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**Statement of Policy on Issuance of
Uncontested Fuel Loading and Low
Power Testing Operating Licenses**

AGENCY: Nuclear Regulatory
Commission.

ACTION: Statement of Policy.

SUMMARY: In October 1979 the Commission suspended its policy that permitted the issuance of nuclear power reactor construction permits and operating licenses by the staff in uncontested cases and directed that no such permits or licenses could be issued except upon prior review by the Commission itself. 44 FR 58559 (October 10, 1979). In the past months, the Commission has revised those procedures in a way designed to improve the licensing process. 46 FR 28627 (May 28, 1981). In this issue of the Federal Register, the Commission is publishing final rules which retain to the Commission itself the decision of whether or not an applicant will be granted authority for commercial operation, i.e., full power operation. These final rules will permit fuel loading and low power (up to 5 percent of rated power) testing to be authorized by the Director of Nuclear Reactor Regulation after a favorable decision by a Licensing Board in a contested case. This Statement announces the Commission's intention that in future uncontested cases full power operation will be authorized by the Commission. However, in such cases, the Director shall authorize fuel loading and low power testing without the need to obtain prior Commission approval.

Dated at Washington, D.C. this 24th day of September, 1981.

For the Nuclear Regulatory Commission.

Samuel J. Chilk,
Secretary of the Commission.