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 applica-
tions.

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 applica-
tions; 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 re-
ference 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 exem-
ption 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 §52.63
if there are no applicable exemption
provisions in the referenced design cer-
tification rule.

(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 refer-
encing an early site permit issued
under subpart A of this part may in-
clude in the application a request for a