

POLICY ISSUE
NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary

FROM: Commissioner Wright

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 Disapproved X Abstain Not Participating

COMMENTS: Below Attached X None

Entered in STARS

Yes X

No

Signature

August 19, 2020

Date

Commissioner Wright's Comments on "SECY-20-0020: Results of Exploratory Process for Developing a Generic Environmental Impact Statement for the Construction and Operation of Advanced Nuclear Reactors."

I join the Chairman in approving the staff's proposed approach under Option 2, to initiate the development of an advanced nuclear reactor (ANR) generic environmental impact statement (GEIS) for the construction and operation of advanced nuclear reactors using a technology-neutral, plant parameter envelope approach. While I agree with the staff that a rulemaking is not necessary, a rulemaking codifying any generic findings in the ANR GEIS is more transparent and should result in greater predictability, clarity, and reliability in both the review and hearing process.

I appreciate the staff's efforts to look for efficiencies in conducting these important reviews. As the staff recognizes, the efficiencies achieved by an ANR GEIS will not be realized initially. And an ANR GEIS may not result in as many generic findings as previous NRC GEISs (e.g., decommissioning GEIS, license renewal GEIS, *in-situ* recovery GEIS) because the NRC does not have years of operating experience to leverage, the technologies would differ, and the environmental footprint could vary considerably. Given that, the staff should prioritize any site-specific National Environmental Policy Act (NEPA) reviews for advanced reactors over efforts to develop an ANR GEIS. In conducting its environmental analysis of advanced reactor applications, the staff should be guided by NEPA's twin aims (i.e., informed decisionmaking by considering the environmental impacts of a given action and informing the public of those considerations before taking the action). These principles demand a reasonable, meaningful review focused on particulars, not hypotheticals. Completed site-specific reviews should inform the staff's GEIS efforts. This will ensure that the NRC's efforts in this area are as efficient and effective as possible and minimize unnecessary delays.

I also appreciate the staff's efforts to engage stakeholders on this topic. As indicated in the paper, stakeholders had varying views on whether an ANR GEIS was the most effective or efficient way to conduct NEPA reviews for advanced reactors. The Commission has also received Congressional correspondence requesting that the agency consider certain recommendations in its GEIS efforts. Ultimately, the staff has the duty to comply with NEPA and should determine whether the best course is to pursue the narrower GEIS outlined in this paper, pursue a GEIS more consistent with Congressional recommendations, or not pursue a GEIS. The staff may find that while many generic conclusions about the safety of these technologies are possible given their inherent safety features, the same may not be true for environmental findings for the reasons noted above. It is also possible that some advanced reactor technologies only trigger the need to prepare an environmental assessment and/or can incorporate by reference or tier from existing environmental analyses and that doing so would be the most efficient and effective way to comply with NEPA. Therefore, the staff should keep the Commission informed about the following:

- (1) the anticipated scope of the ANR GEIS (i.e., whether it would be narrowly scoped to cover only a few technologies or more broadly scoped to cover all anticipated technologies and bounding thermal power levels);
- (2) the anticipated scope and number of generic findings the staff anticipates;
- (3) the anticipated resources to both complete the ANR GEIS and codify any generic findings, given that the rulemaking process may involve more resources than the staff has allocated for this project; and

- (4) if the staff determines that the development of an ANR GEIS would not result in the efficiencies outlined in this paper, including long-term cost and time savings.

Finally, I agree with testimony given at a recent hearing on the draft bill, the American Nuclear Infrastructure Act of 2020, that the length of a given environmental document does not necessarily equate to a higher quality analysis. Instead, reviews should be tailored to the impacts of the given action and should, consistent with recent efforts by the Council on Environmental Quality and the NRC, be more focused and timely.