

## NOPR versus SNOPR: Proposed Changes to Key Provisions

<b><u>Destination classification</u></b>	
<p><b><u>NOPR:</u></b> The NOPR proposed to change the classification of 3 countries with growing nuclear trade to generally authorized from requiring specific authorization. It was also proposed that 77 countries with limited nuclear trade, with the exception of Mexico, switch from generally authorized to requiring specific authorization. The proposed change did not affect the classification of 117 country destinations.</p>	<p><b><u>SNOPR:</u></b> The SNOPR proposes to extend general authorizations to existing projects in Mexico and Chile, as both countries have Project and Supply Agreements. Country reclassification to general authorization may be considered if the United States has brought into force a 123 Agreement for Peaceful Nuclear Cooperation with a country not on the generally authorized list.</p>
<b><u>Foreign employee access to technology:</u></b>	
<p><b><u>NOPR:</u></b> Specific authorization would be required unless employee is a citizen of a generally authorized country.</p>	<p><b><u>SNOPR:</u></b> Foreign employees from countries that require specific authorization would be generally authorized subject to certain conditions, including access expressly authorized in accordance with NRC requirements.</p>
<b><u>Scope of Commercial reactor assistance covered</u></b>	
<p><b><u>NOPR:</u></b> Proposed to broaden Part 810 scope from “production reactor” to “nuclear reactor” technology.</p>	<p><b><u>SNOPR:</u></b> Proposed to clarify that Part 810 covers reactor technology related to special nuclear material (SNM) production.</p>
<b><u>Operational Safety</u></b>	
<p><b><u>NOPR:</u></b> Proposed to eliminate “fast track” authorization for operational safety assistance but proposed to retain it for nuclear emergency assistance.</p>	<p><b><u>SNOPR:</u></b> Would retain fast track authorizations for both and tie the definition of “operational safety” to established safety standards. It also would permit authorized safety exchange and benchmarking programs.</p>
<b><u>Back End Activities</u></b>	
<p><b><u>NOPR:</u></b> Separation and reprocessing of special nuclear material are back-end activities that have always been covered by Part 810. The NOPR proposed to expressly cover specific additional back-end activities. The purpose was to cover them because they can be a part of a separation and reprocessing program.</p>	<p><b><u>SNOPR:</u></b> The SNOPR would make no change to the current status of back end activities or the text of Part 810. Back end activities related to special nuclear material reprocessing would continue to require specific authorization. Otherwise, back-end activities would not be subject to part 810.</p>

### **Other SNOPR Proposed Changes**

- Commerce and State approved transactions would be exempt, as NRC approved transactions are now. This proposed change would help ensure there is not duplicative regulation.

- Medical isotope production was potentially covered by the NOPR. The SNOPR would expressly exempt all production, except for Moly 99, which would be generally authorized. These are high-value activities with little proliferation risk.
- Activities carried out by IAEA personnel would be generally authorized except for employees from restricted countries working on sensitive technology
- Transfer of public information was proposed to be generally authorized under the NOPR. The SNOPR proposes new standardized definitions of public information that conform to other export control regimes and would make transfers exempt.
- Definitions and terms: SNOPR proposed to add or revise terms to conform to proposed substantive changes and other export control regimes.