

WM2008 Conference Panel Reports

Session 81

Panel: Reformation of the Nuclear Licensing Process & How It Is Working

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The purpose of this panel was to provide the history on reforming the nuclear plant licensing process (revisions to 10CFR Part 52) in 1989 by the US NRC, an industry view on how it is working and a projection on the immediate future for new plant orders in the US.

The following individuals participated in the panel:

- Steve Burns, Deputy General Counsel, US NRC
- Bob Evans, Vice President, ENERCON Utility Services
- Jim Little, President, URS Safety Management Solutions

In addition, the panel was co-chaired by Jim Gallagher.

Steve Burns presented the history of the revision to Part 52 which occurred from 1986 through the first half of 1989. Mr. Burns was personally involved in the process as then legal assistant to Commissioner Ken Carr who became Chairman of the NRC in 1989, succeeding Lando Zech. It was under the leadership of Chairman Zech that the initiative to reform the licensing process was done. Even though there was no interest at that time in using the process it was thought that a more realistic process should be in place once the need for nuclear power resurfaced. Mr. Burns explained how the Rule was revised and what the drivers were, in particular how the Atomic Energy Act, as amended, provided the framework under which the Rule must fit. He explained that part of the Rule was challenged in court and that it was upheld by the court's decision.

Bob Evans who has currently been involved in four of the six applications which have been filed with the US NRC for a combined construction permit/operating license gave the industry perspective on how the Rule is actually working. This was an important perspective in that when the Rule was revised 20 years ago it was done without any industry input except during the comment period on the draft Rule and then the comments were not extensive. Mr. Evans feels that the Rule is working rather well at this early stage in the reemergence of interest in nuclear power plants. It was agreed that the REI's do need some help but that at this stage the process seems reasonable. There is still a long way to go to completely test the Rule so much still needs to be learned from these first applications once firm orders are placed for plants.

Jim Little cited URS's experience (WGI Division) with the resurgence of interest in nuclear plants and especially the current Chinese move towards nuclear power with their recent purchase of Westinghouse plants. Mr. Little projects that we could see as many as three firm orders in the US by the end of 2009.

The attendance at this panel was about 60 which is considered to be excellent for the last morning of the Conference when many of the attendees had already left. The question and answer period was robust with good questions and very good dialog as they were answered. Examples of questions included:

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- 1) What level of detail is actually needed in the CP/OL applications? After discussion between the panel and audience it was generally agreed that only the REI's need some clarification.
- 2) Are we ready for the anti-nuclear response? The feeling on this was mixed between “yes” and “no”.
- 3) Concern was expressed on the availability of trained, experienced people to meet the needs of the nuclear renaissance. Answers to this concern were expressed in several ways. First, Jim Little pointed out that programs at DOE sites have been going on for the past 20 years and have been carried out with the same rigor for nuclear design, construction and operations that will be needed for the new nuclear power plants. Mr. Little's view is that we do in fact have a well trained cadre of nuclear professionals ready to step up. It was also suggested from the audience that companies looking for nuclear trained and experienced people use various incentives to lure them including stock options for non-executive professionals.
- 4) A question was asked “has there been any intervention yet?” So far the only test of the revised Part 52 has been the court test referred to by Steve Burns and it survived that test.
- 5) There was discussion about the stability of nuclear fuel prices. It was pointed out that there was already a renaissance in the uranium market and that the Chinese were snapping up all the fuel options they could get.

Given the interest in this last day panel and the likelihood that by this time next year there will be several more applications submitted for combined CP/OL's, and even the probability that one or more firm orders for new plants could be placed, it is recommended that the panel be repeated on the first day of the conference. It would be useful to have the same participants return and to expand on their views expressed this year.