US NRC

Legal and Regulatory Approach

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Legal Basis

• The Atomic Energy Act, as amended
• The overarching legal framework for the regulation of nuclear and radioactive materials
• Regulations prescribe how licensed facilities/activities must operate
• Can be found in Title 10, Code of Federal Regulations, Sections 1 – 200
• Developed using a public process open to all stakeholders
• Generally, a three-step process
  – Regulatory/Technical Basis
  – Draft Regulation
  – Final Regulation
• The Commission votes on whether or not to approve the regulation
• The staff issues Regulatory Guides to support implementation of the regulations
• Rulemaking process is time consuming and resource intensive
• Often it is necessary to impose requirements more quickly
• Orders may be issued, which can be immediately effective
• Requirements may be imposed via approval of security plans, which become license conditions
Requirements

- Whether imposed by regulation, orders, or license conditions, they are all inspectable and can be enforced.
- Strong preference for the issuance of performance oriented requirements.
Questions