



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

March 23, 2022

SECRETARY

MEMORANDUM TO: Jody C. Martin, Director  
Office of Commission Appellate Adjudication

FROM: Annette L. Vietti-Cook, Secretary

SUBJECT: STAFF REQUIREMENTS – SECY-21-0107 – SELECTION OF  
PRESIDING OFFICER FOR MANDATORY HEARINGS  
ASSOCIATED WITH CONSTRUCTION PERMIT APPLICATIONS

The Commission has approved the recommendation to delegate the authority to conduct mandatory hearings for construction permit applications (other than those associated with medical radioisotope facilities) that are subject to the hearing requirement of Section 189 of the Atomic Energy Act of 1954, as amended, to the Atomic Safety and Licensing Board Panel. However, the Commission will conduct the first mandatory hearing associated with a construction permit application for each specific advanced reactor technology design and delegate later mandatory hearings for that design to the Atomic Safety and Licensing Board Panel. In addition, the Commission retains the authority to withdraw this delegation in proceedings that would benefit from more direct Commission involvement, such as those that implicate novel policy issues.

This staff requirements memorandum should be made public to provide timely notice of the Commission's decision.

cc: Chairman Hanson  
Commissioner Baran  
Commissioner Wright  
EDO  
OGC  
ASLBP  
PDR