

U.S. Department of Energy

Washington, D.C.

POLICY

DOE P 420.3

SUBJECT: NUCLEAR SAFETY POLICY FOR OFFSITE NUCLEAR FACILITIES
AUTHORIZED BY THE OFFICE OF NUCLEAR ENERGY

PURPOSE AND SCOPE

Purpose: To establish the Department of Energy (DOE) nuclear safety policy for nuclear facilities authorized by the Office of Nuclear Energy (NE) and located offsite. This policy applies, in lieu of otherwise applicable policies, to all offsite NE-authorized nuclear facilities and associated activities.

Scope: For the purpose of this policy, the term “offsite” means land that does not meet the definition of “onsite” in DOE P 420.2. This policy applies to all Departmental elements and their associated field element(s), to the extent they are involved with the design, construction, management, operation, decontamination, decommissioning, or demolition of offsite nuclear facilities authorized by NE, including all such facilities developed pursuant to Executive Orders 14301 (Reforming Nuclear Reactor Testing at the Department of Energy), 14299 (Deploying Advanced Nuclear Reactor Technologies for National Security), and 14302 (Reinvigorating the Nuclear Industrial Base), except the Naval Nuclear Propulsion Program, which is separately covered under Executive Order 12344, Title 50 United States Code, sections 2406 and 2511.

POLICY

It is the policy of the DOE to establish and maintain an authorization pathway for offsite nuclear facilities that are safely operational in a manner that provides reasonable assurance of adequate protection of workers, the public, and the environment. It is also the policy of the Department of Energy to authorize at least three nuclear reactors outside of the National Laboratories with the goal of each reactor achieving criticality by July 4, 2026.

Towards this end, the DOE is committed to the following:

1. Implementation of new NE directives and technical standards to ensure the safe and efficient authorization of nuclear facilities including test reactors capable of reaching criticality by July 4, 2026, other test or R&D reactors, fuel fabrication facilities, and recycling or reprocessing facilities. With respect to the facilities and activities covered by this policy, NE

directives and technical standards apply in lieu of otherwise applicable DOE directives and standards.

2. A new DOE technical standard (DOE-STD-1271-2025) has been prepared that identifies, and provides a streamlined pathway of meeting, applicable directives and technical standards. As discussed in DOE-STD-1271-2025, applicants for DOE authorization and DOE will negotiate milestones for construction and startup approval to the extent permitted by law.
3. NE's Safety Basis Approval Authority (SBAA) will be the approving official for a Documented Safety Analysis under 10 CFR 830, Subpart B (Safety Basis Requirements).
4. The Secretary of Energy will be the Startup Approval Authority for new reactors. The Assistant Secretary for NE will be the Startup Approval Authority for new non-reactor nuclear facilities.
5. Pursuant to Sections 4(c) and 5(b) of Executive Order 14301, the Secretary will establish a "Concierge Team" consisting of representatives from the Secretary's office, the Office of the General Counsel, the Office of Nuclear Energy, and, upon the applicant's or Secretary's office request, from relevant National Laboratories. The team will provide assistance to the applicant to ensure expeditious processing of its application. For these purposes, each team member will report directly to the Secretary. The representatives from the Secretary's office will retain final decision-making authority for deconflicting barriers in the process.
6. Requests for equivalencies and exemptions to this policy and its implementing directives and technical standards will be adjudicated by NE's SBAA within 14 calendar days of receipt of a substantially complete request.
7. The adequate protection Evaluation Guideline remains at 25 rem.
8. The following quantitative safety objective (in sub-paragraph a below) and design goal (in sub-paragraph b below) are established as "aiming points" (not requirements) for safety goals that guide the development of NE's nuclear safety directives and technical standards:
 - a. The risk to an average individual member of the public in the vicinity of a nuclear facility for prompt fatalities that might result from accidents should not exceed one-tenth of one percent (0.1%) of the sum of prompt fatality risks resulting from other accidents to which the public is generally exposed. For evaluation purposes, individuals are assumed to be located within one mile of the site boundary.

- b. The design goal for new nuclear facilities is that the worst-case design basis accident (greater than $10E-6$ events/year) will be 5 rem at the facility's public access boundary. This design goal represents a 5-fold increased safety margin to the public by integrating innovative solutions with rigorous safety standards. This design goal ensures that all aspects of DOE nuclear authorization will be optimized to protect the well-being of the community.
9. Delegations of approval authority in directives and technical standards that implement this policy may be further delegated in writing by the SBAA or NE Head of Field Element.
10. Where regulations, directives, and technical standards require interpretations, or deviations from DOE-STD-1271-2025 are proposed, the applicant will consult with the Concierge Team which is responsible for adjudicating the issue with the concurrence of the SBAA or NE Head of Field Element. Legal interpretations will remain the responsibility of the Office of the General Counsel.

BY ORDER OF THE SECRETARY OF ENERGY:



JAMES P. DANLY
Deputy Secretary