

Environmental Reviews

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Agenda

Need for Efficiencies

Increased demand for more nuclear power.

Recent Activities

Industry initiatives regarding environmental reviews.

Key Recommendations

Highlight areas for efficiency.

Closing

Closing comments.

Next Steps/Discussion

Continue moving forward.



Need for Efficiencies

- Climate goals driving demand and interest for new nuclear
- Strong industry interest in Subsequent License Renewal (SLR)
- Domestic fuel cycle facilities (e.g., to provide LEU+ and HALEU fuel)
- New research and test facilities

Recent Activities

- March 5, 2020 letter from NEI to NRC – NEI Recommendations for Streamlining Environmental Reviews for Advanced Reactors ([ML20065N155](#)) and NRC response ([ML20147A540](#))
- Public meetings discussing SLR review efficiencies
- NEI Siting Task Force – Assessment of the NRC Environmental Requirements for Siting
- [Fiscal Responsibility Act of 2023](#) amendments to NEPA and related [NRC response to Congress](#)
- CEQ ["Phase 2" rulemaking](#) and Sept. 2023 [NEI comments](#)
- Recognition of overlap between recommendations across different applications (SLR, new reactors, etc.)

Key Recommendations Resulting From Recent Activities

- For new projects, limit the scope of alternatives analyses (including alternative sites) to those that are realistic, consistent with guidance that “reasonable alternatives include those that are practicable or feasible from the technical and economic standpoint using common sense,” and which clearly meet the purpose and need of the proposed action.
- Revise 10 CFR 51.20 to eliminate or modify the list of NRC licensing actions that require an EIS and allow for flexibility to use environmental assessments (EAs) and categorical exclusions for those licensing actions, as appropriate, and use exemptions in interim.
- Allow licensees and the NRC staff to incorporate existing environmental analyses (including those prepared by other federal, state, and local agencies) into a project’s Environmental Assessment (EA) or Environmental Impact Statement (EIS) to the greatest extent practicable.
- Bound the discussion of climate change-related impacts and related mitigation measures based on NEPA “rule of reason” and the concept of proportionality. See [NEI comments](#) on CEQ Phase 2 rulemaking.

Key Recommendations Resulting From Recent Activities (cont'd)

- Optimize use of applicant's environmental report (ER) as the basis for the draft EA or EIS.
 - We recognize the new NEPA requirement to develop procedures to allow an applicant to prepare the EIS (or EA, if allowed by NRC) under the supervision of the agency but are concerned with potential for significant burden on applicants.
- Ensure strict adherence to time and page limits of NEPA, as revised by the FRA.
- Consider allowing hearings on environmental contentions after Draft EIS/SEIS is issued when doing so will promote greater efficiency in the hearing process and not delay issuance of the NRC's Final EIS/SEIS or otherwise impose undue burden on the Staff.
 - Would require change to regulations (see 10 CFR 2.332(d), 51.104), an exemption, or a case-specific hearing order.

Key Recommendations Resulting From Recent Activities (cont'd)

- Take lessons learned and process improvements from new reactor and other types of NRC licensing proceedings and ensure they are consistently applied by NRC staff (ECO) across all NRC licensing divisions.
- Fully utilize “online and digital technologies” identified by Congress in new NEPA Section 110 (E-NEPA) (e.g., electronic reading rooms, SharePoint, other cloud-based tools) to enhance the exchange of information between applicants and NRC as well as NRC coordination with other relevant agencies.
- Expedite a lessons-learned review of NRC environmental consultations with other federal and state agencies and apply those lessons moving forward to expedite the consultation processes.



Closing & Next Steps

- We acknowledge and appreciate the staff's efforts to date and recommend continued focus on achieving efficiencies and standardizing improvements
- Establish cadence for continued dialogue and progress check-ins
- NEI and its members are ready to support the NRC staff in its continuing pursuit of environmental review efficiencies



Feedback and Discussion
