



NRC NEWS

U.S. NUCLEAR REGULATORY COMMISSION

Office of Public Affairs

Telephone: 301/415-8200

Washington, D.C. 20555-0001

E-mail: opa@nrc.gov

Site: <http://www.nrc.gov>

No. 08-077

April 17, 2008

NRC UPDATES POLICY ON CONDUCTING NEW REACTOR LICENSING HEARINGS

The Nuclear Regulatory Commission has updated its policy on procedures for hearings on new nuclear power plant license applications.

The agency expects upcoming applications to use more standardized plant designs, so the Commission has looked at how best to handle several hearings on largely identical applications.

“While our hearing process handles disputed applications fairly and efficiently, we’re always looking for opportunities to improve the process,” said NRC Chairman Dale Klein. “We’ve laid out a policy that will go a long way towards avoiding repeated disputes on a settled issue.”

The Commission’s policy objectives remain unchanged. The Commission aims to provide a fair hearing process, avoid unnecessary delays in technical reviews and the hearing process, and develop an informed record that supports the agency’s mission of protecting people and the environment.

The revised policy, which appeared in the *Federal Register* April 17, builds on work produced in 1981 and 1998 and incorporates recent revisions to the agency’s hearing rules. Major policy subjects include:

- 1) A Notice of Hearing will only be issued when a complete application is accepted for review, or “docketed,” with two exceptions;
- 2) Combined License (COL) applicants retain the ability to submit information in two parts: environmental and safety. By rule, applicants now have up to 18 months (previously six months) to submit both parts;
- 3) A single hearing can resolve issues common to several COL applications of the same design, as long as the applications are filed relatively close together in time. The Commission reiterates that the public retains the right to petition to intervene on every issue concerning each individual application.

- 4) Issues relating to a standard reactor design under certification review should be resolved in the certification process, and not in any related COL hearing. If the COL application is later revised to treat the reactor as a “custom” design, the normal hearing process would resolve any design issues;
- 5) If the initial COL for a given standard design resolves a particular issue, subsequent applications for that design can adopt the approach, and the NRC staff need only verify the applicant has adopted and implemented the approach, and;
- 6) The Commission itself will preside over any request for a hearing on a given plant’s completion of the inspections, tests, analyses and acceptance criteria needed to show the plant will operate safely.

The Commission will monitor all new reactor licensing proceedings and provide guidance to licensing boards and parties in individual cases, as appropriate, and it will decide issues in the interest of prompt and effective resolution of matters in a hearing. The policy will be available electronically on the NRC’s web site at this address: <http://www.nrc.gov/reading-rm/doc-collections/commission/policy/> .

###

News releases are available through a free *listserv* subscription at the following Web address: <http://www.nrc.gov/public-involve/listserver.html>. The NRC homepage at www.nrc.gov also offers a SUBSCRIBE link. E-mail notifications are sent to subscribers when news releases are posted to NRC's Web site.