

Q. What actions could the NRC take to enhance consideration of environmental justice in the NRC's programs, policies and activities and agency decision-making, considering the agency's mission and statutory authority?

- Would you recommend that NRC consider any particular organization's environmental justice program(s) in its assessment?
- Looking to other Federal, State, and Tribal agencies' environmental justice programs, what actions could the NRC take to enhance consideration of environmental justice in the NRC's programs, policies, and activities?
- Considering recent Executive Orders on environmental justice, what actions could the NRC take to enhance consideration of environmental justice in the NRC's programs, policies, and activities?
- Are there opportunities to expand consideration of environmental justice in NRC programs, policies, and activities, considering the agency's mission? If so, what are they?

SUBMITTING COMMENTS

Comments will be accepted through August 23, 2021. You may submit comments through the following:

- Voicemail at 301-415-3875
- Email at NRC-EJReview@nrc.gov
- The Federal rulemaking site, www.regulations.gov, using Docket ID NRC-2021-0137
- U.S. Mail to: Office of Administration, Mail Stop: TWFN-7-A60M, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, ATTN: Program Management Announcements and Editing Staff.

The NRC cautions you not to include identifying or contact information that you do not want to be publicly disclosed in your comment submission.

The NRC will post comments received at <https://www.regulations.gov> as well as enter the comment submissions into the NRC's online database, ADAMS. The NRC does not routinely edit comment submissions to remove identifying or contact information.



www.nrc.gov

Environmental Justice and the U.S. Nuclear Regulatory Commission



Environmental justice involves identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of an agency's programs, policies, and activities on minority and low-income populations

The Nuclear Regulatory Commission staff is conducting a systematic review of how the agency's programs, policies, and activities address environmental justice. As directed by the Commission, the staff will evaluate recent Executive Orders and assess whether environmental justice is appropriately considered and addressed in the agency's programs, policies, and activities, such as adjudicatory procedures and environmental reviews, given the agency's mission.

During this review, the staff will:

- ❖ benchmark practices of other Federal, State, and Tribal agencies
- ❖ evaluate whether the NRC should incorporate environmental justice beyond implementation through the National Environmental Policy Act
- ❖ review the adequacy of the 2004 Policy Statement on the Treatment of Environmental Justice Matters in NRC Regulatory and Licensing Actions
- ❖ consider whether establishing formal mechanisms to gather external stakeholder input would benefit any future environmental justice efforts

The NRC will engage with internal and external stakeholders and interested persons representing a broad range of perspectives to solicit their views. The staff will leverage institutional knowledge and use NRC transformation initiatives, where practicable, to inform the review.

ENVIRONMENTAL JUSTICE AND NEPA

In February 1994, President Bill Clinton issued Executive Order 12898, directing Executive Branch agencies to “make achieving environmental justice part of [their] mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of [their] programs, policies, and activities on minority populations and low-income populations.”

The NRC, an independent regulatory agency, was requested rather than directed to comply with EO 12898. The agency pledged to carry out its goals. Specifically, the NRC said it would address environmental justice issues as part of its regulatory reviews under the National Environmental Policy Act of 1969, or NEPA.

In major licensing actions since 2004, environmental justice issues have been addressed in Environmental Impact Statements developed by the NRC staff in compliance with NEPA and the agency's implementing regulations.

PUBLIC OUTREACH

As part of its systematic review, the staff is consulting several organizations and groups with experience in environmental justice issues, as well as the public.

The team published a Federal Register notice on July 9, 2021, requesting comments through August 23, 2021. This notice includes several questions on which the staff is particularly interested in receiving input.

Q. What is your understanding of what is meant by environmental justice at the NRC?

As described in the Commission's 2004 Policy Statement on the Treatment of Environmental Justice Matters in NRC Regulatory and Licensing Actions (69 FR 52040), the NRC currently addresses environmental justice in its NEPA reviews to determine if a proposed agency action will have disproportionately high and adverse impacts on minority and low-income communities, defined as environmental justice communities.

- When the NRC is conducting licensing and other regulatory reviews, the agency uses a variety of ways to gather information from stakeholders and interested persons on environmental impacts of the proposed agency action, such as in-person and virtual meetings, Federal Register notices requesting input, and dialog with community organizations.
 - How could the NRC expand how it engages and gathers input?
 - What formal tools might there be to enhance information gathering from stakeholders and interested persons in NRC's programs, policies, and activities?
 - Can you describe any challenges that may affect your ability to engage with the NRC on environmental justice issues?
- How could the NRC enhance opportunities for members of environmental justice communities to participate in licensing and regulatory activities, including the identification of impacts and other environmental justice concerns?
- What ways could the NRC enhance identification of environmental justice communities?
- What has the NRC historically done well, or currently does well that we could do more of or expand with respect to environmental justice in our programs, policies, and activities, including engagement efforts? In your view, what portions of the 2004 Policy Statement are effective?