§ 51.80  Draft environmental impact statement—materials license.

(a) The NRC staff will either prepare a draft environmental impact statement or as provided in §51.92, a supplement to a final environmental impact statement for each type of action identified in §51.20(b) (7) through (12). Except as the context may otherwise require, procedures and measures similar to those described in §§51.70, 51.71, 51.72 and 51.73 will be followed.

(b)(1) Independent spent fuel storage installation (ISFSI). Unless otherwise determined by the Commission and in accordance with the generic determination in §51.23(a) and the provisions of §51.23(b), a draft environmental impact statement on the issuance of an initial license for storage of spent fuel at an independent spent fuel storage installation (ISFSI) or any amendment thereto, will address environmental impacts of spent fuel only for the term of the license or amendment applied for.

(2) Monitored retrievable storage installation (MRS). As provided in sections 141 (c), (d), and (e) and 148 (a) and (c) of the Nuclear Waste Policy Act of 1982, as amended (NWPA) (96 Stat. 2242, 2243, 42 U.S.C. 10161 (c), (d), (e); 101 Stat. 1330–235, 1330–236, 42 U.S.C. 10168 (a) and (c)), a draft environmental impact statement for the construction of a monitored retrievable storage installation (MRS) will not address the need for the MRS or any alternative to the design criteria for an MRS set forth in section 141(b)(1) of the NWPA (96 Stat. 2242, 42 U.S.C. 10161(b)(1)) but may consider alternative facility designs which are consistent with these design criteria.


§ 51.81  Distribution of draft environmental impact statement.

Copies of the draft environmental impact statement and any supplement to the draft environmental impact statement will be distributed in accordance with the provisions of §51.74.

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