

United States Nuclear Regulatory Commission  
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**NRC PROPOSES RULE FOR STREAMLINED HEARING PROCESS  
IN LICENSE TRANSFER CASES**

The Nuclear Regulatory Commission is proposing to amend its regulations to set up a streamlined process for conducting hearings on requests for transfers of either nuclear power plant or nuclear materials licenses.

NRC is seeking public comments by 30 days after the publication of the proposed rule in a forthcoming edition of the Federal Register.

The Commission has launched this rulemaking as part of a broader effort to improve the effectiveness of its programs and procedures. It especially sees a need for efficient handling of hearings on license transfers because of ownership changes as electric utilities prepare for a more competitive business environment. The number of reactor license transfer requests received by NRC rose to more than 20 last year, as compared with an average of two or three annually in earlier years.

Under the new regulation, hearings on license transfer applications (including any associated license amendment which may be needed to reflect the transferee) would be legislative-style proceedings--similar to presentation of testimony before a legislative committee--rather than proceedings resembling a courtroom trial. This approach is modeled on the existing rule for hearings on NRC import and export permit applications. The Commission believes this type of hearing is especially appropriate because license transfers normally do not involve the kind of complex technical issues that historically have been dealt with by a multi-discipline licensing board.

Some other highlights of the proposed rule:

- Hearings would be conducted so that, for typical license transfer cases, a final Commission action on a requested transfer can be reached six to eight months after an application is filed.
- The full Commission or one or more commissioners may preside at a hearing, or an appointed presiding officer may do so.
- Questions will be asked only by the presiding officer. There will be no cross-examination, but parties may submit recommended questions to the presiding officer.
- All parties will have the opportunity to present oral testimony.
- There will be no discovery process by which the parties seek information from each other, but a hearing docket must be available in the NRC Public Document Room containing all relevant documents and correspondence.
- Based on general findings that license transfers involve no significant environmental effects, no environmental impact assessment will be needed by NRC staff.
- The criteria for granting hearing requests are unchanged.

Written comments on the proposed rule should be sent to: Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, ATTN: Rulemaking and Adjudications Staff.

Comments also may be filed through the NRC's interactive rulemaking web site by accessing the agency's home page at <http://www.nrc.gov> and selecting "Rulemaking Forum." The Federal Register notice with more details about the proposed rule will be posted on the web at: <http://ruleforum.llnl.gov/cgi-bin/rulemake>.

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