

U. S. Nuclear Regulatory Commission

Cooperating Agency Report to the Council on Environmental Quality

October 1, 2010 to September 30, 2011

I. **Environmental Impact Statements:**

<p><b>EIS TITLE</b></p> <p><i>(Insert Title of each EIS for which your agency published a NOI during the fiscal year)</i></p>	<p><b>COOPERATING AGENCIES</b></p> <p><i>(Insert names of agencies that were invited and agreed to participate in the EIS process as Cooperating Agencies or that requested Cooperating Agency status and reached agreement with the lead agency to participate in the EIS process as Cooperating Agencies)</i></p>	<p><b>CA STATUS NOT ESTABLISHED OR ENDED</b></p> <p><i>(Insert the name(s) of any agency(ies) that: declined in writing –required for federal agencies, see 40 CFR 1501.6(c) – or verbally to participate as a Cooperating Agency; requested Cooperating Agency status but was unable to reach agreement to participate as a Cooperating Agency; or that assumed Cooperating Agency status which was subsequently ended <u>and</u> the reason Cooperating Agency status was not established or was ended – see 5 listed reasons below)</i></p>	<p><b>STATUS OF EIS</b></p> <p><i>(Insert the following dates as mm/dd/yyyy)</i></p>
<p>Exelon Victoria County Station (VCS) Early Site Permit (ESP), Victoria County, Texas</p>	<p>U.S. Army Corps of Engineers – Galveston District, TX – Letter agreeing to cooperation with NRC received on 11/19/2010, ML103260114</p>		<p>NOI: 11/02/2010 DEIS NOA: 08/2012 Target FEIS NOA: 08/2013 Target ROD: TBD</p>
<p>PSEG Early Site Permit (ESP), Salem County, New Jersey</p>	<p>U.S. Army Corps of Engineers – Philadelphia District, PA – Letter agreeing to cooperation with NRC received on 01/24/2011, ML110380482</p>		<p>NOI 10/05/2010 DEIS NOA: 03/2012 Target DEIS NOA: 03/2013 Target ROD: TBD</p>
<p>Generic Environmental Impact Statement for License Renewal of Nuclear Plants Supplement XX Regarding Davis-Besse Nuclear Power Station, Unit 1</p>	<p>N/A</p>	<p>Reason 5</p>	<p>NOI: 10/28/10 DSEIS NOA: 1/2012 Target FSEIS NOA: 7/2012 Target ROD: TBD</p>

Generic Environmental Impact Statement for License Renewal of Nuclear Plants Supplement XX Regarding South Texas Project, Units 1 & 2	N/A	Reason 5	NOI: 01/31/11 DSEIS NOA: 03/2012 Target FSEIS NOA: 10/2012 Target ROD: 02/2013 Target
Generic Environmental Impact Statement for License Renewal of Nuclear Plants Supplement XX Regarding Limerick Generating Station	N/A	Reason 5	NOI: 08/24/11 DSEIS NOA: 08/20/12 Target FSEIS NOA: 02/2013 Target ROD: 04/2013 Target
AREVA Proposed Eagle Rock Enrichment Facility Bonneville County, Idaho	N/A	Reason 5	NOI: 05/04/2009 DEIS: 07/21/2010 FEIS: 02/28/2011 NOA signed: 02/16/2011 License issued: 10/12/2011 Note: Omitted from FY 2009 CEQ Report
General Electric-Hitachi Global Laser Enrichment, LLC (GLE) Wilmington, North Carolina	N/A	Reason 5	NOI: 04/09/2009 DEIS: 06/2010 FEIS: 02/2010 Target Note: Omitted from FY 2009 CEQ Report

**II. Environmental Assessments:**

	<b>Total</b>
<b>Number of EAs completed by NRC during the fiscal year</b>	36*
<b>Number of those EAs your agency prepared with CAs</b>	0
<b>The reason(s) from the list below that cooperating agency status was not established or was ended (NOTE: agencies may replace this row of the report with a paragraph describing the most frequent reasons)</b>	5

\*Note: One EA was inadvertently reported in Fiscal Year 2010 as a Draft EA. The number in last year's report should have been 88 instead of 89.

**Reasons CA status was not established or why it ended:**

1. Potential Cooperating Agency lacked special expertise and jurisdiction by law.
2. Potential Cooperating Agency lacked authority to enter into an agreement to be a CA.
3. Potential or active CA lacked agreement with the agency. (e.g., unable to accept the scope of the analysis or the purpose and need for the proposed action; unable to accept responsibilities and/or milestones for analysis and documentation; unable to develop information/analysis of all reasonable alternatives; unable to prevent release of predecisional information; misrepresents the process or the findings presented in the analysis and documentation).
4. Potential or active CA lacked capacity (training or resources) to participate. (e.g., unable to participate during scoping and/or throughout the preparation of the analysis and documentation as necessary to meet process milestones; unable to identify significant issues, eliminate minor issues, identify issues previously studied, or identify conflicts with the objectives of regional, State and local land use plans, policies and controls in a timely manner; unable to assist in preparing portions of the review and analysis and help resolve significant environmental issues in a timely manner; unable to provide resources to support scheduling and critical milestones).
5. Other (specify). NRC routinely and extensively consults with Federal, State, Tribal and local entities during development of EISs and EAs. Formal Cooperating Agency status is usually not used. NRC believes that informal arrangements achieve the spirit of Cooperating Agency status.