



## **NUCLEAR REGULATORY COMMISSION**

**[NRC-2023-0123]**

### **Environmental Assessment and Finding of No Significant Impact of Independent Spent Fuel Storage Facilities Decommissioning Funding Plans**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Environmental assessment and finding of no significant impact; issuance.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) is publishing this notice regarding the issuance of a final environmental assessment (EA) and a finding of no significant impact (FONSI) for its review and approval of the updated decommissioning funding plans (DFPs) submitted by independent spent fuel storage installation (ISFSI) licensees for the ISFSIs listed in the “Discussion” section of this document.

**DATES:** The EA and FONSI referenced in this document are available on **[INSERT DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]**.

**ADDRESSES:** Please refer to Docket ID **NRC-2023-0123** when contacting the NRC about the availability of information regarding this document. You may obtain publicly available information related to this document using any of the following methods:

- **Federal Rulemaking Website:** Go to <https://www.regulations.gov> and search for Docket ID **NRC-2023-0123**. Address questions about Docket IDs in Regulations.gov to Stacy Schumann; telephone: 301-415-0624; email: [Stacy.Schumann@nrc.gov](mailto:Stacy.Schumann@nrc.gov). For technical questions, contact the individual listed in the “For Further Information Contact” section of this document.

- **NRC’s Agencywide Documents Access and Management System**

**(ADAMS):** You may obtain publicly available documents online in the ADAMS Public Documents collection at <https://www.nrc.gov/reading-rm/adams.html>. To begin the search, select “Begin Web-based ADAMS Search.” For problems with ADAMS, please contact the NRC’s Public Document Room (PDR) reference staff at 1-800-397-4209, at 301-415-4737, or by email to [PDR.Resource@nrc.gov](mailto:PDR.Resource@nrc.gov). The ADAMS accession number

for each document referenced (if it is available in ADAMS) is provided the first time that it is mentioned in this document.

- **NRC's PDR:** The PDR, where you may examine and order copies of publicly available documents, is open by appointment. To make an appointment to visit the PDR, please send an email to [PDR.Resource@nrc.gov](mailto:PDR.Resource@nrc.gov) or call 1-800-397-4209 or 301-415-4737, between 8 a.m. and 4 p.m. eastern time (ET), Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Tilda Liu, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 404-997-4730; email: [Tilda.Liu@nrc.gov](mailto:Tilda.Liu@nrc.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Introduction**

The NRC is considering the approval of the updated DFPs submitted by ISFSI licensees. The NRC staff has prepared a final EA and FONSI determination for each of the updated ISFSI DFPs in accordance with the NRC regulations in part 51 of title 10 of the *Code of Federal Regulations* (10 CFR), "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions," which implement the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 et seq.).

The NRC requires its licensees to plan for the eventual decommissioning of their licensed facilities prior to license termination. On June 17, 2011, the NRC published a final rule in the *Federal Register* amending its decommissioning planning regulations (76 FR 35511). The final rule amended the NRC regulation, 10 CFR 72.30, which concerns financial assurance and decommissioning for ISFSIs. This regulation requires each holder of, or applicant for, a license under 10 CFR part 72 to submit a DFP for the NRC's review and approval. The DFP is to demonstrate the licensee's financial assurance, i.e., that funds will be available to decommission the ISFSI. The NRC staff will later publish its financial analyses of the DFP submittals which will be available for public inspection in ADAMS.

## II. Discussion

The table in this notice includes the plant name, docket number, licensee, and ADAMS accession number for the final EA and FONSI determination for each of the individual ISFSIs. The table also includes the ADAMS accession numbers for other relevant documents, including the updated DFP submittals. For further details with respect to these actions, see the NRC staff's final EA and FONSI determinations which are available for public inspection in ADAMS and at <https://www.regulations.gov> under Docket ID **NRC-2023-0123**. For additional direction on accessing information related to this document, see the "ADDRESSES" section of this document.

### Finding of No Significant Impact

<b>Facility</b>	<b>Joseph M. Farley Nuclear Plant</b>
Docket No.	72-42
Licensee	Southern Nuclear Operating Company (SNC)
Proposed Action	The NRC's review and approval of SNC's updated DFPs submitted in accordance with 10 CFR 72.30(c).
Environmental Impact of Proposed Action	The NRC staff has determined that the proposed action, the review and approval of SNC's updated DFPs, submitted in accordance with 10 CFR 72.30(c), will not authorize changes to licensed operations or maintenance activities, or result in changes in the types, characteristics, or quantities of radiological or non-radiological effluents released into the environment from the ISFSI, or result in the creation of solid waste. Moreover, the approval of the updated DFPs will not authorize any construction activity, facility modification, or other land-disturbing activity. The NRC staff has concluded that the proposed action is a procedural and administrative action that will not have a significant impact on the environment.
Finding of No Significant Impact	The proposed action does not require changes to the ISFSI's licensed routine operations, maintenance activities, or monitoring programs, nor does it require new construction or land-disturbing activities. The scope of the proposed action concerns only the NRC's review and approval of SNC's updated DFPs. The scope of the proposed action does not include, and will not result in, the review and approval of decontamination or decommissioning activities or license termination for the

	<p>ISFSI or for other parts of the Joseph M. Farley Nuclear Plant. Therefore, the NRC staff determined that approval of the updated DFPs for the Joseph M. Farley Nuclear Plant ISFSI will not significantly affect the quality of the human environment, and accordingly, the staff has concluded that a FONSI is appropriate. The NRC staff further finds that preparation of an environmental impact statement is not required.</p>
<p>Available Documents</p>	<p><i>Federal Register</i> notice. Final Rule “Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions and Related Conforming Amendments,” dated March 12, 1984 (49 FR 9381).</p> <p><i>Federal Register</i> notice. Final Rule “Decommissioning Planning,” dated June 17, 2011 (76 FR 35512).</p> <p><i>Federal Register</i> notice. Environmental Assessments and Findings of no Significant Impact of Independent Spent Fuel Storage Facilities Decommissioning Funding Plans, dated May 20, 2021 (86 FR 27485).</p> <p>Alabama Emergency Management Agency. “Review of the Draft Environmental Assessment and Finding of No Significant Impact for the Farley Nuclear Plant Units 1 and 2 Independent Spent Fuel Storage Installation Decommissioning Funding Plan,” dated March 18, 2021 (ADAMS Accession No. ML21081A039).</p> <p>U.S. Nuclear Regulatory Commission. 2003/08/31-NUREG–1748, “Environmental Review Guidance for Licensing Actions Associated with NMSS Programs, Final Report.” August 2003 (ADAMS Accession No. ML032540811).</p> <p>U.S. Nuclear Regulatory Commission. “Environmental Assessment re: Final Rule: Decommissioning Planning” (10 CFR parts 20, 30, 40, 50, 70, and 72; RIN 3150-AI55). February 2009 (ADAMS Accession No. ML090500648)</p> <p>U.S. Nuclear Regulatory Commission. ESA Section 7 No Effect Determination for ISFSI DFP Reviews (Note to File), dated May 15, 2017 (ADAMS Accession No. ML17135A062).</p> <p>U.S. Nuclear Regulatory Commission. “Review of the Draft Environmental Assessment and Finding of No Significant Impact for the Farley Nuclear Plant Units 1 and 2 Independent Spent Fuel Storage Installation Decommissioning Funding Plan,” dated March 9, 2021 (ADAMS Accession No. ML21057A252).</p> <p>U.S. Nuclear Regulatory Commission. “Final Environmental Assessment and Finding of No Significant Impact for the Southern Nuclear Operating Company, Inc’s Initial Decommissioning Funding Plan Submitted in Accordance with 10 CFR 72.30 for Farley Independent</p>

	<p>Spent Fuel Storage Installation,” dated May 10, 2021 (ADAMS Package Accession No. ML21085A675).</p> <p>U.S. Nuclear Regulatory Commission. “Analysis of Southern Nuclear Operating Company, Inc’s Initial Decommissioning Funding Plans for the Farley, Hatch, and Vogtle Independent Spent Fuel Storage Installations,” dated May 20, 2021 (ADAMS Accession No. ML21089A241).</p> <p>U.S. Nuclear Regulatory Commission. “Review of the Draft Environmental Assessment and Finding of No Significant Impact Related to Farley Independent Spent Fuel Storage Installation Updated Decommissioning Funding Plans.” dated May 18, 2023 (ADAMS Accession No. ML23116A133, non-public, withheld pursuant to 10 CFR 2.390).</p> <p>Southern Nuclear Operating Company. ISFSI Decommissioning Funding Plan, dated March 31, 2014 (ADAMS Accession No. ML14091A008).</p> <p>Southern Nuclear Operating Company. ISFSI Decommissioning Funding Plan Triennial Update, dated March 30, 2017 (ADAMS Accession No. ML17089A520).</p> <p>Southern Nuclear Operating Company. ISFSI Decommissioning Funding Plan Triennial Update, dated March 31, 2020 (ADAMS Accession No. ML20091K821).</p> <p>Southern Nuclear Operating Company. ISFSI Decommissioning Funding Plan Triennial Update, dated March 29, 2023 (ADAMS Accession No. ML23088A173).</p>
<b>Facility</b>	<b>Edward I. Hatch Nuclear Plant</b>
Docket No.	72-36
Licensee	Southern Nuclear Operating Company (SNC)
Proposed Action	The NRC’s review and approval of SNC’s updated DFPs submitted in accordance with 10 CFR 72.30(c).
Environmental Impact of Proposed Action	The NRC staff has determined that the proposed action, the review and approval of SNC’s updated DFPs, submitted in accordance with 10 CFR 72.30(c), will not authorize changes to licensed operations or maintenance activities, or result in changes in the types, characteristics, or quantities of radiological or non-radiological effluents released into the environment from the ISFSI, or result in the creation of solid waste. Moreover, the approval of the updated DFPs will not authorize any construction activity, facility modification, or other land-disturbing activity. The NRC staff has concluded that the proposed action is a procedural and administrative action that will not have a significant impact on the environment.

<p>Finding of No Significant Impact</p>	<p>The proposed action does not require changes to the ISFSI's licensed routine operations, maintenance activities, or monitoring programs, nor does it require new construction or land-disturbing activities. The scope of the proposed action concerns only the NRC's review and approval of SNC's updated DFPs. The scope of the proposed action does not include, and will not result in, the review and approval of decontamination or decommissioning activities or license termination for the ISFSI or for other parts of the Edward I. Hatch Nuclear Plant. Therefore, the NRC staff determined that approval of the updated DFPs for the Edward I. Hatch Nuclear Plant ISFSI will not significantly affect the quality of the human environment, and accordingly, the staff has concluded that a FONSI is appropriate. The NRC staff further finds that preparation of an environmental impact statement is not required.</p>
<p>Available Documents</p>	<p><i>Federal Register</i> notice. Final Rule "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions and Related Conforming Amendments," dated March 12, 1984 (49 FR 9381).</p> <p><i>Federal Register</i> notice. Final Rule "Decommissioning Planning," dated June 17, 2011 (76 FR 35512).</p> <p><i>Federal Register</i> notice. Environmental Assessments and Findings of no Significant Impact of Independent Spent Fuel Storage Facilities Decommissioning Funding Plans, dated May 20, 2021 (86 FR 27485).</p> <p>U.S. Nuclear Regulatory Commission. 2003/08/31-NUREG-1748, "Environmental Review Guidance for Licensing Actions Associated with NMSS Programs, Final Report." August 2003 (ADAMS Accession No. ML032540811).</p> <p>U.S. Nuclear Regulatory Commission. "Environmental Assessment re: Final Rule: Decommissioning Planning" (10 CFR parts 20, 30, 40, 50, 70, and 72; RIN 3150-AI55). February 2009 (ADAMS Accession No. ML090500648)</p> <p>U.S. Nuclear Regulatory Commission. ESA Section 7 No Effect Determination for ISFSI DFP Reviews (Note to File), dated May 15, 2017 (ADAMS Accession No. ML17135A062).</p> <p>U.S. Nuclear Regulatory Commission. "Review of the Draft Environmental Assessment and Finding of No Significant Impact for the Hatch and Vogtle Independent Spent Fuel Storage Installation Decommissioning Funding Plans," dated March 9, 2021 (ADAMS Accession No. ML21057A315).</p> <p>U.S. Nuclear Regulatory Commission. "Final Environmental Assessment and Finding of No Significant</p>

	<p>Impact for the Southern Nuclear Operating Company, Inc's Initial Decommissioning Funding Plan Submitted in Accordance with 10 CFR 72.30 for Hatch Independent Spent Fuel Storage Installation," dated May 10, 2021 (ADAMS Package Accession No. ML21085A829).</p> <p>U.S. Nuclear Regulatory Commission. "Analysis of Southern Nuclear Operating Company, Inc's Initial Decommissioning Funding Plans for the Farley, Hatch, and Vogtle Independent Spent Fuel Storage Installations," dated May 20, 2021 (ADAMS Accession No. ML21089A241).</p> <p>U.S. Nuclear Regulatory Commission. "Review of the Draft Environmental Assessment and Finding of No Significant Impact Related to Hatch and Vogtle Independent Spent Fuel Storage Installation Updated Decommissioning Funding Plans," dated May 14, 2023 (ADAMS Accession No. ML23114A236)</p> <p>Southern Nuclear Operating Company. ISFSI Decommissioning Funding Plan, dated March 31, 2014 (ADAMS Accession No. ML14091A008).</p> <p>Southern Nuclear Operating Company. ISFSI Decommissioning Funding Plan Triennial Update, dated March 30, 2017 (ADAMS Accession No. ML17089A520).</p> <p>Southern Nuclear Operating Company. ISFSI Decommissioning Funding Plan Triennial Update, dated March 31, 2020 (ADAMS Accession No. ML20091K821).</p> <p>Southern Nuclear Operating Company. ISFSI Decommissioning Funding Plan Triennial Update, dated March 29, 2023 (ADAMS Accession No. ML23088A173).</p>
<b>Facility</b>	<b>Vogtle Electric Generating Plant</b>
Docket No.	72-1039
Licensee	Southern Nuclear Operating Company (SNC)
Proposed Action	The NRC's review and approval of SNC's updated DFPs submitted in accordance with 10 CFR 72.30(c).
Environmental Impact of Proposed Action	The NRC staff has determined that the proposed action, the review and approval of SNC's updated DFPs, submitted in accordance with 10 CFR 72.30(c), will not authorize changes to licensed operations or maintenance activities, or result in changes in the types, characteristics, or quantities of radiological or non-radiological effluents released into the environment from the ISFSI, or result in the creation of solid waste. Moreover, the approval of the updated DFPs will not authorize any construction activity, facility modification, or other land-disturbing activity. The NRC staff has concluded that the proposed action is a

	procedural and administrative action that will not have a significant impact on the environment.
Finding of No Significant Impact	<p>The proposed action does not require changes to the ISFSI's licensed routine operations, maintenance activities, or monitoring programs, nor does it require new construction or land-disturbing activities. The scope of the proposed action concerns only the NRC's review and approval of SNC's updated DFPs. The scope of the proposed action does not include, and will not result in, the review and approval of decontamination or decommissioning activities or license termination for the ISFSI or for other parts of the Vogtle Electric Generating Plant. Therefore, the NRC staff determined that approval of the updated DFPs for the Vogtle Electric Generating Plant ISFSI will not significantly affect the quality of the human environment, and accordingly, the staff has concluded that a FONSI is appropriate. The NRC staff further finds that preparation of an environmental impact statement is not required.</p>
Available Documents	<p><i>Federal Register</i> notice. Final Rule "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions and Related Conforming Amendments," dated March 12, 1984 (49 FR 9381).</p> <p><i>Federal Register</i> notice. Final Rule "Decommissioning Planning," dated June 17, 2011 (76 FR 35512).</p> <p><i>Federal Register</i> notice. Environmental Assessments and Findings of no Significant Impact of Independent Spent Fuel Storage Facilities Decommissioning Funding Plans, dated May 20, 2021 (86 FR 27485).</p> <p>U.S. Nuclear Regulatory Commission. 2003/08/31-NUREG-1748, "Environmental Review Guidance for Licensing Actions Associated with NMSS Programs, Final Report." August 2003 (ADAMS Accession No. ML032540811).</p> <p>U.S. Nuclear Regulatory Commission. "Environmental Assessment re: Final Rule: Decommissioning Planning" (10 CFR parts 20, 30, 40, 50, 70, and 72; RIN 3150-AI55). February 2009 (ADAMS Accession No. ML090500648).</p> <p>U.S. Nuclear Regulatory Commission. ESA Section 7 No Effect Determination for ISFSI DFP Reviews (Note to File), dated May 15, 2017 (ADAMS Accession No. ML17135A062).</p> <p>U.S. Nuclear Regulatory Commission. "Review of the Draft Environmental Assessment and Finding of No Significant Impact for the Hatch and Vogtle Independent Spent Fuel Storage Installation Decommissioning Funding Plans,"</p>

	<p>dated March 9, 2021 (ADAMS Accession No. ML21057A315).</p> <p>U.S. Nuclear Regulatory Commission. "Final Environmental Assessment and Finding of No Significant Impact for the Southern Nuclear Operating Company, Inc's Initial Decommissioning Funding Plan Submitted in Accordance with 10 CFR 72.30 for Vogtle Independent Spent Fuel Storage Installation," dated May 10, 2021 (ADAMS Package Accession No. ML21089A221).</p> <p>U.S. Nuclear Regulatory Commission. "Analysis of Southern Nuclear Operating Company, Inc's Initial Decommissioning Funding Plans for the Farley, Hatch, and Vogtle Independent Spent Fuel Storage Installations," dated May 20, 2021 (ADAMS Accession No. ML21089A241).</p> <p>U.S. Nuclear Regulatory Commission. "Review of the Draft Environmental Assessment and Finding of No Significant Impact Related to Hatch and Vogtle Independent Spent Fuel Storage Installation Updated Decommissioning Funding Plans," dated May 14, 2023 (ADAMS Accession No. ML23114A236).</p> <p>Southern Nuclear Operating Company. ISFSI Decommissioning Funding Plan, dated March 31, 2014 (ADAMS Accession No. ML14091A008).</p> <p>Southern Nuclear Operating Company. ISFSI Decommissioning Funding Plan Triennial Update, dated March 30, 2017 (ADAMS Accession No. ML17089A520).</p> <p>Southern Nuclear Operating Company. ISFSI Decommissioning Funding Plan Triennial Update, dated March 31, 2020 (ADAMS Accession No. ML20091K821).</p> <p>Southern Nuclear Operating Company. ISFSI Decommissioning Funding Plan Triennial Update, dated March 29, 2023 (ADAMS Accession No. ML23088A173).</p>
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Dated: July 20, 2023.

For the Nuclear Regulatory Commission.

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