

**Supplemental Environmental Impact
Statement
Scoping Process**

Summary Report

**Oconee Nuclear Station
Units 1, 2 and 3
Seneca, SC**

January 2022



**U.S. Nuclear Regulatory Commission
Rockville, Maryland**

Introduction

By letter dated June 7, 2021, (Agencywide Documents Access and Management System (ADAMS) Accession Package No. [ML21158A193](#)), Duke Energy Carolinas, LLC (Duke Energy) submitted an application for subsequent license renewal of Renewed Facility Operating License Nos. DPR-38, DPR-47, and DPR-55 for Oconee Nuclear Station, Units 1, 2, and 3 (Oconee) to the U.S. Nuclear Regulatory Commission (NRC) pursuant to Section 103 of the Atomic Energy Act of 1954, as amended, and Part 54 of Title 10 of the Code of Federal Regulations (CFR), “Requirements for renewal of operating licenses for nuclear power plants.”

Oconee is located in Seneca, SC, about 30 miles west of Greenville, SC. In its application, Duke Energy requests subsequent license renewal for a period of 20 years beyond the dates when the current renewed facility operating licenses expire. If the NRC approves the subsequent licenses, the new expiration dates would be: February 6, 2053, for Oconee, Unit 1; October 6, 2053, for Oconee, Unit 2; and July 19, 2054, for Oconee, Unit 3.

The purpose of this report¹ is to provide a concise summary of the determination of the scope of the NRC staff’s environmental review of this application, incorporating stakeholder inputs. This report will briefly summarize the issues identified by the scoping process associated with the NRC staff’s review of Duke Energy’s subsequent license renewal application.

This report is structured in four sections:

- A. The Oconee Public Scoping Period
- B. List of Commenters
- C. Summary of Comments Provided
- D. Significant Issues Identified
- E. Determinations and Conclusions

A. The Oconee Public Scoping Period

Background

The Duke Energy application and all other public documents relevant to the Oconee subsequent license renewal are available in the NRC’s Web-based ADAMS, which is accessible at <http://www.nrc.gov/reading-rm/adams.html>. Persons who encounter problems in accessing documents in ADAMS should contact the NRC’s Public Document Room (PDR) reference staff by telephone at 1-800-397-4209 or 301-415-4737, or by e-mail at pdr.resource@nrc.gov.

For additional information, the NRC staff has made available a Web site with specific information about the Oconee subsequent license renewal application at <https://www.nrc.gov/reactors/operating/licensing/renewal/applications/oconee-subsequent.html>. This Web site includes application information, the licensing review schedule, opportunities for public involvement, project manager information, and other relevant information. In addition,

¹ The NRC’s requirements for conducting the scoping process and for preparing a scoping summary report are found at 10 CFR 51.29, “Scoping-environmental impact statement and supplement to environmental impact statement.”

important documents are available at the Federal rulemaking Web site, <https://www.regulations.gov/>, under Docket ID NRC-2021-0146.

As part of its application, Duke Energy submitted an environmental report (ER) to the NRC, available at ADAMS Package Accession No. [ML21158A193](#). Duke Energy prepared the ER in accordance with 10 CFR Part 51, “Environmental protection regulations for domestic licensing and related regulatory functions,” which contains NRC’s requirements for implementing the National Environmental Policy Act of 1969, as amended (NEPA).²

Renewal of a power reactor operating license requires preparation of a supplemental environmental impact statement (SEIS), which is a supplement to the NRC’s NUREG-1437, “Generic Environmental Impact Statement for License Renewal of Nuclear Plants” (GEIS). The GEIS is available in two main volumes at ADAMS Accession Nos. ML13106A241 and ML13106A242 (ADAMS Package Accession No. [ML13107A023](#)).

In the GEIS, the NRC staff identified and evaluated the environmental impacts associated with license renewal of nuclear power plants. The NRC determined that several environmental issues were generic to all nuclear power plants (or, in some cases, to a distinct subset of plants that have specific characteristics, such as a type of cooling system). These generic issues were designated as “Category 1” issues. An applicant for license renewal may adopt the conclusions contained in the GEIS for Category 1 issues without further evaluation unless there is new and significant information that may cause the conclusions for its plant to differ from those of the GEIS. Other issues that were not determined generically, and that require a site-specific review, were designated as “Category 2” issues. They are required to be evaluated in the applicant’s ER and SEIS.

Scoping Process and Objectives

The first step in developing an SEIS is to conduct a public scoping process. On August 10, 2021, the NRC published a *Federal Register* (FR) notice describing the scoping process for the Oconee subsequent license renewal application environmental review (86 FR 43684). This notice notified stakeholders about the NRC staff’s intent to prepare a plant-specific supplement to the GEIS and provided the public with an opportunity to participate in the environmental scoping process. The notice invited members of the public to submit written comments by September 9, 2021. In addition to written comments, oral comments were recorded at the public meeting held on August 25, 2021, via Webinar. All comments, both written and oral, were considered in the agency’s scoping process.

The scoping process provided an opportunity for members of the public to propose environmental issues to be addressed in the SEIS and to highlight public concerns and issues. In accordance with 10 CFR 51.29(b), this scoping summary report provides a concise summary of the determinations and conclusions reached as a result of the scoping process. The NRC’s objectives of the scoping process were to:

- Define the proposed action, which is to be the subject of the supplement to the GEIS.
- Gather data on the scope of the supplement to the GEIS and identify the significant issues to be analyzed in depth.

² The NRC’s requirements for an environmental report supporting a license renewal application are found at 10 CFR 51.53(c)(3).

- Identify and eliminate from detailed study those issues that are peripheral or are not significant or were covered by prior environmental review.
- Identify any environmental assessments and other environmental impact statements (EISs) that are being or will be prepared that are related to, but are not part of, the scope of the supplement to the GEIS.
- Identify other environmental review and consultation requirements related to the proposed action.
- Indicate the relationship between the timing of the preparation of the environmental analyses and the Commission's tentative planning and decisionmaking schedule.
- Identify any cooperating agencies and, as appropriate, allocate assignments for preparation and schedules for completing the supplement to the GEIS to the NRC and any cooperating agencies.
- Describe how the supplement to the GEIS will be prepared, including any contractor assistance to be used.

The NRC staff's determinations and conclusions regarding the above objectives are provided in Section D below.

B. List of Commenters

The NRC received comment submissions from six individuals. Table B-1 provides a list of commenters who provided comment submissions (i.e., non-form letter submissions) identified by name, affiliation (if stated), the correspondence identification (ID) number, the comment source, and the ADAMS Accession Number of the source. The staff reviewed the scoping meeting transcript and all written material received to identify individual comments. Each comment was marked with a correspondence ID, a unique identifier consisting of the comment source and a comment number (specified in Table B-1). For example, Comment 3-1 would refer to the first comment from the third comment source. This unique identifier allows each comment to be traced back to the source where the comment was identified.

Table B-1. Individuals Providing Comments During the Scoping Comment Period

Commenter	Affiliation (if stated)	Correspondence ID	Comment Source	ADAMS Accession Number
Acker, Serita	Clemson University	2-3	Meeting Transcript	ML21279A103
Alexander, Thomas	SC House of Representatives	2-1	Meeting Transcript	ML21279A103
Broome, Darryl		2-4	Meeting Transcript	ML21279A103
Johnson, Elizabeth	SC Department of Archives & History	3	Email	ML21264A016
Roper, Ken	Pickens County South Carolina	1	Email	ML21257A296
Snider, Steve	Oconee Nuclear Station	2-2	Meeting Transcript	ML21279A103

Comments were consolidated and categorized according to a resource area or topic. Table B-2 identifies the distribution of comments received by resource area or topic.

Table B-2. Distribution of Comments by Resource Area or Topic

Resource Area/Topic	Number of Comments Received
Historic and Cultural Resources	5
License Renewal Process	3
Support of License Renewal	21

C. Summary of Comments Provided

During the scoping period (86 FR 43684), the NRC received comments that provided input for the SEIS. A summary of those comments is provided in this section. Comments were grouped based on being in scope or out of scope, and comments with similar themes were further subgrouped to capture the resources concerned. Each comment submittal was uniquely identified and when a submittal addressed multiple issues, the submittal was further divided into separate comments with tracking identifiers.

C.1 Comments on the Resource Areas

C.1.1 Historic and Cultural Resources

Comment Summary: The NRC received comments related to historic and cultural resources from one consulting party in response to the NRC's letter initiating National Historic Preservation Act (NHPA) Section 106 consultation and its environmental scoping. The South Carolina State Historic Preservation Office (SHPO) indicated that consulting with the SHPO is not a substitute for consulting with other stakeholders including the Tribal Historic Preservation Offices and other Native American tribes. They also recommended that an evaluation of eligibility for the National Register of Historic Places be conducted for Oconee Nuclear Station as part of the license renewal process.

Comments: (3-1) (3-2)

Comment Summary: A commenter requested that the NRC include impacts to sites of historical significance within a 6-mile radius surrounding the Oconee Nuclear Station site in the Supplemental Environmental Impact Statement (SEIS) rather than limiting the analysis to the Oconee Nuclear Station site. In addition, the commenter would like to know how best to advocate for important cultural and historic sites.

Comments: (1-2) (1-3) (1-6)

C.2 Non-Technical and Comments Outside the Scope of the Environmental Review

C.2.1 Support of License Renewal

Comment Summary: Several commenters expressed general support for nuclear power including license renewal of the Oconee Nuclear Station, Units 1, 2, and 3. The commenters indicate that Oconee Nuclear Station and Duke Energy Carolinas, LLC (a) is a good neighbor,

(b) provides positive socioeconomic impact, (c) is recognized for safe operations, (d) is a good steward of the environment, and (e) provides for a lower carbon emission option.

Comments: (1-1) (2-1-1) (2-1-2) (2-1-3) (2-1-4) (2-1-5) (2-1-6) (2-2-1) (2-2-2) (2-2-3) (2-2-4) (2-2-5) (2-2-6) (2-3-1) (2-3-2) (2-3-3) (2-3-4) (2-4-1) (2-4-2) (2-4-3) (2-4-4)

C.2.2 License Renewal Process

Comment Summary: A commenter expressed concerns related to public participation for the Oconee Nuclear Station, Units 1, 2, and 3 Scoping Meeting. Comments stated that there were date inconsistencies in notifications and lack of notifications to some stakeholders.

Comments: (1-4) (1-5) (1-7)

D. Significant Issues Identified

After the NRC staff delineated and grouped comments according to resource area/topic, the NRC staff determined the significant issues identified during the scoping period which bear on the proposed action or its impacts, in accordance with 10 CFR 51.29. A summary of the significant issues, including each commenter unique identifier, are provided below.

Historic and Cultural Resources:

- A commenter requested that the NRC include impacts to sites of historical significance within a 6-mile radius surrounding the Oconee Nuclear Station site in the SEIS) rather than limiting the analysis to the Oconee Nuclear Station site. (Comments 1-2 and 1-3)
- The South Carolina SHPO indicated that consulting with the SHPO is not a substitute for consulting with other stakeholders, including the Tribal Historic Preservation Offices and other Native American tribes. (Comment 3-1)
- Commenters recommended that an evaluation of eligibility for the National Register of Historic Places be conducted for Oconee Nuclear Station as part of the license renewal process. (Comment 3-2)

E. Determinations and Conclusions

Issues to be Analyzed in the SEIS

The significant issues identified in Section D will be considered in the development of the SEIS. The NRC staff will identify and describe historic and cultural resources that may be impacted by subsequent license renewal in Chapter 3 of the SEIS. The SEIS will discuss cultural resource surveys that have been conducted within the Oconee site boundary. Furthermore, the NRC is conducting Section 106 of the National Historic Preservation Act of 1966 (NHPA) consultation through NEPA in accordance with 36 CFR 800.8(c). The regulations in 36 CFR Part 800, "Protection of historic properties" establish the requirements for the NRC to consult with any Indian Tribe that attaches religious and cultural significance to historic properties that may be affected by a proposed action/undertaking. The NRC will describe its ongoing Section 106 consultation for the Oconee subsequent license renewal in Chapter 3 of the SEIS. The SEIS will also include a description of the historic and cultural resources identified within the area of potential effects in Chapter 3 of the SEIS.

In addition, the NRC staff received a number of comments that were either general in nature or otherwise beyond the scope of the subsequent license renewal environmental review. These

included comments from organizations and individuals in support of the Oconee subsequent license renewal. However, the NRC staff will describe in Chapter 3 of the SEIS the following topics generally mentioned in these comments: impacts to greenhouse gases and the effects of climate change, and the socioeconomic impacts as a result of renewing the Oconee licenses. Comments related to the license renewal process also expressed concerns regarding public participation for the Oconee public scoping meeting and date inconsistencies in notifications regarding the public meeting. However, the NRC will not consider or evaluate any issues in the SEIS which do not pertain to the staff's environmental evaluation or are beyond the scope of the subsequent license renewal review.

Define the Proposed Action

The NRC's proposed action in this instance is to determine whether to renew the Oconee operating licenses for an additional 20 years.

Identification of Related Environmental Assessments and Other Environmental Impact Statements

The NRC staff did not identify any environmental assessments under preparation or soon to be prepared, which relate to, but are not within the scope of, the SEIS. Previously completed EISs will be used in the preparation of the Oconee subsequent license renewal SEIS, as appropriate, including the GEIS and the SEIS for the initial license renewal of Oconee (ADAMS Accession No. [ML003670518](#)).

Other Environmental Review and Consultation Requirements

Concurrent with its NEPA review, the NRC staff is consulting with the U.S. Fish and Wildlife Service (FWS) under Section 7 of the Endangered Species Act of 1973 (ESA) to evaluate the potential impacts of the operation of Oconee for an additional 20 years on endangered and threatened species and their critical habitat. Consistent with 36 CFR 800.8(c), the staff is also consulting with affected Indian Tribes and the South Carolina SHPO to fulfill its Section 106 obligations under the NHPA. Notably, the NRC has initiated consultation with five Federally recognized American Indian Tribes and one State recognized Tribe.

Timing of Agency Action and How the SEIS Will Be Prepared

Upon completion of the scoping process and site audits, completion of its review of Oconee's ER and related documents, and completion of its independent evaluations, the NRC staff will compile its findings in a draft SEIS. The staff will make the draft SEIS available for public comment. Based on the information gathered during this public comment period, the staff will amend the draft SEIS findings, as necessary, and will then publish the final SEIS. In accordance with 10 CFR 51.102 and 10 CFR 51.103 requirements, the NRC will prepare and provide a Record of Decision. Concurrent with, but separate from this environmental review, the staff will document its safety review in a safety evaluation report (SER). The findings in the SEIS and the SER will be considerations in the NRC's decision to issue or deny the subsequent license renewal.

The NRC staff is currently scheduled to reach a decision on the subsequent license renewal by January 2023. The draft and final SEIS will be prepared by the NRC staff with contractor support for document editing and for managing the processing of public comments.

Identification of Cooperating Agencies

No other Federal agencies are participating in the environmental review as a cooperating agency.

Future Opportunities for Public Participation

The NRC staff plans to issue a draft SEIS (DSEIS) for public comment in May 2022. The DSEIS comment period will offer an opportunity for participants, such as the applicant; interested Federal, State, and local government agencies; Tribal governments; local organizations; and members of the public to provide further input to the agency's environmental review process. The DSEIS comments will be considered in the preparation of the final SEIS (FSEIS). Together, the FSEIS and the SER will identify the information considered and the evaluations that the staff performed, and they will provide the basis for the NRC's decision on Duke Energy's application for subsequent renewal of the Oconee operating licenses.