Applicability of Part 21 & § 50.55(e) to COLs

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Applicability Provisions

- **§ 21.2 Scope.**
  - (a) The regulations in this part apply . . .to:

    (1) **Each individual, partnership, corporation, or other entity applying for or holding a license or permit under the regulations in this chapter to** possess, use, or transfer within the United States source material, byproduct material, special nuclear material, and/or spent fuel and high-level radioactive waste, or to **construct, manufacture, possess, own, operate, or transfer within the United States, any production or utilization facility** or independent spent fuel storage installation (ISFSI) or monitored retrievable storage installation (MRS); and each director and responsible officer of such a licensee;

- **§ 50.55(e)**
  - (3) Procedures. **Each individual, corporation, partnership, or other entity holding a** facility construction permit subject to this part, **combined license (until the Commission makes the finding under 10 CFR 52.103(g)),** and manufacturing license under 10 CFR part 52 **must adopt appropriate procedures to**—

    (i) Evaluate deviations and failures to comply to identify defects and failures to comply associated with substantial safety hazards as soon as practicable. . .

Source of Confusion

- Statements of Consideration for 2007 Part 52 rule, Table A-1
- Table A-1 is not correct as published in 2007

Applicability of NRC Requirements Implementing Section 206 of the Energy Reorganization Act to Part 52 Licensing and Approval Processes

Part 52 licensing or approval processes	Applicable NRC requirement implementing section 206 of the ERA
Combined License (COL)	
Application	50.55(e)
COL before § 52.103 Authorization	50.55(e)
COL after § 52.103 Authorization	Part 21

Correction

- Table A-1, as corrected, would read:

Applicability of NRC Requirements Implementing Section 206 of the Energy Reorganization Act to Part 52 Licensing and Approval Processes

Part 52 licensing or approval processes	Applicable NRC requirement implementing section 206 of the ERA
Combined License (COL)	
Application	**Part 21**
COL before § 52.103 Authorization	50.55(e)
COL after § 52.103 Authorization	Part 21