

June 30, 2015

MEMORANDUM TO: Stephen D. Dingbaum
Assistant Inspector General for Audits
Office of the Inspector General

FROM: Catherine Haney, Director **/RA/**
Office of Nuclear Material Safety
and Safeguards

SUBJECT: OFFICE OF THE INSPECTOR GENERAL'S AUDIT OF THE U.S.
NUCLEAR REGULATORY COMMISSION'S COMPLIANCE WITH
10 CFR PART 51 RELATIVE TO ENVIRONMENTAL IMPACT
STATEMENTS (OIG-13-A-20)

The purpose of this memorandum is to discuss the U.S. Nuclear Regulatory Commission's (NRC) implementation of the Office of the Inspector General (OIG) recommendations in the OIG audit report, "NRC's Compliance with 10 CFR Part 51 Relative to Environmental Impact Statements" (OIG-13-A-20). The NRC considers recommendations 1 through 6 completed as discussed below.

OIG Recommendations 1 through 6

OIG recommended that the Executive Director for Operations:

1. Develop agencywide guidance for NRC staff to prepare and publish a concise public document that meets the requirements of 10 CFR 51.102 and 51.103.
2. Implement the agencywide guidance to ensure that all offices will consistently prepare and publish a concise public document that meets the requirements of 10 CFR 51.102 and 51.103.
3. Develop agencywide guidance for NRC staff to comply with 10 CFR Part 51, Appendix A.
4. Implement the agencywide guidance to ensure that all Environmental Impact Statements (EIS) include all cover sheet information, a consistent summary format, and an index in compliance with 10 CFR Part 51, Appendix A.
5. Develop agencywide guidance for all offices that prepare EISs to ensure that scoping is performed for all EISs that tier off a generic EIS.
6. Implement the agencywide guidance to ensure that scoping is performed for all EISs that tier off a generic EIS.

Status: Completed

The NRC staff has developed and issued the enclosed agencywide guidance, "Supplemental Guidance for Preparing Environmental Impact Statements," on May 26, 2015. The guidance addresses the OIG audit recommendations, which focused on three areas: (i) preparation and publication of a concise public document that meets the record of decision (ROD) criteria of section 51.103 in Title 10 of the *Code of Federal Regulations* (10 CFR) Part 51, (ii) use of the format described in 10 CFR Part 51, Subpart A, Appendix A for preparing EISs, and (iii) conducting scoping for supplemental EISs that tier off a generic EIS. This guidance complements existing NRC program specific guidance.

Also, in the NRC's status update to the OIG dated January 30, 2015 (ADAMS accession number ML15020A305), the NRC staff shared examples of published RODs that met the 10 CFR Part 51 requirements for the preparation and publication of RODs and EISs that followed the EIS format described in 10 CFR Part 51, Subpart A, Appendix A. The NRC staff would like to take the opportunity to share the following more recent example RODs and EISs.

- Summary ROD for the combined license application for the Enrico Fermi Nuclear Power Plant Unit 3 (ADAMS accession number ML15120A221; *Federal Register* notice (FRN) published at 80 FR 26302, May 7, 2015)
- ROD for the license renewal application for Callaway Plant Unit 1 (ADAMS accession number ML14302A238; FRN published at 80 FR 13636, March 16, 2015)
- Generic Environmental Impact Statement for License Renewal of Nuclear Plants: Braidwood Station, Units 1 and 2 - Draft Report for Comment (NUREG 1437, Supplement 55), published in March 2015 (ADAMS accession number ML15062A428)

Based on this information, the NRC staff considers OIG recommendations 1 through 6 completed.

Point of Contact: Diana Diaz-Toro, NMSS

Enclosure:
Supplemental Guidance for Preparing
Environmental Impact Statements

Status: Completed

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Enclosure:
Supplemental Guidance for Preparing
Environmental Impact Statements

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