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[7590-01-P]

NUCLEAR REGULATORY COMMISSION

[NRC-2026-0760]

Interim Staff Guidance: NRC Application Pathway for Reactor Designs Previously Authorized by U.S. Department of Energy or Department of War

AGENCY: Nuclear Regulatory Commission.

ACTION: Final guidance; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is issuing Interim Staff Guidance (ISG), DANU-ISG-2026-02, "NRC Application Pathway for Reactor Designs Previously Authorized by U.S. Department of Energy or Department of War." The purpose of this guidance is to provide a roadmap to NRC requirements, and associated implementing guidance, in select foundational areas to support streamlined NRC reviews of certain applications that propose to address the accomplishment of safety functions by leveraging pertinent information from prior U.S. Department of Energy (DOE) or Department of War (DOW) authorizations of demonstration reactors.

DATES: This guidance is effective on **[INSERT DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]**.

ADDRESSES: Please refer to Docket ID NRC-2026-0760 when contacting the NRC about the availability of information regarding this document. You may obtain publicly available information related to this document using any of the following methods:

- **Federal Rulemaking Website:** Go to https://www.regulations.gov and search for Docket ID NRC-2026-0760. Address questions about Docket IDs in Regulations.gov to Bridget Curran; telephone: 301-415-1003; email: Bridget.Curran@nrc.gov. For technical questions, contact the individual(s) listed in the "For Further Information Contact" section of this document.

- **NRC's Agencywide Documents Access and Management System (ADAMS):** You may obtain publicly available documents online in the ADAMS Public

Documents collection at https://www.nrc.gov/reading-rm/adams.html. To begin the search, select “Begin ADAMS Public Search.” For problems with ADAMS, please contact the NRC’s Public Document Room (PDR) reference staff at 1-800-397-4209, at 301-415-4737, or by email to PDR.Resource@nrc.gov. The ISG, titled “NRC Application Pathway for Reactor Designs Previously Authorized by U.S. Department of Energy or Department of War,” is available in ADAMS under Accession No. ML26239A071.

- **NRC’s PDR:** The PDR, where you may examine and order copies of publicly available documents, is open by appointment. To make an appointment to visit the PDR, please send an email to PDR.Resource@nrc.gov or call 1-800-397-4209 or 301-415-4737, between 8 a.m. and 4 p.m. eastern time (ET), Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Jackie Harvey, Office of Advanced Reactors, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-7534; email: Jacquelyn.Harvey@nrc.gov.

SUPPLEMENTARY INFORMATION:

I. Background

On April 17, 2026, the NRC issued a *Federal Register* notice (91 FR 20717) soliciting public comment on its draft ISG, “NRC Application Pathway for Reactor Designs Previously Authorized by U.S. Department of Energy or Department of War.” The NRC received 56 unique comment submissions from individuals and organizations. The NRC considered these comments in developing the final version of the ISG and has prepared a summary and analysis of public comments (“Comment Response Document for the draft ISG: NRC Application Pathway for Reactor Designs Previously Authorized by U.S. Department of Energy or Department of War”) received on the draft ISG (ADAMS Accession No. ML26239A068).

II. Discussion

On May 23, 2025, President Donald J. Trump signed Executive Order (E.O.) 14300, “Ordering the Reform of the Nuclear Regulatory Commission.” Section 5,

"Reforming and Modernizing the NRC's Regulations," requires the NRC to undertake a review and wholesale revision of its regulations and guidance documents as guided by the policies set forth in section 2 of E.O. 14300. Section 5(d) of the E.O. requires the NRC to establish an expedited pathway to approve reactor designs that the U.S. DOE or DOW have tested and that have demonstrated the ability to function safely.[1] The NRC is addressing section 5(d) of this E.O. primarily through two activities, as summarized later in this document. This *Federal Register* notice includes one such activity. Specifically, the NRC is issuing an ISG that would facilitate the development and review of applications for an NRC approval that seeks to leverage a prior DOE or DOW authorization.

The purpose of this ISG is to provide a roadmap to NRC requirements and associated guidance for areas in select, foundational areas of reactor facility safety and the protection of public health and safety. Due to the broad range of technology types and deployment options that may be authorized by DOE and DOW, this roadmap compiles NRC application requirements to aid developers while they are establishing their DOE or DOW authorization request and related NRC commercial licensing strategy. Importantly, this roadmap is not intended to be a comprehensive recitation of all applicable NRC requirements for a given requested approval. Nevertheless, this ISG is intended to assist prospective NRC applicants in determining how they can best maximize the overlap between what would be required to satisfy both sets of requirements (i.e., NRC requirements and DOE or DOW requirements, as applicable). In so doing, the NRC may be able to leverage more information that has been previously reviewed and accepted by DOE or DOW when the NRC staff performs its subsequent review of a commercial application. In addition, this ISG is also intended to support a streamlined NRC review of applications in areas that include pertinent information regarding the accomplishment of safety functions related to DOE- or DOW-authorized reactor facilities, in which the NRC staff would appropriately adjust the focus and depth

[1] Consistent with E.O. 14347, "Restoring the United States Department of War," this *Federal Register* notice refers to the "Department of War" and "Department of Defense" interchangeably.

of that review when implementing the whole-of-government “leveraging” concept introduced by E.O. 14300.

While not the subject of this *Federal Register* notice, the other primary activity addressing section 5(d) of E.O. 14300 was the initiation of a separate rulemaking that amends NRC requirements in part 50 of title 10 of the *Code of Federal Regulations* (10 CFR), “Domestic Licensing of Production and Utilization Facilities,” and part 53, “Risk-Informed, Technology-Inclusive Regulatory Framework for Commercial Nuclear Plants,” to explicitly establish a pathway for streamlined reviews for licensing commercial reactor designs that have previously received DOE or DOW authorization and that have been tested and have demonstrated the ability to function safely. No change was needed for 10 CFR part 52, “Licenses, Certifications, and Approvals for Nuclear Power Plants,” as it references the part 50 requirement that is being modified in the rulemaking. The final rule for that activity, “NRC Reviews of Reactor Designs Previously Authorized by U.S. Department of Energy or Department of War,” is being published separately from this action. The information in this ISG supports NRC reviews of applications under 10 CFR part 50 or part 52 pursuing the explicit pathway established by the rulemaking.

Other efforts that aid in the implementation of section 5(d) of E.O. 14300 include the NRC's issuance of an addendum to the previously existing Memorandum of Understanding (MOU) between the NRC and DOE, titled “Coordinating DOE and NRC Technical Expertise and Knowledge on Advanced Nuclear Reactor and Advanced Reactor Fuel Technologies” (ADAMS Accession No. ML25303A288). In particular, the addendum addresses coordination of DOE and NRC technical readiness and sharing of technical expertise and knowledge on advanced nuclear reactor and advanced reactor fuel technologies. The addendum also enables the documented safety analyses for DOE-authorized nuclear facilities that have been tested and that have demonstrated the ability to function safely to be leveraged to streamline and expedite future NRC licensing activities pursuant to E.O. 14300, section 5(d). Future planned activities may include the development of a crosswalk between the NRC regulations and guidance summarized in

this ISG and associated DOE authorization process requirements, and consideration and development of other MOUs, as appropriate.

III. Backfitting, Forward Fitting, and Issue Finality

This ISG provides guidance for the development and NRC staff review of applications for licenses, permits, certifications, or approvals under 10 CFR parts 50 and 52 that include consideration of relevant information gathered from a design that has been previously authorized by DOE or DOW as a utilization facility and that has been tested and has demonstrated the ability to function safely. Issuance of this ISG does not constitute backfitting as defined in 10 CFR 50.109, "Backfitting," and as described in NRC Management Directive (MD) 8.4, "Management of Backfitting, Forward Fitting, Issue Finality, and Information Requests"; does not constitute forward fitting as that term is defined and described in MD 8.4; and does not affect the issue finality of any approval issued under 10 CFR part 52. The guidance is for voluntary use by future applicants and is not imposed on any current licensees or applicants or existing or requested approvals under 10 CFR parts 50 or 52, and therefore its issuance does not constitute a backfit, forward fit, or a change affecting issue finality.

IV. Congressional Review Act

This ISG is a rule as defined in the Congressional Review Act (5 U.S.C. 801-808). However, the Office of Management and Budget has not found it to be a major rule as defined in the Congressional Review Act.

V. Executive Order (E.O.) 12866

The Office of Information and Regulatory Affairs (OIRA) determined that this final ISG is a significant regulatory action under E.O. 12866. Accordingly, the NRC submitted this final ISG to OIRA for review.

Authority: 42 U.S.C. 2011 *et seq.*

Dated: November 18, 2026.

For the Nuclear Regulatory Commission.

Mehdi Reisi Fard, Director,
Division of Advanced Reactor Engineering,
Office of Advanced Reactors.

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