

**From:** Susan Chotoo  
**To:** MFW *Mike Weber* } nmss  
**Date:** 4/10/97 11:58am  
**Subject:** Environmental Justice

I see you are in a meeting so I thought I would just drop you a line—

I read the Draft Guidance for Environmental Justice. I don't see any major problems. However, I think it will expand the scope of the EA. Currently, a dose assessment is the primary means we use to determine impacts to offsite individuals. The guidance document indicates that other types of impacts to minority or low income groups, such as impacts to the social structure of the community, also need to be considered. Cultural, social, occupational, historical and economic factors must also be considered. To consider these types of impacts, the group must be identified, and meetings should be held to talk with them about the impact of the facility on their community. Currently, these things are done during the EIS process, not during preparation of the EA.

:) Susan

E-2

**From:** Michael Weber *NMSS*  
**To:** rov  
**Date:** 4/10/97 1:58pm  
**Subject:** Environmental Justice -Forwarded

In addition to Susan's comment (attached), the following comments should also be noted about the revised "Draft Guidance for Considering Environmental Justice under NEPA:"

1. If CEQ adopts the guidance, NRC should integrate its implementation into the strategies for DSI #14 because of the extensive emphasis in the guidance about public outreach, communication, and involvement.
2. Implementation of the guidance will considerably expand the scope and information needs for Environmental Assessments prepared in support of license actions. This trend would appear to conflict with earlier CEQ guidance on the optimal length of EAs (6-7 pages). This amount of text alone would be required just to address the additional information and issues imposed by the guidance.
3. Section IV of the guidance would apply these same requirements to other "regulatory changes." Although the language of this section is somewhat ambiguous, it would appear that agencies would be obligated to incorporate EJ aspects in "any new or revised regulations, policies, and guidances." This also appears to go considerably beyond NEPA. The intent and effect of this section should be clarified.
4. Section 6-607 in Appendix A states that Federal agencies shall assume the costs of complying with the order. For NRC, these costs would be passed through to licensees, thus imposing an additional burden on the regulated community through higher fees. This adverse impact should be considered by CEQ in finalizing the guidance.
5. Although NRC is already implementing comparable procedures in developing EISs for specific licensing actions, implementation of the guidance in EAs, rulemakings, and guidance development could require considerable additional resources. NRC staff should estimate the incremental impact of these changes on resource needs. This information should be considered by the Commission in deciding whether to follow the guidance.

**CC:** sdc,gcp,mlh1,hma,pas,ewb,eqt