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NRC COMPLETES FINAL PLAN FOR EVALUATING FOREIGN OWNERSHIP,
CONTROL OR DOMINATION OF NUCLEAR POWER PLANT LICENSE APPLICANTS

The Nuclear Regulatory Commission has developed a new Standard Review Plan for use in reviewing license applications involving foreign interests. The Atomic Energy Act of 1954 precludes the issuance of a reactor license to any company owned, controlled or dominated by an alien, a foreign corporation or foreign government. The Act also precludes the issuance of a license if that issuance would be inimical to the common defense and security or to the health and safety of the public.

The final NRC plan outlines the steps the agency will take and the types of information the staff needs in order to assure that such applications comply with the provisions of the Act.

NRC published a draft of the plan in the Federal Register in March and asked for comment. Pending the development of the final plan, the NRC staff used the draft plan to evaluate the license transfer involved in the sale of the Three Mile Island facility in Pennsylvania. The staff will now use the final plan to review future requests for similar transfers.

As a result of comments, NRC inserted into the plan more detailed guidance to address situations involving a license applicant which is wholly owned by a foreign parent, but which seeks to acquire less than a 100-percent interest in a power reactor. In such cases, NRC will consider the extent of the proposed ownership of the reactor, whether the applicant seeks authority to operate the plant, whether the applicant has interlocking directors or officers, whether the applicant would have access to restricted data, and details concerning ownership of the foreign parent company.

The final Plan reminds applicants and others that in no case will the Commission issue a license if that would be inimical to the common defense and security or to the health and safety of

the public. The Commission has the authority to reject a license application that raises a clear proliferation threat, terrorist threat, or other threat to the common defense and security of the United States.

The final Plan was published today in the Federal Register and will be available in the NRC Public Document Room.

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