

POLICY ISSUE
NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary

FROM: CHAIRMAN SVINICKI

SUBJECT: SECY-20-0020: Results of Exploratory Process for Developing a Generic Environmental Impact Statement for the Construction and Operation of Advanced Nuclear Reactors

Approved X In-Part Disapproved X In-Part Abstain _____

Not Participating _____

COMMENTS: Below X Attached _____ None _____

I approve the staff's proposed approach under Option 2, to initiate the development of a generic environmental impact statement (GEIS) for the construction and operation of advanced nuclear reactors using a technology-neutral, plant parameter envelope approach. My request to convert the staff's information paper into a Commission voting matter is for the exclusive purpose of proposing that we direct the staff to incorporate into this undertaking the planned codification of the GEIS into Part 51. In the paper, the staff considers this issue but declines to endorse the rulemaking at this time. Instead, the staff indicates that "rulemaking can be considered at a future date if it is later determined to be beneficial to the licensing process." Codifying the environmental findings in the advanced reactor GEIS (Category 1 issues) would result in a narrowing of the potential issues that could permissibly be raised during the hearing process on advanced reactor applications. As the Commission has previously observed in the reactor license renewal context, "Adjudicating Category 1 issues site by site ... would defeat the purpose of resolving generic issues in a GEIS." *Entergy Nuclear Vermont Yankee, LLC and Entergy Nuclear Operations, Inc.* (Vermont Yankee Nuclear Power Station), CLI-07-3, 65 NRC 13, 21 (2007). Consequently, codifying the GEIS would, without question, generate benefits by enhancing the efficiency of the licensing process through the procedural finality such codification would afford. I propose also that this Commission direction, if agreed to, supplant the need for the staff to submit a voting paper seeking Commission approval of a rulemaking plan on this matter.

SIGNATURE

05/20/2020

DATE

Entered on "STARS" Yes X No _____