

§ 50.56

Footnotes to § 50.55a:

¹⁻³ [Reserved]

⁴USAS and ASME Code addenda issued prior to the Winter 1977 Addenda are considered to be "in effect" or "effective" 6 months after their date of issuance *and* after they are incorporated by reference in paragraph (b) of this section. Addenda to the ASME Code issued after the Summer 1977 Addenda are considered to be "in effect" or "effective" after the date of publication of the addenda *and* after they are incorporated by reference in paragraph (b) of this section.

⁵For ASME Code Editions and Addenda issued prior to the Winter 1977 Addenda, the Code Edition and Addenda applicable to the component is governed by the order or contract date for the component, not the contract date for the nuclear energy system. For the Winter 1977 Addenda and subsequent editions and addenda the method for determining the applicable Code editions and addenda is contained in Paragraph NCA 1140 of Section III of the ASME Code.

⁶ASME Code cases that have been determined suitable for use by the Commission staff are listed in NRC Regulatory Guide 1.84, "Design and Code Case Acceptability—ASME Section III Division 1," NRC Regulatory Guide 1.85, "Materials Code Case Acceptability—ASME Section III Division 1," and NRC Regulatory Guide 1.147, "Inservice Inspection Code Case Acceptability—ASME Section XI Division 1." The use of other Code cases may be authorized by the Director of the Office of Nuclear Reactor Regulation upon request pursuant to § 50.55a(a)(3).

⁷⁻⁸ [Reserved]

⁹Guidance for quality group classifications of components which are to be included in the safety analysis reports pursuant to § 50.34(a) and § 50.34(b) may be found in Regulatory Guide 1.26, "Quality Group Classifications and Standards for Water-, Steam-, and Radiological-Waste-Containing Components of Nuclear Power Plants," and in Section 3.2.2 of NUREG-0800, "Standard Review Plan for Review of Safety Analysis Reports for Nuclear Power Plants."

[36 FR 11424, June 12, 1971]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 50.55a, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

§ 50.56 Conversion of construction permit to license; or amendment of license.

Upon completion of the construction or alteration of a facility, in compliance with the terms and conditions of the construction permit and subject to any necessary testing of the facility for health or safety purposes, the Commis-

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sion will, in the absence of good cause shown to the contrary issue a license of the class for which the construction permit was issued or an appropriate amendment of the license, as the case may be.

[21 FR 355, Jan. 19, 1956, as amended at 35 FR 11461, July 17, 1970]

§ 50.57 Issuance of operating license.¹

(a) Pursuant to § 50.56, an operating license may be issued by the Commission, up to the full term authorized by § 50.51, upon finding that:

(1) Construction of the facility has been substantially completed, in conformity with the construction permit and the application as amended, the provisions of the Act, and the rules and regulations of the Commission; and

(2) The facility will operate in conformity with the application as amended, the provisions of the Act, and the rules and regulations of the Commission; and

(3) There is reasonable assurance (i) that the activities authorized by the operating license can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the regulations in this chapter; and

(4) The applicant is technically and financially qualified to engage in the activities authorized by the operating license in accordance with the regulations in this chapter. However, no finding of financial qualification is necessary for an electric utility applicant for an operating license for a utilization facility of the type described in § 50.21(b) or § 50.22.

(5) The applicable provisions of part 140 of this chapter have been satisfied; and

(6) The issuance of the license will not be inimical to the common defense and security or to the health and safety of the public.

¹The Commission may issue a provisional operating license pursuant to the regulations in this part in effect on March 30, 1970, for any facility for which a notice of hearing on an application for a provisional operating license or a notice of proposed issuance of a provisional operating license has been published on or before that date.