



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

August 5, 2020

ALL AGREEMENT AND NON-AGREEMENT STATES
STATE LIAISON OFFICERS
ALL FEDERALLY RECOGNIZED INDIAN TRIBES

NOTIFICATION OF THE INTENT TO REVIEW AND UPDATE THE GENERIC
ENVIRONMENTAL IMPACT STATEMENT FOR LICENSE RENEWAL OF NUCLEAR PLANTS
(NUREG-1437) (STC-20-059)

Purpose: To inform States and Indian Tribes that the U.S. Nuclear Regulatory Commission (NRC) intends to review and update NUREG-1437, “Generic Environmental Impact Statement for License Renewal of Nuclear Plants—Final Report” (LR GEIS). As part of the environmental scoping process, the NRC is seeking public comment to gather information to determine whether to update the LR GEIS, including reaching out to Federally recognized Tribes in accordance with its Tribal Policy Statement. The NRC is seeking public input on the proposed action and has scheduled public scoping meetings.

The enclosed *Federal Register* (*FR*) notice informs the public of the NRC’s intention to review and update the LR GEIS and provides the public with an opportunity to comment on the review and propose areas for update. This step is the initial opportunity for the public to participate in the review by means of the environmental scoping process, as defined in Title 10 of the *Code of Federal Regulations* (10 CFR) Section 51.29, “Scoping-environmental impact statement and supplement to environmental impact statement.” At the conclusion of the scoping period, the NRC will consider the results of its review and public scoping comments to determine whether to proceed with the update. Site-specific environmental reviews of license renewal applications will continue under the current NRC National Environmental Policy Act regulatory framework throughout the course of this effort. If the NRC determines that an update is not necessary, this decision will be published in a notice in the *FR*.

Background: The Atomic Energy Act of 1954 authorizes the NRC to issue commercial nuclear power plant operating licenses for up to 40 years, and NRC’s regulations allow for the renewal of these operating licenses for up to an additional 20 years. There are no specific limitations in the Atomic Energy Act or the NRC’s regulations restricting the number of times a license may be renewed. In 1986, the NRC initiated a program to develop license renewal regulations and associated regulatory guidance in anticipation of receiving applications for the renewal of nuclear power plant operating licenses.

The NRC’s environmental protection regulations implementing Section 102(2) of the National Environmental Policy Act (NEPA) are set forth in 10 CFR Part 51, “Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions.” In 1996, 1999, and 2013, the Commission amended its environmental protection regulations to improve the efficiency of the environmental review process for applicants seeking to renew a nuclear power

plant operating license for up to an additional 20 years. The amendments are based on the analyses contained in the LR GEIS.

The intent of the LR GEIS is to determine which issues would result in essentially the same (generic) environmental impact at all nuclear power plants and which issues could result in different levels of impact requiring plant-specific environmental analyses. The summary of findings is in Appendix B to Subpart A of Part 51, "Environmental Effects of Renewing the Operating License of a Nuclear Power Plant. The regulations also state that the agency intends to review the material in Appendix B every 10 years and update them as necessary." The NRC completed the latest update by issuing a final rule and LR GEIS, Revision 1, on June 20, 2013 (78 *FR* 37281). Should the NRC update to the LR GEIS, the NRC's goal is to complete this effort by the end of 2023.

Discussion: The NRC prepares a plant-specific supplement to the LR GEIS for each license renewal application. The LR GEIS summarizes the findings of a systematic inquiry into the environmental impacts of continued operations and refurbishment activities associated with license renewal that are codified in the regulations. Of the 78 environmental NEPA issues identified and analyzed in the LR GEIS, 59 issues were determined to be generic (i.e., Category 1); 19 issues were determined to be nuclear power plant-specific (i.e., Category 2); and 1 issue, "Electromagnetic fields, chronic effects," is uncategorized. Category 1 issues concern those potential environmental impacts resulting from license renewal that are common or generic to all nuclear power plants (or for some issues, to plants having a specific type of cooling system or other specified plant or site characteristic). Currently, for example, air quality impacts are a Category 1 issue. Category 2 issues concern those potential environmental impacts resulting from license renewal that are not common or generic to all nuclear power plants and, as such, require a plant-specific analysis in each Supplemental Environmental Impact Statement (SEIS) to determine the level of impact. Currently, historic and cultural resources are considered a plant-specific issue. The uncategorized issue would also be addressed by the NRC in each plant specific SEIS.

The LR GEIS has been effective in focusing the NRC's resources on important license renewal environmental impact issues and has increased the efficiency of the environmental review process. Currently, 94 nuclear units at 59 plant sites have received renewed operating licenses; 4 units at 2 plant sites have received subsequent (second) renewed operating licenses. During the review and update, the NRC will re-evaluate potential environmental impacts as well as lessons learned, and knowledge gained during previous license renewal environmental reviews. In addition, public comments received during previous license renewal environmental reviews will be re-examined to validate existing environmental issues and identify new ones. Upon completion of the review, the NRC will consider the need to modify, add to, consolidate, or delete any of the 78 environmental issues currently evaluated in the LR GEIS.

The review of the LR GEIS is a generic activity that does not identify specific sites for NRC licensing actions that would trigger the National Historic Preservation Act (NHPA) Section 106 or Section 7 of the Endangered Species Act (ESA) consultation requirements. Consultation required by the NHPA and ESA will be conducted and included in plant specific SEISs for each license renewal application.

Enclosed is the *FR* notice requesting public comments on the scope of the review and update of the LR GEIS ([85 FR 47252](#)). If you wish to provide comments on the scope of the review, please provide them to the NRC by November 2, 2020. Comments received after this date will

be considered if it is practical to do so, but the NRC is only able to assure consideration for comments received on or before November 2, 2020. Electronic comments may be submitted to the NRC by accessing www.regulations.gov and searching for Docket ID NRC-2020-0175, or you can email your comments to LicenseRenewal-GEIS@nrc.gov. Additional information about methods for submitting your comments is available in the enclosed *FR* notice.

The NRC is also planning to hold four public scoping webinars on August 19, 2020 and August 27, 2020, from 1:30 p.m. - 4:00 p.m. Eastern Time and 6:30 p.m. – 9:00 p.m. Eastern Time each day. Specific details about the meetings can be found in the enclosed *FR* notice or on the NRC's public meeting webpage at <https://www.nrc.gov/pmns/mtg>. Teleconference phone lines will also be available for these meeting.

If you have any questions with respect to this correspondence, please contact me at (301) 415-2178, or the individual named below:

POINT OF CONTACT: Ms. Jennifer Davis E-MAIL: Jennifer.Davis@nrc.gov
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Sincerely,

/RA/

David W. Alley, Chief
Materials Safety and Tribal Liaison
Division of Materials Safety, Security, State,
and Tribal Programs
Office of Nuclear Material Safety
and Safeguards

Enclosure:
NRC *Federal Register* Notice of Intent
to Review and
Update the LR GEIS

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