

Part 52 Change Processes



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Background

- ISG-11, Finalizing Licensing Basis Information
 - Some changes may be deferred until after design certification or COL
- 10 CFR 52.98, Changes After COL
 - Within Scope of Design Certification: Section VIII of DCR Appendices
 - Outside Scope of Design Certification: Applicable Processes (e.g., 50.59)

1. Changes During Construction

Problem Statement: Design changes requiring NRC approval in accordance with 10 CFR 52.98 may be necessary during construction, including changes that are anticipated and some that are unanticipated (emergent). There is currently a question regarding the extent of construction-related activities that may continue in parallel with obtaining NRC approval of license amendment requests. Recognizing that all such license amendment requests will be approved prior to operation, it is important for effective planning and construction efficiency that licensees have the ability to perform construction-related activities in parallel with required NRC approvals; therefore, clarity is needed concerning the extent of permitted activities.



1. Changes During Construction

Discussion:

- Changes to be expected on First-of-a-Kind projects
 - 50.59-like process
 - LARs
- NRC approval of LARs required prior to operation
 - Perform construction-related activities pending approval of LARs
- Potentially significant impact of delay pending LAR approvals
 - Known changes deferred per ISG-11
 - Emergent issues

1. Changes During Construction

- Action Plan:
 - Industry recommend approach
 - Reach conceptual agreement with NRC
 - Develop and incorporate appropriate guidance into Appendix C of NEI 96-07 under Issue #3

2. LWA Change Process

Problem Statement: In accordance with 10 CFR 52.39, a license amendment is required for essentially all changes associated with construction activities performed under a Limited Work Authorization associated with an Early Site Permit. The amendment process is cumbersome and unnecessary for changes that would not require prior NRC approval under a combined license.

2. LWA Change Process

- Action Plan:
 - Work with the staff to determine the most efficient path forward

3. Change Process Guidance

Problem Statement: Current NRC-endorsed industry guidance in NEI 96-07 for implementing 10 CFR 50.59 does not address construction or unique aspects of the Part 52 processes (e.g., those identified in Section VIII of the design certification rules).

3. Change Process Guidance

- Action Plan:
 - Define scope and develop outline for Appendix C
 - Prepare first draft of Appendix C
 - Submit for endorsement by December 17, 2010