



NRC NEWS

U.S. NUCLEAR REGULATORY COMMISSION

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NRC DENIES NUCLEAR INDUSTRY PETITION SEEKING EXTENDED DEADLINE FOR SECURITY ENHANCEMENTS

The U.S. Nuclear Regulatory Commission has denied a petition submitted by the Nuclear Energy Institute on Sept. 25, 2009, that sought an additional nine months for nuclear power plants to comply with new security requirements. Specifically, the petition sought an expedited rulemaking that would revise the compliance date for new requirements in the power reactor security rule (10 CFR section 73.55) from March 31 to Dec. 31.

The petition was docketed and given immediate consideration due to the time sensitivity of the request. The request stated that two provisions of the new security rule dealing with physical barriers and detection and assessment systems were problematic to complete on time since they involve engineering analysis and design, equipment procurement, installation, testing, and related training.

The NRC staff reviewed the petition and the Commission voted to deny it based on several reasons, including the lack of time before the compliance date for the staff to collect and analyze the necessary data and to complete an adequate notice and comment for rulemaking.

The NRC believes the exemption process is the best regulatory tool to address this situation since it allows the NRC and the licensee to focus on the unique circumstances that pertain to each specific extension request. In addition, the NRC believes that revising the compliance date is an overly broad solution to an implementation problem. Those licensees that have requested extensions are encountering problems implementing only a few parts of the new requirements.

The petition denial is published in the Federal Register today and can be found at:
<http://edocket.access.gpo.gov/2010/2010-4827.htm>.

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