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NRC ISSUES REQUIREMENTS GOVERNING NUCLEAR POWER PLANT LICENSE RENEWALS

The Nuclear Regulatory Commission is adding a new Part 54 to its regulations which contains requirements utilities will have to meet to renew existing operating licenses for their nuclear power plants.

Existing operating licenses have been issued for terms of up to 40 years. The new rule provides the procedures and standards for issuance of renewed operating licenses. This rule is being issued now because a significant number of licenses authorizing operation of nuclear power reactors will expire early in the next century and utilities have advised the Commission that they need 10 to 15 years to plan and build replacement power plants if operating licenses for their existing nuclear power plants cannot be renewed.

Under Part 54, applications for license renewal can be submitted as much as 20 years before the expiration date of an existing license and will have to be submitted not less than five years before the expiration date in order for the "timely renewal" provision of the Administrative Procedure Act to apply. Renewal applications filed within this time period will maintain the existing license in effect pending NRC staff review and action on the renewal application. Renewal licenses will become effective as soon as they are issued.

The requirements governing operating license renewals are based on two principles:

First, the regulatory process is adequate to ensure that the licensing bases of all currently operating plants provide and maintain an acceptable level of safety during the current period of operation.

Second, each plant's current licensing basis must be maintained during the renewal term, in part through a program of age-related degradation management for systems, structures, and components that are important to license renewal as defined in the rule.

A renewed license can be issued after certain findings have been made. To renew a license the NRC must find that actions have been identified and have been or will be taken with respect to age-related degradation unique to license renewal of structures, systems, and components important to license renewal. These actions must provide reasonable assurance that the activities authorized by the renewed license will be conducted in accordance with the current licensing basis and any changes to that basis necessary to comply with the Commission's regulations. In addition, the Commission will have to find that any applicable requirements of the Commission's regulation governing environmental protection will be met. Also applicable are the Commission's requirements governing the consideration of its rules and regulations in public hearings.

Applicants will be required to describe and justify their method: (1) for identifying and screening all systems, structures, and components important to license renewal; (2) for ensuring that the current licensing basis is used, as necessary, to evaluate and establish aging management programs; and (3) for ensuring that their age-related degradation and management program maintains the current licensing basis for systems, structures, and components during the extended period of operation. This information will be submitted for NRC review.

An opportunity will be offered to interested persons for a formal, adjudicatory hearing on a license renewal application, similar to proceedings held on applications for original operating licenses, but limited to issues related to the adequacy of programs to address age-related degradation and environmental impact concerns.

The independent Advisory Committee on Reactor Safeguards will review and report to the Commission on all applications for operating license renewal.

The Commission is undertaking, in a separate rulemaking proceeding, the development of a generic environmental impact statement (GEIS) and related changes to Part 51 of its regulations. The GEIS will define and assess, in a generic fashion to the extent practical, the scope and impact of environmental effects associated with license renewal at individual nuclear power plant sites. It also will assess the full range of National Environmental Policy Act considerations including the need for power and alternatives to license renewal actions and will seek to address the full range of plants and sites in order to be applicable to as large a number of facilities as possible.

Proposed revisions to Part 51 associated with operating license renewal were published for public comment on September 17 this year. Final revisions are expected to be made in 1992.

The new Part 54 and conforming amendments to Parts 2, 50 and 140 of the Commission's regulations will become effective on January 13, 1992.

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