

# **ENVIRONMENTAL IMPACT STATEMENT SCOPING PROCESS**

## **SCOPING SUMMARY REPORT**

### **Proposed GE-Hitachi Global Laser Enrichment LLC Global Laser Enrichment Facility Wilmington, North Carolina**

**November 2009**



U.S. Nuclear Regulatory Commission  
Rockville, Maryland

## 1 INTRODUCTION

On January 30, 2009, GE-Hitachi Global Laser Enrichment LLC (GLE) submitted an Environmental Report (ER) to the U.S. Nuclear Regulatory Commission (NRC) for its proposed Global Laser Enrichment commercial facility (GLE Facility). The proposed GLE Facility is a laser-based uranium enrichment facility that GLE has proposed to locate on GE's existing industrial site in Wilmington, North Carolina. On June 26, 2009, GLE submitted an application to the NRC for a license to construct and operate the GLE Facility. If licensed, the proposed GLE Facility would enrich uranium for use in commercial nuclear fuel for power reactors. The facility would use non-enriched uranium hexafluoride (UF<sub>6</sub>) as feed material. GLE proposes to use laser-based technology to enrich the isotope uranium-235 in the UF<sub>6</sub> up to 8.0 percent at a nominal facility capacity of 6.0 million separative work units (SWU).<sup>1</sup>

In accordance with NRC regulations in 10 CFR Part 51, the NRC regulation that implements the *National Environmental Policy Act of 1969*, as amended (NEPA), the NRC is preparing an Environmental Impact Statement (EIS) for the proposed GLE Facility as part of its decision-making process. The proposed action is for GLE to construct, operate, and decommission the GLE Facility. To allow the proposed action, NRC would issue a license for GLE to possess and use special nuclear material, source material, and byproduct material at the proposed GLE Facility. The EIS will examine the potential environmental impacts associated with the proposed GLE Facility in parallel with the review of the license application. The EIS will be prepared by NRC staff with technical assistance from Argonne National Laboratory. The NRC has not identified any cooperating agencies for the preparation of this EIS. In addition to the EIS, the NRC will prepare a Safety Evaluation Report (SER) which will document the staff's review of safety and security issues.

As part of the NRC's environmental review, and to comply with 10 CFR 51.26 and 51.27, scoping was initiated on April 9, 2009, with the publication in the *Federal Register* of a Notice of Intent to prepare an EIS and to conduct a scoping process (74 *Fed. Reg.* 16237). Scoping is an early and open part of the NEPA process designed to help determine the range of actions, alternatives, and potential impacts to be considered in the EIS, and to identify significant issues related to the proposed action. In addition to the public scoping process, the NRC solicits input from State, local and other Federal agencies as well as potentially affected Native American Tribes in order to focus on issues of genuine concern.

On May 19, 2009, the NRC staff held two public scoping meetings in Wilmington, North Carolina, to receive oral and written comments from interested parties. The public scoping meetings began with NRC staff providing a description of the NRC's role, responsibilities, and mission. A brief overview of the safety review process was followed by a description of the environmental review process and a discussion of how the public can effectively participate. The majority of each meeting was reserved for attendees to ask questions and make comments on the scope of the environmental review. Due to a delay in submission of the license application, the NRC extended the conclusion of the public scoping comment period from June 8, 2009, to August 31, 2009.

As part of the environmental review, NRC has requested scoping information from several sources. NRC has begun a consultation process with the North Carolina State Historic

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<sup>1</sup> SWU relates to a measure of the work used to enrich uranium.

Preservation Officer (SHPO) as required by Section 106 of the *National Historic Preservation Act*. In accordance with 36 CFR 800.3(f), NRC has requested information from Native American Tribal members identified by the SHPO and NRC staff. NRC staff also has consulted with representatives of the New Hanover County Planning Department, the National Oceanic and Atmospheric Administration (NOAA) National Marine Fisheries Service, and the U.S. Fish and Wildlife Service as required by Section 7 of the *Endangered Species Act*.

This scoping summary report only addresses public comments and is included as Appendix A of the EIS. Input from consulting agencies and potentially affected Native American Tribes was used as a basis for the impact assessments performed for each resource area.

This report has been prepared to summarize the determinations and conclusions reached in the scoping process as required in 10 CFR 51.29(b). After publication of the draft EIS, the public will be invited to submit additional comments. Availability of the draft EIS, the dates of the public comment period, and information about a public meeting to be held to discuss the draft EIS will be announced in the *Federal Register*, on NRC's website (<http://www.nrc.gov/public-involve.html>), and in the local news media when the draft EIS is distributed. After evaluating comments on the draft EIS, the NRC staff will issue a final EIS that will serve as the basis for the NRC's consideration of environmental impacts in its decision on the proposed GLE Facility.

This report is organized into four main sections. Section 1 provides an introduction and background information on the environmental review process. Section 2 summarizes the comments and concerns expressed by government officials, agencies, and the public. Section 3 identifies the issues that the draft EIS will address and Section 4 describes those issues that are not within the scope of the draft EIS. Where appropriate, Section 4 also identifies other places in the decision-making process where issues that are outside the scope of the draft EIS may be considered.

## 2 ISSUES RAISED DURING THE SCOPING PROCESS

### 2.1 Overview

Approximately 55 individuals not affiliated with the NRC attended the May 19, 2009, afternoon and evening public scoping meetings, respectively, concerning the environmental impact statement for the GLE Facility. The scoping meeting attendance list is available on NRC's Electronic Reading Room website, <http://www.nrc.gov/reading-rm/adams/web-based.html>, as ML0914706500; six individuals attended both meetings. During the meeting, one individual asked specific questions about the scoping process. Six individuals offered specific oral comments related to the proposed GLE Facility. In addition, six written comments, including one duplicate, were received from various individuals during the public scoping period, which ended on August 31, 2009. Some of the individuals who submitted written comments also provided oral comments at the scoping meetings. The scoping meeting transcripts (ML0915202420 and ML0915202440) and the five written comments received by the NRC are available on the NRC website, electronic reading room, at <http://www.nrc.gov/reading-rm/adams/web-based.html>.

The active participation of the public in the scoping process is an important component in determining the major issues that the NRC should address in the draft EIS. Individuals providing oral and written comments addressed several subject areas related to the proposed GLE Facility and the draft EIS development. In addition to private citizens, the various commenters included:

- A New Hanover County Commissioner, and
- A representative of the Wilmington County Council.

The following general topics categorize the comments received during the public scoping period:

- General support or opposition;
- NEPA and public participation;
- Alternatives;
- Need for the proposed facility;
- Land use;
- Water resources;
- Climate, noise, visual resources;
- Socioeconomics and environmental justice;
- Transportation;
- Waste management;
- Historic and cultural resources;
- Safety and risk;
- Terrorism; and
- Nonproliferation concerns.

In addition to raising important issues about the potential environmental impacts of the proposed facility, some commenters offered opinions and concerns that typically would not be included in the subject matter of an EIS; these include general opinions about the use of nuclear energy. Comments of this type do not fall within the scope of environmental issues to be analyzed.

Other statements may be relevant to the proposed action, but they have no direct bearing on the evaluation of alternatives or on the decision-making process involved in the proposed action. For instance, general statements of support for or opposition to the proposed action fall into this category. Again, comments of this type have been noted but are not used in defining the scope and content of the draft EIS.

Section 2.2 summarizes the comments received during the public scoping period. Most of the issues raised have a direct bearing on the NRC's analysis of potential environmental impacts.

## **2.2 Summary of Issues Raised**

As noted above, a number of commenters expressed support for the facility. Several individuals, on the other hand, raised concerns regarding the construction and operation of the proposed GLE Facility. The following summary groups the comments received during the scoping period by technical area and issue.

### **2.2.1 General Support or Opposition**

Several commenters expressed general support for the GE and the GLE Facility.

One commenter expressed general support for licensing of the proposed GLE Facility and expressed the view that it would provide benefits to the region and the nuclear power industry. He also expressed confidence in GE and its safety record, noting that GE has been operating in Wilmington since the late 1960s (and before that, California) without impacting the environment. Another commenter expressed confidence in GE and acknowledged that the past safety record of the existing GE facility has been well demonstrated.

One commenter expressed general support for the proposed GLE Facility and expressed the opinion that it would be an asset to the local community and nation. Another commenter expressed general support for the proposed GLE Facility, as well as GE's history of safe operation and benefit to the Wilmington area. He noted that the area needs jobs, that GE has proven that they can deliver products safely, and that GE is a good steward of their property.

One commenter noted the positive public image that GE has in the surrounding community and expressed hope that the proposed GLE Facility would be successful. Another commenter expressed general support for GE-Hitachi and its commitment to the community and environment.

### **2.2.2 NEPA and Public Participation**

Several commenters asked for information about the proposed project. One commenter asked for information regarding the duration of the licensing action (finite or indefinite), whether GLE pays a fee with the license application, and the fee amount. He also asked whether the EIS process relates to the test loop or the proposed GLE Facility, whether the license is dependent on evaluation of the test loop, and which entity will perform the test loop evaluation. Another commenter inquired about the duration of construction. Other questions about the project are noted in sections about specific topic areas below.

Three commenters expressed views about the environmental review process. One noted that reassuring local citizens that environmental issues (air, water, wildlife, and public safety) are studied and no negative impacts will result is most important. He requested that the EIS contain as much information as possible, as presenting the facts will help dispel misunderstandings and uncertainty about the proposed GLE Facility. Another commenter expressed the view that the NRC process has been open and informative, while a third commenter noted that the public scoping meeting that he attended was well-managed and informative.

One commenter noted that the report (assumed to refer to the GLE Environmental Report) is well done, but questioned the methods of communicating it to the public and surrounding communities. The commenter stated that few people seemed to know about the proposed project. He expressed the view that a forum should be conducted closer to the affected area(s).

One commenter expressed disagreement with GE's decision to pursue boiling water reactor technology and noted his inability to get in contact with the appropriate contacts at GE.

### **2.2.3 Alternatives**

One commenter noted the sensibility of co-locating the proposed GLE Facility near GE's existing fuel fabrication facility, reducing the need for shipping between the two facilities.

### **2.2.4 Need for the Proposed Facility**

Two commenters noted the need for the proposed GLE Facility. One commenter expressed general support for the proposed facility, noting that it would be an important element of the nation's drive for energy independence and national security. The second commenter expressed the view that the United States must become less dependent on foreign oil, and that the proposed facility will be instrumental in making nuclear energy more economical.

### **2.2.4 Land Use**

One commenter suggested that a graphic of the construction plan and timeframe would be helpful. Another commenter noted the beautiful and unusual environment (ocean, tidal zones, and river) that surrounds the proposed GLE Facility.

### **2.2.5 Water Resources**

Three commenters expressed concern with water resources, two of whom requested upgrade of water and sewer service for surrounding communities.

One commenter noted that sewer and water in an adjacent residential development are local for each home. He suggested that GLE or the City of Wilmington should consider funding or installing sewer and water infrastructure in the development (replacing the existing well and septic systems) to prevent the possibility (or perception) that drinking water could be contaminated by the proposed GLE Facility or existing septic systems. He believes that municipal or GLE waste and drinking water treatment would eliminate the potential hazard posed by a potential increase in groundwater contaminants. He also requested a graphic of the intakes and outputs of the existing GE facilities and the proposed GLE Facility to help nearby residents assess the potential increase in discharge of contaminants to their communities.

Finally, he suggested real-time or periodic monitoring in the absence of local sewer and water treatment.

Another commenter noted the absence of a public sewer system in the area. He is planning an 800-unit residential subdivision to the south of the GE site, which will discharge treated effluent via a drip system. He expressed opposition to any potential increase of sewer discharge to the Northeast Cape Fear River as a result of the proposed GLE Facility, noting that the river is already compromised. This commenter also noted the absence of a municipal water system capable of supplying water for industrial growth in the area, and that a large tract of land to the east of the GE site is currently zoned industrial. He suggested that, if GE satellite support businesses will be located outside of but near the GE site, GE should be expected or required to partner with area developers and contribute to building new municipal water supply and sewer infrastructure in the area.

The third commenter requested that the EIS consider the effects of the proposed GLE Facility on groundwater supply and quantity, and surface water quantity.

### **2.2.6 Climate, Noise, and Visual Resources**

**Climate:** One commenter noted the region's susceptibility to hurricanes and recommended that the EIS consider the potential for hurricanes, their effects, and site preparation for hurricanes.

**Noise:** Two commenters expressed concern with noise from construction and operation of the proposed GLE Facility. One commenter inquired about the noise level in the nearby residential development during construction. He recommended that onsite traffic routes to the proposed GLE Facility could be routed with a 200- to 300-foot buffer or sound barrier (depending on the anticipated noise level) to assure nearby residents that their quality of life will be maintained. The second commenter requested that audible alarm testing (current and future) be conducted later in the day.

**Visual Resources:** One commenter expressed concern over potential plans to clear trees or other vegetative buffer along the GE site boundary and construct a fence, and the resulting cosmetic and financial impacts to a proposed residential development to the south of the GE site. Another commenter noted that it would be difficult to know that the proposed GLE Facility exists, because it will fit so well on the existing GE site.

### **2.2.7 Socioeconomics and Environmental Justice**

**Property Value:** One commenter expressed concern about the value of property in the vicinity of the proposed facility (asserting that this could be the first time that an enrichment facility has been located in such close proximity to an existing residential development) and requested that present and future property values be considered in the EIS. He recommended that the EIS consider economic impacts, environmental impacts (current and future), and their effect on property resale values. He expressed concern that potential buyers may not be informed of GE's safety record and may choose not to settle in the neighborhood due to the location of the proposed GLE Facility. He recommended that GLE consider guaranteeing property values as a means of preventing potential devaluation.

**Environmental Justice:** One commenter requested that the EIS consider the conclusion of small negative effect stated in the Environmental Justice section (assumed to refer to Section 4.11 of the GLE Environmental Report).

### **2.2.8 Transportation**

Three commenters expressed concerns regarding transportation. One commenter expressed concern that, although the GE site is probably well-protected, the flow of materials to and from large projects represents a vulnerability and potential security issue. He recommended that all potential transportation modes (including rail, water, and air) be considered in the EIS, along with potential transportation security issues.

Another commenter suggested that GLE conduct a Traffic Impact Analysis and be responsible for any recommended road improvements. The third commenter recommended that Sledge Road on the northern boundary of the GE site should be off-limits to construction and delivery vehicles and left unimproved, with all traffic routed to the proposed GLE Facility through the North or South Gate. He also inquired if it is possible to build direct ramps to I-140.

### **2.2.9 Waste Management**

One commenter suggested that a schematic comparison of the present and future site be available to help members of the public assess the plan for waste discharges from the proposed GLE Facility.

### **2.2.10 Historic and Cultural Resources**

One commenter noted GE's recent efforts to help locate and preserve a historic plantation and cemetery on the GE site.

### **2.2.11 Safety and Risk**

One commenter suggested that a graphic or website showing the current and planned onsite radiation monitoring systems would be helpful. He also asked if real-time radiation assessments will be possible (collected) and if nearby residents would be informed and protected in case of accidents. Another commenter asked if the proposed GLE Facility will cause any safety risks to a proposed residential development to the south of the GE site.

### **2.2.12 Terrorism**

One commenter expressed concern about the attractiveness of the proposed GLE Facility and its incoming and outgoing shipments as targets of terrorism and recommended that this be considered in the EIS.

### **2.2.13 Nonproliferation Concerns**

One group of commenters expressed concerns that licensing the proposed GLE Facility would raise significant proliferation issues.

### 3 SCOPE OF THE ENVIRONMENTAL IMPACT STATEMENT

The NEPA (Public Law 91-190, as amended), and the NRC's Implementing Regulations for NEPA (10 CFR Part 51), specify in general terms what should be included in an EIS prepared by the NRC staff. Regulations established by the Council on Environmental Quality (40 CFR Parts 1500-1508), while not binding on NRC staff, provide useful guidance. Additional guidance for meeting NEPA requirements associated with licensing actions can be found in NUREG-1748, "Environmental Review Guidance for Licensing Actions Associated with Office of Nuclear Material Safety and Safeguards (NMSS) Programs."

Pursuant to 10 CFR 51.71(a), in addition to public comments received during the scoping process, the contents of the draft EIS will also address the matters discussed in the GLE Environmental Report. In accordance with 10 CFR 51.71(b), the draft EIS will consider major points of view and objections concerning the environmental impacts of the proposed action raised by other Federal, State, and local agencies, by any affected Indian Tribes, and by other interested persons. Pursuant to 10 CFR 51.71(c), the draft EIS will list all Federal permits, licenses, approvals, and other entitlements that must be obtained in implementing the proposed action, and will describe the status of compliance with these requirements. Any uncertainty as to the applicability of these requirements will be addressed in the draft EIS.

Pursuant to 10 CFR 51.71(d), the draft EIS will include a preliminary analysis that considers and weighs the environmental effects of the proposed action; the environmental impacts of alternatives to the proposed action; and alternatives available for reducing or avoiding adverse environmental effects. In the draft analysis, due consideration will be given to compliance with environmental quality standards and regulations that have been imposed by Federal, State, regional, and local agencies having responsibilities for environmental protection. The environmental impact of the proposed action will be evaluated in the draft EIS with respect to matters covered by such standards and requirements, regardless of whether a certification or license from the appropriate authority has been obtained. Compliance with applicable environmental quality standards and requirements does not negate the requirement for NRC to weigh all environmental effects of the proposed action, including the degradation, if any, of water quality, and to consider alternatives to the proposed action that are available for reducing adverse effects. While satisfaction of NRC standards and criteria pertaining to radiological effects will be necessary to meet the licensing requirements of the *Atomic Energy Act*, the draft EIS will also, for the purposes of NEPA, consider the radiological and nonradiological effects of the proposed action and alternatives.

The following documents are environmental assessments and other EISs which have been prepared that are related to the action under consideration. The following list is not intended to be comprehensive:

- Programmatic EIS for Alternative Strategies for the Long-Term Management and Use of Depleted Uranium Hexafluoride (DOE/EIS-0269, March 1999)
- Environmental Impact Statement for Construction and Operation of a Depleted Uranium Hexafluoride Conversion Facility at the Paducah, Kentucky, Site (DOE/EIS-0359, December 2003)

- Environmental Impact Statement for Construction and Operation of a Depleted Uranium Hexafluoride Conversion Facility at Portsmouth, Ohio Site (DOE/EIS-0360, December 2003)
- Environmental Impact Statements for the American Centrifuge Plant (ACP) and National Enrichment Facility (NEF).

Pursuant to 10 CFR 51.71(e), the draft EIS will include a preliminary recommendation by NRC staff with respect to the proposed action. Any such recommendation would be reached after considering the environmental effects of the proposed action and reasonable alternatives, and after weighing the costs and benefits of the proposed action.

The scoping process summarized in this report will help determine the scope of the draft EIS for the proposed facility. The draft EIS will contain a discussion of the cumulative impacts of the proposed action as referenced in NUREG-1748. The development of the draft EIS will be closely coordinated with the SER prepared by the NRC staff to evaluate the health and safety impacts of the proposed action.

One goal in writing the draft EIS is to present the impact analyses in a manner that makes it easy for the public to understand. This draft EIS will provide the basis for the NRC decision with regard to potential environmental impacts. Significant impacts will be discussed in greater detail in the draft EIS. This should allow readers of the draft EIS to focus on issues that were determined to be important in reaching the conclusions supported by the draft EIS. The following topical areas and issues will be addressed in the draft EIS.

- *Alternatives.* The draft EIS will describe and assess the no-action alternative and other reasonable alternatives to the proposed action. Other alternatives may include alternative sites, enrichment sources, or technological alternatives to the proposed laser technology.
- *Need for the Facility.* The draft EIS will provide a discussion of the need for the proposed GLE Facility.
- *Compliance with Applicable Regulations.* The draft EIS will present a listing of the relevant permits and regulations that are believed to apply to the proposed GLE Facility. These would include air, water, and solid waste regulations and disposal permits.
- *Land Use.* The draft EIS will discuss the potential land use impacts associated with the proposed site preparation, construction, and operating activities.
- *Transportation.* The draft EIS will discuss the impacts associated with the transportation of construction materials, feed material, product, and waste tails during both normal transportation and under credible accident scenarios. The impacts on local transportation routes due to workers, delivery vehicles, and waste removal vehicles will be evaluated.
- *Geology and Soils.* The draft EIS will assess the potential impacts to the geology and soils of the proposed GLE Facility site due to soil compaction, erosion, contamination, landslides, and disruption of natural drainage patterns. Evaluation of the potential for earthquakes or any other major ground motion considerations will be addressed mainly in the SER and only in terms of possible environmental impacts in the draft EIS.

- *Water Resources.* The draft EIS will assess the potential impacts on surface water and groundwater quality and water use due to the proposed action and alternatives.
- *Ecological Resources.* The draft EIS will assess the potential environmental impacts on ecological resources including plant and animal species. Threatened and endangered species and critical habitats that may occur in the area will also be discussed, along with the appropriate consultation as required by Section 7 of the *Endangered Species Act of 1973* (16 USC Section 1536(a)(2)). As appropriate, the assessment will include an analysis of mitigation measures to address potential adverse impacts.
- *Air Quality.* The draft EIS will make determinations concerning the meteorological conditions of the site location, the ambient air quality, the contribution of other sources, and the impacts of site preparation, construction, and operation of the proposed GLE Facility on local air quality. In addition, the draft EIS will consider the impact of the proposed facility on climate change, as well as the impact of climate change on the proposed facility.
- *Noise.* The draft EIS will discuss potential impacts associated with noise levels generated from site preparation, construction, operation, and decommissioning of the proposed GLE Facility.
- *Historic and Cultural Resources.* The draft EIS will address the potential impacts of the proposed GLE Facility on the historic and archaeological resources of the area.
- *Visual and Scenic Resources.* Potential impacts to the overall visual and scenic character of the area will be addressed.
- *Socioeconomics.* The draft EIS will address the demography, economic base, labor pool, housing, utilities, public services, education, and recreation as impacted by the proposed action and alternatives. The hiring of new workers from the outside area could lead to impacts on the regional housing, public infrastructure, and economic resources. Population changes leading to changes to the housing market and demands on the public infrastructure will be assessed.
- *Costs and Benefits.* The draft EIS will address the potential costs and benefits of constructing and operating the proposed GLE Facility, and will discuss the costs and benefits of tails disposition options.
- *Resource Commitments.* The draft EIS will identify the unavoidable adverse impacts and irreversible and irretrievable commitments of resources. It will also address the relationship between local, short-term uses of the environment and the maintenance and enhancement of long-term productivity. Associated mitigative measures and environmental monitoring will be presented, if applicable.
- *Public and Occupational Health.* The draft EIS will include a determination of potentially adverse effects on human health that result from chronic and acute exposures to ionizing radiation and hazardous chemicals as well as from physical safety hazards. These potentially adverse effects on human health might occur during site preparation, construction, or operation. Impacts associated with the implementation of the proposed action will be assessed under normal operation and credible accident scenarios.

- *Waste Management.* The draft EIS will discuss the management of wastes, including by-product materials, generated from the site preparation, construction, and operation of the proposed GLE Facility to assess the impacts of generation, storage, and disposal.
- *Depleted Uranium (DU) Disposal.* The draft EIS will discuss the depleted uranium hexafluoride (DUF<sub>6</sub>) material, or tails, that results from the enrichment operation over the operating lifetime of the proposed GLE Facility. Topics addressed will include the safe and secure storage and ultimate removal of the material from the site, and the potential conversion of the DUF<sub>6</sub> to DU oxide and ultimate disposition.
- *Decommissioning.* The draft EIS will include a discussion of facility decommissioning and associated impacts.
- *Cumulative Impacts.* The draft EIS will address the potential cumulative impacts from past, present, and reasonably foreseeable activities at and near the site, including site preparation.
- *Environmental Justice.* The draft EIS will address environmental impacts of the proposed GLE Facility on low-income or minority populations. The EIS will assess whether disproportionately high and adverse impacts on low-income or minority populations are identified.

#### **4 ISSUES CONSIDERED TO BE OUTSIDE THE SCOPE OF THE ENVIRONMENTAL IMPACT STATEMENT**

The purpose of an EIS is to assess the potential environmental impacts of a proposed action in order to assist in an agency's decision-making process – in this case, NRC's licensing decision. As noted in Section 2.2, some issues and concerns raised during the scoping process are not relevant to the draft EIS because they are not directly related to the assessment of potential impacts or to the decision-making process. The lack of in-depth discussion in the draft EIS, however, does not mean that an issue or concern lacks value. Issues beyond the scope of the draft EIS either may not yet be at the point where they can be resolved, or are more appropriately discussed and decided in other venues.

Some of the issues raised during the public scoping process (e.g., GE's pursuit of boiling water reactor technology) will not be addressed in the draft EIS. Other issue areas including nonproliferation concerns, and security and safety issues are also beyond the scope of the EIS. The mission of the NRC is to license and regulate the Nation's civilian use of byproduct, source, and special nuclear materials in order to protect public health and safety, promote the common defense and security, and protect the environment. The NRC's regulations are designed to protect both the public and workers against radiation hazards from industries that use radioactive materials. The NRC's scope of responsibility includes regulation of commercial nuclear power plants; research, test, and training reactors; nuclear fuel cycle facilities; medical, academic, and industrial uses of radioactive materials; and the transport, storage, and disposal of radioactive materials and wastes.

Regarding the nonproliferation issue, these activities are not within NRC jurisdiction and as such are beyond what the NRC can regulate.

Some of the issues raised during the public scoping process for the proposed facility are outside the scope of the draft EIS, but they will be analyzed in the SER. For example, health and safety issues will be considered in detail in the SER prepared by NRC staff for the proposed action and will be summarized in the EIS. The draft EIS and the SER are related in that they may cover the same topics and may contain similar information, but the analysis in the draft EIS is focused on an assessment of potential environmental impacts. In contrast, the SER deals primarily with safety evaluations and procedural requirements or license conditions to ensure the health and safety of workers and the general public. The SER also covers other aspects of the proposed action such as demonstrating that the applicant will provide adequate funding for the proposed facility in compliance with NRC's financial assurance regulations.