

SUPPORTING STATEMENT
FOR INFORMATION COLLECTIONS CONTAINED IN
THE GENERIC ENVIRONMENTAL IMPACT STATEMENT FOR LICENSING OF
NEW NUCLEAR REACTORS FINAL RULE

10 CFR PART 51
ENVIRONMENTAL PROTECTION REGULATIONS FOR DOMESTIC LICENSING AND
RELATED REGULATORY FUNCTIONS

(3150-XXXX)
NEW

DESCRIPTION OF THE INFORMATION COLLECTION

As mandated by the Atomic Energy Act of 1954, as amended, the U.S. Nuclear Regulatory Commission (NRC) is responsible for protecting public health and safety in the civilian use of nuclear power. The NRC Office of Nuclear Reactor Regulation is responsible for ensuring public health and safety through the licensing and inspection of activities at all commercial nuclear power reactor facilities in the United States.

As a Federal agency, the NRC is subject to the National Environmental Policy Act of 1969, as amended (NEPA). The NRC's environmental protection regulations in Title 10 of the *Code of Federal Regulations* (10 CFR) Part 51, "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions," identify the issuance of a nuclear power plant operating license as a major Federal action significantly affecting the quality of the human environment. As such, an environmental impact statement (EIS) is required for a plant license review in accordance with NEPA. To streamline environmental reviews for new nuclear reactors while fulfilling the NRC's responsibilities to protect the environment and comply with NEPA, the NRC has prepared NUREG-2249, "Generic Environmental Impact Statement for Licensing of New Nuclear Reactors" (hereafter referred to as the "NR GEIS"), which has been uploaded as a supplementary document to this submission.

The purpose of the NR GEIS is to present impact analyses for the environmental issues common to many new nuclear reactors that can be addressed generically, thereby eliminating the need to repeatedly reproduce the same analyses each time a licensing application is submitted. Thus, the NR GEIS allows applicants and the NRC staff to focus future environmental review efforts on issues that can only be resolved once a site is identified. The NR GEIS is intended to improve the efficiency of licensing new nuclear reactors by (1) identifying the possible types of environmental impacts of constructing, operating, and decommissioning a new nuclear reactor, (2) assessing impacts that are expected to be generic (the same or similar) for many new nuclear reactors, and (3) defining the environmental issues that will need to be addressed in project-specific supplemental environmental impact statements (SEISs) addressing project-specific information. The NR GEIS will be applicable to new reactor applicants that submit for an early site permit (ESP), limited work authorization (LWA), construction permit (CP), operating license (OL), or combined license (COL).

Category 1 issues are issues that can be resolved generically if the plant and site parameters are met or bounded, while Category 2 issues require a project-specific analysis. The NR GEIS identifies 100 environmental issues as Category 1 issues. Applicants and the NRC staff may rely on the generic analysis for each Category 1 issue, provided that the relevant values and assumptions are met or bounded and there is no new and significant information that changes

the conclusions in the NR GEIS. Category 1 issues may result in time and cost savings, as an applicant can rely on the generic conclusions in the NR GEIS for these issues and would not need to submit detailed information in the environmental report. The NRC's review would be similarly streamlined. The NR GEIS identifies 17 environmental issues as Category 2 issues. These are issues for which a generic finding regarding the environmental impacts cannot be reached because the issue requires the consideration of project-specific information that can only be evaluated once the proposed site is identified. The applicant will present this information in a project-specific environmental report, and the NRC staff will document the impact findings in a SEIS. Because the NR GEIS does not evaluate Category 2 issues, no savings are associated with Category 2 issues.

The NRC's regulations specified in 10 CFR 51.45, "Environmental report," require each applicant to prepare and submit an environmental report containing a description of the proposed action, a statement of its purposes, and a description of the environment affected, and that discusses the following considerations:

1. The impact of the proposed action on the environment. Impacts shall be discussed in proportion to their significance;
2. Any adverse environmental effects which cannot be avoided should the proposal be implemented;
3. Alternatives to the proposed action. The discussion of alternatives shall be sufficiently complete to aid the Commission in developing and exploring, pursuant to section 102(2)(E) of NEPA, "appropriate alternatives to recommended courses of action in any proposal which involves unresolved conflicts concerning alternative uses of available resources." To the extent practicable, the environmental impacts of the proposal and the alternatives should be presented in comparative form;
4. The relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity; and
5. Any irreversible and irretrievable commitments of resources which would be involved in the proposed action should it be implemented.

Executive Order 14173, "Ending Illegal Discrimination and Restoring Merit-Based Opportunity" (90 FR 8633)

Executive Order 14173 was issued on January 21, 2025. This order rescinds various Executive orders, including Executive Order 12898, "Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations," dated February 16, 1994 (59 FR 7629), which called for Federal agencies to address environmental justice in minority populations and low-income populations and directed Federal agencies to identify and address, as appropriate, disproportionately high and adverse health or environmental effects of their programs, policies, and activities on minority and low-income populations. Executive Order 14173 instructs Federal agencies not to issue contracts to private companies that include frameworks for diversity, equity, inclusion, and accessibility.

As a result of the issuance of Executive Order 14173, the two Category 2 issues pertaining to “environmental justice” for construction and operation, which were evaluated in the proposed rule (80797 FR 89; October 4, 2024), were removed from the final rule.

A. JUSTIFICATION

1. Need for and Practical Utility of the Collection of Information

NEPA directs that, to the fullest extent possible: (1) the policies, regulations, and public laws of the United States shall be interpreted and administered in accordance with the policies set forth in NEPA, and (2) all agencies of the Federal government shall comply with the procedures in section 102(2) of NEPA, except where compliance would be inconsistent with other statutory requirements. The regulations in Subpart A of 10 CFR Part 51 implement section 102(2) of NEPA in a manner that is consistent with the NRC’s domestic licensing and related regulatory authority under the Atomic Energy Act; the Energy Reorganization Act of 1974, as amended; the Uranium Mill Tailings Radiation Control Act of 1978; and the Commission’s announced policy to take account of the regulations of the Council of Environmental Quality, published November 29, 1978 (43 FR 55978–56007). To conduct the environmental (NEPA) review of licensing actions, the NRC requires applicants to collect recent environmental information about their nuclear power plants.

The NRC’s regulations specified in 10 CFR 51.45 require each applicant to prepare and submit an environmental report. After accepting the licensing application and environmental report, the NRC would prepare a SEIS to the NR GEIS that would evaluate the environmental impact of project-specific (Category 2) issues along with the consideration of any new and significant information for Category 1 issues (i.e., issues for which a generic analysis is possible) and for any newly identified issues.

The final rule makes the following changes to 10 CFR Part 51:

- adds a new appendix C to subpart A to codify the generic findings in the NR GEIS and state that, on a 10-year cycle, the Commission intends to review the material in this appendix and update if necessary
- revises 10 CFR 51.49, “Environmental report—limited work authorization,” and 10 CFR 51.50, “Environmental report—construction permit, early site permit, or combined license,” to provide the applicant with the option to use the NR GEIS for the preparation of environmental reports for new nuclear reactors.
- revises 10 CFR 51.53, “Postconstruction environmental reports,” to clarify that the NRC’s regulations at 10 CFR Part 52, “Licenses, Certifications, and Approvals for Nuclear Power Plants,” also include license termination provisions
- revises the regulations for the preparation of draft EISs for new nuclear reactors (e.g., 10 CFR 51.75, “Draft environmental impact statement—construction permit, early site permit, or combined license”) and adds a

new section (10 CFR 51.76, “Draft environmental impact statement—limited work authorization”) to provide direction on the preparation of a draft SEIS for an application that makes use of the NR GEIS for a limited work authorization for a new nuclear reactor

- adds a new section, 10 CFR 51.96, “Final supplemental environmental impact statement relying on a generic EIS for licensing new nuclear reactors,” to provide the NRC staff with direction on the preparation of final EISs that reference the NR GEIS

2. Agency Use of Information

The NRC evaluates the information provided in the licensing application and environmental report and prepares a draft SEIS to analyze project-specific issues (Category 2), any new and significant information for generic issues (Category 1), and possibly, any previously unidentified issues. After considering public comments, the NRC prepares and issues a final SEIS. Together, the final SEIS and NR GEIS serve as the requisite NEPA analysis for any given licensing application.

3. Reduction of Burden through Information Technology

The NRC has issued [Guidance for Electronic Submissions to the NRC](#)¹ Revision 10, dated May 30, 2023, which provides direction for the electronic transmission and submittal of documents to the NRC. Electronic transmission and submittal of documents can be accomplished using the following avenues: the electronic submittals application, which is available from the NRC’s “Electronic Submittals” web page; by optical storage media (e.g., CD, DVD); by facsimile; or by email. The electronic submittals application allows electronic transmission of information to the NRC pertaining to licensing actions, associated hearings, and other regulatory matters. The application ensures that information sent to the NRC through the internet is secure and unaltered during transmission. It operates 24 hours a day, except when it is taken down for scheduled maintenance. The application is a secure portal that respondents may use to transmit documents to the NRC.

It is estimated that 100 percent of the new nuclear reactor licensing applications will be submitted to the NRC electronically.

4. Effort to Identify Duplication and Use Similar Information

No sources of similar information are available. There is no duplication of requirements.

¹ <https://www.nrc.gov/site-help/electronic-sub-ref-mat.html>

5. Effort to Reduce Small Business Burden

This information collection does not affect small businesses.

6. Consequences to Federal Program or Policy Activities if the Collection Is Not Conducted or Is Conducted Less Frequently

The environmental information collected by the applicant and included in the environmental report is affected by the final rule addition of a new Appendix C to Subpart A to 10 CFR Part 51. The NRC uses the information provided in the environmental report to assess the environmental impacts that could result from licensing of the new nuclear reactor. The NRC then completes the environmental review and documents the results in a site-specific SEIS, in compliance with NEPA.

Without the information collected as a result of the final addition of a new Appendix C to Subpart A to 10 CFR Part 51, the applicant would be required to submit a full environmental report encompassing all Category 1 and Category 2 issues. This would make it more likely that the NRC would have a more extensive review, which would take longer and could delay the overall completion of a new nuclear reactor licensing review. Delays in the environmental review process likely would increase the information collection and reporting burden because additional time would be required for the applicant to collect and provide missing information to the NRC and for the NRC to conduct supplemental analyses on the additional information provided.

7. Circumstances that Justify Variation from OMB Guidelines

There is no variation from Office of Management and Budget (OMB) guidelines.

8. Consultations Outside the NRC

The proposed rule was published in the *Federal Register* (FR) on October 4, 2024 (89 FR 80797), for a 75-day public comment period. The NRC conducted three public meetings to promote a full understanding of the proposed rule, the NR GEIS, and two associated draft guidance documents to support implementation of the final rule's requirements (draft Regulatory Guide DG-4032, "Preparation of Environmental Reports for Nuclear Power Stations," and interim staff guidance COL-ISG-030, "Environmental Considerations Associated with New Nuclear Reactor Applications that Reference the Generic Environmental Impact Statement (NUREG-2249)—Interim Staff Guidance"). These meetings were conducted as follows: an in-person public meeting held on November 11, 2024, at NRC Headquarters in Rockville, Maryland, and two virtual public meetings held as online webinars on November 13 and 14, 2024. The NRC received 39 comment submissions during the public comment period, which ended on December 18, 2024. These submissions contained 208 unique comments received during the comment period and the three public meetings.

Additionally, the staff conducted an informational meeting with federally recognized Tribes on December 3, 2024, to provide Tribal representatives with an opportunity to discuss the rule with the staff.

Public comments on the proposed rule resulted in a categorization change to one item under the environmental issue, “Postulated Accidents,” and a corresponding change to the information collection. Under the proposed rule, “Postulated Accidents” contained the Category 2 issue “Severe Accidents” and the Category 1 issue “Severe Accident Mitigation Design Alternatives.” In response to the public comments, “Severe Accidents” was reclassified as a Category 1 issue and combined with “Severe Accident Mitigation Design Alternatives.” In doing so, the information collection burden for severe accidents was reduced for both the applicant for a new nuclear reactor and the NRC. Appendix E to the NR GEIS contains the public comments and the NRC responses and has been uploaded to the Regulatory Information Service Center/OIRA Combined Information System (ROCIS) as a supplementary document.

In addition, effective April 30, 2025, the NRC withdrew its “Policy Statement on the Treatment of Environmental Justice Matters in NRC Regulatory and Licensing Actions” and its Environmental Justice Strategy (90 FR 17887). This action was taken in response to Executive Order 14173, which rescinded Executive Order 12898. Therefore, the NRC will no longer consider environmental justice as an issue needing to be addressed in new reactor environmental reviews and has removed the two environmental justice Category 2 issues previously identified in the proposed rule and draft GEIS. The information collection burden is not expected to change significantly as a result of this change from proposed to final rule.

9. Payment or Gift to Respondents

Not applicable.

10. Confidentiality of the Information

Confidential and proprietary information is protected in accordance with NRC regulations at 10 CFR 9.17(a) and 10 CFR 2.390(b). Information considered confidential or proprietary is not typically requested.

11. Justification for Sensitive Questions

Not applicable.

12. Estimated Industry Burden and Burden Hour Cost

The NRC estimates that it will receive 20 new nuclear reactor applications during the 3-year clearance period, or an average of 6.7 applications annually. The NR GEIS will apply to new reactor applicants that submit for an ESP, LWA, CP, OL, or COL.

The final rule would require an applicant for a new nuclear reactor to submit an environmental report addressing all issues, encompassing both Category 1 and Category 2 issues. The current regulations estimate a total burden of 15,000 hours for the applicant to develop an environmental report.

The cost reduction for industry is based on potential simplifications in the environmental report that an applicant must submit to the NRC associated with a new nuclear reactor licensing application. The applicant's environmental report must assess the environmental impacts of constructing and operating a new nuclear reactor and of alternatives that meet the purpose and need. The applicant is not required to assess the environmental impacts of NR GEIS Category 1 issues (i.e., issues for which a generic analysis is possible) if (1) the applicant has demonstrated that its project is bounded by the applicable nuclear power plant parameter envelope and site parameter envelope values and assumptions, and (2) the applicant has not identified any new and significant information that would change the conclusions in the NR GEIS. If a value or assumption is not met or bounded, then the applicant may be able to limit its analysis to just the impact of not meeting the value or assumption. Similarly, if the applicant identifies new and significant information that would change the conclusions in this NR GEIS, then the applicant may be able to limit its analysis to just the impact of the new and significant information. The new regulations would reduce burden on applicants by 8,028 hours per application for the environmental report.

The final rule is estimated to reduce the burden by 8,028 hours per environmental report submitted (15,000 hours under current regulations, reduced to 6,972 hours for a submission using the NR GEIS). During the clearance period, the final rule is estimated to reduce the burden by 53,788 hours (a reduction of 8,028 hours x 6.7 applications), or \$8,283,352 annually (53,788 hours x \$154 per hour).

The NRC's average labor rate of \$154 per hour for FY 2026 was used to calculate burden costs to the public because it aligns with 2024 Bureau of Labor Statistics data showing comparable hourly mean wages across five key occupational groups (executives, management, technical staff, licensing staff, and physicists) within the nuclear industry.

In addition, the clarifying change to 10 CFR 51.53, "Postconstruction environmental reports," which cross-references license termination provisions under 10 CFR 52.110, "Termination of license," will not result in a change in burden. Burdens associated with environmental report submissions under 10 CFR 51.53 have previously been captured under this clearance (3150-0021).

13. Estimate of Other Additional Costs

There are no additional costs.

14. Estimated Annualized Cost to the Federal Government

The NRC staff has developed estimates of annualized costs to the Federal Government related to the conduct of this collection of information. The NR GEIS will decrease the estimated cost to the NRC to review the environmental report submitted as part of a new nuclear reactor licensing application and conduct the environmental review. These estimates are based on NRC staff experience and subject-matter expertise and include the burden needed to review, analyze, and process the collected information and any relevant operational expenses. The

NR GEIS will be applicable to new reactor applicants that submit for an ESP, LWA, CP, OL, or COL.

The current regulations estimate a total burden of 15,000 hours for the NRC to complete the environmental review for a new nuclear reactor. The final rule would reduce NRC staff review time by an estimated 7,409 hours for the environmental review, to a total of 7,591 per review.

This cost reduction is the result of the NRC staff using the NR GEIS to streamline environmental reviews by referring to the generic analyses in the NR GEIS whenever possible and focusing its review efforts on environmental issues for which project-specific information needs to be considered to ascertain the potential for significant environmental impacts. Upon receipt of specific new nuclear reactor licensing applications, the NRC will prepare SEISs tiered from the NR GEIS, in accordance with the associated rule, that briefly identify the environmental issues that can be addressed through the NR GEIS. The remaining issues will then be covered in more detail using project-specific information.

The NRC expects that use of the NR GEIS along with the SEIS will reduce the time and resources needed to complete environmental reviews, while still providing decision-makers and the public with a complete and robust analysis of potential environmental impacts, meeting all NEPA requirements. The estimate above assumes that all Category 1 issues apply to the new nuclear reactor proposed for licensing.

The final rule is estimated to reduce burden by 7,409 hours per review, or 49,640 hours annually during the clearance period (7,409 hours x 6.7 applications)—a reduction of \$7,644,560 (49,640 hours x \$154 per hour).

15. Reasons for Change in Burden

Burden for 10 CFR Part 51 information collection will be reduced by 53,788 hours. The NR GEIS and associated rulemaking incorporate text to improve the effectiveness and efficiency of the environmental review for new nuclear reactor applications by codifying the NR GEIS findings in Table C-1 in Appendix C to Subpart A of 10 CFR Part 51. Improving the effectiveness and efficiency of new nuclear reactor environmental reviews will reduce the cost to industry in preparing environmental reports for new nuclear reactor applications and focuses resources on project-specific analyses.

16. Publication for Statistical Use

None.

17. Reason for Not Displaying the Expiration Date

The reporting requirements for this information collection are associated with regulations and are not submitted on instruments such as forms or surveys. For this reason, there are no data instruments on which to display an OMB expiration date. Further, amending the regulatory text of the CFR to display information

that, in an annual publication, could become obsolete would be unduly burdensome and too difficult to keep current.

18. Exceptions to the Certification Statement

None.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

Not applicable.

Table 1. 10 CFR Part 51 Guidance Documents

Title	Agencywide Documents Access and Management System (ADAMS) Accession Number
Regulatory Guide 4.2, Revision 4, Preparation of Environmental Reports for Nuclear Power Stations	ML25043A345
Interim Staff Guidance, COL-ISG-030, Environmental Considerations Associated with New Nuclear Reactor Applications that Reference the Generic Environmental Impact Statement (NUREG-2249)	ML25043A341
NUREG 2249, Generic Environmental Impact Statement for Licensing of New Nuclear Reactors	ML25324A130