

CINTAC

Civil Nuclear Trade Advisory Committee

August 4, 2022

The Honorable Gina Raimondo
Secretary
U.S. Department of Commerce
1401 Constitution Avenue, NW
Washington, DC 20230

Subject: Expanding Support for Nuclear Exports Beyond Engineering, Procurement, and Construction Contracts and Providing Focused Assistance for U.S. Nuclear Industry Small and Medium Enterprises

Dear Madame Secretary:

The Civil Nuclear Trade Advisory Committee (CINTAC) serves as an advisor to you on the promotion of nuclear energy exports, and we are writing to recommend actions to: (1) expand support for U.S. nuclear exports to include capacity building initiatives for “Early First Mover” countries (i.e., countries that have declared plans to deploy commercial nuclear power but are yet to sign any contracts to build commercial nuclear power plants); (2) focus U.S. Government efforts on support for U.S. nuclear industry Small and Medium Enterprises (SMEs); and (3) remove barriers to the use of U.S. products and services that exist in countries using non-U.S. reactor technology.

U.S. Government support for U.S. nuclear industry exports understandably focuses on large dollar/high visibility items such Engineering, Procurement, and Construction (EPC) contracts to build large nuclear power plants or small modular reactors (SMRs). While large EPC projects are clearly important, there is also a significant level of support needed in Early First Mover countries to build the capacity required to develop and sustain a safe, well-run, and well-maintained commercial nuclear power program. Important capacity building services that U.S. companies could provide include, but are not limited to:

- Regulatory framework development
- Licensing programmatic support
- Quality assurance programmatic support
- Nuclear security and nuclear safeguards programmatic support
- Knowledge transfer/expert technical training services

Establishing U.S. companies as trusted advisors providing support to new nuclear regulatory authorities and decision-makers in nascent nuclear energy programs will provide broader benefits to the U.S. nuclear industry by creating the opportunity for other U.S. companies to benefit from this positive relationship. Having more U.S. companies engage in early capacity building activities

also helps shape a country's nuclear regulatory framework in line with well-known U.S. Nuclear Regulatory Commission (NRC) standards, thereby strengthening global nuclear regulatory systems.

Since the capacity building services noted above are largely knowledge based and consultative in nature, SMEs, as opposed to large corporations, can provide many of them. SMEs may not have the resources of larger corporations to develop and maintain strong business relationships with international customers so expanding efforts to focus specifically on support for SMEs would help keep viable a robust population of U.S. companies capable of providing needed capacity building services. Many larger nuclear vendors cannot or will not provide support to an overseas nuclear regulatory authority. Such work could create a conflict of interest since the vendors should not regulate themselves if they are also seeking to be a vendor in that country. Bringing U.S. standards can help allow for U.S. vendors to follow, versus regulatory assistance from other countries that compete with U.S. commercial interests.

In addition to capacity building services for Early First Movers, there are numerous U.S. nuclear industry products and services that could support, maintain, and ultimately, sustain the commercial nuclear power programs in foreign countries, even those that have already selected non-U.S. technologies. These U.S. nuclear products and services are trusted, marketable, and immediately saleable. However, barriers exist in countries using non-U.S. nuclear reactor technology. Plants based on non-U.S. nuclear technology may adopt non-U.S.-based standards for the design, manufacture, and testing of its contracted products and services, thereby hampering U.S. leadership in the area of products and services.

Recommendation

To address the issues raised here, CINTAC recommends that the Secretary of Commerce give the Team USA Civil Nuclear Working Group additional guidance as follows:

1. To expand support for capacity building initiatives for Early First Mover countries, Team USA, through its Department of State representative, should more closely integrate with U.S. Government initiatives involving Nuclear Cooperation Memoranda of Understanding (NCMOU) with Early First Mover countries, such as the one signed in July 2021 with the Republic of Ghana.¹ NCMOUs are diplomatic mechanisms that strengthen and expand strategic ties between the United States and a partner country by providing a framework for cooperation on civil nuclear issues and for engagement between experts from government, industry, national laboratories, and academic institutions. Team USA should leverage NCMOU initiatives by identifying key decision-makers within NCMOU countries to organize facilitated meetings (e.g., workshops, trade missions, etc.) between these decision-makers and representatives from interested U.S. companies to build relationships and to identify the specific capacity-building needs in these countries.
2. To ensure support efforts include SMEs, Team USA should target having ~25% of the U.S. companies invited to participate in facilitated meetings with NCMOU key decisionmakers

¹ <https://www.state.gov/the-united-states-of-america-and-republic-of-ghana-sign-a-memorandum-of-understanding-concerning-strategic-civil-nuclear-cooperation/>

qualify as Small Businesses according to U.S. Small Business Administration size standards.²

3. To remove barriers to the use of U.S. nuclear products and services in countries using non-U.S. nuclear reactor technology, Team USA should engage with CINTAC to identify and prioritize consensus-based technical standards and more specifically:
 - a. Should ensure that those standards are included and imparted to create level standing when non-U.S. nuclear projects receive U.S. funding, and
 - b. Should through its Department of State representative and Department of Commerce/International Trade Administration Standards Attachés encourage the adoption of those standards in interactions with governmental decision-makers from other countries, and
 - c. Should work alongside the U.S. NRC to prioritize endorsement of those technical standards as establishing regulatory interpretive precedent.

Thank you for your support of CINTAC. We look forward to working with you and your team on these subjects and other issues of mutual concern.

Sincerely and on behalf of the members of CINTAC,



Jeff Harper, Chairman



Ralph Hunter, Vice Chairman

cc: U.S. Secretary of State
U.S. Secretary of Energy
U.S. Secretary of Treasury
National Security Advisor
Chairman, U.S. Nuclear Regulatory Commission
Director, National Economic Council
Director, National Security Council
Chairman, Senate Energy and Natural Resources Committee
Chief Executive Officer, U.S. International Development Finance Corporation
Chairman, Export-Import Bank of the United States
Director, U.S. Trade and Development Agency

² <https://www.sba.gov/partners/contracting-officials/small-business-procurement/small-business-size-standards>

CINTAC Members

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