



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

August 28, 2024

MEMORANDUM TO: Daniel Barnhurst, Chief
Environmental Project Management Branch 3
Division of Rulemaking, Environmental,
and Financial Support
Office of Nuclear Material Safety
and Safeguards

FROM: Joseph Giacinto, Project Manager
Environmental Project Management Branch 3
Division of Rulemaking, Environmental,
and Financial Support
Office of Nuclear Material Safety
and Safeguards

Joseph f. Giacinto Signed by Giacinto, Joseph
on 08/28/24

SUBJECT: SUMMARY REPORT FOR THE ENVIRONMENTAL AUDIT OF THE
EXEMPTION REQUEST TO ALLOW EXCAVATION AT THE CLINCH
RIVER NUCLEAR SITE PRIOR TO CONSTRUCTION PERMIT ISSUANCE

By letter dated November 30, 2023 (Agencywide Documents Access and Management System [ADAMS] ML23335A100), Tennessee Valley Authority (TVA) submitted a request for an exemption from Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.10, "License required; limited work authorization," to allow certain excavation support activities at the Clinch River Nuclear Site prior to potential receipt of a construction permit (CP) for a BWRX-300 small modular reactor design. Granting the exemption would authorize TVA to conduct excavation support activities for Clinch River Nuclear Unit 1 at the site prior to the issuance of a CP not otherwise permitted by 10 CFR 50.10(c). Upon acceptance of the exemption request (ML24009A168), the U.S. Nuclear Regulatory Commission (NRC) staff initiated an environmental review and prepared to audit TVA's exemption request as described in the staff's audit plan (ML24060A071).

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From February 28 to August 2, 2024, the staff conducted a virtual audit of the exemption request to more fully define and understand the scope of activities associated with the proposed action and to identify whether there was new and significant information since the publication of the Early Site Permit Environmental Impact Statement that staff would need to consider in the environmental assessment being developed in support of the exemption request. Included in the audit plan was a list of information needs the NRC staff identified to discuss with TVA staff during the audit.

The enclosed audit summary report presents the scope and objectives of the audit, the NRC's audit team members, and a summary of the issues discussed. In addition, by letter dated July 11, 2024, TVA provided a written response to the staff's information needs presented in the audit plan (ML24193A301). The staff have received all the necessary information to consider all the audit items closed. To date, the staff have not identified any additional information needs from TVA in order to complete the environmental review.

Docket No. 90-2056

Enclosure:
As stated

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DATED: August 28, 2024

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