



SECRETARY

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

February 24, 2022

MEMORANDUM TO: Daniel H. Dorman
Executive Director for Operations

FROM: Annette L. Vietti-Cook, Secretary

SUBJECT: STAFF REQUIREMENTS – SECY-21-0066 – RULEMAKING
PLAN FOR RENEWING NUCLEAR POWER PLANT
OPERATING LICENSES – ENVIRONMENTAL REVIEW (RIN
3150 AK32; NRC 2018 0296)

The Commission has disapproved proceeding with the course of action under Alternative 1.

The staff should immediately begin to develop a plan for a rulemaking that aligns with the Commission's Order, CLI-22-03, and recent decisions in *Turkey Point*, CLI-22-02, and *Peach Bottom*, CLI-22-04 regarding the agency's National Environmental Policy Act (NEPA) analysis of subsequent license renewal (SLR) applications. Within 30 days of the date of this SRM, the staff should provide the Commission a rulemaking plan that includes the following:

- (1) A proposal to update NUREG-1437, "Generic Environmental Impact Statement for License Renewal of Nuclear Plants," Revision 1, (June 2013) (GEIS), which provides the basis for Table B-1, "Summary of Findings on NEPA Issues for License Renewal of Nuclear Power Plants," in Appendix B to Subpart A, "Environmental Effect of Renewing the Operating License of a Nuclear Power Plant" to Title 10 of the *Code of Federal Regulations* (10 CFR) Part 51, "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions" (Table B-1).

The GEIS should be updated to clearly include, but not be limited to, a thorough evaluation of the environmental impacts of renewing the operating license of a nuclear power plant for one term of SLR. The updates should be noticed for public comment and clearly inform the public of the scope of the agency's review.

- (2) A proposal to update Table B-1 to incorporate changes necessary to fully account for one term of SLR.
- (3) Proposed language for 10 CFR § 51.53(c)(3) that removes the word "initial" and clarifies its applicability to SLR.
- (4) A proposal to update any associated guidance for consistency, including Regulatory Guide 4.2, Supplement 1, Revision 1, "Preparation of Environmental Reports for Nuclear Power Plant License Renewal Applications" (June 2013) and NUREG-1555, Supplement 1, Revision 1, "Standard Review Plans for Environmental Reviews for Nuclear Power Plants, Supplement 1: Operating License Renewal (June 2013).

(5) Timetable options and associated cost estimates for items 1–4 with a goal of completing the effort as expeditiously as possible.

In addition, within 60 days, the staff should separately provide options for a future effort that would incorporate any changes determined to be necessary for the 10-year regulatory update cycle.

cc: Chairman Hanson
Commissioner Baran
Commissioner Wright
OGC
CFO
OCA
OPA
ODs, RAs, ACRS, ASLBP
PDR