

October 18, 2012

Ms. Ellen C. Ginsberg
Vice President, General Counsel and Secretary
Nuclear Energy Institute
1776 I Street, NW
Suite 400
Washington, DC 20006

SUBJECT: NUCLEAR ENERGY INSTITUTE LETTER ON ISSUANCE OF FINAL
ENVIRONMENTAL IMPACT STATEMENTS FOR NEW REACTORS

Dear Ms. Ginsberg:

The U.S. Nuclear Regulatory Commission (NRC) received your letter dated September 6, 2012, requesting that, "...the Commission exercise its inherent supervisory authority over the staff to ensure that FEISs for new reactors are completed and issued on currently established schedules." You also requested that the NRC move forward with timely completion of adjudication of "non-Waste Confidence" issues.

As you mention in your letter, the Commission issued Memorandum and Order CLI-12-16 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML12220A099) on August 7, 2012. The Commission, in CLI-12-16, provided direction on the conduct of licensing reviews. In particular, the Commission directed that, "...all licensing reviews and proceedings should continue to move forward." The Commission also provided direction to the staff on how to proceed with the Waste Confidence remand itself, issuing a staff requirements memorandum on COMSECY-12-0016 on September 6, 2012 (ML12250A032). There, the Commission directed the staff to develop, "...a generic environmental impact statement (EIS) to support an updated Waste Confidence Decision and temporary storage rule." The Information Paper to the Commission dated October 3, 2012 (SECY-12-0132, ML12264A451) outlines the staff's plan to comply with Commission Order CLI-12-16. The NRC staff will continue to issue draft and final environmental impact statements (EISs) in support of these reviews. The NRC staff plans to develop appropriate explanatory text for these EISs that identifies temporary storage of spent nuclear fuel as a generic issue that is being addressed through rulemaking. Thus, the NRC will address its obligations under the National Environmental Policy Act (NEPA) for this issue through rulemaking rather than in individual license proceedings.

E. Ginsburg

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If you have any additional questions or require additional information, please contact me by phone at 301-415-1199 or via e-mail at David.Matthews@nrc.gov.

Sincerely,

/RA/

David B. Matthews, Director
Division of New Reactor Licensing
Office of New Reactors

E. Ginsburg

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If you have any additional questions or require additional information, please contact me by phone at 301-415-1199 or via e-mail at David.Matthews@nrc.gov

Sincerely,

/RA/

David B. Matthews, Director
Division of New Reactor Licensing
Office of New Reactors

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Letter to Ellen C. Ginsberg from David B. Matthews dated _____

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