

The public meeting on Advance Notice of Proposed Rulemaking for Categorical Exclusions from Environmental Review will begin shortly.

Audio for today's meeting is through telephone bridge line only.

You must call (888) 390-2141 and use passcode 8801623 to hear today's meeting.

(WebEx will show slides and NRC cameras, there is no audio through WebEx.)

Meeting Logistics

- Meeting audio is through telephone bridge line only, call (888) 390-2141, enter passcode 8801623
- Information meeting with a Q&A session
- Send short questions via WebEx Chat to **“All Panelists”** - facilitator will read them aloud
- Meeting is being transcribed.
- Slides are available to download from ADAMS - (Accession No. ML21145A153).

Advance Notice of Proposed Rulemaking

Categorical Exclusions from
Environmental Review

June 16, 2021

Purpose of Public Meeting

- Provide an overview of:
 - The advance notice of proposed rulemaking (ANPR) to facilitate public input during the comment period
 - Background on categorical exclusions (CATEXs)

How to Submit Public Comments

1

[Regulations.gov](https://www.regulations.gov) (Docket NRC-2018-0300)

2

E-mail to Rulemaking.Comments@nrc.gov

3

Mail to Secretary, USNRC, Washington, DC 20555-0001,
ATTN: Rulemakings and Adjudications Staff

4

Date: by July 21, 2021

Agenda

- Opening Remarks
- Background
- Advance Notice of Proposed Rulemaking –
Categorical Exclusions from Environmental
Review
- Questions and Answers
- Closing Remarks
- How to Submit Comments

Opening Remarks



Background

- The National Environmental Policy Act requires Federal agencies to consider the environmental effects of their proposed actions.
- CATEXs are categories of actions that the NRC has previously determined that do not individually or cumulatively have a significant effect on the human environment.
- For actions that are within scope of a CATEX, the agency does not have to prepare an environmental assessment or environmental impact statement.

Background

- NRC's CATEXs are listed in [10 CFR 51.22](#).
- In [SECY-20-0065](#), staff recommended rulemaking to revise NRC's CATEXs.
- In [SRM-SECY-20-0065](#), the Commission directed the staff to initiate rulemaking to revise CATEXs.



Advance Notice of Proposed Rulemaking

- The ANPR published on May 7, 2021 with a 75-day comment period ending July 21, 2021 ([86 FR 24514](#))
- The purpose of an ANPR is to obtain public input on a regulatory issue or an area of the regulations that may be a candidate for rulemaking.

Potential Rulemaking Changes

- Reorganize the list of CATEXs to eliminate redundancy and add clarity
- Eliminate distinctions in CATEXs between NRC actions
- Consolidate CATEXs for exemptions into one category

Potential Rulemaking Changes

- Categorically exclude license terminations that are administrative acts
- Categorically exclude NRC's concurrences on termination by an Agreement State of licenses for § 11e.(2) byproduct material
- Categorically exclude exemptions of low-level waste disposal sites for the storage and disposal of special nuclear material regulated by Agreement States

Potential Rulemaking Changes

- Remove or clarify no significant hazards considerations criteria in existing CATEXs
- Categorically exclude actions authorizing licensees to delay implementation of certain new NRC requirements
- Categorically exclude approvals of relief and alternative requests

Potential Rulemaking Changes

- Categorically exclude issuances of new, amended, revised, and renewed certificates of compliance for cask designs used for spent fuel storage and transportation
- Categorically exclude approvals of decommissioning funding plans
- Categorically exclude approvals of certain long-term surveillance plans of decommissioned uranium mills

Potential Rulemaking Changes

- Categorically exclude authorizations to revise emergency plans for administrative changes
- Categorically exclude approvals for alternative waste disposal procedures for reactor and material licenses
- Categorically exclude NRC actions during decommissioning that do not authorize changes to physical structures
- Include references to the definition of construction

ANPR Questions

1. Are there licensing and regulatory actions that do not or have not resulted in environmental impacts that the NRC should consider as a CATEX?
2. Are there any CATEXs that are listed in § 51.22(c) that the NRC should consider modifying or clarifying?
3. Are there any current CATEXs (§ 51.22(c)) that the NRC should consider removing?

ANPR Questions

4. Are there aspects of NRC authorized changes to previously approved programs, such as emergency plans, cybersecurity programs, quality assurance programs, radiation protection programs, or materials control and accounting programs that the NRC should consider categorically excluding?
5. Is there anything else that the NRC should consider regarding its regulations for CATEXs?

Questions and Answers

Two ways to ask a question:

- Over the phone, press *1 and wait for the operator's prompts.
 - Introduce yourself.
 - Speak clearly for an accurate transcript.
- Or, send a question via WebEx Chat to “**All Panelists**” and the facilitator will read it aloud.

Closing Remarks



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