect the health and safety of the workforce. The planning process considered many areas of agency operations, drawing on the agency's response experience. However, pandemic uncertainties may keep the agency in its current status for a longer term than previously envisioned. The NRC has begun a lessons-learned process by soliciting staff input for evaluation of pandemic-related policies and procedures. Documenting lessons learned from this experience could provide NRC staff valuable insight into future planning for pandemics, natural disasters, or other contingencies.</p>	<p>The NRC appreciates this comment and thanks you for participating in the process. The proposed priority question as written was not included in the NRC's evidence-building plan that will be issued in February of 2022. However, priority question number 1, "How can the NRC improve licensing and oversight, based on recent operational experience (including lessons learned from the COVID-19 public health emergency)?" will take into consideration lessons learned from the COVID-19 public health emergency.</p>
2K	Douglas E. True Nuclear Energy Institute	<p>Federal Register Notice "Development of NRC's Strategic Plan for Fiscal Years 2022 Through 2026" (85 FR 56275) (ADAMS Accession No. <a href="#">ML20221A238</a>)</p>	<p><b>Are agency actions appropriately focused on matters of greatest safety significance?</b></p> <p>Efforts to focus on the most important issues from a safety perspective and to "risk-inform" actions and priorities, applies to every aspect of the NRC mission and can provide the necessary framework to determine the level-of-effort expended on various licensing and inspection matters. The evolution to a modern, risk-informed regulator requires a continual assessment of policies, processes and procedures to determine the changes necessary to ensure that agency actions meet established goals in the most efficient and effective manner.</p>	<p>The NRC appreciates this comment and thanks you for participating in the process. While the proposed priority question as written was not included in the NRC's evidence-building plan that will be issued in February of 2022, priority question number 4: "To What Extent Are Licensing Actions Performed By The NRC Becoming More or Less Resource Intensive Over Time and Have There Been Any Changes In Work Product Quality?" will include an evaluation that analyzes the level of effort of various licensing actions to ensure consistent risk-informed approaches are taken.</p>

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2L	Douglas E. True Nuclear Energy Institute	<p>Federal Register Notice "Development of NRC's Strategic Plan for Fiscal Years 2022 Through 2026" (85 FR 56275) (ADAMS Accession No. <a href="#">ML20221A238</a>)</p> <p>Letter dated November 13, 2020 (ADAMS Accession No. <a href="#">ML20324A255</a>)</p>	<p><b>Do the agency's regulatory policies, programs and practices appropriately balance safety significance and potential economic impacts on licensees?</b></p> <p>In becoming a modern, risk-informed regulator the NRC must have the regulatory agility and flexibility in its policies, programs, and procedures to appropriately balance risk-significance with high economic burden on licenses when possible.</p> <p>Faithful adherence to the NRC's backfitting requirements is essential to ensure that new or changing agency requirements or interpretations will yield significant safety and security benefits, and that the costs associated with achieving those benefits are justified. Over the past four years, the agency has taken several important actions to improve implementation of the agency's backfitting requirements. We view the staff's ongoing efforts to revise NUREG-1409 and NUREG/BR0058, along with the Commission's revisions to Management Directive 8.4 as the vital capstones of those actions. As aptly stated by the staff in its proposed revisions to NUREG-1409, "Backfitting is an integral part of the regulatory process" and "ensures discipline, predictability, and optimal use of NRC and licensee resources." The backfitting requirements have been part of the NRC's regulatory framework for over 50 years. While the Commission's backfitting requirements are uniquely tailored to the NRC's mission of regulating nuclear licensees to ensure adequate protection of the public health and safety, and the common defense and security, the backfitting concept is also consistent with broader, long-standing efforts undertaken by the federal government to improve regulatory decision-making. The NRC should continue to make updating of its backfitting guidance a priority and continue efforts to train agency staff in proper application of the Commission's backfitting regulations.</p> <p>More broadly, the NRC's regulatory analyses also play a vital role in ensuring that the costs and benefits of regulatory alternatives are carefully considered. The NRC should continue its efforts to revise NUREG/BR-0058 to ensure that the agency's regulatory analyses utilize high-quality information and serve as tools to prospectively inform regulatory decision-making.</p> <p>The NRC's recent efforts to implement procedures to consider the safety-significance of regulatory issues in various regulatory contexts also deserve mention here. If properly developed and implemented, the NRC's "very low safety significance issue resolution" initiative should go a long way to ensure that NRC and industry resources are not focused on issues that are not significant from a safety standpoint. The NRC should continue to explore development and implementation of that initiative.</p> <p>Two additional illustrative historic examples are founded the operating reactor cost-beneficial licensing action program (CBLAs) and Direction Setting Issue 24, "Decommissioning Power Reactors."</p> <p>CBLAs applied to licensing actions with low safety significance that were assigned low priority by the agency. See NRC Press Release 95-28, which said, in part:</p> <p>The program, designated Cost Beneficial Licensing Actions, is part of the NRC's continuing effort to improve regulatory oversight of licensees. Made available last year, the program places a higher priority on staff reviews of plant specific license amendment requests that reduce or eliminate requirements which have a small effect on safety but a high economic burden on licensees. In the past, license amendment requests with marginal safety significance, but high cost savings, were given the lowest priority for staff review.</p> <p>The treatment of CBLAs over time has improved, but there continues to be opportunities for further improvement in today's dynamic environment for NRC licensees.</p> <p>In SECY-98-258, "DSI-24 Implementation: Decommissioning Licensing Actions and Priorities and Milestones for Addressing Rulemaking and Guidance Development," the staff stated that:</p> <p>"...the staff provide[d] the Commission with an overall plan and an integrated set of milestones for addressing initiatives under development or contemplated in the decommissioning area. Further, the staff was requested to include within the plan a prioritization scheme for the various initiatives and specific timeliness goals for licensing actions for the plants in active decommissioning, the level of effort needed to implement the plan,</p>	<p>The NRC appreciates this comment and thanks you for participating in the process. However, this proposed priority question that focuses on the NRC's backfit process was not included in the NRC's evidence-building plan that will be issued in February of 2022.</p>

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			<p>and to identify any policy guidance needed from the Commission to expedite licensing reviews and rulemaking. The prioritization scheme should take into account not only risk information but also cost-beneficial considerations for both the NRC and its licensees."</p> <p>As the nation's sole licensing authority, the agency must continue to consider not only risk significance but also balance cost considerations for NRC and its licensees.</p> <p>Of course, we recognize that the NRC must impose changes considered necessary for adequate protection without consideration of cost, but so-called "adequate protection" requirements should be few and far between at this point in the history of the NRC and the industry. Even when matters are "necessary for adequate protection," the backfit rule itself at 10 CFR 50.109 acknowledges that licensee burdens and financial impacts are a factor to be considered.</p>	
2M	Douglas E. True Nuclear Energy Institute	<p>Federal Register Notice "Development of NRC's Strategic Plan for Fiscal Years 2022 Through 2026" (85 FR 56275) (ADAMS Accession No. <a href="#">ML20221A238</a>)</p> <p>Letter dated November 13, 2020 (ADAMS Accession No. <a href="#">ML20324A255</a>)</p>	<p><b>What actions are necessary to improve readiness for technology change?</b></p> <p>During the 2022-2026 timeframe, we expect numerous new and advanced reactor technologies to seek licenses and design approvals. The regulatory precedents that are established during this timeframe will be long lasting. Given that the nation would benefit greatly from the large-scale deployment of new and advanced reactors, achieving key goals in the areas of regulatory timeliness, cost-effectiveness and predictability during this time will greatly influence the ability of new and advanced reactors to benefit society.</p> <p>Adopting new technologies under the current regulatory framework is time consuming and expensive, such that many technological advancements are never adopted because the regulatory costs far outweigh the financial benefit of the technologies. In some cases, these foregone technological advancements would have resulted in safety improvements. As an example, the NRC is still struggling with providing an efficient, timely and predictable regulatory framework for digital I&amp;C, nearly 20 years after the technology was first envisioned to be incorporated into nuclear power plants.</p> <p>A modern, risk-informed regulator must keep pace with technological innovations and remove unnecessary barriers to enable the safe and secure use of new technology. The NRC has a proven track record of ensuring the regulatory framework provides reasonable assurance of adequate protection of public health and safety and promoting the common defense and security. However, the NRC's past strategies have not placed an appropriate focus on regulatory efficiency. The result is that the current regulatory framework for new and advanced reactors imposes requirements and expectations that go beyond what is necessary to provide reasonable assurance of adequate protection, and the NRC's licensing and oversight activities impose unnecessary schedules, costs, and risks on the regulated industry.</p> <p>Current scientific knowledge and understanding of technology and risk should be combined with decades of industry operating experience to shape how the NRC understands and implements its regulatory mission. Advanced technology presents an opportunity to greatly reduce regulatory burden. The NRC has the authority to determine "necessary" regulatory burden and should take action to remove "unnecessary" regulatory burden in the licensing of advanced designs.</p>	<p>The NRC appreciates this comment and thanks you for participating in the process. However, this proposed priority question was not included in the NRC's evidence-building plan that will be issued in February of 2022, because the NRC is taking the necessary actions to prepare for applications for new and advanced reactor technologies. Section 103 of NEIMA mandates that the NRC develop strategies for the licensing of commercial advanced nuclear reactors within its existing regulatory framework, and to complete a technology-inclusive rulemaking by the end of 2027 for the licensing of such reactors. In addition, the NRC included a significant evaluation entitled, Risk-Informed, Technology-Inclusive Regulatory Framework for Advanced Reactors in the NRC's FY 2022 Annual Evaluation Plan (ADAMS Accession No. <a href="#">ML21053A191</a>). The discussion in the FY 2022 Annual Evaluation Plan describes the NRC's planned actions for evaluating the agency's readiness to complete a rulemaking to establish a technology-inclusive regulatory framework for advanced nuclear reactor technologies, and whether the NRC has adequate expertise, modeling, and simulation capabilities, or access to those capabilities to support the processing of commercial advanced reactor license applications.</p>
3	Pamela Greenlaw Member of the Public	<p>September 22, 2020 Public Meeting</p> <p>Meeting Transcript (ADAMS Accession No. <a href="#">ML20304A516</a>)</p>	<p>So, my question is as far as being transparent and having public involvement, will you please look into adding some strategies to help you all reach environmental justice communities. We have had discussions with NRC, and we said, "How about a post card? How about a post card of a meeting? How about setting the meetings near where people live instead of on the other side of town?" And so, I'm seeing not insensitivity, but in the desire to be uniform and consistent, the NRC is actually not being as open as you ought to be. My question is, will you consider how the public stakeholders are segmented? Because when you're looking at these as professional segmentations, or whether you're looking at communities, your Environmental Justice communities need a different view from you, and they need a new way for you to include them. So, I'm wondering if you would look at that. And I don't know if you would put that in your Learning Agenda. Probably I was thinking outreach, because you want to have public accountability, and we don't feel that that transparency for us is there. Certainly, there are some guidelines from the NEPA documents that you could adopt. Environmental justice communities are routinely — and not deliberately by you all — but they are routinely excluded from getting the notifications because you're using a system that cannot work for them. They do not have broadband connections, telephones — telephone service is spotty. And okay, we're talking not just rural South Carolina, but rural pretty much wherever these occur. And of course, I'm worried about my neighbors.</p>	<p>The NRC appreciates this comment and thanks you for participating in the public meeting. The NRC's evidence-building plan that will be issued in February of 2022 will include a priority question on environmental justice related to the NRC's programs, policies, and activities. Priority question 9 states, "To what extent are the NRC's programs, policies, and activities addressing environmental justice?" The priority question was included in the annotated outline for the Evidence-Building Plan (ADAMS Accession No. <a href="#">ML21165A244</a>).</p>

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4	Pamela Greenlaw  Member of the Public	September 22, 2020 Public Meeting  Meeting Transcript (ADAMS Accession No. <a href="#">ML20304A516</a> )	I think it's still important for the strategic planning to understand how the relationship of NRC and the NNSA work together as agencies. In Columbia, the Westinghouse Columbia Fuel Fabrication Facility makes the nuclear rods. I'm trying to figure out who's in charge of what. To me when you have a strategic plan and you're working with other agencies it would be very useful for the public to know what that relationship is and who's responsible for what. What I'm asking is, is NRC including in its strategic plan the other particular agencies with which it works?	The NRC appreciates this comment and thanks you for participating in the public meeting. The NRC's full draft Strategic Plan for FYs 2022-2026 does not specifically address the regulatory roles of other Federal agencies. However, having a clear understanding of the regulatory roles at facilities licensed by the NRC allows for meaningful public participation and transparency. Strategic goal 3, "Inspire stakeholder confidence in the NRC" emphasizes that public confidence is key and that we must communicate in clear and accessible ways. In addition, the NRC's evidence-building plan that will be issued in February of 2022 will include a priority question on stakeholder confidence. Priority question 8 states, "How can the NRC improve external engagement to inspire stakeholder confidence?" The priority question was included in the annotated outline for the Evidence-Building Plan (ADAMS Accession No. <a href="#">ML21165A244</a> ).
5	Michael Callahan On behalf of Wayne Norton, Executive Spokesperson of the Decommissioning Plant Coalition, and President and CEO of Connecticut Yankee and Yankee Rowe, and the CNO of Maine Yankee.	September 22, 2020 Public Meeting  Meeting Transcript (ADAMS Accession No. <a href="#">ML20304A516</a> )	Now clearly the agency has been successful in meeting its two strategic goals and three strategic objectives. And you should be congratulated. We do extend congratulations and great appreciation of the efforts in all of the Commission to achieve such a high degree of safety and security. We use the current strategic plan as a template to develop some suggestions in specific areas. We see little need for major changes to the strategic goals or the strategic objectives. But here are some suggestions for the safety strategies that underpin these. Regarding safety strategy number 2 which is to further risk inform the current regulatory framework, etcetera, the three Yankees and the Decommissioning Plant Coalition, we've consistently supported efforts to risk inform regulations regarding the safe and secure management of spent fuel especially given the dramatic reduction at risk that occurs at sites when they permanently shut down. Clearly the agency has interacted with stakeholders over the last five-year strategic plan to affect some changes. But given that risk reduction that does occur once the fuel is cooled, once all the fuel at the site is loaded in the dry casts, we suggest the strategy recognizing that there should be an acceleration of the regulatory changes in this specific area. The decades of safe and secure experience of fuel storage are indicators that support this effort. Now, the Strategic Plan should acknowledge that aspect of the risk informing as part of the specific safety strategy and its underlying contributing activities. Safe and secure transportation should also continue to be recognized as a contributing activity for safety strategy 2. We would hope that the NRC will expand its efforts to ensure that it engages with potential licensees, other governmental and non-governmental organization stakeholders as discussions on how the nation can move forward with spent fuel management initiatives continue.	The NRC appreciates this comment and thanks you for participating in the public meeting. The NRC's safety and security strategic goals remain in the full draft Strategic Plan for FYs 2022-2026, but the safety and security goals have been combined into one strategic goal; Safety and Security Goal 1, "Ensure the safe and secure use of radioactive materials." This goal includes a strategy similar to safety strategy 2 included in the Strategic Plan for FYs 2018-2022. However, the supporting discussion for this strategy in the full draft Strategic Plan for FYs 2022-2026 recognizes that the NRC must continue to improve the effectiveness and efficiency of its safety and security regulatory framework.
6	Michael Callahan On behalf of Wayne Norton, Executive Spokesperson of the Decommissioning Plant Coalition, and President and CEO of Connecticut Yankee and Yankee Rowe, and the CNO of Maine Yankee.	September 22, 2020 Public Meeting  Meeting Transcript (ADAMS Accession No. <a href="#">ML20304A516</a> )	With respect to Safety Strategy 4, Maintain effective and consistent oversight of licensee performance with a focus on the most safety-significant issues, remote inspections at decommissioning sites and at standalone facilities have proven to be quite valuable during the COVID pandemic. Continued use of such inspections should at least be a part of the contributing activities portion of the Safety Strategy. But please recognize there needs to be a balance between remote inspection and regional and headquarters inspectors, managers, and executives on-the-ground familiarity with permanently shut-down sites. As they reach or will reach ISFSI-only status. Feet-on-the-ground familiarity with these facilities is an important part of the regulators' recognition of the very low risk profile of these facilities.	The NRC appreciates this comment and thanks you for participating in the public meeting. The NRC's evidence-building plan that will be issued in February of 2022 will include a priority question related to improving licensing and oversight based on recent operational experience and lessons learned from the COVID-19 public health emergency. Priority question 1 states, "How can the NRC improve licensing and oversight, based on recent operational experience (including lessons learned from the COVID-19 public health emergency)?" The priority question was included in the annotated outline for the Evidence-Building Plan (ADAMS Accession No. <a href="#">ML21165A244</a> ).
7	John Butler  Nuclear Energy Institute	September 22, 2020 Public Meeting  Meeting Transcript (ADAMS Accession No. <a href="#">ML20304A516</a> )	Looking through the current strategic plan, there doesn't seem to be as much impetus on efficiency and effectiveness as I would like to see in the next Strategic Plan. It's in there, but it's been delegated to Contributing Activities. With NRC's current focus on transformation and, you know, to be consistent with the principle of good regulation, I would ask that you consider enhancing the visibility or the importance of effectiveness and efficiency, and doing so, I think you'd have an easier way to bring in some of the transformation activities that are underway. Thank you.	The NRC appreciates this comment and thanks you for participating in the public meeting. The supporting discussion associated with Safety and Security Objectives 2 and 3 included in the full draft Strategic Plan for FYs 2022-2026 enhance the visibility and importance of effectiveness and efficiency.

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8	John Butler Nuclear Energy Institute	September 22, 2020 Public Meeting  Meeting Transcript (ADAMS Accession No. <a href="#">ML20304A516</a> )	I wanted to point out that with the license applications for new designs expected due to the Advanced Reactor Demonstration Program, I would ask you to consider the contributing activities Strategic Plan should hopefully emphasize streamlined safety and risk-informed design reviews. I would point you to the SRM where the Commission directed that the staff apply risk-informed principles when prescriptive applications and criteria is unnecessary and to provide for reasonable assurance of adequate protection. That was a clear direction that we would love to see reflected in the Strategic Plan.	The NRC appreciates this comment and thanks you for participating in the public meeting. The full draft Strategic Plan for FYs 2022-2026 includes multiple references to using a risk-informed approach to decision making approaches. In addition, as stated in the response to comment number 7, additional enhancements to the visibility and importance surrounding effectiveness and efficiency have been incorporated.
9	John Butler Nuclear Energy Institute	September 22, 2020 Public Meeting  Meeting Transcript (ADAMS Accession No. <a href="#">ML20304A516</a> )	The NRC's Futures Assessment really highlighted the impact of a dynamic environment. This industry, of the industry, that plays both on the industry and NRC operations. I would ask you to consider that the Strategic Plan should include specific objectives that consider this dynamic environment and its effect on both the manner and the means by which NRC goals are achieved. I know that's a difficult challenge, but the Futures Assessment was an important document, and it does need to be reflected in the Strategic Plan.	The NRC appreciates this comment and thanks you for participating in the public meeting. While the full draft Strategic Plan for FYs 2022-2026 does not include objectives that specifically consider the dynamic environment discussed in the NRC's Futures Assessment. The NRC uses data and information from varying sources to develop an Agency Environmental Scan on an annual basis. The environmental scan is intended to provide a better understanding of the potential influences that may affect the NRC's future environment and capacity to accomplish the mission.
10	Jason Zorn Exelon Nuclear	September 22, 2020 Public Meeting  Meeting Transcript (ADAMS Accession No. <a href="#">ML20304A516</a> )	<p>The current Strategic Plan for '18-to-'22 has a lot of positive language in it with all its improvements from the previous Plan. For instance, in Strategic Strategy 1, the Commission recognized that things like lessons learned, advances in technology, et cetera, have to be considered when looking at the NRC's regulatory programs. Those were great developments. The question is, how would you further expand notions — that I'll get into here in a second — such as, operating experience or industry performance? How can that, or should that be reflected in the objectives or the strategies or the contributing factors to make it clearer that these are the types of considerations a staff should be looking at when it's making adequate protection determinations.</p> <p>Yes, as you know, reasonable assurance of adequate protection is not a zero-risk formula, and yes, there's a lot of contributing factors that go into that determination, even though adequate protection has never been defined by the Commission. Getting back to my question, it's how do things like operating experience or industry performance over the last, 60 years of the fleet, how could they be factored into these — into the objectives or the strategies or the contributing factors?</p> <p>Second part of that question/comment is I would say that Safety Strategies 1 and 2, have a lot of good language in it, that towards that end, but it's not really reflected in Safety Strategy 4 like in the oversight. There is some mention in the strategy about focusing on the most safe and significant issues, but the contributing factors don't seem to reflect any of those considerations like as you see in Strategy 1 and 2.</p>	The NRC appreciates this comment and thanks you for participating in the public meeting. The full draft Strategic Plan for FYs 2022-2026 continues to recognize lessons learned, advances in technology, and operating experience. The NRC's evidence-building plan that will be issued in February of 2022 will include a priority question related to improving licensing and oversight based on recent operational experience and lessons learned from the COVID-19 public health emergency. Priority question 1 states, "How can the NRC improve licensing and oversight, based on recent operational experience (including lessons learned from the COVID-19 public health emergency)?" The priority question was included in the annotated outline for the Evidence-Building Plan (ADAMS Accession No. <a href="#">ML21165A244</a> ). The priority questions included in the evidence-building plan help the agency focus, drive planning activities, and prioritize the most impactful improvements to agency programs, policies, and regulations by using evidence to make informed decisions.
11	John Butler Nuclear Energy Institute	September 22, 2020 Public Meeting  Meeting Transcript (ADAMS Accession No. <a href="#">ML20304A516</a> )	I do want to point out that and this was pointed out in the future's assessment that the industry and by extension the NRC is at a crossroads of change. We have industry performance at an all-time high, but market forces are challenging the continued operation of many of our power stations. The nations need for new plants is now, but we're faced with significant burdens in the licensing of these new designs. All this points to a need to assess whether the extent in the rate of change may address currently by NRC's new transformation is going to be sufficient to meet the needs of both the agency and the industry. So I would ask you to consider the priorities that I'm raising here and in your continued development of the strategic plan.	The NRC appreciates this comment and thanks you for participating in the public meeting. The full draft Strategic Plan for FYs 2022-2026 provides a continued focus on the agency's transformation initiative to ensure the NRC is prepared to overcome a future that may include a dynamic environment.
12	John Butler Nuclear Energy Institute	September 22, 2020 Public Meeting  Meeting Transcript (ADAMS Accession No. <a href="#">ML20304A516</a> )	I wanted to at least comment a little bit about the improvements on evidence building. I thought this was a very good question as enforceable area for commenting here so I'll just kind of address a couple of quick points. But during the recent mission briefing on transformation I was very impressed with the discussion on the current efforts on data analytics and these are in my mind very valuable, but they appear to be focused on the precedent with an intention to assess the future. In my mind it would be very valuable to perform some data analysis on past performance of both the industry and the NRC. As an example, you know, how does the licensing of new plants today compare with the reviews that were performed 20 to 40 years ago? You know, what can NRC learn from the reviews of yesterday that were applied to designs that aren't as simple as the current designs and aren't as safe as the current designs that are being proposed? So that type of comparison I think would be very informative. Another example might be the ROP was developed 20 years ago with a recognition that the industry performance at that time had significantly improved. How has the	The NRC appreciates this comment and thanks you for participating in the public meeting. Data analytics can provide valuable insights when assessing the future and the past. While compiling data that could be readily used for data analytics from licensing reviews performed 20 to 40 years ago would be a significant undertaking. The NRC does see value in "learning from the past to understand the future" as stated in your comment. The NRC's evidence-building plan that will be issued in February of 2022 will include a priority question focused on whether licensing actions are becoming more or less resource intensive overtime and have there been changes in work



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			industry performance changed since the start of the ROP and how should this improved performance since that time be reflected in the NRC processes and procedures? So that backward-looking data analytics I think would be very helpful allowing us to kind of learn from the past as we step forward in the future.	product quality. Priority question 4 states, "To what extent are licensing actions performed by the NRC becoming more or less resource intensive over time and have there been any changes in work product quality?" The priority question was included in the annotated outline for the Evidence-Building Plan (ADAMS Accession No. <a href="#">ML21165A244</a> ). As previously mentioned, compiling sufficient data for licensing reviews from 20 to 40 years ago may not be feasible, a qualitative assessment may be feasible when comparing changes in work product quality. The NRC will further consider the benefits of assessing these historic documents when answering this priority question in the future.
13	Jason Zorn Exelon Nuclear	September 22, 2020 Public Meeting  Meeting Transcript (ADAMS Accession No. <a href="#">ML20304A516</a> )	This is a question about implementation of the strategy over the long term. I don't think historically a strategic plan has been something that gets rolled out on a frequent basis by the staff. There is usually a lot of references to the principles of good regulation and agency mission, but you rarely hear anybody talk in terms of how a particular action is reflective of any of these strategic objectives. So I guess the question is, is there a way to provide more visibility to the next strategic plan in terms of making it clear throughout the staff because, you know, the commission obviously approves these objectives. So it should reflect the commission's view on a lot of these issues. But so are there more frequent references to the plan? Is there a way to get that more incorporated into the vernacular or the daily work of the staff?	The NRC appreciates this comment and thanks you for participating in the public meeting. Please see the response to comment 2C.
14	Jason Zorn Exelon Nuclear	June 28, 2021 Public Meeting  Meeting Transcript (ADAMS Accession No. <a href="#">ML21215A125</a> )	Question about the Key External Factors document. I know that NEI's, you know, letters to the NRC and the draft to their plan, and in Doug's comments earlier, you know, there's a mention about climate change. And it's - you know, I would note that the key external factors doesn't really get into climate change, at least not at a high-level. You know it recognizes a couple of references in it about an impact on energy infrastructure. But it seems that given the significance of the issue as a national priority and a policy level under the Biden Administration that acknowledging climate change and the importance of nuclear towards climate change would be at least referenced in these key external factors. And, you know, I recognize that the NRC, you know, has a position about, you know, its ability to regulate - it's a safety regulator and a regulator for safety in nuclear power plants. But at the same time, the key external factors don't seem to be limited to factors that are under the NRC's control. In fact, they seem to be largely outside of the NRC's control. So I would just - it's I guess a question in a comment about, you know, taking another look at that through that lens of, you know, whether or not the NRC has any specific role in that, it's still is an external factor that is taken on a significantly higher weight in, you know, the last few years. So I guess my question would be, is there a reason - was that considered and not included in the key external factors? Was it not considered at all? And if not, you know, could you - do you think it's worth considering?	The NRC appreciates this comment and thanks you for participating in the public meeting. Please see the response to comment number 1.
15	Mike Callahan on behalf of Wayne Norton and the Decommissioning Plant Coalition	June 28, 2021 Public Meeting  Meeting Transcript (ADAMS Accession No. <a href="#">ML21215A125</a> )	Particularly in your external factors, I think there's a gap that may be missing in terms of the changing landscape of materials, licensees in general in the NRC. Number one, you're accumulating more decommissioning nuclear power plants. Number two, you could well be up to 41 agreement states that will now be responsible for regulating material usages other than decommissioning and spent fuel storage and the like. The rub here comes in that as time goes on and as far as the current operating fleet shuts down, there needs to be some measurement, an alert, a measure of being alert to the amount of time and effort the remaining materials' licensees are going to have to devote. And it eventually, too, gets around to fees as the materials base shrinks, as the reactor base shrinks. And I'm going to be very supportive in that the current reactor fee not being levied on the advanced reactors as they come out, I'll be very supportive of that. But it is - makes it imperative that risk informing and efficiency take hold at the NRC. So that's just a gap I identify in your external factors and is that there's a shrinking number of materials' licensees that either generate the amount of revenue in the case of decommissioning plants they - sites they don't generate revenue. And a shrinking number of materials' licenses can be impacted a lot if - by the increase in fees that would be levied on them if you're not paying attention to this as an external factor.	The NRC appreciates this comment and thanks you for participating in the public meeting. At a high level, the key external factors included in Appendix A do consider influences to operating costs as well as factors that can affect NRC operating budgets such as the number of power reactors entering decommissioning. As discussed in the response to comment number 9, the NRC will continue to assess the future environment as part the Agency Environmental Scan, which takes into consideration the number of materials sites and decommissioning sites.
16	Jason Zorn Exelon Nuclear	June 28, 2021 Public Meeting  Meeting Transcript (ADAMS Accession No. <a href="#">ML21215A125</a> )	And one very quick final comment is just going back to the climate change discussion. I know the NRC had an independent assessment done a few years ago. I think it was 20 - completed in 2016 or '17, the, you know, so-called (unintelligible) Assessment. And there's a very specific acknowledgment or recognition of the impacts, you know, climate change has on the future of the nuclear industry in that which, you know, again, I would just direct your attention to that in terms of looking at the Strategic Plan, because there is an acknowledgment that, you know, as Doug said, it has an - it externally exists. Does - and it will impact the NRC. Whether or not it affects specifically how the NRC goes about its business is a different question. Thank you.	The NRC appreciates this comment and thanks you for participating in the public meeting. Please see the response to comment 1.



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