

ABSTRACT

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Recent Developments in Licensing and Regulation at the Nuclear Regulatory Commission

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Abstract by Andrew Paul Kawel

The author examines the Nuclear Regulatory Commission's (NRC) Nuclear Power 2010 initiative and its focus on result-oriented methods of administration. The article summarizes how the NRC intends to improve the nuclear power plant licensing process and to increase economic efficiency by shifting from specification-based regulation to performance-based regulation.

Part I outlines the history of nuclear regulation in the United States, with a focus on early site permits and combined construction and operating licenses. Part II discusses the NRC's recently modified streamlined adjudication procedures, which the First Circuit upheld under an Administrative Procedure Act challenge in *Citizens Awareness Network, Inc. v. United States*. Part III sketches the fundamental elements of performance-based regulation, examines its application, and contrasts it not only with older regulatory schemes but also with schemes that are facially similar to it. The article concludes that the NRC's new streamlined adjudication procedures and cost-effective regulatory methods will greatly improve nuclear licensing and regulation by reducing burdens on the nuclear energy sector and may alleviate concerns about rising energy prices.