



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

**OFFICE OF THE
INSPECTOR GENERAL**

August 6, 2015

MEMORANDUM TO: Mark A. Satorius
Executive Director for Operations

FROM: Stephen D. Dingbaum */RA/*
Assistant Inspector General for Audits

SUBJECT: STATUS OF RECOMMENDATIONS: AUDIT OF NRC's
COMPLIANCE WITH 10 CFR PART 51 RELATIVE TO
ENVIRONMENTAL IMPACT STATEMENTS (OIG-13-A-20)

REFERENCE: DIRECTOR, OFFICE OF NUCLEAR MATERIAL SAFETY
AND SAFEGUARDS MEMORANDUM DATED JUNE 30,
2015.

Attached is the Office of the Inspector General's (OIG) analysis and status of recommendations as discussed in the agency's memorandum dated June 30, 2015. Based on this response, recommendations 1, 2, 3, 4, 5, and 6 are closed. All recommendations related to this report are now closed.

If you have any questions or concerns, please call me at 415-5915 or Sherri Miotla, Team Leader, at 415-5914.

Attachment: As stated

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Audit Report

AUDIT OF NRC'S COMPLIANCE WITH 10 CFR PART 51 RELATIVE TO ENVIRONMENTAL IMPACT STATEMENTS

OIG-13-A-20

Status of Recommendations

- Recommendation 1: Develop agencywide guidance for NRC staff to prepare and publish a concise public document that meets the requirements of 10 CFR 51.102 and 51.103.
- Recommendation 2: Implement the agencywide guidance to ensure that all offices will consistently prepare and publish a concise public document that meets the requirements of 10 CFR 51.102 and 51.103.
- Recommendation 3: Develop agencywide guidance for NRC staff to comply with 10 CFR Part 51, Appendix A.
- Recommendation 4: Implement the agencywide guidance to ensure that all EISs include all cover sheet information, a consistent summary format, and an index in compliance with 10 CFR Part 51, Appendix A.
- Recommendation 5: Develop agencywide guidance for all offices that prepare EISs to ensure that scoping is performed for all EISs that tier off of a generic EIS.
- Recommendation 6: Implement the agencywide guidance to ensure that scoping is performed for all EISs that tier off of a generic EIS.

Agency Response

Dated June 30, 2015:

The NRC staff has developed and issued agencywide guidance entitled "Supplemental Guidance for Preparing Environmental Impact Statements" on May 26, 2015. The guidance addresses the OIG audit recommendations, which focused on three areas: (i) preparation and publication of a concise public document that meets the record of decision (ROD) criteria of section 51.103 in Title 10 of the *Code of Federal Regulations* (10 CFR) Part 51, (ii) use of the format described in 10 CFR Part 51, Subpart A, Appendix A for

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ENVIRONMENTAL IMPACT STATEMENTS**

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Status of Recommendations

All recommendations (cont.):

preparing EISs, and (iii) conducting scoping for supplemental EISs that tier off a generic EIS. This guidance complements existing NRC program specific guidance.

Also, in the NRC's status update to the OIG dated January 30, 2015 (ADAMS accession number ML15020A305), the NRC staff shared examples of publication of RODs that met the 10 CFR Part 51 requirements for the preparation and publication of RODs and EISs that followed the EIS format described in 10 CFR Part 51, Subpart A, Appendix A. The NRC Staff took the opportunity to share the following more recent example RODs and EISs:

- Summary ROD for the combined license application for the Enrico Fermi Nuclear Power Plant Unit 3 (ADAMS accession number ML15120A221; *Federal Register* notice (FRN) published at 80 FR 26302, May 7, 2015)
- ROD for the license renewal application for Callaway Plant Unit 1 (ADAMS accession number: ML14302A238, FRN published at 80 FRN 13636, March 16, 2015)
- Generic Environmental Impact Statement for License Renewal of Nuclear Plants: Braidwood Station, Units 1 and 2 – Draft Report for Comment (NUREG 1437, Supplement 55), published in March 2015 (ADAMS accession number ML15062A428).

Based on this information, the NRC staff considers OIG recommendations 1 through 6 to be completed.

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ENVIRONMENTAL IMPACT STATEMENTS

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Status of Recommendations

All recommendations (cont.):

OIG Analysis:	OIG reviewed an agencywide guidance document created by the NEPA Steering Committee entitled, "Supplemental Guidance for Preparing Environmental Impact Statements," dated May 26, 2015. OIG reviewed the Charter for the NEPA Steering Committee to verify its role and authority to authorize such guidance. Additionally, OIG examined the example RODs and EISs provided by NRC staff listed in their June 30, 2015, memorandum. OIG determined that the supplemental guidance addresses the six OIG audit recommendations. All recommendations are therefore considered closed.
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Status:	Closed.
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