
ADVANCE Act Congressional Report

Public Meeting Will Begin Shortly

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Public Meeting Information:
<https://www.nrc.gov/pmns/mtg?do=details&Code=20241112> or ML24247A101

Meeting Slides: ML24255A788

Call-in information:

- 301-576-2978
- Conference ID: 618 043 263#

ADVANCE Act Congressional Report on Environmental Reviews of Nuclear Reactor Applications (#ADVANCENRC)

September 25, 2024

Lance Rakovan, Senior Environmental
Project Manager

Agenda

- Introductions and Purpose
- Opening Remarks
- NRC Presentation
- Public Comments



Introductions and Purpose

- Lance Rakovan, Congressional Report Lead, Office of Nuclear Material Safety and Safeguards (NMSS)
- Ted Smith, Chief, Environmental Technical Review Branch 2, NMSS
- Chris Reagan, Director, Division of Rulemaking, Environmental, and Financial Support, NMSS

Meeting Logistics

- NRC is actively soliciting input on environmental reviews of nuclear power applications to aid the NRC staff's efforts
- For this virtual meeting, participants are in listen-only mode until the comment session
- No regulatory decisions will be made at today's meeting

U.S. Nuclear Regulatory Commission – An Independent Regulatory Agency

NRC MISSION

We license and regulate U.S. civilian use of radioactive materials, protecting public health and safety, promoting the nation's common defense and security, and protecting the environment

STATUTORY AUTHORITY

- *Atomic Energy Act of 1954*
- *Energy Reorganization Act of 1974 split the Atomic Energy Commission into the NRC and the predecessor of the Energy Department*



**Strategic
Plan
Fiscal Year
2022- 2026**

ADVANCE Act

- On 7/9/2024, the president signed into law the Accelerating Deployment of Versatile, Advanced Nuclear for Clean Energy (ADVANCE) Act – “bipartisan legislation to provide a major boost to the future of nuclear energy in America”
- Section 506 – Modernization of Nuclear Reactor Environmental Reviews

ADVANCE Act Section 506

Under Section 506 of the ADVANCE Act, Congress has directed the NRC with developing a report on the agency's efforts to facilitate efficient, timely, and predictable environmental reviews of nuclear reactor applications under section 103 of the Atomic Energy Act of 1954 ([42 U.S.C. 2133](#)), including expanded use of categorical exclusions, environmental assessments, and generic environmental impact statements

ADVANCE Act Section 506

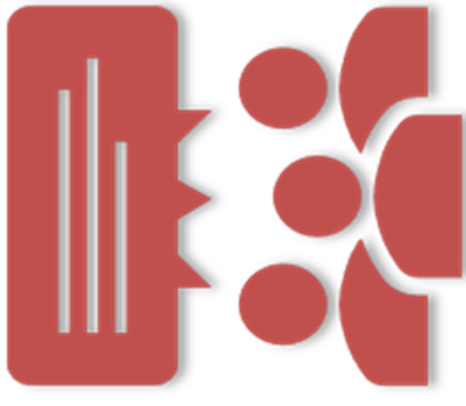
- The scope of the NRC's report will include modernization of environmental reviews for all types of nuclear reactor applications (e.g., advanced reactors, license renewals, power uprate amendments, etc.) but will not include other licensing actions unrelated to AEA Section 103 nuclear reactor applications
- The NRC staff, led by the NRC's Environmental Center of Expertise (ECOE), will leverage the Fiscal Responsibility Act (FRA) amendments to the National Environmental Policy Act (NEPA) and the ADVANCE Act itself to enhance ongoing efforts to improve environmental review cost, timeliness, and predictability

ADVANCE Act Section 506

- Section 506 of the Act contains several items that NRC has been directed to consider as part of its report
- The NRC staff is examining lessons learned from recent environmental reviews across business lines, as well as stakeholder feedback, to achieve efficiencies beyond the new NEPA requirements

Public Participation

- Raise your hand
 - MS Teams: “Raise my hand” button
 - On the phone: press “*5”
- You’ll still need to unmute
 - MS Teams: Unmute button
 - On the phone: press “*6”



Consider...

(A) using, through adoption, incorporation by reference, or other appropriate means, categorical exclusions, environmental assessments, and environmental impact statements prepared by other Federal agencies to streamline environmental reviews of applications described in subsection (a) by the Commission

Consider...

(B) using categorical exclusions, environmental assessments, and environmental impact statements prepared by the Commission to streamline environmental reviews of applications described in subsection (a) by the Commission

Consider...

(C) using mitigated findings of no significant impact in environmental reviews of applications described in subsection (a) by the Commission to reduce the impact of a proposed action to a level that is not significant

Consider...

(D) the extent to which the Commission may rely on prior studies or analyses prepared by Federal, State, and local governmental permitting agencies to streamline environmental reviews of applications described in subsection (a) by the Commission

Consider...

(E) opportunities to coordinate the development of environmental assessments and environmental impact statements with other Federal agencies to avoid duplicative environmental reviews and to streamline environmental reviews of applications described in subsection (a) by the Commission

Consider...

(F) opportunities to streamline formal and informal consultations and coordination with other Federal, State, and local governmental permitting agencies during environmental reviews of applications described in subsection (a) by the Commission

Consider...

(G) opportunities to streamline the Commission's analyses of alternatives, including the Commission's analysis of alternative sites, in environmental reviews of applications described in subsection (a) by the Commission

Consider...

(H) establishing new categorical exclusions that could be applied to actions relating to new applications described in subsection (a)

Consider...

(I) amending section 51.20(b) of title 10, Code of Federal Regulations, to allow the Commission to determine, on a case-specific basis, whether an environmental assessment (rather than an environmental impact statement or supplemental environmental impact statement) is appropriate for a particular application described in subsection (a), including in proceedings in which the Commission relies on a generic environmental impact statement for advanced nuclear reactors

Consider...

(J) authorizing the use of an applicant's environmental impact statement as the Commission's draft environmental impact statement, consistent with section 107(f) of the National Environmental Policy Act of 1969 (42 U.S.C. 4336a(f))

Consider...

(K) opportunities to adopt online and digital technologies, including technologies that would allow applicants and cooperating agencies to upload documents and coordinate with the Commission to edit documents in real time, that would streamline communications between—

- (i) the Commission and applicants; and
- (ii) the Commission and other relevant cooperating agencies; and

Consider...

- (L) in addition to implementing measures under paragraph (3), potential revisions to part 51 of title 10, Code of Federal Regulations, and relevant Commission guidance documents—
 - (i) to facilitate efficient, timely, and predictable environmental reviews of applications described in subsection (a);
 - (ii) to assist decision making about relevant environmental issues;

Consider...

(L) in addition to implementing measures under paragraph (3), potential revisions to part 51 of title 10, Code of Federal Regulations, and relevant Commission guidance documents—

(iii) to maintain openness with the public; (iv) to meet obligations under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(v) to reduce burdens on licensees, applicants, and the Commission; and

Consider...

(3) include a schedule for promulgating a rule for any measures considered by the Commission under subparagraphs (A) through (K) of paragraph (2) that require a rulemaking.

Audio/Technical Issues

Drop off and log back on

Call into Bridge line:

301-576-2978

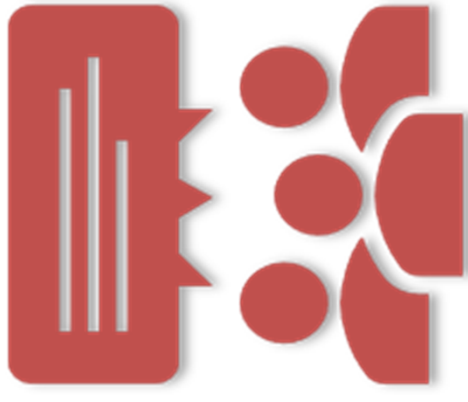
Conference ID: 618 043 263#

In Teams, check your device settings:

Click “More”

Choose “Settings”

Choose “Device Settings”



Next Steps

NRC will

- Issue a meeting summary
- Analyze the input received during this meeting to inform the report to Congress
- Issue the report to Congress by 1/5/2025