

PUBLIC SUBMISSION

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Categorical Exclusions from Environmental Review

Comment On: NRC-2018-0300-0103
Categorical Exclusions from Environmental Review

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General Comment

We emphatically oppose NRC's implementation of the proposed rulemaking for "Categorical Exclusions from Environmental Review". What does this even mean? The NRC's statement that this would apply to "licensing, regulatory, and administrative actions that individually or cumulatively do not have a significant effect on the human environment" is in and of itself demonstration that proposal is arbitrary and capricious. The NRC offers no metric, no illumination as to what would be different from its current process. What the agency puts forth is essentially a "rule" excuse for nuclear industry actors to avoid having to disclose information to the public about activities which impact the environment or public health, so long as they conclude - sans investigation - that they do not need to consider such impacts. More egregiously, implementation of the rule would constitute another NRC abnegation of its duty to the public. This attempted end run around the National Environmental Policy Act (NEPA) cannot withstand judicial scrutiny and should be abandoned before the agency is required to waste resources defending an indefensible deregulatory action.