

Comments/Suggestions from December 6, 2007 Meeting on Enhancing the Efficiency and Effectiveness of the NRC Environmental Review Process						
Improvement Area	Comment Venue	Commenter Org.	Commenter Name	Comment	Reference	Page No.
Communications	Meeting	NEI	Russell Bell	...we'd like this workshop to be the beginning, not a one-time event, a beginning of efforts to consider and implement enhancements in a number of areas.	Transcript	24
Communications	Meeting	ANS	Kyle Turner	...communications between technical experts on the Applicant and regulatory sides could be improved.	Transcript	31
Communications	Meeting	ANS	Kyle Turner	For every RAI...that's generated as a result of that lack of communication and then has to be responded to as a result of the inefficiencies in that communication, that takes away from the very important role that those folks have in a critical technical review of the Applicant's submittal, so that the result can become focused on the license, the denial of it, the issuance of it, and the conditions that become part of the license.	Transcript	31
Communications	Meeting	ANS	Kyle Turner	...an awful lot of this communication is actually between contractor personnel on either side of the regulatory divide...they are critical to the process...it will be necessary to involve those contractor personnel in the process in order to make it work.	Transcript	32
Communications	Meeting	FLDEP	Mimi Drew	...if there's any way possible to interact more comprehensively with the kind of reviews that the State of Florida is already doing, whether it is through out Florida law or through the delegated federal programs, I would request that you look into that.	Transcript	36
Communications	Meeting	FLDEP	Mimi Drew	We feel there needs to be better communication. This is a great opportunity for us to start that communication, reaching out to stakeholders and we have public meetings, a lot of public meetings, a lot of public records...So I would just suggest that anything we can do to get on board with the federal activities related to this, we work together so that we can not duplicate the process, but still give everybody adequate opportunity to come in and be heard.	Transcript	37
Communications	Meeting	MD DNR	Richard McLean	...the NRC needs to have early upfront communication with state agencies...your schedule is our schedule and we need to be apprised very early and upfront, be on top of this process as you move forward, because we have experts and expertise...early on in the process your outreach needs to say what do you guys got, what can you do for me and what can I do for you and that's the communication node.	Transcript	39
Communications	Meeting	Greenpeace	James Riccio	...the staff needs to stop speaking bureaucratese. In those processes, you leave the impression in the room that you're going to compare nuclear plants to alternative forms of electric generation. In the public's mind, when you say alternative, they mean solar, wind, things that don't pollute and don't create radiation...So I would admonish the staff to be a little clearer when they're speaking because we don't speak the same language.	Transcript	42
Communications	Meeting	CEQ	Horst Greczmiel	So we need to do a lot better job of communicating on all levels. We need to do a better job and have the challenge of bringing in all of the stakeholders, state, local, Tribal, community, early on, "upstream", so any opportunities that we have to explore where we can see how they might inform a pre-application process is something that I think provides a tremendous opportunity.	Transcript	56

Comments/Suggestions from December 6, 2007 Meeting on Enhancing the Efficiency and Effectiveness of the NRC Environmental Review Process						
Improvement Area	Comment Venue	Commenter Org.	Commenter Name	Comment	Reference	Page No.
Communications	Meeting	EPA	Anne Miller	...you really have to work with people and help them to understand what the issues are, avoid bureaucratism, the acronyms...but really to focus on communication and to the degree possible, focus on collaboration...that community is going to have that plant for a long time, so they really do need to be part of the process and understand what are the good points and what are the potential bad points of having a facility there.	Transcript	60
Communications	Meeting	EPA	Anne Miller	...strengthening the attention to have state and local requirements met, that that really is a critical issue going through the reviews and again, if you do it up front, it tends to make the process go more quickly at the end...	Transcript	61
Communications	Meeting	NEI	Anne Cottingham	...we'd like to have stakeholders continue to work with the Agency to identify lessons learned from the submittal of the partial COLA which is usually the early submittal of the environmental report to see if we can remove any unnecessary obstacles to the continued use of that practice in the future...we'd like to see that this be made more efficient, if possible.	Transcript	70
Communications	Meeting	NEI	Russell Bell	Work with stakeholders to plan workshops to -- that would involve technical experts on all sides so they can be brought up to speed and trade up on NEPA and the other requirements that are involved.	Transcript	91
Communications	Meeting	Tetrattech	Jon Cudworth	I heard people talk about the need to coordinate with the states and I certainly would support that...It's not just the state agencies that have processes you worry about. It's the Corps of Engineers or the Fish and Wildlife Service, those also could potentially affect schedules and could affect the Applicant that coordination on the NRC's part could help considerable, so I would support that also.	Transcript	99
Communications	Letter	NEI	Adrian Heymer	We encourage the NRC to hold workshops on the lessons learned from these early reviews to identify ways to improve review schedules for future applicants...will improve the quality and completeness of these future applications...This should reduce industry and NRC resources and schedule associated with application reviews and development of the NRC's environmental impact statements.	Letter	3
Contracting	Meeting	FLDEP	Mimi Drew	We think there could be maybe more efficient contracting...we struggle all the time with contracting and trying to get contractors on board that are trained to do it, contractors that are timely. I would ask you to consider maybe a fixed contract versus time and materials. We have had some success in prequalifying contractors...	Transcript	36
Document Availability	Meeting	UCS	Jon Block	We need rapid access to information in ADAMS, increased file size receptivity beyond a 10 megabyte size so that people can send referenced comments and not have them choked out by the system.	Transcript	19
Document Availability	Meeting	UCS	Jon Block	We want rapid access to FOIA and rapid response.	Transcript	19

Comments/Suggestions from December 6, 2007 Meeting on Enhancing the Efficiency and Effectiveness of the NRC Environmental Review Process						
Improvement Area	Comment Venue	Commenter Org.	Commenter Name	Comment	Reference	Page No.
Document Availability	Meeting	BREDL	Louis Zeller	...we were stonewalled because documents were not available to us. Some of these were Agency documents locked up in a file...Some of them were in libraries in the State of Virginia...This is an inadequate process.	Transcript	44
Document Availability	Meeting	CEQ	Horst Greczmiel	...the issue of trust and openness and availability of information...whether we're talking about communication between industry and Applicants, we need to expand that to all of the stakeholders.	Transcript	56
Document Availability	Meeting	CEQ	Horst Greczmiel	When we're talking about making technology such as ADAMS more effective, we need to do that with the view of providing ready access to all potential stakeholders of information that is understandable.	Transcript	56
Document Availability	Meeting	EPA	Anne Miller	...there could be some benefit to making ADAMS a little more user friendly, that it's fine to have the document there, but if people can't find it, it doesn't work.	Transcript	60
Document Availability	Meeting	EPA	Anne Miller	...it might be useful as an addition to ADAMS that you might consider having a dedicated website for each Environmental Impact Statement, that that would be something that would be much easier for the public in terms of accessing the document and being able to review it and then send review comments back in...and certainly you would want to have enough memory that you didn't cut out the references that they submit.	Transcript	62
Document Availability	Letter	NEI	Adrian Heymer	Members of the public could also benefit from additional information on the scope of NRC's required environmental reviews being included on the NRC website.	Letter	Enclosure 1, p. 4
Document Availability	E-mail	Self	Marvin Lewis	...I did not get a notice until Office of Public Affairs News Release dated week ending 11-23-07 arrived by snail mail on Dec. 4. I sure did not have a chance to schedule much, but I did get a chance to send down this document.	E-mail	1
Generic Issues	Meeting	NEI	Russell Bell	We think more efficient approaches could be employed to review and assess certain environmental issues. We think that some of the issues can be dealt with generically. This has been done in the license renewal context where we have a GEIS. That's certainly one option here and there may be some issues that lend itself to a Generic Environmental Impact Statement.	Transcript	28
Generic Issues	Meeting	NEI	Russell Bell	...areas like alternative energy source evaluations, intake structure issues dealing with those, cooling tower impacts. Those...could be assessed in a similar way over and over and over again with the methodologies used having being prior approved through an industry/NRC effort. Typically, NEI would coordinate development of those kinds of templates and submit them to NRC. That's what's happening on the safety side.	Transcript	28
Generic Issues	Meeting	NEI	Russell Bell	...some issues have consistently small environmental impacts...we think that we can approach those smarter. Those could be prioritized appropriately and so that consistent with NEPA which would have us focus on the more significant issues, those issues are treated commensurate with their significance.	Transcript	29

Comments/Suggestions from December 6, 2007 Meeting on Enhancing the Efficiency and Effectiveness of the NRC Environmental Review Process						
Improvement Area	Comment Venue	Commenter Org.	Commenter Name	Comment	Reference	Page No.
Generic Issues	Meeting	NEI	Russell Bell	The scoping process...could be a very good way to get at that...We think it could be used more effectively to focus on the more significant issues and less on the consistently non-significant issues. And we think the scoping meetings, the scoping process is intended to do just that.	Transcript	29
Generic Issues	Meeting	MD DNR	Richard McLean	...you can go to our website, we probably have...2,000 reports that are generally viable and you guys could use that kind of information in again a generic sense, for a GEIS, or as you get into a site-specific application. We've got a lot of stuff and we got a lot of people that is a resource, a technical resource that I expect the NRC to utilize and that single point of contact would affect that utilization.	Transcript	40
Generic Issues	Meeting	EPA	Anne Miller	If you do decide to do a generic EIS on some issues and that may well be a way to streamline some issues, that again is also a very important concept. Entergy asked to really outline how, in the future, that information will be used and how you will, if you're shearing off it, how you will identify for new and significant information has come up, so that that's not a problem.	Transcript	61
Generic Issues	Meeting	NEI	Russell Bell	Innovative generic approaches to address certain environmental issues, as many as can be...It could be a GEIS. It could be templates...the scoping process, we think could be used more effectively to focus on the significant issues.	Transcript	91
Generic Issues	Meeting	CEQ	Horst Greczmiel	...what you may want to consider as being some or one of those next steps and that is taking some of the suggestions that came from the table here such as what are the issues that should be looked at generically, and bringing together folks at a staff level to discuss that and have at the table representatives just as you'd have at the table here today so that we get that input...But you can find representatives from different groups who can bring some of those perspectives to the table and at least start taking a step where you analyze some of those issues up front and do a better job of bringing in all those different groups.	Transcript	94
Generic Issues	Meeting	Tetrattech	Jon Cudworth	I certainly encourage NRC's efforts to start thinking in terms of generic in the way -- perhaps lower case generic issues, things that are less significant and that NRC does not necessarily have to focus on in an EIS. I think the NRC also has to think about the NEPA mechanism they can use to make this work. I've heard some discussions of a generic EIS that tends to be effective, but very time consuming.	Transcript	97
Generic Issues	Meeting	Tetrattech	Jon Cudworth	I think the scoping process is another way to look at this kind of thing on an ad hoc basis. You may set up a template of the issues that tend to be less significant. These are the ones we need to focus on, present that information in the Federal Register notice for these notices of intent, give the public an opportunity to comment on the choices...	Transcript	98

Comments/Suggestions from December 6, 2007 Meeting on Enhancing the Efficiency and Effectiveness of the NRC Environmental Review Process						
Improvement Area	Comment Venue	Commenter Org.	Commenter Name	Comment	Reference	Page No.
Generic Issues	Letter	NEI	Adrian Heymer	We believe that certain environmental issues can and should be addressed generically for new plants. In the short term, this could be accomplished through development of regulatory guides, and in the longer term, through a generic EIS (GEIS) similar to that developed for license renewal.	Letter	Enclosure 1, p. 2
Generic Issues	Letter	NEI	Adrian Heymer	We envision that industry would develop generic templates demonstrating that environmental impacts of a new nuclear plant are small for particular environmental issues, and that these templates would be endorsed in NRC regulatory guides that would be available for public comment prior to becoming final.	Letter	Enclosure 1, p. 2
Generic Issues	Letter	NEI	Adrian Heymer	For other environmental issues, templates could be developed that would standardize the methodologies used to assess environmental impacts. These methodologies would be endorsed in NRC regulatory guides following a public comment period, that would be referenced in ERs.	Letter	Enclosure 1, p. 2
Generic Issues	Letter	NEI	Adrian Heymer	We believe one or more public meetings would be helpful to identify environmental issues in each of these broad categories amenable to generic treatment in ERs and to discuss the optimal approach for doing so...Once templates had been developed, one or more additional public meetings could be held to discuss the proposed templates in an open forum.	Letter	Enclosure 1, p. 3
Generic Issues	Letter	NEI	Adrian Heymer	...it is vitally important for the agency to develop over the longer term a GEIS whose findings would be promulgated in NRC regulations. Promulgation of a GEIS would be an additional opportunity for the public to engage on treatment of these environmental issues and the participate in the agency's rulemaking process.	Letter	Enclosure 1, p. 3
Generic Issues	Letter	NEI	Adrian Heymer	NRC should promptly implement the Combined License Review Task Force's recommendation that the Commission "consider rulemaking to resolve issues that are generic to combined license applicants." (Report, p. 12). Candidate rulemaking topics identified by the Task Force include non-proliferation risks of nuclear power, need for power, long-term storage of spent fuel and fuel reprocessing, and we believe that additional issues might also lend themselves to rulemaking.	Letter	Enclosure 2, p. 1
Guidance Documents	Meeting	NEI	Russell Bell	...we think the NRC is doing the very much right thing in updating the Environmental Standard Review Plan. That obviously needs to continue.	Transcript	24
Guidance Documents	Meeting	NEI	Russell Bell	We need to have the proper guidance and training on that guidance for NRC staff reviewers concerning the preparation of environmental reports...And your preparation of Environmental Impact Statements...the guidance needs to reflect the 21st century and the Part 52 process and that things can happen in a different order under Part 52 and this affects guidance on how the Applicants approaches issues like transmission lines, like need for power, like alternative sites.	Transcript	25

Comments/Suggestions from December 6, 2007 Meeting on Enhancing the Efficiency and Effectiveness of the NRC Environmental Review Process						
Improvement Area	Comment Venue	Commenter Org.	Commenter Name	Comment	Reference	Page No.
Guidance Documents	Meeting	NEI	Russell Bell	Related to the ESRP, we'd like to suggest that perhaps it become a dual-use guide, a one-stop shop for both the NRC staff for review guidance, and the Applicants to use as guidance for developing their ERs. We think that while efforts are on-going to update the ESRP, an incremental additional effort could be made to incorporate the information guidance with respect to what needs to be found in an ER to meet the review criteria of the ESRP.	Transcript	25
Guidance Documents	Meeting	NEI	Russell Bell	The NRC has recently put out a new office instruction on acceptance review. There's an enclosure to that that provides an acceptance criteria for both FSAR and an ER. We think that's an excellent start along the lines of what we're talking about and perhaps could be integrated into the ESRP.	Transcript	26
Guidance Documents	Meeting	NEI	Russell Bell	...development of the EIS could be expedited by formatting that in the same way that the ER and the ESRP are formatted. So if you go to Section 2.34 of any of those documents, they're all pertaining to the same thing. One is the guidance. One is the Applicant's environmental report. And one is the staff's independent assessment of that EIS. Right now, there's a confusing mix of formats. We think this is going to be simpler and stakeholder friendly and save time.	Transcript	26
Guidance Documents	Meeting	DOE	Gerry Gears	...there is still a need, as mentioned before, ESRP Revisions and Reg. Guide updates...there appears to be issues in these documents that one would expect have been well studied and determined not to be significant, but they're still there.	Transcript	55
Guidance Documents	Meeting	NEI	Russell Bell	First and foremost, complete the update of NUREG-1555, but consider expanding it to serve the needs of the Applicants as well. And perhaps de-emphasize Reg. Guide 4.2.	Transcript	91
Guidance Documents	Meeting	Southern Company	Tom Moorer	...if we could find a way to provide more definitive guidance to the Applicant, that I could as the Applicant, provide you a much better document to start with, that would save you from having to ask me questions, RAIs...	Transcript	101
Guidance Documents	Meeting	Southern Company	Tom Moorer	If we had a more definitive process to where we understood exactly what the expectation is, I firmly believe that's where the economies could come in this process and we could give you a better product to work with and you could then produce economies in the review process that would shorten the overall process while maintaining those efficiencies that we talked about already.	Transcript	101
Guidance Documents	Meeting	NEI	Russell Bell	The SRP is the staff's document to itself and there may be difficulty in a dual use, but one way to structure that might be to include a section in there with the staff -- staff, this is what you should expect to see in an ER. And that sounds more like instructions to the staff or guidance to the staff.	Transcript	102
Guidance Documents	Meeting	NEI	Russell Bell	We certainly recognize the purpose of the SRPs, the safety and the environmental as guidance to the staff, but question the need to perpetuate two separate documents...	Transcript	102

Comments/Suggestions from December 6, 2007 Meeting on Enhancing the Efficiency and Effectiveness of the NRC Environmental Review Process						
Improvement Area	Comment Venue	Commenter Org.	Commenter Name	Comment	Reference	Page No.
Guidance Documents	Meeting	DOE	Gerry Gears	...NRC needs to continue to work on developing a streamlined process to determine new and significant for those licensees or applicants who have done a recent ESP and are coming in with a COLA application.	Transcript	52
Guidance Documents	Meeting	EPA	Anne Miller	...it's really critical to have a process that's understandable by the public and by your other stakeholders as to how you will identify new and significant information and really make that judgment of what has to be updated.	Transcript	61
Guidance Documents	Letter	NEI	Adrian Heymer	NEI therefore recommends that the NRC reassess the need to maintain separate guidance for applicants and NRC reviewers and take this opportunity to augment the ESRP so that it can provide guidance for both COL applicants and the NRC staff.	Letter	Enclosure 1, p. 1
Guidance Documents	Letter	NEI	Adrian Heymer	RG. 4.2 could be revised to complement the updated ESRP.	Letter	Enclosure 1, p. 1
Hearings	Meeting	UCS	Jon Block	We want adjudicatory rules that are modeled on the fair rules of the Federal Rules of Civil Procedure.	Transcript	19
Hearings	Meeting	UCS	Jon Block	We want balanced fact-finding hearings in all significant rulemakings.	Transcript	20
Hearings	Meeting	NEI	Anne Cottingham	...we would like to see implementation of another task force recommendation...that the Commission, rather than the Atomic Safety and Licensing Board conduct mandatory uncontested hearings.	Transcript	68
Hearings	Meeting	NEI	Anne Cottingham	...we would like to see the Commission continue with its past practice of using hearing orders in individual licensing hearings, licensing proceedings for a number of purposes: one, to establish schedules; and two, to exclude consideration, usually of generic issues that are otherwise covered in regulations or that are issues of policy, in other words, using the hearing order to control and bound the scope of the hearing.	Transcript	69
Hearings	Meeting	NEI	Anne Cottingham	We would like to suggest that the Commission continue its past practice of using multiple licensing boards when appropriate.	Transcript	69
Hearings	Meeting	NEI	Anne Cottingham	We would like to see the Commission give licensing boards the option of commencing the licensing hearing on environmental issues based on the availability of the draft EIS, rather than the final EIS, if the parties consent.	Transcript	70
Hearings	Meeting	NEI	Anne Cottingham	In addition, we'd like to see some consideration of tightening the milestone schedules that are already in the regulations.	Transcript	69
Hearings	Meeting	NEI	Anne Cottingham	In addition, we would like to see time limits proposed by the Commission and enforced for the issuance of initial decisions by the licensing board at the end of the hearing.	Transcript	69
Hearings	Letter	NEI	Adrian Heymer	Finalize and implement policy statement on conduct of new reactor licensing proceedings	Letter	3
Hearings	Letter	NEI	Adrian Heymer	Initiate rulemakings for generic new plant licensing issues to minimize duplicative litigation	Letter	4
Hearings	Letter	NEI	Adrian Heymer	Use hearing orders and tighten schedule milestones to facilitate efficient licensing hearings	Letter	4

Comments/Suggestions from December 6, 2007 Meeting on Enhancing the Efficiency and Effectiveness of the NRC Environmental Review Process						
Improvement Area	Comment Venue	Commenter Org.	Commenter Name	Comment	Reference	Page No.
Hearings	Letter	NEI	Adrian Heymer	Give parties the option to proceed to hearing based on the draft EIS	Letter	4
Hearings	Letter	NEI	Adrian Heymer	Commission conduct of mandatory uncontested hearings for ESP and COL applications; and pursuit of statutory amendment to eliminate such hearings	Letter	4
Hearings	Letter	NEI	Adrian Heymer	NRC should promptly issue a final Policy Statement on Conduct of New Reactor License Proceedings.	Letter	Enclosure 2, p. 1
Hearings	Letter	NEI	Adrian Heymer	...we urge the agency to consider and adopt in the final policy statement the proposed enhancements discussed in NEI's comments on the Draft Policy Statement on Conduct of New Reactor Licensing Proceedings.	Letter	Enclosure 2, p. 1
Hearings	Letter	NEI	Adrian Heymer	...some changes to the Model Milestones for NRC Adjudicatory Proceedings in 10 CFR Part 2...may be warranted to streamline the time typically allowed for completion of various hearing-related activities and for the issuance of Licensing Board decisions...We believe it need not and should not take six months to begin hearings following issuance of the SER and EIS. This time interval should be shortened appreciably, or...the parties should proceed to hearing on environmental matters based on the draft EIS.	Letter	Enclosure 2, p. 2
Hearings	Letter	NEI	Adrian Heymer	The model schedule also should shorten from 90 to 60 days the time for the presiding officer to issue an initial decision on a COLA.	Letter	Enclosure 2, p. 2
Hearings	Letter	NEI	Adrian Heymer	...we believe the NRC should give Licensing Boards the option of commencing licensing hearings on environmental issues based on availability of the draft, rather than the final, Environmental Impact Statement (EIS, if the parties consent.	Letter	Enclosure 2, p. 3
Hearings	Letter	NEI	Adrian Heymer	...the Commission could direct that hearings commence more promptly after issuance of the final SER and final EIS, particularly if no additional contentions on the final SER or EIS are admitted.	Letter	Enclosure 2, p. 3
Hearings	Letter	NEI	Adrian Heymer	NRC should promptly implement the Combined License Review Task Force's recommendation (Report, pp. 6-7) that the Commission, rather than the Atomic Safety and Licensing Board, should conduct all mandatory uncontested hearings for COL and ESP applications.	Letter	Enclosure 2, p. 4
Hearings	Letter	NEI	Adrian Heymer	...the NRC also should consider conducting the mandatory hearing and the contested hearing in parallel, and should specify the use of informal, expedited hearing procedures for mandatory uncontested hearings. As a long-term solution, industry supports elimination of mandatory uncontested hearings by amending the Atomic Energy Act of 1954, (as urged by Combined License Review Task Force) and urges the NRC to seek legislation to do so.	Letter	Enclosure 2, p. 4

Comments/Suggestions from December 6, 2007 Meeting on Enhancing the Efficiency and Effectiveness of the NRC Environmental Review Process						
Improvement Area	Comment Venue	Commenter Org.	Commenter Name	Comment	Reference	Page No.
In-House Expertise	Meeting	DOE	Gerry Gears	...in order for the NRC to maintain an effective and efficient NEPA process, NRC must maintain its own set of expertise in all the NEPA required disciplines...NRC's NEPA staff should strive to maintain an outstanding core group of environmental expertise and specifically I mean expertise meaning both education and experience in areas such as ecological science, hydrology, cultural resources, socioeconomics.	Transcript	53
Public Involvement	Meeting	BREDL	Louis Zeller	...the Office of New Reactors should look towards more effectiveness and throw overboard efficiency unless it serves effectiveness.	Transcript	74
Public Involvement	Meeting	UCS	Jon Block	We need a place at the table for every public meeting that takes place in this Agency.	Transcript	19
Public Involvement	Meeting	UCS	Jon Block	We want all private meetings with the industry and the Commissioners ended immediately.	Transcript	19
Public Involvement	Meeting	Greenpeace	James Riccio	We have already had our rights of cross examination and discovery removed in this overall licensing process. And when I heard efficiencies, I'm sure that the Agency and the industry can improve things. Please don't do it in the back of the public.	Transcript	41
Public Involvement	Meeting	Greenpeace	James Riccio	Please don't try to increase your efficiency on the backs of well-meaning public participants.	Transcript	43
Public Involvement	Meeting	EPA	Anne Miller	Adequate time for public involvement is really critical and it's an investment in time...it's critical to have meaningful meetings and time involved of the scoping process and the DEIS process. And it's critical to do it in a way that does communicate.	Transcript	59
Review and Implementation	Meeting	BREDL	Louis Zeller	Other issues are regarding the failure of considering alternative sources to nuclear energy for the generation of power and that means a substantial and comprehensive look at some of the alternatives.	Transcript	45
Review and Implementation	Meeting	EPA	Anne Miller	...incorporation by reference is a very useful tool...you have to make sure that you really do have a good summary of what the issues are, and then to the degree that you can make the original document available to the public that's useful.	Transcript	60
Review and Implementation	Meeting	UCS	Jon Block	...when you're developing an ER upon which the EIS will be based...it would be good science, to be looking at the new projections for changes in coastline, increased storms, changes in water levels, changes in flood patterns. I don't see it happening and I think this Agency needs to get moving on forcing the licensees to confront these new realities.	Transcript	90
Review and Implementation	Meeting	NEI	Russell Bell	If it takes about 24 months now nominally, to get from a ER submittal to an FEIS, we would suggest 18 months might be a goal.	Transcript	73
Review and Implementation	Meeting	NEI	Russell Bell	...success would be an NRC agreement to challenge itself, to find the efficiencies in a 24-month process and drive it down...Why not 18 months to complete that submittals of an environmental report to the FEIS.	Transcript	92

Comments/Suggestions from December 6, 2007 Meeting on Enhancing the Efficiency and Effectiveness of the NRC Environmental Review Process						
Improvement Area	Comment Venue	Commenter Org.	Commenter Name	Comment	Reference	Page No.
Review and Implementation	E-mail	Self	Marvin Lewis	...the problem is not the review. The problem is what actions are elicited by the review and if they are implemented. Again and again power plants near to me have had problems with water, fish and plants. Months after the NRC investigation or review, residents find themselves having to go to court to get the Licensee to implement reasonable actions to address the problem.	E-mail	1
Review and Implementation	E-mail	Self	Marvin Lewis	...the staff does not seem to have any institutional memory or they have a selective Alzheimer's. To this date I hear the NRC remark that no one could have predicted 4 airplanes flying into buildings in NYC. Airplanes flying into nuclear power plants was a contention in the TMI#2 Hearings. This contention caused the principals to get a emergency fuel loading license or ok in the middle of the night before the interveners could know or react. I am sure the staff would like to say that was not their fault.	E-mail	1
Review and Implementation	E-mail	Self	Marvin Lewis	I could go on and on about how findings are gotten around or neglected in the implementation. I still do not know if the 13 " error in the Limerick stack was ever corrected, but I still have that old newspaper photo from decades ago. What I am saying is that no matter how good a review is done, the truth is in the implementation which seems to be missing.	E-mail	1
Training	Meeting	NEI	Russell Bell	New folks are coming in. We think it shows at times that they don't have a full appreciation for the scope of NEPA and some of the other requirements...a focus needs to be brought on additional training...industry folks need the same kinds of training. We have the same kinds of issues. To get at this, we would suggest holding a series of workshops perhaps jointly with the industry and Anne and I could help facilitate that.	Transcript	27
Training	Letter	NEI	Adrian Heymer	Improving the environmental review and EIS development process will require revisions to reviewer guidance, training, changes to contractual arrangements with NRC and industry contractors, and increased management oversight to ensure schedule improvements are achieved.	Letter	3
Training	Letter	NEI	Adrian Heymer	Training for both industry and NRC personnel (including contractors and members and staff of the Atomic Safety and Licensing Boards) on updated rules and guidance will be necessary. We believe that aspects of this training, especially in the area of NEPA, should be conducted jointly with industry to assure a common understanding of NEPA purpose, scope and implementation in the context of new-plant licensing.	Letter	3
Training	Letter	NEI	Adrian Heymer	...a concerted effort is needed to provide updated environmental training for both industry and NRC staff personnel, including contractors and interested members of the ASLB.	Letter	Enclosure 1, p. 4
Training	Letter	NEI	Adrian Heymer	We recommend that one or more joint workshops be held to provide the necessary training on updated environmental requirements and implementation of NEPA.	Letter	Enclosure 1, p. 4

**Table of Responses to Comments/Suggestions from December 6, 2007 Public Meeting on
Enhancing the Efficiency and Effectiveness of the NRC Environmental Review Process**

Improvement Area	Summary of Comments/Suggestions	What We Are Doing Already	What We Plan on Doing
Communications	Improve communications between technical experts, including contractors, on applicant and regulatory sides	Contractors and technical experts on both sides participate in pre-application and post-application activities. However, the primary contacts for communication are between the NRC and the applicant.	
	Interact more with states and look at their reviews and public records		We will draw on other environmental reviews as much as possible and use incorporation by reference or tiering if possible. When we engage the states, we will ask them if they have any reviews or public records to look at.
	Engage stakeholders, state, local, Tribal, other federal agencies (USACE, FWS), and community early	We are working on updating the Memorandum of Understanding (MOU) with the US Army Corps of Engineers (USACE). We have been engaging agencies like the US Fish and Wildlife Service (FWS) and the US Environmental Protection Agency (EPA) to join us during the site audit. We make sure that the EPA, as part of the Section 309 process, has early access to information from NRC and applicants. We also conduct public outreach meetings as part of the pre-application stage.	This need to interact more with state agencies and tie them into our efforts will be emphasized with all environmental project managers (PMs) and reviewers. We are expanding our pre-application activities to include more interactions with state agencies.
	Use clearer language when speaking and writing so public can better understand issues	We try to draw a balance between plain English and the highly technical nature of the issues. We have a Public Communications Initiative dated April 1998, which guides us. We redefine acronyms at the beginning of every chapter in our Environmental Impact Statements (EISs). We are working on the development of a COLA EIS template.	
	Work with stakeholders on identifying lessons learned from submittal of partial Combined License Application (COLA) and early reviews of COLAs to improve review schedules and quality/completeness of future applications	At this year's Regulatory Information Conference (RIC), we covered some lessons learned from these early reviews.	We will consider discussing lessons learned when we're far enough in the review of the partial COLA.

**Table of Responses to Comments/Suggestions from December 6, 2007 Public Meeting on
Enhancing the Efficiency and Effectiveness of the NRC Environmental Review Process**

Improvement Area	Summary of Comments/Suggestions	What We Are Doing Already	What We Plan on Doing
Contracting	Prequalify contractors	We currently select contractors in accordance with the Federal Acquisition Law.	We will continue to select contractors in accordance with the Federal Acquisition Law.
	Consider fixed contract vs. time and materials	A fixed contract is not practical because there are too many variables.	
	Ensure contractors are well-trained and timely	We provide an orientation for our contractors. Our contractors also have internal training and mentoring.	
Document Availability	Make the Agencywide Document Access and Management System (ADAMS) faster and more user-friendly	NRC is working on the possible acquisition of a new agency wide electronic content management system. Known as the NextGen system, it will subsume the role of ADAMS while introducing improvements. Our hopes are that this new system will improve document availability.	
	Increased file size receptivity beyond 10 MB for receipt of public comments	10 MB is the industry standard. The NRC has no current plans to increase the file size receptivity. However, the NRC is willing to receive larger files by CD or DVD. Another option is to parcel the comment into several emails each under the 10MB threshold.	
	Rapid access to the Freedom of Information Act (FOIA) and rapid response	All federal agencies have a statutory responsibility to respond to a FOIA request within 20 business days with a possible 10 business day extension if additional time is needed. The NRC makes a good faith effort to respond to all requests within this time. If the files are voluminous, the Office of Information Services (OIS) will try to do partial releases of information to the requester as they become available.	
	Dedicated website for each EIS	We do have a website page for each application that has been received and docketed. We also work with libraries in local communities to make sure they can support us by having hard copies available to the community. We are revising the web pages for each application to include direct links to related documents.	We plan to make CDs/DVDs available through NRC's Public Document Room for a small fee.
	Additional information on the scope of NRC's required environmental reviews on NRC's website	NRC's website has a dedicated page for the environmental review process. In addition, the Environmental Standard Review Plan (ESRP) and Regulatory Guide (RG) 4.2 are available on NRC's website.	
	Faster receipt of meeting notices via mail	The best and quickest way to access meeting notices is to look on NRC's website. We also have mailing lists for specific licensing actions.	

**Table of Responses to Comments/Suggestions from December 6, 2007 Public Meeting on
Enhancing the Efficiency and Effectiveness of the NRC Environmental Review Process**

Improvement Area	Summary of Comments/Suggestions	What We Are Doing Already	What We Plan on Doing
Generic Issues	Develop a generic environmental impact statement (GEIS) similar to one developed for license renewal, although may be time consuming (long-term solution)	To the extent that a discussion is generic in nature, or impacts tend to be the same at most or all plants, the staff uses its previous environmental evaluations as a starting point for new evaluations.	The staff agrees with NEI that further discussions are warranted on the topic of generic issues and whether or not the development of a GEIS or templates would be better. We plan to hold a public meeting (or series of public meetings) in the near future to identify these generic issues and develop solutions to address them.
	Deal with certain issues generically, such as methodologies of alternative energy source evaluations, intake structure issues, cooling tower impacts		
	Nuclear Energy Institute (NEI) to coordinate development of templates for less significant issues and submit to NRC for approval, give public opportunity to comment		
	Prioritize environmental impacts so that industry can focus on more significant issues (perhaps during scoping process)		
	Use state reports to get information for generic issues for a GEIS		
	Get input from stakeholders and technical staff to determine which issues should be looked at generically (public meetings)		
	Develop regulatory guides to address these issues (short-term solution)		
Guidance Documents	Continue updates to ESRP and regulatory guides	We are continuing to update the ESRP. Updates to several regulatory guides are also being discussed.	As we learn from these early applications, we may be able to develop some lessons learned on how to better prepare ERs. These lessons learned may factor into future regulatory guide updates. We are exploring whether the general concept of making the ESRP a dual-use guide is appropriate. We plan to make our EISs consistent with one another. We will update the ESRP to match that format. Any lessons learned as we proceed through the review of the first applications will be incorporated into appropriate guidance documents, such as RG 4.2 and the ESRP.
	Want guidance and training on how to prepare ERs and how NRC prepares EISs	NRC does not provide training to industry. We do provide internal training on how to prepare EISs.	
	Update guidance to reflect 21st century and Part 52 process and how things can happen in a different order under Part 52	We are aiming to accomplish this through the ESRP updates.	
	Make ESRP a dual-use guide for both NRC staff for review guidance and applicants for developing ERs		
	Integrate information in new office instruction on acceptance review into ESRP	ESRP was the source of the table in the office instruction.	
	Standardize format requirements for ERs and EISs	This is our plan going forward.	
	Develop streamlined process to determine new and significant for those applicants who have done a recent Early Site Permit (ESP) and are coming in with a COLA		

**Table of Responses to Comments/Suggestions from December 6, 2007 Public Meeting on
Enhancing the Efficiency and Effectiveness of the NRC Environmental Review Process**

Improvement Area	Summary of Comments/Suggestions	What We Are Doing Already	What We Plan on Doing
Hearings	Want adjudicatory rules modeled on fair rules of the Federal Rules of Civil Procedure	Changes to 10 CFR Part 2 and the adjudicatory process were made in January 2004.	
	Want balanced fact-finding hearings in all significant rulemakings	The Commission took a significant look at the adjudicatory process and changes to 10 CFR Part 2 were made in January 2004.	
	Want Commission not the Atomic Safety and Licensing Board (ASLB) to conduct mandatory uncontested hearings for ESP, COLAs	This was a recommendation by the Combined License Review Task Force. In the Staff Requirements Memorandum (SRM) following the report of the task force, the Commission approved this recommendation and tasked the Office of the General Counsel (OGC) to prepare a plan for conduct of these hearings by the Commission.	
	Pursue statutory amendment to eliminate mandatory uncontested hearings	This was a recommendation by the Combined License Review Task Force. In the SRM following the report of the task force, the Commission approved this recommendation and is currently seeking legislative authority from Congress to eliminate this statutory requirement.	
	Use hearing orders to tighten schedule milestones to facilitate efficient licensing hearings	Changes to 10 CFR Part 2, which include the adoption of model milestones for adjudicatory proceedings, were made in April 2005. These model milestones establish an initial schedule while still providing flexibility and adaptability by the presiding officer.	
	Continue use of multiple licensing boards when appropriate	The decision to use multiple licensing boards is up to the ASLB as appropriate. It is at the discretion of the chief judge in accordance with guidance from the Commission.	
	Give licensing boards option of commencing licensing hearing on environmental issues based on availability of draft EIS (DEIS) rather than FEIS if parties consent	10 CFR §2.332(d) states that when an EIS is involved, hearings on environmental impacts addressed in the EIS may not commence before the issuance of the FEIS. 10 CFR §51.104(a)(1) states that NRC staff may not offer the FEIS into evidence or present the position of the NRC staff on matters within the scope of NEPA and Part 51 until the FEIS is filed with the EPA, furnished to commenting agencies, and made available to the public.	
	Finalize and implement policy statement on conduct of new reactor licensing proceedings	The policy statement was published in the Federal Register on April 17, 2008 (73 FR 20963).	

**Table of Responses to Comments/Suggestions from December 6, 2007 Public Meeting on
Enhancing the Efficiency and Effectiveness of the NRC Environmental Review Process**

Improvement Area	Summary of Comments/Suggestions	What We Are Doing Already	What We Plan on Doing
Hearings (cont'd)	Shorten the time from 90 to 60 days in the model schedule for the time for the presiding officer to issue an initial decision on a COLA	Model milestones for adjudicatory proceedings were established in April 2005. These milestones are a starting point and the presiding officer can make appropriate modifications to the milestones based upon all relevant information.	
	Want hearings to commence more promptly after issuance of the FEIS, particularly if no additional contentions on FEIS submitted	Model milestones for adjudicatory proceedings were established in April 2005. These milestones are a starting point and the presiding officer can make appropriate modifications to the milestones based upon all relevant information.	
	Consider conducting mandatory and contested hearings in parallel and specify use of informal, expedited hearing procedures for mandatory uncontested hearings	This is complicated by the separation of functions and ex parte communications (10 CFR Part 2.347, 2.348). While the regulations do not explicitly prohibit this from happening, the decision to conduct these hearings in parallel would be on a case-by-case basis and up to the Commission.	
In-House Expertise	NRC must maintain own set of expertise (education, experience) in all NEPA-required disciplines, especially ecological science, hydrology, cultural resources, socioeconomics	NRC is currently hiring staff for this reason. However, until we better understand the future workload and when applications are coming in, we will rely on contractors to assist us.	
Public Involvement	Need place at the table for every public meeting	All members of the public are welcome to public meetings and we welcome their comments. But if it's not a Category 3 meeting, they may not have a place at the table.	
	Want all private meetings with the industry and Commissioners ended immediately	Formal Commission meetings are governed by 10 CFR Part 9 Subpart C. Portions of Commission meetings may be closed to the public when safeguards, proprietary, or other sensitive information is discussed. Drop-in meetings from senior executives of a licensee or potential applicant may occur. Per Management Directive (MD) 3.5 and the Commission Policy Statement on Public Meetings dated May 2002, these meetings typically consist of general exchange of information not directly related to any regulatory action or decision.	

**Table of Responses to Comments/Suggestions from December 6, 2007 Public Meeting on
Enhancing the Efficiency and Effectiveness of the NRC Environmental Review Process**

Improvement Area	Summary of Comments/Suggestions	What We Are Doing Already	What We Plan on Doing
Review and Implementation	Take a more substantial and comprehensive look at alternative sources to nuclear power	NRC always has, and will, continue to consider alternative energy sources in its EISs. However, the energy source must fit the purpose and need of the proposed action.	
	Use incorporation by reference and make original document available to public	We use the National Environmental Policy Act (NEPA) tools of incorporation by reference, adoption, and tiering.	With regards to older documents used to incorporate by reference, we will make sure to get those into ADAMS so that they are available to the public.
	Consider changes in coastline, increased storms, changes in water levels, changes in flood patterns (caused by climate change)	Plants are already evaluated against severe weather conditions.	We are working on addressing climate change impacts in our EISs.
	Improve implementation of NRC's review to avoid follow-up problems with licensees and environmental impacts associated with an operating plant	To the extent that environmental impacts are identified during a licensing review, the staff will review them and propose what actions (e.g., mitigation) may be needed as a result. We are developing guidance for reviewers on how to address mitigation of environmental impacts. Staff will continue to work with other agencies regarding any problems that may develop after a plant is licensed. In addition, license conditions may be imposed to ensure that significant matters identified during licensing are addressed after the license is issued.	We are working on better addressing mitigation strategies in our EISs. We are also developing a template for the Environmental Protection Plan (licensing condition).
	Address airplanes flying into nuclear power plants	All nuclear power plant designs are robust and staff has published a new rule regarding aircraft impacts for comment.	We plan to publish the final rule after comments are addressed.
	Reduce 24 months from submittal of the Environmental Report (ER) to Final Environmental Impact Statement (FEIS) down to 18 months	We'll always have a goal of shortening the schedule. But a lot of our efficiency depends on the quality of the applications we receive. Also, 24 months is already ambitious for such a major undertaking based on information from other agencies.	As we learn from these early applications, we may be able to improve our efficiency and reduce the time from ER submittal to FEIS. Hopefully, applicants will learn how to assemble higher quality applications and in turn, we will learn how to better conduct our reviews.

**Table of Responses to Comments/Suggestions from December 6, 2007 Public Meeting on
Enhancing the Efficiency and Effectiveness of the NRC Environmental Review Process**

Improvement Area	Summary of Comments/Suggestions	What We Are Doing Already	What We Plan on Doing
Training	Need training for new NRC employees, contractors, interested ASLB staff, and industry on scope of NEPA, updated rules, guidance	When hiring new employees, we expect a certain level of knowledge/qualifications. We have instituted formal staff training for new employees. We provide orientation for our contractors and they have their own internal training and mentoring program. We do not provide training for industry. ASLB staff have an extensive training program which cover technical (environmental, safety) and legal issues. They also have an annual meeting to talk about updated rules and guidance.	
	Work with stakeholders to plan workshops involving technical experts on all sides on improving environmental reviews, lessons learned, and NEPA requirements	We conduct internal meetings covering these topics. We have held public meetings for Limited Work Authorization (LWA) and the ESRP updates and have asked for feedback following those meetings. We also discussed the LWA Rule in more detail at this year's RIC.	The staff agrees with NEI that further discussions are warranted on these topics. We have developed interim staff guidance on how to deal with the LWA Rule and was released for public comment on March 31, 2008.
	Increased management oversight to ensure schedule improvements	We have augmented staff management and oversight of contractors.	