QUESTION 1b: Would the amendment preclude the Commission from conducting separate hearings on separate matters prior to the issuance of a combined license?

ANSWER:

We do not read the amendment as precluding the Commission from conducting separate hearings on separate issues relating to an application for a combined license.

QUESTION 2a and b:

(a): The amendment would preclude any hearings after the issuance of a combined license. Under the Commission's current regulations, under what circumstances could the Commission conduct a hearing? Please be specific.

(b): Please give some examples of the kinds of issues which might be raised at such a hearing.

ANSWER:

Under the Commission's current regulations, an opportunity for a hearing would arise after issuance of a combined license on proposed amendments to such a license (see 10 CFR 52.97(b)), on orders issued by the staff at its own initiative or in response to petitions for action under 10 CFR 2.206, or, after construction is complete, in response to a petition which makes a prima facie case that construction does not conform with the terms of the combined license (see 10 CFR 52.103(b)(1)(i) and (2)(i)). The possibility of hearings on amendments to the combined license or on orders follow from Section 189a of the Atomic Energy Act, and 10 CFR 2.202 and 2.204, respectively. We construe the proposed amendment to be aimed only at the possibility of a hearing on whether construction conforms to the terms of a combined license (the amendment is not precise here; it refers to such a hearing as one "regarding the issuance of a combined license", but the license would have been issued before construction).