



RIC 2010

**Regulatory Processes for
Future Licensing Actions**

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Combined License (COL)

- **NRO preparing to issue a decision regarding a COL**
- **Issued a Generic COL**
(SECY-00-0092, dated April 20, 2000)
- **Preparing update to the Generic COL**
(SECY in 2010 w/generic license conditions)
- **ISG-11: Finalizing Licensing-Basis Information**



ISG-11: Finalizing Licensing-Basis Information

- **Definition of licensing-basis freeze point:**
 - **Point during the review process at which licensing basis information is considered final**
 - **Needed to establish a predictable schedule for review**
 - **Certification or licensing decision based on information provide on or before the freeze point**
 - **After the freeze point:**
 - **Applicant evaluates, tracks, and reports changes as necessary to the NRC**
 - **Established change processes are used to manage changes after the freeze point**



ISG-11: Finalizing Licensing Basis Information

- Changes that should not be deferred:**
 - **Correction of significant errors**
 - **Changes to ensure compliance with NRC regulations**
 - **Changes to support other licensing basis documents (i.e., Technical Specifications)**
 - **Significant technical corrections**
 - **Changes to address a significant vulnerability identified by probabilistic risk assessment (PRA) or other studies**

- Applicant responsibilities after freeze point:**
 - **DC applicant: track changes as departures from certified design**
 - **COL applicant: track and use appropriate change processes, such as license amendments**



Potential Post-COL Licensing Actions

- Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52 allows for a range of post-COL licensing actions, which include:
 - Exemptions:
 - Departures from Tier 1 information, including Inspections, Tests, Analyses, and Acceptance Criteria (ITAAC)
 - Exemptions are governed by 52.7 and 50.12(a)
 - License amendment also required as per 52.98(f)
 - License Amendments for:
 - Proposed changes to License Conditions
 - Changes to ITAAC Design Certifications (DCs) and COLs
 - Proposed changes to FSAR or Tier 2 that exceed the threshold in the 50.59 or 50.59-like change process
 - Departures from Tier 2* information



Exemptions – Review Process

- **Overall process for departures from Tier 1 information**
 - **Applicant submits letter and supporting documentation, which should be complete in addressing requirements**
 - **NRC staff begins review**
 - **NRC staff develop safety evaluation report for the exemption**
- **In the exemption and license amendment process, there is no difference in licensing actions before and after fuel load**



License Amendments - Review Process

- **Overall process for changes to Tier 1 and Tier 2 information**
 - Applicant submits application and supporting technical documentation, including environmental information
 - NRC performs acceptance review
 - If accepted, NRC develops schedule, begins review, and issues requests for additional information (RAIs)
 - Applicant provides response to RAIs
 - NRC staff develop safety evaluation report and environmental assessment for the licensing action
 - Federal Register Notice - 30 days
 - Opportunity for hearing on license amendment

- **Overall review process for license amendments is expected to be the same as under Part 50. NRC expects to receive applications for post-COL exemptions combined with license amendments.**



Resource Management

- **Planning:**
 - Budget planning process looks two years ahead. See Regulatory Information Summary (RIS) 2010-01 in ADAMS ML093230517, which includes a request for notification for license amendments.
 - Topical reports supporting future amendments should be submitted in advance of licensing action

- **Communication:**
 - Applicants should communicate their plans to NRC as early as possible so that NRC can align available resources to address new workload
 - Prompt notification of expected applications for new licenses or other licensing actions will support the development of review schedules

- **Review Schedule:**
 - For COL amendments, associated exemptions, etc., the review schedule is expected to vary depending on complexity and nature of technical or regulatory issues and available resources.



Conclusions

- **Early communication with the NRC is important to post-COL licensing actions planning and scheduling for FY 2012 and beyond**
- **Regulatory processes are in place to handle the expected licensing actions in the near future**