

No. 92-188  
Tel. 301/504-2240

FOR IMMEDIATE RELEASE  
(Tuesday, December 22, 1992)

NRC AMENDS PART 52 OF ITS REGULATIONS  
TO CONFORM IT TO 1992 ENERGY POLICY ACT

The Nuclear Regulatory Commission is amending its requirements governing the issuance of combined construction permits and operating licenses (Part 52) to conform them to the language of the Energy Policy Act of 1992 which was enacted by the Congress and signed into law by the President earlier this year.

The significant changes to Part 52:

- Provide that the Commission may authorize a plant to operate during the pendency of a post-construction hearing on a combined construction permit and operating license (combined license) if it makes certain specified safety findings; previously, a post-construction hearing had to be completed prior to operation.
- Provide the Commission with the discretion to order use of either formal or informal procedures for a post-construction hearing on a combined license; previously, only formal procedures were authorized.
- Provide the Commission with the discretion to permit post-construction license amendments to a combined license, notwithstanding the pendency of a hearing request, to become effective if the Commission makes a finding of "no significant hazards considerations"; previously, Part 52 required that hearings be completed prior to commencement of operation.
- Eliminate the requirement that there be a pre-operational antitrust review by the Department of Justice if there have been significant developments from an antitrust perspective arising since the issuance of the combined license.

The Federal Register notice of the amendments to Part 52 includes the separate views of Commissioner James Curtiss who approved the amendments in part and disapproved in part and the additional views of Commissioners Kenneth Rogers, Forrest Remick and Gail de Planque.

Because these amendments adopt the language of the newly-passed Act, public comment on them is not required and they will become effective on January 21, 1993.

#