



LWA Rule Implementation Issues

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March 11, 2008

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Very Brief Summary of Rule Changes

- New definition of “construction” consistent with agency statutory authority
- Description of what construction does not include; referred to as “preconstruction”
- Revised LWA process in light of new definition

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Rule changes affecting all new reactor applications

The ER must include:

- “description of impacts of the preconstruction activities performed by the applicant necessary to support construction and operation of the facility”
- “analysis of the cumulative impacts of the activities to be authorized ... in light of the preconstruction impacts”

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How to implement these requirements

- NRC is considering how to best implement this part of the rule
- EIS needs to clearly delineate what activities are to be authorized by NRC
- Separation of the environmental impacts of preconstruction and construction activities

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Implementation options being considered

- Describe impacts of preconstruction and construction activities separately (complete separation of impacts)
- Describe cumulative impacts of construction activities in light of the preconstruction impacts

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Implementation options being considered

- Describe impacts of preconstruction and construction activities separately to the extent practicable (partial impact separation)
- Describe cumulative impacts of construction activities in light of the preconstruction impacts

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Your thoughts on implementation options

- We need your feedback!
- What is practicable?
- Are there other implementation options we need to consider?

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Limited Work Authorizations

- No LWA-1; NRC approval of these activities no longer required
- LWA-2 is just LWA now; LWA only needed for activities that require NRC approval – “construction”

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LWA Application

- LWA application must include:
- Description of activities to be conducted
 - Applicable safety analyses
 - Environmental report
 - Redress plan

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Environmental Report for LWA

ER must include description of:

- Activities to be conducted
- Need for activities
- Environmental impacts
- Proposed mitigation measures
- Reasons for rejecting additional mitigation measures
- New & significant information for ESPs



LWA Application Options

LWA application may be submitted:

- Part of complete COL application
- Part one of phased COL application
- Part of early site permit application
- By an early site permit holder



EIS Options for LWAs

- Structure your application to accomplish what you really want
- Draft EIS content is dependent on the proposed action
- May be limited to LWA impacts
- May address entire project



NRC Resources and EIS Schedules

- LWA as part of complete COL
- NRC expects minimal impact on environmental review resources
- No impact on schedule for FEIS



NRC Resources and EIS Schedules

- “Stand Alone” LWA application
(possibly phase one of COL or ESP holder)
- NRC expects to expend less environmental review resources than for COL
- Approximately 12-18 month schedule for FEIS
- Separate EIS would be required for COL



Interactions with Other Permitting Authorities

- Memorandum of Understanding with Army Corp of Engineers (1975)
- MOU is being updated to address Part 52 and LWA rules
- Potential timing issues for LWAs and permits for preconstruction activities



Other implementation issues

What other implementation issues are applicants concerned about?
