

August 19, 2003

MEMORANDUM TO: Those on Attached List

FROM: Lawrence E. Kokajko, Acting Chief */for RA by S. Flanders/*
Environmental and Performance Assessment Branch
Division of Waste Management, NMSS

SUBJECT: NUREG-1748, "ENVIRONMENTAL REVIEW GUIDANCE FOR
LICENSING ACTIONS ASSOCIATED WITH NMSS PROGRAMS"

The guidance document "Environmental Review Guidance for Licensing Actions Associated with NMSS Programs," (NUREG-1748) is being forwarded under separate cover for your information and use. The document provides general procedures for the environmental review of licensing actions regulated by the Office of Nuclear Material Safety and Safeguards (NMSS). This final document is a product of over 18 months of comment and use by NMSS and Regional staff. A summary of changes is attached.

The following guidance has been consolidated and superceded by this document:

- NMSS Policy and Procedures Letter 1-48, Rev. 1, "Procedure for Preparing Environmental Assessments," May 31, 1995.
- NMSS Policy and Procedures Letter 1-50, Revision 2, "Environmental Justice in NEPA Documents," September 7, 1999.
- Memorandum from Richard E. Cunningham, "Policy and Guidance Directive 84-20; Impact of Revision of 10 CFR Part 51 on Material Licensing Actions," December 5, 1984.
- Memorandum from Richard E. Cunningham, "Supplement to Policy and Guidance Directive 84-20: Impact of Revision of 10 CFR Part 51 on Material Licensing Actions," February 19, 1992.
- Memorandum from Carl J. Paperiello, "Revision 1, Supplement to Policy and Guidance Directive 84-20, Impact of Revision of 10 CFR Part 51 on Material Licensing Actions," March 9, 1994.
- Memorandum from John T. Greeves, "Guidance on Preparation of Environmental Assessments for Licensing Actions by Regional Offices," May 7, 2001.

All addressees should review the attached document and familiarize themselves with their responsibilities under this program. If you have any questions regarding this document, please contact Matthew Blevins of my staff.

CONTACT: Matthew Blevins, NMSS/DWM
(301) 415-7684

MEMORANDUM TO: Charles L. Miller, Director
Division of Industrial and
Medical Nuclear Safety, NMSS

John T. Greeves, Director
Division of Waste Management, NMSS

E. William Brach, Director
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Marc L. Dapas, Acting Director
Division of Nuclear Materials Safety, RIII

Kenneth E. Brockman, Director
Division of Nuclear Materials Safety, RIV

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DATE	7/14/03	8/13/03	8/15/03	8/19/03

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This document should be made available to the PUBLIC MDB 07/3/2003

Summary of Changes to NUREG-1748

The following substantive changes were made to the guidance based on comments received from NRC staff. Minor editorial and content changes are not included in the summary.

1. Expanded and reorganized Chapter 1, "Introduction to This Guidance Document," to include more general aspects of the NEPA process:
 - a. Expanded and Reorganized Section 1.3, "Initiation of the Environmental Review," to include:
 - Instructions for submitting NEPA documents to EPAB for review;
 - Information on pre-application meetings; and
 - Information on acceptance reviews (moved from previous Section 3.1).
 - b. New Section 1.4, "Consultations," which consolidates general information concerning Section 7 consultations with the U.S. Fish and Wildlife Service and Section 106 consultations with the State Historic Preservation Officer.
 - c. Expanded Section 1.6, "Utilizing Existing Environmental Analyses," (formerly Section 1.3).
 - d. New Section 1.7, "Public Meetings."
 - e. New Section 1.8, "Sensitive Information."
2. Expanded Chapter 2, "Preparation and Use of Categorical Exclusions," to include the background for each CATX from the 1984 Statements of Consideration for the Final Rulemaking.
3. Revised Chapter 3, "Preparing an Environmental Assessment":
 - a. Moved discussion of acceptance review to Section 1.3.3.
 - b. Expanded discussion of EA format to include:
 - New discussion of simple licensing action, Section 3.3; and
 - Revised discussion of complex licensing action, Section 3.4 (formerly Section 3.2).
 - c. Clarified information regarding consultations (formerly Section 3.2.9). General consultation information was consolidated in Section 1.4, "Consultations."
 - c. Updated and clarified information in Section 3.5, Review of a Draft Environmental Assessment Document."
 - d. Updated and clarified information in Section 3.6, "Documenting a Finding of No Significant Impact."

4. Revised Chapter 4, “Preparing an Environmental Impact Statement: Process”:
 - a. Moved detailed discussion of acceptance review to Section 1.3.3.
 - b. Clarified information in Section 4.2.4, “Consultations and Cooperating Agencies.” General consultation information was consolidated in Section 1.4, “Consultations.”
 - c. Reorganized and updated Section 4.4, “Publishing the DEIS.”
 - d. Updated and clarified information in Sections 4.5, “Finalizing the EIS.”
5. Reorganized appendices including:
 - a. Environmental Justice Procedures (Appendix C) are included as “draft interim,” pending final Commission approval of a comprehensive environmental justice policy.
 - b. New Appendix D, “Consultation Procedures,” providing detailed procedures for consulting with the affected State, the U.S. Fish and Wildlife Service (Section 7 consultation), and the State Historic Preservation Officer (Section 106 consultation).
 - c. Revised Appendix E, “Example Letters and Documents,” to add new sample letters and documents.