1. FPISC Best Practice Implementation

While the Permitting Council does not require an implementation narrative for each BP category, the Council encourages each member agency to highlight its successes and challenges for each category. This can be in the form of identifying positive outcomes from implementation of a BP during FY 2020 or from identifying where a BP did not prevent the issue it was intended to prevent and how the agency or Permitting Council may want to consider addressing that. The specific BPs to be reported on are listed in the table below. For FY 2020, a "Unique to Agency" BP has been added for each BP category to ensure agencies can report on their experiences within the BP framework.

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Category i. Enhancing early stakeholder engagement, including fully considering and, as appropriate, incorporating recommendations provided in public comments on any proposed covered project	*Unique to Agency (?)*	Advanced Reactor Generic Environmental Impact Statement After collecting public and stakeholder comments during an exploratory process in early FY2020 on the potential environmental impacts of advanced nuclear reactor facilities, the NRC initiated development of a "generic environmental impact statement," or GEIS, for advanced reactors (84 FR 62559). The advanced nuclear reactors GEIS would determine which environmental issues could be generically analyzed to determine the environmental impact, rather than reviewing all of the environmental issues during the NEPA review for each application. The GEIS would help to streamline future advanced reactor reviews. Although dependent on different technologies, advanced reactor designs share similarities that may lead to standard conclusions about certain environmental impacts that will be captured in the GEIS. The NRC announced its intent (85 FR 24040) to develop an ANR GEIS and conduct scoping. On May 28, 2020, the NRC held a public webinar to gather feedback from the public, industry representatives, and Federal agencies for consideration in the ANR GEIS development. After the staff reviewed and dispositioned comments, a scoping summary report was issued. The advanced reactor GEIS development is a key action aligned with the permit streamlining objectives of FAST-41 and EO 13807.
Category i. Enhancing early stakeholder engagement, including fully considering and, as appropriate, incorporating recommendations provided in public comments on any proposed covered project	*BP i.1 The agency should establish and implement or utilize one or more approaches for proactively engaging stakeholders, before required by statute or regulation, to initiate dialogue on early identification of potential issues. The agency may, but is not required to, use past*	Advanced Reactor Stakeholder Meetings During FY2020, NRC continued to conduct a series of public meetings for advanced reactor stakeholders to gather input on potential regulatory process improvements for advanced reactor designs and to discuss regulatory and technical issues related to the review of these new designs and siting considerations. In FY2020, NRC held seven stakeholder meetings with the public, industry representatives, and federal agencies. For each meeting, NRC posts the meeting information and presentation materials on its public website (12/12/2019, 2/20/2020, 4/2/2020, 5/7/2020, 6/18/2020, 8/25/2020, 9/24/2020) so the information is accessible and remains available to stakeholders. During the public meetings, NRC presented information on the agency's preparation for environmental reviews and permitting process while seeking stakeholder comments. As described in these meetings, NRC's strategy for streamlining reviews included developing Interim Staff Guidance for the environmental review of micro-reactors (85 FR 11127), leveraging existing environmental guidance

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	experience to develop an initial list of stakeholder contacts. Agencies should solicit involvement of other agencies in the early stakeholder engagement as appropriate and allowed by applicable laws and regulations.	documents, considering the small reactor footprints relative to resource area impacts, and seeking input from industry to improve pre-application interactions. NRC maintains a public webpage describing its vision and strategy, implementation action plans, and overview of permitting and regulatory activities associated with these new technologies.
Category i. Enhancing early stakeholder engagement, including fully considering and, as appropriate, incorporating recommendations provided in public comments on any proposed covered project	*BP i.2 The agency should utilize or establish pre-application/pre-official review processes to allow project sponsors/applicants the opportunity to provide/communicate project-specific information to the agency and relevant other Federal agencies, Tribes, involved State agencies, and relevant local government entities prior to initiation of official review processes (e.g., submission of application or other initiation of the ERAs).*	NRR-LIC-116, "Pre-application Readiness Assessment" During FY2020, the NRC staff developed guidance (NRR-LIC-116, "Pre-application Readiness Assessment") on readiness assessments via an Office Instruction (OI). The OI provides guidance to NRC staff for conducting readiness assessments which gives potential applicants the opportunity for staff to review a draft of any deficiencies their application and address and information gaps prior to its submission. This process allows the NRC staff to become familiar with the content of the application, particularly in areas where applicants plan to propose new concepts or novel design features, and to identify areas where further dialog with the applicant would reduce resource effort and benefit the scheduling timeline. This facilitates project planning and provides for more efficient NRC staff reviews. LIC-116 emphasizes the importance of considering other environmental permits, authorizations and consultations required for the project/action and, alerts applicants to the available NRC-endorsed industry guidance on this issue, "Nuclear Energy Institute 10-07, "Industry Guideline for Effective Pre-Application Interactions with Agencies Other Than NRC During the Early Site Permit Process, " issued in January 2013. Publicly available, NRR-LIC-116 replaces NRO-REG-104, "Pre-application Readiness Assessment" and clarifies how the process applies to environmental reviews.
Category ii. Ensuring timely decisions regarding environmental reviews and	*BP ii.1 Develop and/or use ERA process templates, application*	NRC's Public Webpage for NEPA Processes During FY2020 NRC updated NEPA process information on its public website related to the implementation of NEPA at the NRC through its regulations in 10 CFR Part 51. The update

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authorizations, including through the development of performance metrics	*forms, flow charts, and/or checklists to assist the project sponsor/applicant with providing the required information in a timely manner.*	includes a description of NRC's recently formed Environmental Center of Expertise (EnvCOE) which centralizes the NRC staff's environmental reviews to enhance consistency, transparency, and predictability of review schedules in support of NRC regulatory and licensing actions. The EnvCOE is led by the NRC's CERPO. The EnvCOE is currently working on streamlining activities to enhance transparency. The NEPA process website provides lists of NRC NUREG guidance documents for NEPA reviews, information on the type of NEPA reviews at the NRC, and information on the types of environmental consultations that are typically performed by NRC's environmental staff.
Category iii. Improving coordination between Federal and non-Federal governmental entities, including through the development of common data standards and terminology across agencies	*BP iii.1 Develop or utilize mutually acceptable standards and protocols with Federally Recognized Indian Tribes for the identification and treatment of resources that might be affected by infrastructure projects.*	Tribal Interactions During FY 2020, NRC staff revised the NRC's Tribal leader and Tribal Historic Preservation Officer (THPO) database using information obtained from the Bureau of Indian Affairs (BIA) tribal leader directory, the National Park Service THPO list, Housing and Urban Development (HUD) grantee lists, individual tribal webpages and telephone calls to individual tribal offices. The NRC staff uses the database to distribute letters electronically to tribal leaders and THPOs, thus significantly reducing agency resources needed to distribute hard copy letters. As part of NRC's interagency collaboration, NRC recently met with HUD staff to share the NRC's updated tribal leader data to support their efforts to improve the publicly available HUD Tribal Directory Assessment Tool (TDAT) database. The NRC has also offered to demonstrate the GIS mapping application used in NRC's tribal activities to HUD staff. Additionally, during FY2020 environmental review of a Consolidated Interim Storage Facility (CISF), NRC staff-initiated consultations with federally recognized Indian tribes located in southeast New Mexico that may possess cultural ties to the proposed CISF project area. Eleven tribes were contacted in total and four agreed to continue consultation activities. The resulting EIS will include an appendix that describes correspondence related to NRC's outreach with Indian tribes. Under the NRC's National Historic Preservation Act (NHPA) review, NRC is preparing a programmatic agreement (PA) for cultural resources at the Church Rock site. Signatories to the PA include NRC, the Environmental Protection Agency, Navajo Nation, New Mexico State Historic Preservation Office, and United Nuclear Corporation.
Category iv. Increasing transparency	*BP iv.1 Provide the project sponsor/applicant and all cooperating and*	Acceptance Letter Metrics Updated for FY2020, NRC revised Office Instruction RNWL-100, "Application Review Process for License Renewal and Subsequent License Renewal", which describes the roles and responsibilities of the NRC staff organizations involved in a power reactor License Renewal

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	participating agencies of a FAST-41 covered project information about the ERA processes, including all steps, by the time the initial coordinated project plan (CPP) or project management plan is completed. Provide updated schedule to the project sponsor and the other governmental entities with ERA processes when substantive changes occur. Substantive change is when any agency or the project sponsor does not conduct or complete on time a scheduled activity or milestone upon which another entity is dependent.	review. RNWL-100 references LIC-109, "Acceptance Review Procedures," which includes instruction for developing elements of an acceptance letter that includes NRC resource estimates and milestone completion dates based on information provided by the applicant. Typically, these schedules are tracked in NRC's Reactor Program System (RPS) for use by NRC staff and contractors. RPS is the primary tool used to track licensing of operators and provide planning, scheduling and reporting capabilities to support the NRC reactor licensing, inspection and oversight processes. RPS scheduling is a critical part of the overarching framework that supports the NRC reactor licensing, inspection and oversight processes. Emergent complexities or challenges in NRC's review that would cause changes to the initial forecasted completion date or forecasted hours, the reasons for the changes, and the new estimates, are communicated during the routine interactions of the project sponsor with the assigned NRC project manager.
Category v. Reducing information collection requirements and other administrative burdens on agencies, project sponsors, and other interested parties	*Unique to Agency (?)*	Retrospective Review of Administrative Requirements (RROAR) Initiative NRC initiated the Retrospective Review of Administrative Requirements (RROAR) initiative with the purpose of identifying outdated or duplicative administrative requirements, including recordkeeping or reporting that may be eliminated or modified (85 FR 18477). The RROAR initiative focused on reducing administrative burdens often related to information collection, expediting the review of internal and external information, and targeting regulatory changes that may have an appreciable impact on streamlining project reviews. NRC collected suggestions from all stakeholders including the NRC staff, industry, and members of the public. In addition, the NRC is considering programmatic experience, intent of the regulatory requirement, impact to the NRC's mission, and overall impact to resources

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		when determining whether to pursue a change to information collection requirements without an adverse effect on public health or safety, common defense and security, protection of the environment, or efficiency and effectiveness. NRC is reviewing all comments received from stakeholders to ensure that regulatory burdens are reduced and efficiencies in time and resources are gained for permitting actions within the agency's regulatory framework.
Category v. Reducing information collection requirements and other administrative burdens on agencies, project sponsors, and other interested parties	*BP v.1 For covered projects, institute a process to address ERA staff changes to update the other involved entities on agency personnel changes and ensure continuity of project-specific knowledge such that a staff change does not result in a substantive schedule change. Substantive change is when any agency or the project sponsor does not conduct or complete on time a scheduled activity or milestone upon which another entity is dependent.*	<u>Advanced Reactor - Project Management Continuity</u> For a recent FY2020 project, a typical comment capture email box was set up early for additional use as an NRC communication tool to be used in addition to individual email mailboxes. This email box will be used for the majority of project email communications for ongoing reference by project personnel. Notifications of subject emails will auto forward to the project managers (PMs). In this way, the email history of the project is always available and easily transferable to all current and new NRC project staff. This process will help to efficiently restart projects after a project timeline pauses, ease transitions to new NRC PM staff or technical staff, and determine previous project actions and issues. PMs at the NRC also use a communal digital To-Do List on the project SharePoint site to track issues through completion. This tool allows the PM to update the task status, assign tasks to certain NRC staff for action, and mark tasks as complete.
Category v. Reducing information collection requirements and other administrative burdens on agencies, project sponsors, and other interested parties	*BP v.2 Develop, enhance, and/or use joint processes or programmatic approaches among Federal agencies, and with State, local, and tribal governments with*	<u>Joint NRC/DOE Interagency Initiative</u> The NRC and the U.S. Department of Energy (DOE) have increased their level of coordination, particularly related to the licensing of advanced reactors. This coordination includes information sharing, enhanced use of incorporation by reference for completed work, proactive planning for future environmental reviews, and implementation of exchanged best practices from safety and environmental reviews that either the DOE or the NRC has completed. Examples include coordinating Tribal interaction activities with DOE's Idaho National Laboratory (INL) and incorporation by reference of completed INL environmental

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	similar authorities. Joint processes could reduce duplicative actions (e.g., related to data collection and analysis) or include joint environmental research and studies. Per 40 C.F.R. §1506.2(b), agencies should cooperate with State and local agencies to the "fullest extent possible to reduce duplication between NEPA and State and local requirements, unless the agencies are specifically barred from doing so by some other law."	evaluations into NRC's reviews. Interagency coordination, coupled with NRC's enhanced regulatory framework for ISG-029 (85 FR 68372) and the ANR GEIS (85 FR 24040), are anticipated to provide the following benefits: • Reduced regulatory uncertainty for advanced reactor developers • Improved guidance for NRC staff reviewing new technologies in advanced reactor license applications • Improved timeliness and efficiency of licensing and permitting activities for applicants and NRC staff As NRC prepares to review and regulate a new generation of nuclear reactors, optimizing the licensing and permitting framework will provide flexibility, including consideration of the use of a staged review process and conceptual design assessments during the pre-application period.
Category vi. Developing and making available to applicants appropriate geographic information systems and other tools	BP vi.1 Make resources available to project sponsors/applicants and stakeholders (e.g., in the form of a resource library) to facilitate knowledge sharing about the agency's ERA processes.	NRC Public Webpage, "NRC's Environmental Review Process" Updated in FY2020, NRC maintains a public webpage that explains how NRC may implement FAST-41 and/or E.O. 13807 through its license application reviews for new reactors and facilities that contribute to the nuclear fuel cycle. On the webpage, separate sections for New Reactors and Nuclear Fuel Cycle Facilities detail the process for applicants. Key topics on this webpage include links to the FAST-41 Fact Sheet, the Permitting Dashboard, E.O. 13807, and NRC's Environmental Standard Review Plan (ESRP). For each section of the EIS, the ESRP explains how NRC staff evaluates the information submitted by an applicant for a license or permit. The ESRPs are used by applicants to identify the NRC staff's review criteria and to ensure that applications for licenses and permits are technically sufficient and contain adequate information to allow the NRC staff to conduct its evaluations. A flow chart on the webpage illustrates the new reactor licensing process. This chart covers actions for coordination with cooperating agencies and pre-application interactions with the applicant, public outreach, concurrence, public meetings and hearings, and the completion of the process with the record of decision.

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Category vii. Creating and distributing training materials useful to Federal, State, tribal, and local permitting officials	*BP vii.1 Provide training (e.g., video and/or presentation materials) about FAST-41 implementation online or in person each year to Federal, State, and tribal governments and local permitting officials. The training should be related to implementation of FAST-41 or one or more of the Permitting Council's BPs (e.g., early stakeholder involvement, maintenance and communication of a project-specific ERA review schedule, establishment of common data sets, or pre-application processes).*	Regulatory Information Conference - NRC Innovative Transformation The NRC conducts an annual Regulatory Information Conference (RIC) to present information and discuss current topics of mutual interest. The RIC is a free conference open to interested stakeholders and the public. Although canceled this FY because of the COVID-19 public health emergency, all conference material was posted on NRC's public website. The FY2020 RIC, "Session – W16 - Innovative Transformation of NRC's Environmental Review Process" included the following topics: • Overview of NEPA Streamlining Efforts at the NRC • NEPA Streamlining in Action: Environmental Review Guidance for Micro-Reactors • Modernization of NRC Guidance Including Incorporation of Recent Lessons Learned and FAST-41 Related Activities • Exploratory Process for a Generic Environmental Impact Statement for Advanced Nuclear Reactors • NEI Perspective: Innovative Transformation of NRC's Environmental Review Process Additionally, to help promote healthy relationships among representatives of Tribal governments, the nuclear industry, and the Federal Government, the NRC included a tribal session at the FY2020 RIC. The session entitled, "Tribal Sovereignty: Involving Native American Governments in Nuclear Activities" focused on the unique and complex, yet essential, relationships that exist among representatives of Tribal governments, the nuclear industry, and the Federal Government regarding regulatory actions with potential impacts on the Tribes.
Category viii. Addressing other aspects of infrastructure permitting, as determined by the Council	*Unique to Agency (?)*	Nuclear Energy Innovation and Modernization Act (NEIMA) As required by Sections 103(b) and 103(c) of the Nuclear Energy Innovation and Modernization Act (NEIMA), the NRC has prepared two reports to Congress regarding (1) expediting and establishing stages in the licensing process for commercial advanced nuclear reactors; and (2) increasing, where appropriate, the use of risk-informed and performance-based evaluation techniques and regulatory guidance in licensing commercial advanced nuclear reactors within the existing regulatory framework. NRC submitted these reports to Congress on July 12, 2019. In addition, consistent with Section 103 of NEIMA, NRC staff has begun efforts to establish a "Risk Informed, Technology-Inclusive Regulatory Framework for Advanced Reactors" for optional use by applicants for new commercial advanced nuclear reactor licenses by December 31, 2027. The NRC staff presented its proposed plan for this

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		rulemaking to the Commission for approval in SECY-20-0032 dated April 13, 2020. On May 26, 2020, the Commissioners unanimously approved the NRC staff's approach for the use of the technology-inclusive, risk-informed, and performance-based methodology described by the staff in SECY-19-0117 as a reasonable approach to establish key parts of the licensing basis and content of applications for the new technologies of advanced reactors. The NRC staff is continuing to interact with stakeholders to identify and resolve policy and licensing issues associated with developing and possibly deploying advanced reactor technologies. Stakeholder interactions include possible joint industry-DOE projects to provide additional guidance to advance reactor applicants.
Category viii. Addressing other aspects of infrastructure permitting, as determined by the Council	*BP viii.1 Identify measures planned or taken by the agency in the outreach section of the CPP to increase the probability of reaching stakeholders (such as, but not limited to: virtual stakeholder meetings, notification tactics, web-based comment submission, and multi-agency utilization of web-based information sources developed for the project).*	Advanced Reactor Generic Environmental Impact Statement Development Through early FY2020, the NRC held multiple virtual meetings (84 FR 62559) to gather stakeholder input for development of an advanced nuclear reactor generic environmental impact statement (ANR GEIS) as part of an exploratory process. GEISs are broad EISs that evaluate and determine an impact for environmental issues that are common for a set of power plants and/or sites with an objective to reduce the time and resources required for a plant-specific NRC application. In March 2020, the NRC decided to develop the ANR GEIS and issued a Notice of Intent to Prepare an EIS and Conduct Scoping (85 FR 24040). The NRC held a scoping meeting on May 28, 2020 and, since no project location is specified for the GEIS, the NRC held public webinars to reach stakeholders across the country in addition to allowing access through teleconference lines for stakeholders without access to Internet connections. Comments from stakeholders and the public were gathered during the scoping meeting (via public webinar) and by email and through regulations.gov. Through this process, the NRC is incorporating stakeholder input into the development of the ANR GEIS.
Category viii. Addressing other aspects of infrastructure permitting, as determined by the Council	*BP viii.2 Identify and share information on past and planned efforts to improve the ERA processes and performance metrics by agencies that have shared lessons learned during Interagency Working Group*	Sharing of NRC's Advanced Nuclear Reactor Generic Environmental Impact Statement and Lessoned Learned with DOE To coordinate and assist DOE's Idaho National Laboratory (INL) with a potential upcoming application to construct an advanced reactor at the INL facility, NRC worked closely with DOE INL in FY2020 to share information on NRC's development of an Advanced Nuclear Reactor (ANR) Generic Environmental Impact Statement (GEIS). Because the DOE would perform its own NEPA review, the NRC also shared an internal summary of lessons learned gathered from previous reviews and provided corresponding processes for NRC and applicants that could improve and streamline NEPA reviews. Among the processes identified for improved efficiency were early and frequent pre-application interactions among the applicant's and

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	meetings and success stories during Permitting Council councilmember meetings.	NRC's project managers and technical staff to clarify understandings of technical issues prior to the application submittal. Additionally, the focus of NRC's project managers and staff on clear and concise communications with an applicant regarding information requirements linked to the resolution of regulatory requirements for the reviews was found to be helpful to applicants and NRC staff.

2. FAST-41 Project-Specific Permitting Improvements/Outcomes

Please include agency innovations, initiatives, identification of and resolution to challenges, and successes. This section should highlight examples from specific projects, including both successes and challenges. Agencies are encouraged to report on OED recommendations from the FY 2019 ARC (See OED Assessment, Part 2).

Oklo Power, LLC

In March 2020, the NRC received Oklo Power's application to build and operate an advanced reactor on a DOE site and anticipates approximately three additional applications for novel advanced reactor designs within the next few years. For Oklo's first-of-a-kind permitting application, NRC initiated a two-phase review with the first phase resolving key safety issues prior to initiating the environmental review in phase 2. Although the phase 1 issues are not related to the environmental review, the overall review schedule is affected by the resolution of these phase 1 reactor safety issues which, when resolved, would create a clear path forward for the environmental review. During the resolution of phase 1 safety issues, the NRC's environmental review staff coordinates information-sharing with the DOE and obtains required background information from existing sources to prepare for its review. In addition, during phase 1, the NRC environmental staff will conduct outreach to other Federal, state, local agencies, and Tribes. NRC/DOE coordination involved DOE attendance at an NRC Tribal outreach meeting that included an overview of NRC's safety and environmental process and the status of Oklo's advanced reactor application. The NRC will incorporate lessons learned from this new review approach for advanced reactors in FY2021 to gain further efficiencies in future environmental permitting of advanced reactor application reviews.

Clinch River Early Site Permit Review (Internal)

During FY2020, NRC developed an internal lessons learned report (ML19190A078) based on an analysis of a recent Early Site Permit (ESP) application review to identify best practices that facilitated significant progress in conducting the staff's review, allowing staff to successfully complete the final safety evaluation report (FSER), final environmental impact statement (FEIS), and the mandatory hearing over a month ahead of the original schedule. The report documents processes and procedures that contributed to this successful outcome and will be used to improve the efficiency and effectiveness of pre-application activities for future reviews. The report is organized by phases, including Pre-application and Readiness Assessments, Acceptance Review and Requests for Supplemental Information, and Application Reviews – Safety and Environmental (including ACRS review and the mandatory hearing). Each phase provides a brief overarching narrative, successful best practices (what was done well), improvements identified as lessons learned, and recommendations for future licensing reviews.

3. Permitting Process Improvements (General)

Please document activities undertaken by the agency in FY 2020 that may be outside the information captured in the two sections above. Examples include challenges addressed or looking to be addressed through actions like: new tracking systems, procedural changes, outreach efforts/information gathering, regulatory changes, and interagency discussions/working groups/agreements/collaboration through the Council and with other Council member agencies. This section provides a space to report any new and unexpected challenges with novel solutions developed by agencies. Addressing challenges that were anticipated, then addressed by existing or new BPs can be included in sections 1 and 2.

Please provide a narrative for each process improvement in a separate paragraph using the template language as the basis for the agency submission.

Create a separate row for each example entered. Each example should have a part I and II consistent with the template example.
Environmental Center of Expertise (EnvCOE) Process Consolidation Efforts I. The NRC consolidated environmental review staff under a single Center of Expertise (EnvCOE) in the Office of Nuclear Materials Safety and Safeguards (NMSS) reporting to the NRC's CERPO. The NRC's environmental staff are now better positioned to share and implement best practices across the agency. This arrangement provides greater internal consistency of environmental reviews. A working group within the EnvCOE was formed to consolidate the various processes used by the formerly separate and distinct environmental organizational units and to identify best practices within the review processes. II. NRC staff developed an Environmental Review Handbook, which provides a high-level description of the environmental review process that the EnvCOE staff uses as guidance in support of licensing reviews. Following the development of the handbook, a team was formed to continue to capture and improve upon the detailed procedures that are part of the environmental review process. These detailed procedures are easily accessed on an internal SharePoint site featuring links to templates, examples, and associated agency guidance. This detailed procedures "toolbox" promotes the continued sharing of best practices and lessons learned across the many different types of environmental reviews undertaken by NRC staff.
Transformation Team I. As part of NRC's FY2020 Transformation Action Plan, NRC has committed to continue to incorporate innovations within the environmental review process. To gain additional efficiencies, a Transformation Team was formed within NRC's Environmental Center of Expertise (EnvCOE) to enhance NRC's process for streamlining environmental reviews and permitting. II. The Transformation Team solicited more than 50 ideas from staff across NRC's EnvCOE on how to improve environmental reviews. The ideas were evaluated based on the projected benefits, the level of impact on effectiveness and efficiency of reviews, and the level of resources required for implementation. NRC will implement selected initiatives during FY2021.