

enable the Commission to determine in accordance with the provisions of the Act and the applicable provisions of the regulations in this chapter whether a construction permit for a facility to be located on the site identified in the partial decision should be issued or denied.

(2) Following either the Commission (acting in the function of a presiding officer) issuance of a partial initial decision, or completion of Commission review of the partial initial decision of the Atomic Safety and Licensing Board, after hearing, on the site suitability issues, the partial decision shall remain in effect either for a period of 5 years or, where the applicant for the construction permit has made timely submittal of the information required to support the application as provided in §2.101(a-1), until the proceeding for a permit to construct a facility on the site identified in the partial decision has been concluded,<sup>3</sup> unless the Commission or Atomic Safety and Licensing Board, upon its own initiative or upon motion by a party to the proceeding, finds that there exists significant new information that substantially affects the earlier conclusions and reopens the hearing record on site suitability issues. Upon good cause shown, the Commission may extend the 5-year period during which a partial decision shall remain in effect for a reasonable period of time not to exceed 1 year.

[72 FR 49479, Aug. 28, 2007, as amended at 72 FR 57440, Oct. 9, 2007]

EARLY PARTIAL DECISIONS ON SITE  
SUITABILITY—COMBINED LICENSE  
UNDER 10 CFR PART 52

**§2.621 Acceptance and docketing of application for early review of site suitability issues in a combined license proceeding.**

(a) Each part of an application submitted in accordance with §2.101(a-1) of this part will be initially treated as a tendered application. If it is determined that any one of the parts as de-

<sup>3</sup>The partial decision on site suitability issues shall be incorporated in the decision regarding issuance of the combined license to the extent that it serves as a basis for the decision on a specific site issue.

scribed in §2.101(a-1) is incomplete and not acceptable for processing, the Director of the Office of Nuclear Reactor Regulation will inform the applicant of this determination and the respects in which the document is deficient. Such a determination of completeness will generally be made within a period of 30 days.

(b)(1) The Director of the Office of Nuclear Reactor Regulation will accept for docketing an application for a combined license for a nuclear power facility where part one of the application as described in §2.101(a-1) is complete. Part one of any application will not be considered complete unless it contains proposed findings as required by §2.101(a-1)(1)(i) and unless it describes the applicant's site selection process, specifies the extent to which that process involves the consideration of alternative sites, explains the relationship between that process and the application for early review of site suitability issues, and briefly describes the applicant's long-range plans for ultimate development of the site. Upon assignment of a docket number, the procedures in §2.101(a)(3) and (4) relating to formal docketing and the submission and distribution of additional copies of the application shall be followed.

(2) Additional parts of the application will be docketed upon a determination by the Director of the Office of Nuclear Reactor Regulation that they are complete.

(c) If part one of the application is docketed, the Director of the Office of Nuclear Reactor Regulation will cause to be published in the FEDERAL REGISTER and send to the Governor or other appropriate official of the State in which the site is located, a notice of docketing of the application which states the purpose of the application, states the location of the proposed site, states that a notice of hearing will be published, requests comments within 120 days or such other time as may be specified on the initiation or outcome of an early site review from Federal, State, and local agencies and interested persons.

[72 FR 49478, Aug. 28, 2007, as amended at 84 FR 65643, Nov. 29, 2019]