

NOTICE AND TIMING

The following tables identify common scenarios where an opportunity for a hearing or request for intervention may arise. The first table identifies actions for which notice is required to be published in the Federal Register as well actions where notice will be provided on the NRC website at <http://www.nrc.gov/what-we-do/regulatory/adjudicatory/hearing-license-applications.html>. The final table describes the timing of filing a request for a hearing or petition for intervention based on the timing and type of notice provided. This guide is not a replacement for the procedural regulations in 10 CFR Part 2. To the extent users rely on this guide, they do so at their own risk.

FEDERAL REGISTER NOTICE REQUIRED	
License for a facility.	§ 2.105(a)(1)
License for receipt of waste radioactive material from other persons for the purpose of commercial disposal by the waste disposal licensee.	§ 2.105(a)(2)
Amendments to licenses specified in § 2.105(a)(1) or (a)(2) that involve a significant hazards consideration.	§ 2.105(a)(3)
An amendment to an operating license for a facility licensed under § 50.21(b) or § 50.22 or for a testing facility, subject to certain limitations at § 2.105(a)(4).	§ 2.105(a)(4)
Initial authorization to receive and possess HLW at a geologic repository operations area or an amendment thereto.	§ 2.105(a)(5)
An amendment to a construction authorization for a HLW repository, when the amendment would authorize actions that significantly affect the health and safety of the public.	§ 2.105(a)(6)
A license under Part 72 to acquire, receive, or possess spent fuel for an ISFSI or for storage in an MRS.	§ 2.105(a)(7)
An amendment to a license specified in § 2.105(a)(7) when such an amendment presents a genuine issue as to whether the public health and safety will be significantly affected.	§ 2.105(a)(8)
Any other license or amendment as to which the Commission determines an opportunity for a public hearing should be afforded.	§ 2.105(a)(9)
Initial construction authorization for a HLW geologic repository.	§ 2.101(f)(8)
NRC WEB NOTICE PROVIDED	
Notices of receipt of major applications or pre-applications notification of intent to file an application.	Subject To Office Practices
Notices of docketing of major applications.	
Notices of opportunity to request a hearing/petition to intervene for major applications and regulatory actions.	
Initial nuclear power plant construction permits.	
Initial fuel facility construction permits.	
Facility license renewals.	
Design certifications under Part 52.	
License amendments for nuclear facilities.	
Applications for radioactive materials licenses.	

TIMING TO FILE REQUEST FOR HEARING OR PETITION FOR INTERVENTION		
Direct or indirect transfer of control of NRC license when the transfer requires prior NRC approval under the Commission's regulations.	Within 20 days of publication in Federal Register.	§ 2.309(b)(1)
Initial authorization to construct a HLW geologic repository.	Within 30 days of publication in Federal Register.	§ 2.309(b)(2)
Initial authorization to receive and possess HLW at a geologic repository operations area.	Within 30 days of publication in Federal Register.	§ 2.309(b)(2)
In proceedings in which a Federal Register notice <u>is</u> published.	<ol style="list-style-type: none"> 1. Within time specified in any notice or as provided by a presiding officer or ASLB, but not less than 60 days from publication of the notice in the Federal Register, with the exception of notice provided under § 2.102(d)(3); 2. Within time provided in § 2.102(d)(3); 3. If no period is specified, within 60 days of publication of the notice. 	§ 2.309(b)(3)
In proceedings in which a Federal Register notice <u>is not</u> published.	<ol style="list-style-type: none"> 1. Within 60 days after publication of notice on the NRC website, http://www.nrc.gov/what-we-do/regulatory/adjudicatory/hearing-license-applications.html; 2. Within 60 days after requestor receives actual notice of a pending application, but not more than 60 days after agency action on the application. 	§ 2.309(b)(4)
For orders issued under § 2.702.	Within time period provided therein.	§ 2.309(b)(5)