



# **Changes During Construction Working Group**

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## **Background Information:**

- NEI correspondence dated 19 May 2010 stated they are developing a document similar to NEI 96-07 to provide guidance on implementing the Part 52 change control processes.
- Initial priority on extent of implementation activities that may be performed prior to approval of a requested license amendment.
- NRC created a working group to interact with nuclear industry representatives and prepare recommendations and guidance for evaluating changes to the licensing basis during construction.



## NRC Working Group Members

- NRO/DNRL
  - Jerry Wilson
  - Earl Libby
  - Vanice Perin
- NRO/ARP
  - William Reckley
- NRO/DCIP
  - James Beardsley
- NRO/DE
  - Ronaldo Jenkins
  - Dineash Tanega
- NRO/DSER
  - Rebecca Karas
  - Brent Clayton
- NRO/DSRA
  - Don Dube
- OE
  - John Wray
- OGC
  - Anthony Wilson
- Region II
  - CJ Fong
  - Jerry Blake

## **Problem Statements**

- NRC meeting 8 June 2010 the working group leadership achieved alignment on the following four (4) problem statements for the Changes during Construction Working Group
- Determine the activities that can be performed by licensees during construction while the NRC is reviewing requested changes to the licensing basis (license amendments).
- Determine if changes should be recommended for the NRC's enforcement policy to provide for enforcement discretion during new plant construction.

## **Problem Statements (cont)**

- Determine for new plants what revisions to the risk-informed guidance for evaluating changes to the licensing basis should be required and determine the applicability of the 10 CFR 50.59 guidance (NEI 96-07, rev 1).
- Establish guidance that should be used for evaluating changes to the severe accident design features (VIII.B.5.c) of each design certification rule (construction & operation).

## Current NRC Position

- New plant construction shall be conducted in accordance with the combined license (licensing basis), Atomic Energy Act, and applicable regulations.
- The change process for combined licenses is set forth in 10 CFR 52.98 and certain changes to the facility are allowed without prior approval from the NRC (50.59).
- Other changes require a license amendment and approval in advance of implementation.

## **Current NRC Position (cont)**

- The regulations do not provide for “at risk” facility change implementation during construction
- Under a Limited Work Authorization (LWA), construction activities are entirely “at risk” as the issuance of the LWA has no bearing on the subsequent issuance of a combined license.
- All construction must be conducted in accordance with the LWA or combined license.