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NRC PROPOSES REVISIONS TO ITS REGULATIONS FOR MAKING CHANGES TO LICENSED FACILITIES

The Nuclear Regulatory Commission is proposing to revise several sections of its rules that define the conditions under which nuclear power plants and spent fuel storage facility licensees may make changes in their facilities or conduct tests and experiments without prior NRC approval.

Current NRC regulations (Parts 50, 52 and 72 of Title 10 of the Code of Federal Regulations) permit such licensees to make these changes and to conduct such tests if they do not present what the regulations call an "unreviewed safety question" or require a change in the technical specifications of the facility's license. The rule change now under consideration came about as the result of an NRC staff review of existing regulatory processes, directed by the Commission because of concerns about so-called "50.59" changes at some plants. The staff concluded from this review that, although existing regulations have generally given licensees needed flexibility, problems have arisen from differing rule interpretations by the NRC staff and the nuclear industry.

In drafting the proposed rule, the NRC staff has considered public comments received last year after draft regulatory guidance was published on this subject. As a result, the amendments would clarify specifically which changes, tests or experiments require evaluation, and revise the criteria that determine when NRC approval is needed before such changes can be made. The proposed rule would also add definitions for terms that have been subject to differing interpretations.

The proposed rule will be published in an upcoming issue of the Federal Register for public comment and will be available on the NRC Homepage at: www.nrc.gov/NRC/rule.html.

Comments should be filed within 60 days after publication. They should be sent to: Secretary, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001. ATTN: Rulemakings and Adjudications Staff. Comments may also be filed electronically as described in the Federal Register notice.

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