



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

December 31, 2024

ALL AGREEMENT AND NON-AGREEMENT STATES, STATE LIAISON OFFICERS, AND
ALL FEDERALLY RECOGNIZED AMERICAN INDIAN AND ALASKA NATIVE TRIBES

ISSUANCE OF A FEDERAL REGISTER NOTICE ON FINAL RULE: NON-POWER
PRODUCTION OR UTILIZATION FACILITY LICENSE RENEWAL STC-24-067

PURPOSE: To provide notice of issuance of the U.S. Nuclear Regulatory Commission (NRC) final rule to amend the NRC regulations that govern the license renewal process for certain production or utilization facilities. In this final rule, the NRC collectively refers to these facilities as non-power production or utilization facilities (NPUFs).

BACKGROUND: In April 2008, the Commission issued Staff Requirements Memorandum (SRM) M080317B, "Briefing on State of NRC Technical Programs" (Agencywide Documents Access and Management System (ADAMS) Accession No. [ML080940439](#)), which directed the staff to "examine the license renewal process for non-power reactors to identify and implement efficiencies that will streamline this process while ensuring that adequate protection of public health and safety are maintained." The need for improvement in the reliability and efficiency of the license renewal process was primarily driven by four issues: (1) historic NRC priorities and emergent issues; (2) limited licensee resources; (3) inconsistent existing license infrastructure; and (4) regulatory requirements and the broad scope of the renewal process. This final rule defines the license renewal process for licenses issued to testing facilities under the authority of Section 104c of the Atomic Energy Act of 1954, as amended (AEA) or commercial or industrial NPUFs (including testing facilities) under the authority of Section 103 of the AEA. On June 17, 2019, the NRC staff provided the draft final rule to the Commission for approval in SECY-19-0062, "Final Rule: Non-Power Production or Utilization Facility License Renewal (RIN 3150-AI96, NRC-2011-0087)" (ADAMS Accession No. [ML18031A000](#)). On September 4, 2024, the Commission approved the draft final rule in SRM-M240904, "Staff Requirements - Affirmation Session" (ADAMS Accession No. [ML24248A208](#)).

DISCUSSION: This final rule (1) revises the definitions for *Non-power reactor*, *Research reactor*, and *Testing facility*, (2) eliminates license terms for NPUFs licensed under Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.21(a) or (c), other than testing facilities, (3) defines the license renewal process for NPUFs (including testing facilities) licensed under 10 CFR 50.22, "Class 103 licenses; for commercial and industrial facilities," and testing facilities licensed under 10 CFR 50.21(c), (4) requires all NPUF licensees to submit to the NRC an updated final safety analysis report (FSAR) and subsequent FSAR updates at intervals not to exceed 5 years, (5) amends the current timely renewal provision under 10 CFR 2.109, "Effect of timely renewal application," allowing an NPUF subject to license renewal to continue operating under an existing license past its expiration date if the licensee submits a license renewal application at least 2 years before the current license expiration date, (6) provides an accident dose criterion of 1 rem (0.01 sievert) total effective dose equivalent for NPUFs other than testing facilities, (7) extends the applicability of 10 CFR 50.59, "Changes, tests and experiments," to NPUFs regardless of their decommissioning status, (8) clarifies the requirements for NPUF

license applicants to meet the existing provisions of 10 CFR 51.45, "Environmental report," and (9) eliminates the requirement to submit financial qualification information with license renewal applications under 10 CFR 50.33(f)(2).

This final rule enhances the effectiveness and efficiency of the NPUF license renewal process, consistent with the AEA's criterion for imposing the minimum regulation on facilities of these types that is needed to promote the common defense and security and protect public health and safety.

Enclosed with this letter is the *Federal Register* (FR) notice for the final rule. The final rule was published in the *Federal Register* (89 FR 106324) on December 30, 2024, and posted on the Federal e-rulemaking portal <https://www.regulations.gov> under Docket No. NRC-2011-0087.

If you have any questions regarding the NPUF rulemaking or this correspondence, please contact Robert Beall at Robert.Beall@nrc.gov or (301) 415-3874.

Sincerely,



Signed by Bloomer, Tamara
on 12/31/24

Tamara Bloomer, Acting Director
Division of Materials Safety, Security,
State, and Tribal Programs
Office of Nuclear Material Safety
and Safeguards

Enclosure:
Federal Register notice

SUBJECT: ISSUANCE OF A FEDERAL REGISTER NOTICE ON FINAL RULE: NON-POWER PRODUCTION OR UTILIZATION FACILITY LICENSE RENEWAL (STC-24-067) DATED: {{Date:long}}

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