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General Comment

In accordance with Section 102(2)(C) of the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act (CAA), the U.S. Environmental Protection Agency (EPA) Region 8 has reviewed the U.S. Nuclear Regulatory Commission's (NRC's) Draft Environmental Impact Statement (DEIS) for the Construction Permit (CP) Application for Kemmerer Power Station Unit 1 (NRC-2024-0078).

Attachments

NRC 2025 Kemmerer Unit 1 DEIS_EPA Comments - Final

REGION 8
DENVER, CO 80202

August 4, 2025

Ref: 8EJC-NE

Patricia Vokoun, Project Manager
U.S. Nuclear Regulatory Commission
Office of Nuclear Material Safety and Safeguards
Washington, DC 20555-0001

Dear Patricia Vokoun:

In accordance with Section 102(2)(C) of the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act (CAA), the U.S. Environmental Protection Agency (EPA) Region 8 has reviewed the U.S. Nuclear Regulatory Commission's (NRC's) Draft Environmental Impact Statement (DEIS) for the Construction Permit (CP) Application for Kemmerer Power Station Unit 1 (NRC-2024-0078). The plant is a 500-megawatt electrical power utility nuclear reactor south of Kemmerer, Wyoming. Our comments in support of the forthcoming Final Environmental Impact Statement (FEIS) are enclosed.

Given the complexity of nuclear material management and power generation, EPA would appreciate early coordination in the environmental review of the Operating License (OL) to ensure an efficient NEPA process. We appreciate the opportunity to review this DEIS and your consideration of EPA's comments. We hope our recommendations facilitate a robust, timely environmental planning process. If you have any questions, please contact me at (303) 312-7011 or via email at dorian.david.i@epa.gov.

Sincerely,

David I. Dorian
Acting Manager, NEPA Branch
U.S. EPA Region 8

Enclosure

1. EPA Comments on the NRC's DEIS for the CP Application for Kemmerer Power Station Unit 1

Enclosure – EPA Comments on the NRC's DEIS for the CP Application for Kemmerer Power Station Unit 1

General Components of the NEPA Analysis

EPA values the opportunity to provide comments on the DEIS. We provide specific recommendations concerning the NEPA Analysis below.

Alternatives

NEPA requires a detailed statement on the environmental impact of the proposed action and alternatives to the proposed action.[1] The DEIS contains the proposed alternative, two alternative locations without considering changes to plant design, and the no action alternative. While the DEIS discusses the environmental impacts from construction for each alternative, the DEIS does not evaluate how constructing the facility at these alternative locations compares to the proposed site. For example, regarding the Jim Bridger 22 Alternative, the DEIS states "The [Jim Bridger 22] site would require significant earthwork based on the general topography of the site, thereby disturbing larger areas of undisturbed landscape as compared to the proposed action."[2] This statement acknowledges the impacts of construction under this alternative but does not provide a quantitative comparison which allows for an understanding of how the alternatives vary in disturbance.

The EPA recommends providing a table (and ideally maps) which compares alternatives in terms of acreage of disturbance and impacts to various natural resources in quantitative terms (e.g., acreage of habitat loss, vegetation loss). Although the DEIS already includes a table comparing qualitative impacts across alternatives,[3] this comparison is based on a subjective rating of impacts (e.g., "SMALL," "MODERATE") and does not distinguish impacts when the rating is the same.

Mitigation

The EPA values the mitigation identified for each resource area in Table 6-2.[4] To ensure that the proposed mitigation is fully explained, we recommend discussing:

- The entity executing the mitigation (e.g., the applicant or contractors)
- Milestones to achieve mitigation and any applicable Federal and state reclamation standards as appropriate and relevant
- Monitoring and inspection schedules, as appropriate.

Monitoring

The EPA values the radiation and water monitoring plans included in the DEIS. We recommend specific environmental thresholds that would trigger corrective actions as appropriate. For example, the DEIS states that "WYDEQ [the Wyoming Department of Environmental Quality] would require water quality

[1] 42 USC § 4332. Sec. 102.
[2] DEIS, page 4-5.
[3] DEIS, Table 4-1, page 4-7 to 4-8.
[4] DEIS, pages 6-6 to 6-9.

parameters to be monitored at specified frequencies. . . on the Kemmerer Unit 1 site."[5] Specifying protocols for exceedances would demonstrate the value and environmental impact of monitoring.

Radiological Conditions

EPA values the consideration of radiological impacts during the construction and operation of Kemmerer Unit 1 Nuclear Power Plant. Since considerations relating to radioactive release and design criteria will need to be addressed for the project's OL, we recommend that NRC reevaluate EPA's scoping comments on the DEIS for this CP to the extent that these comments have not already been considered. EPA places great importance on the early coordination in the environmental review of the Operating License (OL).

Water Resources

Water Withdrawals

The DEIS notes that the operation of Kemmerer Unit 1 would increase water withdrawals by an additional 2.9 to 39.3 percent from the Hams Fork River, dependent on seasonal variation.[6] The DEIS could be improved by addressing how this withdrawal would affect streamflow, water quality, and aquatic life in the Green River Basin. To evaluate these reasonably foreseeable impacts from the project, FEIS should include:

- A hydrologic analysis of existing stream conditions using representative datasets to assess the project's potential geomorphic and biological impacts that incorporates:
    - Wet, average, and dry year analyses
    - Potential influences of temperature and precipitation trends on future hydrology.
- An analysis of impacts to flow regime, evaluating changes to channel complexity, channel maintenance, aquatic habitat availability, and life cycle requirements that incorporates:
    - A comparison of pre- and modeled post-project flows with mean and median monthly low-flows, and the duration (in days), magnitude, frequency, and timing of high-flow pulses, small flood flows (i.e., 2-year to 10-year floods), and large flood flows (i.e., equal to or greater than 10-year floods).
    - Quantifying the total diversions as a proportion of average monthly (or daily) natural streamflow, if there are existing diversions or reasonably foreseeable future diversions from sources affected by this project.
- An analysis of impacts to stream morphology (e.g., sediment transport, channel maintenance, channel complexity, and riffle-pool complexes)
- An evaluation of impacts to resident fish species and invertebrates
- An analysis of impacts to physical habitat (e.g., habitat availability, heterogeneity, connectivity, and long-term maintenance).

[5] DEIS, page 3-26.

[6] DEIS, page 3-44.

Clean Water Act Permitting Requirements

We recommend consulting the U.S. Army Corps of Engineers to determine the applicability of any CWA Section 404 permit requirements to avoid and minimize adverse impacts to waters of the United States, as appropriate.

Geologic Hazards

Section 3.3 of the DEIS identifies various geologic hazards (e.g., moderate risks from radon, slope stability, expansive soils).[7] Evaluating options to avoid or minimize adverse impacts related to potential geological hazards may refine alternatives and streamline project implementation. For example, the project could consider siting facilities away from steep slopes, highly expansive soils, or alluvial channels and include mitigation measures for indoor radon exposure if necessary.

Impacts to Communities

Several communities, including Oakley, Diamondville, and Kemmerer itself, are in proximity to the proposed Kemmerer Unit 1 Site. The DEIS[8] notes that rapid economic expansion may have negative impacts, such as ecosystem disruption from new building construction (e.g., due to soil impacts, habitat loss), water quality degradation due to sewage demands, potential contamination of drinking water sources, and increased levels of traffic. EPA recommends adding early engagement and mitigation planning with the nearby communities and local governments to the DEIS.

[7] DEIS, page 3-11.
[8] DEIS, page 3-75.