



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

April 19, 2022

SECRETARY

MEMORANDUM TO: Daniel H. Dorman
Executive Director for Operations

FROM: Brooke P. Clark, Secretary

SUBJECT: STAFF REQUIREMENTS – SECY-21-0001 – RULEMAKING
PLAN —TRANSFORMING THE NRC’S ENVIRONMENTAL
REVIEW PROCESS

The Commission has approved Alternative 2, to continue to use the regulations in Title 10 of the *Code of Federal Regulations* Part 51, “Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions,” and instead revise National Environmental Policy Act (NEPA) guidance for applicants and staff. In revising the guidance, while the staff should continue to set scheduling goals and timeliness metrics, it should avoid set-in-stone schedules and page limits, to preserve meaningful public participation.

The staff should conduct an evaluation of NRC’s process for selecting the reasonable alternatives that will be analyzed in detail in the environmental impact statement. The staff should continue monitoring the Council on Environmental Quality’s ongoing efforts to revise its regulations and consider how these changes impact the NRC’s obligations under NEPA. The staff should provide the results of the evaluation and any recommendations to the Commission for consideration.

The staff should leverage other ongoing revisions and updates to Part 51 (e.g., Categorical Exclusion rulemaking, retrospective review of administrative requirements) that streamline the environmental review process, to include administrative changes related to document distribution (such as production and distribution of paper copies), indexing, electronic notification, reducing redundancy, and improving readability.

If, after completing several environmental reviews for advanced reactors, the staff wants to further explore the idea of preparing environmental assessments to meet NEPA requirements for some categories and subcategories of license applications presently falling within the scope of 10 C.F.R. § 51.20(b), the staff should present options to the Commission.

cc: Chairman Hanson
Commissioner Baran
Commissioner Wright
OGC
CFO
OCA
OPA
ODs, RAs, ACRS, ASLBP
PDR