§ 52.80 Contents of applications; additional technical information.

The application must contain:

(a) The proposed inspections, tests, and analyses, including those applicable to emergency planning, that the licensee shall perform, and the acceptance criteria that are necessary and sufficient to provide reasonable assurance that, if the inspections, tests, and analyses are performed and the acceptance criteria met, the facility has been constructed and will be operated in conformity with the combined license, the provisions of the Act, and the Commission’s rules and regulations.

(1) If the application references an early site permit with ITAAC, the early site permit ITAAC must apply to those aspects of the combined license which are approved in the early site permit.

(2) If the application references a standard design certification, the ITAAC contained in the certified design must apply to those portions of the facility design which are approved in the design certification.

(3) If the application references an early site permit with ITAAC or a standard design certification or both, the application may include a notification that a required inspection, test, or analysis in the ITAAC has been successfully completed and that the corresponding acceptance criterion has been met. The FEDERAL REGISTER notification required by §52.85 must indicate that the application includes this notification.

(b) An environmental report, either in accordance with 10 CFR 51.50(c) if a limited work authorization under 10 CFR 50.10 is not requested in conjunction with the combined license application, or in accordance with §§51.49 and 51.50(c) of this chapter if a limited work authorization is requested in conjunction with the combined license application.

(c) If the applicant wishes to request that a limited work authorization under 10 CFR 50.10 be issued before issuance of the combined license, the application must include the information otherwise required by 10 CFR 50.10, in accordance with either 10 CFR 2.101(a)(1) through (a)(4), or 10 CFR 2.101(a)(9).

(d) A description and plans for implementation of the guidance and strategies intended to maintain or restore core cooling, containment, and spent fuel pool cooling capabilities under the circumstances associated with the loss
of large areas of the plant due to explo-
sions or fire as required by §50.54(hh)(2)
of this chapter.

[72 FR 49517, Aug. 28, 2007, as amended at 72
FR 57447, Oct. 9, 2007; 74 FR 13970, Mar. 27,
2009]

§ 52.81 Standards for review of applic-
ations.
Applications filed under this subpart
will be reviewed according to the
standards set out in 10 CFR parts 20, 50,
51, 54, 55, 73, 100, and 140.

§ 52.83 Finality of referenced NRC ap-
provals; partial initial decision on
site suitability.
(a) If the application for a combined
license under this subpart references
an early site permit, design certifi-
cation rule, standard design approval,
or manufacturing license, the scope
and nature of matters resolved for the
application and any combined license
issued are governed by the relevant
provisions addressing finality, includ-
ing §§52.39, 52.63, 52.98, 52.145, and 52.171.
(b) While a partial decision on site
suitability is in effect under 10 CFR
2.617(b)(2), the scope and nature of mat-
ters resolved in the proceeding are gov-
erned by the finality provisions in 10
CFR 2.629.

§ 52.85 Administrative review of appli-
cations; hearings.
A proceeding on a combined license is
subject to all applicable procedural
requirements contained in 10 CFR part
2, including the requirements for dock-
eting (§2.101 of this chapter) and
issuance of a notice of hearing (§2.104
of this chapter). If an applicant re-
quests a Commission finding on certain
ITAAC with the issuance of the com-
bined license, then those ITAAC will be
identified in the notice of hearing. All
hearings on combined licenses are gov-
erned by the procedures contained in 10
CFR part 2.

§ 52.87 Referral to the Advisory Com-
mittee on Reactor Safeguards
(ACRS).
The Commission shall refer a copy of
the application to the ACRS. The
ACRS shall report on those portions of
the application that concern safety and
shall apply the standards referenced in

§52.81, in accordance with the finality
provisions in §52.83.

§ 52.89 [Reserved]
§ 52.91 Authorization to conduct lim-
ited work authorization activities.
(a) If the application does not ref-
ence an early site permit which au-
thorizes the holder to perform the ac-
tivities under 10 CFR 50.10(d), the ap-
plicant may not perform those activi-
ties without obtaining the separate au-
thorization required by 10 CFR 50.10(d).
Authorization may be granted only
after the presiding officer in the pro-
ceeding on the application has made
the findings and determination re-
quired by 10 CFR 50.10(e), and the Di-
rector of New Reactors or the Director
of Nuclear Reactor Regulation makes
the determination required by 10 CFR
50.10(e).
(b) If, after an applicant has per-
formed the activities permitted by
paragraph (a) of this section, the appli-
cation for the combined license is with-
drawn or denied, then the applicant
shall implement the approved site re-
dress plan.

[72 FR 57447, Oct. 9, 2007]

§ 52.93 Exemptions and variances.
(a) Applicants for a combined license
under this subpart, or any amendment
to a combined license, may include in
the application a request for an exemp-
tion from one or more of the Commiss-
ion’s regulations.
(1) If the request is for an exemption
from any part of a referenced design
certification rule, the Commission may
grant the request if it determines that
the exemption complies with any ex-
emption provisions of the referenced
design certification rule, or with §52.7.
(2) For all other requests for exemp-
tions, the Commission may grant a re-
quest if it determines that the exempt-
ion complies with §52.7.
(b) An applicant for a combined li-
cense who has filed an application re-
ferencing an early site permit issued
under subpart A of this part may in-
clude in the application a request for a