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Preparation of Environmental Reports for Nuclear Power Stations

Comment On: NRC-2017-0041-0004
Preparation of Environmental Reports for Nuclear Power Stations; Extension of Comment Period for Draft Regulatory Guide

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Submitter Information

82 FR 10502

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General Comment

See attached file(s)

Attachments

NRC Ltr. - Reg Guide - Preparation of Env Reports-Nuc Pow Stations

SUNSI Review Complete
Template = ADM - 013
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Add= E.O'Donnell (EX0) J.Davis (JX010)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

MAY 24 2017

OFFICE OF
ENFORCEMENT AND
COMPLIANCE ASSURANCE

Ms. Jennifer Davis
U.S. Nuclear Regulatory Commission
Office of New Reactors
Division of Site Safety and Environmental Analysis
Washington, DC 20555

Dear Ms. Davis,

This letter is in response to your February 13, 2017 Federal Register Notice request for comment on the Nuclear Regulatory Commission's (NRC) Draft Regulatory Guide DG-4026 – Preparation of Environmental Reports for Nuclear Power Stations: NRC-2017-0041.

The NRC issues regulatory guides (RGs) to describe methods that it considers acceptable for use in implementing the agency's regulations. These guides also explain techniques used in evaluating specific problems and provide guidance to applicants. Since the RG's last issuance in 1976, NRC has developed or revised regulations related to the requirements for submitting environmental reports (ERs). The RG is being updated to provide general guidelines for the preparation of ERs supporting an application for a permit, license, or authorization to site, construct, and/or operate a new nuclear power plant.

Overall, EPA found the list and descriptions of required information to be thorough. We have attached comments and recommendations for NRC's consideration to provide additional information and clarifications in the final document.

We appreciate the opportunity to review this draft regulatory guide. The staff contact for the review is Marthea Rountree and she can be reached at (202) 564-7141.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Tomiak".

Robert Tomiak
Director
Office of Federal Activities

Attachment

Nuclear Regulatory Commission's Draft Regulatory Guide DG-4026
Preparation of Environmental Reports for Nuclear Power Stations
NRC-2017-0041

EPA Detailed Comments

Non-NRC Permits and Approvals discussion, page 18: In order to address appropriate state requirements, NRC may want to consider referencing EPA's "309 Reviewers Guidance for New Nuclear Power Plant Environmental Impact Statements" in this section. Appendix A of this document provides examples of activities that may require state authorizations, permits, or certifications. This document is located at: <https://www.epa.gov/sites/production/files/2014-08/documents/309-reviewers-guidance-for-new-nuclear-power-plant-eiss-pg.pdf>.

Water Monitoring, page 32: This section provides a reasonable monitoring process. However, since nuclear projects have long life spans with geological and ecological variability across the country, it might be advisable for NRC to recommend split sampling with state regulatory agencies in an effort to streamline the monitoring process and to incorporate a higher level of compliance.

Wetlands, page 33: EPA recommends that this section reference the 2008 Mitigation Rule. EPA also recommends including a discussion about delineations being performed in conjunction with the Army Corps of Engineers along with a discussion of Avoidance and Minimization as well as jurisdictional determinations.

Environmental Justice, page 41: EPA recommends including the following tools/guidance to assist with the Environmental Justice (EJ) review/analysis:

PROMISING PRACTICES:

https://www.epa.gov/sites/production/files/2016-08/documents/nepa_promising_practices_document_2016.pdf

EJ SCREEN LINK:

<https://www.epa.gov/ejscreen>

Climate, page 48: EPA recommends that the discussions on effects from severe weather phenomena include flooding and sea level rise.

NEPAssist Tool discussion, page 124: EPA recommends that NRC clarify the characterization of the NEPAssist Tool to include the following description:

Database tools such as NEPAssist may facilitate the environmental review process and project planning in relation to environmental considerations. The web-based application draws environmental data dynamically from EPA Geographic Information System

databases and web services and provides immediate screening of environmental assessment indicators for a user-defined area of interest. These features contribute to a streamlined review process that potentially raises important environmental issues at the earliest stages of project development.

Emergency Planning/Evacuation Zones: NRC has two emergency planning zones (EPZs) around each nuclear power plant to help plan a strategy for protective actions during an emergency. One is a 10-mile radius EPZ which addresses the plume exposure pathway. The other is a 50-mile EPZ which addresses the ingestion exposure pathway. The RG briefly discusses the requirement to address the 50-mile EPZ. EPA recommends that it also discuss the requirement for the 10-mile EPZ.

Superfund and/or Brownfield Sites: While EPA understands that land-use impacts associated with operations are expected to be minimal because activities are generally restricted to previously disturbed areas, it may be useful for the applicants to be aware of nearby Superfund and/or Brownfield sites in order to avoid interference with nearby clean-up activities or site disturbances. For this reason, NRC may consider including a statement that the applicant can contact state agencies or regional EPA Superfund divisions for site specific information if necessary.

2015 Underground Storage Tank (UST) Regulations: EPA recently revised its UST regulations (<https://www.epa.gov/ust/revising-underground-storage-tank-regulations-revisions-existing-requirements-and-new>). This information may be useful to the applicants for any storage tank discussions during the development of their environmental reports.