

or correct 10 CFR parts 2, 20, 21, 50, 51, 52 (including appendices A, B, and C), 72, 73, 140, and 170; (2) update 10 CFR part 52; and (3) incorporate stakeholder comments.

This rulemaking action began with the issuance of SECY-98-282, "part 52 Rulemaking Plan," on December 4, 1998. The Commission issued a staff requirements memorandum on January 14, 1999, approving the NRC staff's plan for revising 10 CFR part 52. A notice of the rulemaking plan was added to the NRC's rulemaking Web site on June 16, 1999. On September 3, 1999, letters were sent to 10 external stakeholders alerting them to this proposed rulemaking. In addition, the NRC staff held three public meetings with interested stakeholders on the 10 CFR part 52 rulemaking on December 14, 2000, February 16, 2001, and March 7, 2001. Following those meetings, on April 3, 2001, the Nuclear Energy Institute (NEI) submitted comments on issues discussed during the meetings.

On September 27, 2001, the NRC staff posted draft rule language for 10 CFR part 52 on the NRC's rulemaking Web site. The NRC received comments on the draft rule language in November 2001, from General Electric, Entergy, NEI, Westinghouse Electric, and Exelon Generation. The NRC staff has considered these comments in the development of this proposed rule and posted revised draft rule language for 10 CFR part 52 on the NRC's rulemaking Web site on February 28, 2002.

## II. Reorganization of 10 CFR Part 52

The NRC is proposing to reorganize 10 CFR part 52 to establish a separate subpart for each of the seven licensing processes currently described in 10 CFR part 52 (early site permits, early site reviews, standard design certification, standard design approvals, combined licenses, manufacturing licenses, and duplicate design licenses). The purpose of this reorganization is to clarify that each licensing process has equal standing. In addition, several subparts would be reserved for future licensing processes. No substantive changes are intended by the incorporation of current appendices M, N, O, and Q into the new subparts in 10 CFR Part 52.

The NRC is also proposing to retitle 10 CFR part 52 as "Additional Licensing Processes for Nuclear Power Plants," to clarify that the licensing processes in 10 CFR part 52 are in addition to and supplement the two-step licensing process in 10 CFR part 50 and the license renewal process in 10 CFR part 54, and are not limited to the early site permit, standard design certification,

and combined license processes as the current title implies.

The proposed rule would amend § 52.1 to clarify that all seven licensing processes are within the scope of 10 CFR part 52. Paragraphs within current Appendices M, N, O, and Q would also become new sections of the revised part. In addition, the proposed rule would reserve subparts for future licensing processes. In doing so, the NRC hopes to convey that 10 CFR part 52 is the preferred location in 10 CFR for nuclear power plant licensing processes.

The proposed rule would amend § 52.19, the current § 52.49 (proposed § 52.111), and the current § 52.83 (proposed § 52.215) to provide a standard format in subparts A, D, and G. This standard format would set forth the standards for review of applications and the applicability of NRC requirements in a consistent manner in each of these subparts. The references to the part 170 fee requirements would be moved to be included in the sections on filing of applications. This reorganization of 10 CFR part 52 will make the subparts on early site permits and standard design certifications consistent with the existing arrangement in the subpart for combined licenses.

The proposed rule would also move the requirement on duration of a combined license that is currently located in § 52.83, "Applicability of part 50 provisions," to paragraph (e) of proposed § 52.227, "Issuance of combined licenses." Proposed § 52.227(e) is a more appropriate location for this requirement.

The Commission has prepared the following table that cross-references the new proposed provisions in 10 CFR part 52 to the superseded provisions of 10 CFR part 52.

TABLE 1.—CROSS-REFERENCES BETWEEN NEW AND OLD 10 CFR PART 52

New section	Old section
General Provisions:	
52.1 .....	52.1
52.3 .....	52.3
52.5 .....	52.5
52.8 .....	52.8
None .....	52.9
Subpart A—Early Site Permits:	
52.11 .....	52.11
52.13 .....	52.13
52.15 .....	52.15
52.17 .....	52.17
52.18 .....	52.18
52.19 .....	52.19
52.21 .....	52.21
52.23 .....	52.23
52.24 .....	52.24

TABLE 1.—CROSS-REFERENCES BETWEEN NEW AND OLD 10 CFR PART 52—Continued

New section	Old section
52.25 .....	52.25
52.27 .....	52.27
52.29 .....	52.29
52.31 .....	52.31
52.33 .....	52.33
52.35 .....	52.35
52.37 .....	52.37
52.39 .....	52.39
Subpart B—Early Site Reviews:	
52.41 .....	App. Q, Introduction
52.43(a) .....	App. Q, Paragraph 1
52.43(b) .....	App. Q, Paragraph 2
52.43(c) .....	App. Q, Paragraph 1
52.45 .....	App. Q, Paragraph 3
52.46 .....	N/A
52.47(a) .....	App. Q, Paragraph 4
52.47(b) .....	App. Q, Paragraph 5
52.47(c) .....	App. Q, Paragraph 6
52.49 .....	App. Q, Paragraph 7
Subpart D—Standard Design Certification:	
52.101 .....	52.41
52.103 .....	52.43
52.105 .....	52.45
52.107 .....	52.47
52.109 .....	52.48
52.111 .....	52.49
52.113 .....	52.51
52.115 .....	52.53
52.117 .....	52.54
52.119 .....	52.55
52.121 .....	52.57
52.123 .....	52.59
52.125 .....	52.61
52.127 .....	52.63
Subpart E—Standard Design Approvals:	
52.131 .....	App. O, Introduction
52.133(a) .....	App. O, Paragraph 1
52.133(b) .....	App. O, Paragraph 2
52.135 .....	App. O, Paragraph 3
52.137 .....	App. O, Paragraph 4
52.139(a) .....	App. O, Paragraph 5
52.139(b) .....	None
52.141(a) .....	App. O, Paragraph 5
52.141(b) .....	App. O, Paragraph 6
52.143 .....	App. O, Paragraph 7
Subpart G—Combined Licenses:	
52.201 .....	52.71
52.203 .....	52.73
52.205 .....	52.75
52.207 .....	52.77
52.209 .....	52.78
52.211 .....	52.79
52.213 .....	52.81
52.215 .....	52.83
52.217 .....	52.85
52.219 .....	52.87
52.221 .....	52.89
52.223 .....	52.91
52.225 .....	52.93
52.227 .....	52.97
52.229 .....	52.99
52.231 .....	52.103
Subpart H—Manufacturing Licenses:	
52.241 .....	App. M, Introduction