

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

September 5, 2007

Mr. Dennis Beissel, Project Manager
Mail Stop: T6-D59
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

7/18/07
78FR 39467
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RULES AND DIRECTIVES
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15870

RE: Comments to the Draft Environmental Impact Statement for License Renewal of the National Bureau of Standards Reactor – NUREG-1873, CEQ # 20060290.

Dear Mr. Beissel:

In accordance with the National Environmental Policy Act (NEPA), Section 309 of the Clean Air Act, and the Council on Environmental Quality (CEQ) regulations implementing NEPA (40 CFR 1500-1508), the U. S. Environmental Protection Agency (EPA) has reviewed the Draft Environmental Impact Statement (DEIS) for the above referenced project. The DEIS is for renewal of the operating license for the National Bureau of Standards. The renewal would be for additional 20-year period.

Under EPA's system for rating Environmental Impact Statements, we are rating the environmental impacts associated with the operating license renewal as a Lack of Objections (LO -1). A Lack of Objection rating means the review has not identified any potential environmental impacts requiring substantive changes to the preferred alternative. The numeric rating assesses the adequacy of the Environmental Impact Statement. The 1 rating indicates the DEIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary. A copy of our rating system is attached, and can also be found at:

<http://www.epa.gov/Compliance/nepa/comments/ratings.html>.

If you any questions regarding this issue please feel free to contact Kevin Magerr at (215) 814-5724.

Sincerely,



William Arguto,
NEPA Team Leader

Attachment:

FRIDS = ADM-03

Call = D. Beissel (drb1)

SONSI Review Complete
Template = ADM-013



U.S. Environmental Protection Agency

National Environmental Policy Act (NEPA)

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Environmental Impact Statement (EIS) Rating System Criteria

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EPA has developed a set of criteria for rating draft EISs. The rating system provides a basis upon which EPA makes recommendations to the lead agency for improving the draft EIS.

Basic Information

- [Rating the Environmental Impact of the Action](#)

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- [Rating the Adequacy of the Draft Environmental Impact Statement \(EIS\)](#)

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RATING THE ENVIRONMENTAL IMPACT OF THE ACTION

- **LO (Lack of Objections)** The review has not identified any potential environmental impacts requiring substantive changes to the preferred alternative. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposed action.
- **EC (Environmental Concerns)** The review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact.
- **EO (Environmental Objections)** The review has identified significant environmental impacts that should be avoided in order to adequately protect the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). The basis for environmental Objections can include situations:
 1. *Where an action might violate or be inconsistent with achievement or maintenance of a national environmental standard;*
 2. *Where the Federal agency violates its own substantive environmental requirements that relate to EPA's areas of jurisdiction or expertise;*
 3. *Where there is a violation of an EPA policy declaration;*
 4. *Where there are no applicable standards or where applicable standards will not be violated but there is potential for significant environmental degradation that could be corrected by project modification or other feasible alternatives; or*
 5. *Where proceeding with the proposed action would set a precedent for future actions that collectively could result in significant environmental impacts.*
- **EU (Environmentally Unsatisfactory)** The review has identified adverse environmental impacts that are of sufficient magnitude that EPA believes the proposed action must not proceed as proposed. The basis for an environmentally unsatisfactory determination consists of identification of environmentally objectionable impacts as defined above and one or more of the following conditions:
 1. *The potential violation of or inconsistency with a national environmental standard is substantive and/or will occur on a long-term basis;*

2. *There are no applicable standards but the severity, duration, or geographical scope of the impacts associated with the proposed action warrant special attention; or*
3. *The potential environmental impacts resulting from the proposed action are of national importance because of the threat to national environmental resources or to environmental policies.*

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RATING THE ADEQUACY OF THE DRAFT ENVIRONMENTAL IMPACT STATEMENT (EIS)

- **1 (Adequate)** The draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.
- **2 (Insufficient Information)** The draft EIS does not contain sufficient information to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the proposal. The identified additional information, data, analyses, or discussion should be included in the final EIS.
- **3 (Inadequate)** The draft EIS does not adequately assess the potentially significant environmental impacts of the proposal, or the reviewer has identified new, reasonably available, alternatives, that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. The identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. This rating indicates EPA's belief that the draft EIS does not meet the purposes of NEPA and/or the Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS.

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Last updated on Thursday, April 12th, 2007

URL: <http://www.epa.gov/compliance/nepa/comments/ratings.html>