

**U.S. Department of Commerce**  
**Civil Nuclear Trade Advisory Committee (CINTAC) Meeting**  
Sixth Charter, 2018-2020  
Monday, June 24, 2:00 - 4:00pm EDT

MINUTES

**2:00 – 2:05**

**Welcome, Introductions, and Roll Call**

- Jonathan Chesebro & Devin Horne, Designated Federal Officers of the CINTAC, U.S. Department of Commerce

**2:05 – 2:20**

**Welcome, Agenda Overview, Update on CINTAC Meeting Minutes Review Process & E.O. on Evaluating and Improving the Utility of Federal Advisory Committees**

- Chris Colbert, Chair, & Jeff Harper, Vice Chair
- Executive Order available here:  
<https://www.federalregister.gov/documents/2019/06/19/2019-13175/evaluating-and-improving-the-utility-of-federal-advisory-committees>
- Overview of Executive Order (E.O.) provided. DFOs working to get more information on DOC response to the E.O. and will update members.

**2:20 – 3:35**

**CINTAC Subcommittee Discussion and Overview**

- Subcommittee chairs will provide an update on their subcommittee charters and deliverables. Subcommittee deliverables and recommendations should be fully reviewed and vetted by subcommittees before being presented to the full CINTAC for review and approval.

Regulation & Policy – Chuck Goodnight, Chair

- Working to narrow scope of charter. No longer benchmarking other countries' export control regimes.
- One key is to examine the role of the U.S. Government (USG) vis a vis U.S. industry and examine how the U.S. does this relative to other countries.
- Still determining timing for the three actions noted in the charter.
- Member asked for clarification on the standards focus area/action. It was noted that the United States uses ASME codes/standards but that not all countries do. If DOC were to promote U.S. standards globally this would create a more level playing field for U.S. industry.
- Planned deliverable for the standards related action is a cover letter and a short white paper.

#### International Engagements – Ralph Hunter, Chair

- Recommendations regarding U.S. engagement at 2019 IAEA General Conference to be provided in July and discussed at August 14 CINTAC meeting.
- Subcommittee working to contact ITA's Advocacy Center to get more information on their work.
- Member noted that DOC's response to the CINTAC's NCMOU letter was positive and indicates that the Committee's recommendation was circulated to other USG agencies.
- Member noted that an English language version of the U.S.-Poland NCMOU is available online.

#### Market & Finance - David Blee, Chair

- Letter regarding OPIC financing prohibition to be revised and presented for consideration at August 14 meeting.
- Policy brief regarding the importance of EXIM Bank reauthorization to be done and sent to full Committee for consideration at next meeting.
- Requested USG speakers from financing agencies at August 14 meeting. DFOs to follow up on this request.
- U.S. Development Finance Corporation (USDFC) recommendations to be developed for consideration at August 14 meeting.

#### Infrastructure - Larry Sanders, Chair

- Subcommittee consensus reached on charter content; changed focus from domestic fleet to international market.
- Working to develop actions to support its four focus areas and to consolidate list of actions to those that will have the highest impact (1-2 actions per focus area = goal); will add planned completion dates.
- Encouraged members to register for ITA's Civil Nuclear Toolkit and noted that registration is simple.
- U.S. industry capable of providing regulatory support services to countries where NRC is not able to engage internationally.

#### Communications Matrix - Seth Grae

- By July 8, plan to finalize elevator message regarding why civil nuclear energy is vital to U.S. interests. Want this message incorporated into each subcommittee communication.
- Plan to develop talking points with more detail on the elevator speech, a policy brief and blog post on the importance of civil nuclear energy to U.S. national interests.
- Communications Matrix subcommittee serves as a resource for other subcommittees to ensure consistent messaging.

**3:35 – 3:50**

#### **Summary & Next Steps**

- Chris Colbert, Chair, & Jeff Harper, Vice Chair
- No CINTAC call to be scheduled prior to August 14 meeting.

- International Engagements subcommittee agreed to review the recently signed U.S.-Poland NCMOU to see if its content aligns with the recommendations in the CINTAC's March 26 letter to Secretary Ross on this topic.
- DFOs noted that a blog post by the Communications Subcommittee could potentially be posted on ITA's website.

### **3:50 – 4:00                      Public Comment & Adjourn**

- Written Public Comment from Jay Kraemer, Of Counsel, Fried, Frank, Harris, Shriver & Jacobson:
  - The CINTAC exists, of course, to provide constructive suggestions to the Commerce Department (and, through the DOC, other USG entities) about how best to promote U.S. civil nuclear trade. Given the diminished role of the U.S. civil nuclear industry in international trade, it seems to me that the CINTAC has a role to play that is more pro-active than what appears currently to be contemplated. Hence, my thought that the CINTAC ought to propose that the Department develop a forward looking, 5-year business plan to maximize the efficacy of its promotional activities. Because members of the CINTAC represent particular enterprises within the U.S. nuclear industry, rather than the industry as a whole, it is probably impracticable for them to agree upon the substance of a Departmental business plan (which necessarily requires identification of those U.S.-origin services, materials, and equipment best positioned to increase their penetration of the international market successfully in the near term). However, because of the practical business experience and acumen of the CINTAC members, they are well positioned to advise the Commerce Department about why such a business plan is needed and to provide guidance on how to go about preparing such a plan, as well as the development of metrics to assess the effectiveness of that plan. I do not envision that such a plan would involve the Commerce Department in choosing winners and losers within the U.S. industry. However, it would require the Department to take a clear-eyed look at which U.S.-origin nuclear goods and services are most readily able to expand their markets abroad, and then to focus its near-term promotional efforts in support of those items (as well, of course, as supporting those USG activities that enhance the marketability of all facets of the U.S. industry). In sum, virtually all modern commercial enterprises now develop and follow business plans designed to maximize the efficacy of their marketing efforts. It is appropriate, for the same reasons that private-sector entities do so, that the Commerce Department, strictly in furtherance of its function to promote international sales by domestic civil nuclear suppliers, develop and follow a plan of comparable scope and purpose.
- Verbal public comment by Jay Kraemer: summarized his written comment and noted that DOC having a long-term approach to supporting the U.S. civil nuclear industry would help industry competitiveness. Suggested that CINTAC provide a recommendation for such a plan that would last beyond the 2-year CINTAC charter.

- Members asked who would own the business plan (DOC would) and noted that CINTAC would consider this idea. DFOs to research if other industry sectors at DOC have plans similar to this and report back to CINTAC.

Meeting adjourned at 2:53pm

<b>Meeting Attendees</b>
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Commerce Department

- Jonathan Chesebro, Senior Nuclear Trade Specialist & CINTAC Co-Designated Federal Officer, International Trade Administration
- Devin Horne, Civil Nuclear Trade Specialist & CINTAC Co-Designated Federal Officer, International Trade Administration

CINTAC Members

- Larry Sanders, CEO, Accelerant Technologies
- Jay Brister – Vice President, Business Development, AECOM
- Robert Coward – Member, American Nuclear Society
- Colleen Deegan – Vice President, Bechtel Corporation
- Glenn Neises – Nuclear Director, Burns & McDonnell
- Joseph Miller – Director, Advanced Technology Programs, BWX Technologies, Inc.
- Michael Whitehurst – Director, Business Development, Centrus Energy Corp.
- Gary Wolski – Vice President, Nuclear Division, Curtiss-Wright
- Russell Neely – Chief Operating Officer, Edlow International Company
- Colin Austin, Senior Vice President of International Business, EnergySolutions
- Robert Kalantari – President and CEO, Engineering, Planning and Management
- Donald Hoffman – President & CEO, EXCEL Services Corporation
- Ralph Hunter - Vice President, Exelon Corporation
- Woody Lawman – Director of Sales, Navy and Nuclear Products, Flowserve Limatorque
- Jarret Adams – CEO, Full On Communications
- David Sledzik – Senior Vice President, Sales & Commercial Operations, Nuclear Plant Projects, GE Hitachi Nuclear Energy
- Brandon Brooks – Strategic Development Manager, General Atomics
- Charles Goodnight – President, Goodnight Consulting
- Myron Kaczmarzsky – Senior Director, Holtec International
- Robert Sweeney – President & CEO, IBEX Engineering Services, Inc.
- Seth Grae – President & CEO, Lightbridge Corporation
- Juan Subiry – Vice President, Market and Product Strategy, NAC International
- Neil Numark – President, NUMARK Associates
- Christopher Colbert – Chief Strategy Officer, NuScale Power
- Scott Singer – Vice President, Chief Security and Information Officer, PAR Systems
- Pete Gaillard – Licensing Manager, Terrapower, LLC

- David Blee – President & CEO, United States Nuclear Industry Council
- Graham Cable – Vice President, Global Growth & Strategy, Westinghouse Electric Company
- Jeffrey Harper – Vice President, Strategy and Business Development, X Energy, LLC

Members of the Public

- Jay Kraemer, Of Counsel, Fried, Frank, Harris, Shriver & Jacobson, LLP
- Kate Davy, Analysis and Measurement Services Corporation

## **Meeting Handouts**

## **CINTAC Regulatory & Policy Subcommittee Charter**

***Name:***

Regulatory & Policy Subcommittee

***Purpose:***

The CINTAC Regulatory and Policy Subcommittee identifies national and international policy, regulatory, legislative, and treaty barriers to the expansion of U.S. nuclear trade and proposes practical solutions for their elimination or amelioration.

***Focus Areas/Actions:***

<b>Focus Areas</b>	<b>Actions</b>
National nuclear policy	<ul style="list-style-type: none"><li>• Focus on three largest deltas where US regulation puts US industry at a disadvantage to other nuclear exporting nations</li></ul>
Export Support / Controls	<ul style="list-style-type: none"><li>• Identify how to reduce limitations on commercial nuclear technology exports</li><li>• Help shape the structure of needed 123 agreements</li><li>• Identify potential changes to Part 810, Part 110, EAR Licensing and other export regulations to improve US competitiveness</li><li>• Identify potential changes to legislative or treaty barriers to the expansion of US nuclear trade</li></ul>
Role of Government vs. Industry	<ul style="list-style-type: none"><li>• Identify needed changes in the status quo vis-à-vis the role of government vs. industry</li><li>• Develop approaches to achieve alignment on those changes</li></ul>
Intellectual Property	<ul style="list-style-type: none"><li>• Identify &amp; promote methods to strengthen intellectual property protection relevant to government entities and industry bodies</li></ul>
Standards	<ul style="list-style-type: none"><li>• Promote universal standards to reduce cost drivers that decrease competitiveness or is a disqualifier if not compliant.</li></ul>
Regulatory burdens / licensing challenges	<ul style="list-style-type: none"><li>• Streamline requirements for certifying US technologies (example SMRs)</li></ul>
Nuclear Liability	<ul style="list-style-type: none"><li>• Develop and recommend approaches to support renewal/update of the Price Anderson Act due in 2025</li></ul>

***Success Definition:***

The Subcommittee considers success to be having an impact on US regulation or policy such that us industry expands, either domestically, internationally, or both.

Action 1: Risk Based Framework for Export Authorizations. Timing: TBD

Action 2: Assurances Reference put into NCMOUs. Timing: TBD

Action 3: Regulatory Education Took Kit – For TEAM USA. Timing: TBD



## **Draft Communications Subcommittee Charter**

### **Purpose**

Provide the CINTAC with compelling messaging that reflects Committee and subcommittee goals and delivers consistency across the subcommittees.

### **Focus Areas**

1. Provide overarching messaging for the CINTAC.
2. Deliver editorial support for major CINTAC communications.
3. Evaluate CINTAC and subcommittee communications and provide counsel and support to ensure that each subcommittee's messaging and communications are complementary to each other and to the overarching CINTAC messaging.

### **Actions**

1. Develop and finalize an "elevator message" on why civilian nuclear energy is important to the U.S. and why its export is vital to U.S. interests. This would be incorporated as an overarching message in each subcommittee communication. ***Due Date: 7-8-2019***
2. Subcommittee-specific talking points that reflect each subcommittee's goals and build on our core "elevator message." ***Due Date: 7-26-2019***
3. Co-author blog post regarding importance of nuclear energy to U.S. national interests. ***Due Date: 7-26-2019***
4. Develop policy brief regarding why civil nuclear energy is important to U.S. national interests. ***Due Date: 8-14-2019***

### **Metrics**

1. Each subcommittee message is incorporated and covered in the elevator speech. In addition, they are clear, actionable, and attainable. Metric is agreement/buy-in that this has been accomplished by each subcommittee.
2. Blog is run in a reputable outlet.

## **Market and Finance Subcommittee Charter**

### **Discussion Draft (Rev 1.0 – 5/9/2019)**

#### **Objective**

The CINTAC Market and Finance Subcommittee will focus on recommending financing solutions to the Secretary of Commerce supporting US nuclear exports, available through all available financing mechanisms, to better position US companies in the international market.

#### **Focus Areas**

1. Advise Secretary on trade-related implications pertaining to the current US financial portfolio including —
  - A. OPIC/new US International Development Finance Corp in particular;
  - B. EX-IM
  - C. DOE Loan Program Office
  - D. World Bank **and other MDBs**
  - E. Congressional infrastructure financing initiatives;
  - F. Public and/or private-sector options
2. Raise awareness respective to the evolving advanced nuclear financial paradigm given lessened capital requirements, enhanced flexibility, improved economics and advanced manufacturing applications
3. Raise awareness of competitors' state-sponsored financial mechanisms/approaches
4. Develop and **advancing advance** enhancements to existing financial models and functions addressing items such as:
  - A. Bifurcation of risks and financing of nuclear projects; evaluating and recommending different possible approaches (debt, subsidies, financing, re-financing) for construction and operational periods.
  - B. Others as determined by subcommittee

#### **Actions/Metrics (suggest separating “actions” from “metrics” – 2 separate sections)**

- Develop a stand-alone policy brief on financing opportunities and challenges with recommended solutions (EOY2019)
- Execute letter urging lifting of OPIC anti-nuclear energy prohibition (2Q 2019)
- Support EX-IM reauthorization via letter or another vehicle e.g. short brief (3Q2019)
- Host a CINTAC meeting with a special feature on government financial entities (By EOY 2019)
- Develop a short brief on Russia, China financial approaches and recommended policies to address (1Q2020)

# **DRAFT CINTAC INTERNATIONAL ENGAGEMENTS SUBCOMMITTEE CHARTER**

**May 20, 2019**

## **Purpose**

Develop recommendations ~~and take actions~~ which, working with CINTAC leadership and TEAM USA, improve US positioning and competitiveness for international civil nuclear trade opportunities.

## **Focus areas**

- Recommend, shape the content, promote the use of Nuclear Cooperation MOUs, and ensure that NCMOUs result in commercially viable international trade opportunities.
- Identify and recommend actions that enhance US nuclear businesses access to new global nuclear power projects ~~from enhancing operations of existing nuclear plants to micro reactors to SMRs and large new nuclear power plants~~
- Identify and recommend actions that enhance US nuclear business access to decommissioning nuclear waste management opportunities globally
- Identify and recommend actions that improve US positioning, competitiveness and targeting for commercial export opportunities.
- Identify and recommend, in conjunction with the other subcommittees, policy, regulatory ~~and financing~~ actions that improve US competitiveness and increase international trade opportunities.
- Identify ways to achieve early engagement in foreign entity procurement activities that do not contravene fair competition rules employed by the US government.

## **Actions:**

- Develop and issue a recommendation to the Secretary on content and countries targeted for NCMOUs
- Continue to provide industry perspective and recommendations on NCMOU content, financing support and target countries throughout the CINTAC charter period to ensure NCMOUs are successful. Identify opportunities for deeper CINTAC/member engagement in the NCMOU development and execution process to ensure they grow international trade.
- Identify and recommend effective approaches to expand civil nuclear trade and exports
- Recommend approaches and take action to enhance US positioning and profile at the IAEA General Conference
- Recommend **targeted markets for** ~~promote and participate in~~ US trade missions
- Engage with TEAM USA and the Advocacy center to effectively position the US vs. foreign competitors
- **Develop framework to measure success of DOC-led trade missions**

## **Metrics:**

- Actionable letters to and results from the Secretary on critical industry topics
- Survey feedback from international industry events that CINTAC influences (IAEA General Conference, trade missions, etc.)

- Successful US industry influence and/or engagement in establishing NCMOUs
- US industry engagement in export generating commercial projects following an NCMOU signing
- Trade missions with CINTAC involvement
- **USG execution of NCMOUs consistent with CINTAC letter**
- **Increased US industry participation at IAEA**
- **Increased US industry participation in trade missions**

## **2019-2020 CINTAC INFRASTRUCTURE SUBCOMMITTEE CHARTER**

### **Purpose**

Support CINTAC's mission to market the international competitiveness of US civilian nuclear technologies by providing recommendations to market the capabilities of the US nuclear operators and suppliers, and innovative US nuclear technologies.

### **Focus areas:**

- Develop integrated (Commerce, State, Energy, etc.) recommendations and/or plans to promote the following domestic US nuclear capabilities internationally:
  1. New or soon to be available innovations in US nuclear technologies, manufacturing, products, and services.
  2. Improvements to simplify nuclear plant design acceptance and commissioning.
  3. Services, processes and tools to promote nuclear plant operational excellence (including capacity and availability optimization, power uprates, human performance, life cycle extension, and decommissioning).
  4. Human resource capital optimization (including education, procedures, knowledge retention, organizational design, and workforce capacity).

### **Actions:**

- Recommendations will be realistic within CINTAC's and the Department of Commerce capabilities.
- Recommendations will be adopted based on an approval of a majority of subcommittee members and with concurrence of CINTAC.
- For approved recommendations, subcommittee members will identify the steps needed for implementation, including action, owners, and due dates.
- A listing of recommendations will be retained as an attachment to this Charter.
- Progress updates will be presented to CINTAC as requested.

### **Metrics:**

- Develop at least 2 recommendations for CINTAC consideration for each focus area.
- Have at least 2 total subcommittee recommendations endorsed by CINTAC.
- When appropriate, work with CINTAC and applicable governmental entities to support Department of Commerce implementation of at least 2 subcommittee recommendations.



CINTAC Infrastructure Subcommittee Actions				
Focus Area(s)	Action	Subcommittee Lead(s)	Expected Completion	Completion Criteria
3 & 4	Work with DOC to develop method to promote US industry use of the DOC Civilian Nuclear Toolkit		09/19	At least 30 US companies populated prior to 09/19 IAEA meeting
All	Work with DOC to solicit other US departments (DOE, NRC, etc.) innovative nuclear products and services that may be good candidates for export marketing.			Letter from CINTAC to DOC requesting this action
All	Solicit CINTAC members for innovative nuclear products and services that may be good candidates for export marketing.			
2	Generate DOC letter asking them to research possibility of the NRC establishing a partnership with US suppliers when the NRC provides services internationally.			Letter from CINTAC to DOC requesting this action