§ 52.3 Written communications.

(a) General requirements. All correspondence, reports, applications, and other written communications from an applicant, licensee, or holder of a standard design approval to the Nuclear Regulatory Commission concerning the regulations in this part, individual license conditions, or the terms and conditions of an early site permit or standard design approval, must be sent either by mail addressed: ATTN: Document Control Desk, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; by hand delivery to the NRC’s offices at 11555 Rockville Pike, Rockville, Maryland, between the hours of 7:30 a.m. and 4:15 p.m. eastern time; or, where practicable, by electronic submission, for example, via Electronic Information Exchange, e-mail, or CD–ROM. Electronic submissions must be made in a manner that enables the NRC to receive, read, authenticate, distribute, and archive the submission, and process and retrieve it a single page at a time. Detailed guidance on making electronic submissions can be obtained by visiting the NRC’s Web site at http://www.nrc.gov/site-help/e-submittals.html; by e-mail to MSHD.Resource@nrc.gov; or by writing the Office of Information Services, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001. The guidance discusses, among other topics, the formats the NRC can accept, the use of electronic signatures, and the treatment of nonpublic information. If the communication is on paper, the signed original must be sent. If a submission due date falls on a Saturday, Sunday, or Federal holiday, the next Federal working day becomes the official due date.

(b) Distribution requirements. Copies of all correspondence, reports, and other written communications concerning...

§ 52.2 Interpretations.

Except as specifically authorized by the Commission in writing, no interpretation of the meaning of the regulations in this part by any officer or employee of the Commission other than a written interpretation by the General Counsel will be recognized to be binding upon the Commission.

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of completion or operating condition of any other module co-located on the same site, even though the nuclear power station may have some shared or common systems.

Prototype plant means a nuclear power plant that is used to test new safety features, such as the testing required under 10 CFR 50.43(e). The prototype plant is similar to a first-of-a-kind or standard plant design in all features and size, but may include additional safety features to protect the public and the plant staff from the possible consequences of accidents during the testing period.

Site characteristics are the actual physical, environmental and demographic features of a site. Site characteristics are specified in an early site permit or in a final safety analysis report for a combined license.

Site parameters are the postulated physical, environmental and demographic features of an assumed site. Site parameters are specified in a standard design approval, standard design certification, or manufacturing license.

Standard design means a design which is sufficiently detailed and complete to support certification or approval in accordance with subpart B or E of this part, and which is usable for a multiple number of units or at a multiple number of sites without reopening or repeating the review.

Standard design approval or design approval means an NRC staff approval, issued under subpart E of this part, of a final standard design for a nuclear power reactor of the type described in 10 CFR 50.22. The approval may be for either the final design for the entire reactor facility or the final design of major portions thereof.

Standard design certification or design certification means a Commission approval, issued under subpart B of this part, of a final standard design for a nuclear power facility. This design may be referred to as a certified standard design.

(b) All other terms in this part have the meaning set out in 10 CFR 50.2, or Section 11 of the Atomic Energy Act, as applicable.

the regulations in this part or individual license conditions, or the terms and conditions of an early site permit or standard design approval, must be submitted to the persons listed in paragraph (b)(1) of this section (addresses for the NRC Regional Offices are listed in appendix D to part 20 of this chapter).

(1) Applications for amendment of permits and licenses; reports; and other communications. All written communications (including responses to: generic letters, bulletins, information notices, regulatory information summaries, inspection reports, and miscellaneous requests for additional information) that are required of holders of early site permits, standard design approvals, combined licenses, or manufacturing licenses issued under this part must be submitted as follows, except as otherwise specified in paragraphs (b)(2) through (b)(7) of this section: to the NRC’s Document Control Desk (if on paper, the signed original), with a copy to the appropriate Regional Office, and a copy to the appropriate NRC Resident Inspector, if one has been assigned to the site of the facility or the place of manufacture of a reactor licensed under subpart F of this part.

(2) Applications and amendments to applications. Applications for early site permits, standard design approvals, combined licenses, or manufacturing licenses and amendments to any of these types of applications must be submitted to the NRC’s Document Control Desk, with a copy to the appropriate Regional Office, and a copy to the appropriate NRC Resident Inspector, if one has been assigned to the site of the facility or the place of manufacture of a reactor licensed under subpart F of this part.

(3) Acceptance review application. Written communications required for an application for determination of suitability for docketing must be submitted to the NRC’s Document Control Desk, with a copy to the appropriate Regional Office. If the communication is on paper, the submission to the Document Control Desk must be the signed original.

(4) Security plan and related submissions. Written communications, as defined in paragraphs (b)(4)(i) through (iv) of this section, must be submitted to the NRC’s Document Control Desk, with a copy to the appropriate Regional Office. If the communication is on paper, the submission to the Document Control Desk must be the signed original.

(i) Physical security plan under §52.79 of this chapter;
(ii) Safeguards contingency plan under §52.79 of this chapter;
(iii) Change to security plan, guard training and qualification plan, or safeguards contingency plan made without prior Commission approval under §50.54(p) of this chapter;
(iv) Application for amendment of physical security plan, guard training and qualification plan, or safeguards contingency plan under §50.90 of this chapter.

(5) Emergency plan and related submissions. Written communications as defined in paragraphs (b)(5)(i) through (iii) of this section must be submitted to the NRC’s Document Control Desk, with a copy to the appropriate Regional Office, and a copy to the appropriate NRC Resident Inspector if one has been assigned to the site of the facility. If the communication is on paper, the submission to the Document Control Desk must be the signed original.

(i) Emergency plan under §52.17(b) or §52.79(a);
(ii) Change to an emergency plan under §50.54(q) of this chapter;
(iii) Emergency implementing procedures under appendix E, Section V of part 50 of this chapter.

(6) Updated FSAR. An updated final safety analysis report (FSAR) or replacement page under §50.71(e) of this chapter, or the regulations in this part must be submitted to the NRC’s Document Control Desk, with a copy to the appropriate Regional Office, and a copy to the appropriate NRC Resident Inspector if one has been assigned to the site of the facility or the place of manufacture of a reactor licensed under
subpart F of this part. Paper copy sub-
missons may be made using replace-
ment pages; however, if a licensee
chooses to use electronic submission,
all subsequent updates or submissions
must be performed electronically on a
total replacement basis. If the commu-
nication is on paper, the submission to
the Document Control Desk must be
the signed original. If the communica-
tions are submitted electronically, see
Guidance for Electronic Submissions to
the Commission.

(7) Quality assurance related submis-
sions. (i) A change to the safety anal-
ysis report quality assurance program
description under §50.54(a)(3) or
§50.55(f)(4) of this chapter, or a change
to a licensee’s NRC-accepted quality
assurance topical report under
§50.54(a)(3) or §50.55(f)(4) of this chap-
ter, must be submitted to the NRC's
Document Control Desk, with a copy to
the appropriate Regional Office, and a
copy to the appropriate NRC Resident
Inspector if one has been assigned to
the site of the facility. If the commu-
nication is on paper, the submission to
the Document Control Desk must be
the signed original.

(ii) A change to an NRC-accepted
quality assurance topical report from
nonlicensees (i.e., architect/engineers,
NSSS suppliers, fuel suppliers, con-
structors, etc.) must be submitted to
the NRC’s Document Control Desk. If
the communication is on paper, the
signed original must be sent.

(8) Certification of permanent cessation
of operations. The licensee’s certifi-
cation of permanent cessation of oper-
ations under §52.110(a)(1), must state
the date on which operations have
cess or will cease, and must be sub-
mitt to the NRC’s Document Control
Desk. This submission must be under
oath or affirmation.

(9) Certification of permanent fuel re-
moval. The licensee’s certification of
permanent fuel removal under
§52.110(a)(1), must state the date on
which the fuel was removed from the
reactor vessel and the disposition of
the fuel, and must be submitted to the
NRC's Document Control Desk. This
submission must be under oath or affirma-
mation.

(c) Form of communications. All paper
copies submitted to meet the require-
ments set forth in paragraph (b) of this
section must be typewritten, printed or
otherwise reproduced in permanent
form on unglazed paper. Exceptions to
these requirements imposed on paper
submissions may be granted for the
submission of micrographic, photo-
graphic, or similar forms.

(d) Regulation governing submission.
Applicants, licensees, and holders of
standard design approvals submitting
correspondence, reports, and other
written communications under the reg-
ulations of this part are requested but
not required to cite whenever prac-
tical, in the upper right corner of the
first page of the submission, the spe-
cific regulation or other basis requiring
submission.

§ 52.4 Deliberate misconduct.

(a) Applicability. This section applies
to any:

(1) Licensee;

(2) Holder of a standard design ap-
proval;

(3) Applicant for a standard design
certification;

(4) Applicant for a license or permit;

(5) Applicant for a standard design
approval;

(6) Employee of a licensee;

(7) Employee of an applicant for a li-
cense, a standard design certification,
or a standard design approval;

(8) Any contractor (including a sup-
plier or consultant), subcontractor, or
employee of a contractor or subcon-
tractor of any licensee; or

(9) Any contractor (including a sup-
plier or consultant), subcontractor, or
employee of a contractor or subcon-
tractor of any applicant for a license, a
standard design certification, or a
standard design approval.

(b) Definitions. For purposes of this
section:

Deliberate misconduct means an inten-
tional act or omission that a person or
entity knows:

(i) Would cause a licensee or an appli-
cant for a license, standard design cer-
tification, or standard design approval
to be in violation of any rule, regula-
tion, or order; or any term, condition,
or limitation, of any license, standard