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May 11, 2023

Rebecca Colvin
Alaska Department of Environmental Conservation
Division of Environmental Health
555 Cordova St.
Anchorage, AK 99501

Subject: Public Comments on the Alaska Department of Environmental Conservation's Proposed Regulations for Nuclear Facility Siting (18 ACC XX)

Dear Ms. Colvin,

Alaska Power Association (APA) appreciates the opportunity to provide comments on proposed regulations for siting of microreactors in Alaska. Alaska's electric utilities are actively taking part in the ongoing clean energy transition and microreactors can play a key role in that transition.

APA is the statewide trade association for electric utilities in Alaska. Our members provide power to Alaskans from Utqiagvik to Unalaska, through the Interior and Southcentral, and down the Inside Passage. APA's members serve some of the most remote areas of the country with islanded systems disconnected from any regional or national grid.

Many of APA's electric utility members may pursue micronuclear technology in the future, and regulations must be written to provide the least restrictive path to permitting and construction.

APA supports the comments submitted by Matanuska Electric Association (MEA) for these proposed regulations. MEA accurately points out that the proposed regulations include a staggered approach to the permitting process, with requirements for the federal Nuclear Regulatory Commission's (NRC) permitting, Early Site Permit (ESP), to be completed before the Alaska Department of Environmental Conservation's (ADEC) process. Staggering the process places a significant amount of risk and cost on the applicant as it would require the applicant to repeat permitting steps and put at risk the significant cost to acquire the NRC permit. APA agrees with MEA that the state process should run in concert with the federal process to reduce risk and repetition of the same work.

APA also urges flexibility on the proposed public notice regulations. Below, we offer a change to the proposed regulations that will give electric utilities flexibility to adequately notice a proposed project and to fulfill the terms of the siting regulations once they are in force.

Under Article 2 Pre-Application Requirements, applicants are required to notice the proposed facility in two editions of a newspaper of general circulation and announce at least twice a day for one week on a radio station in the area where the facility is proposed to be located.

APA suggests this section be amended to allow an electric utility that is a microreactor owner to satisfy the published notice requirements by posting the proposed facility location on social media and the microreactor owner's website if insufficient newspaper and radio station access exists. Some communities in Alaska do not have a local radio or newspaper, and APA finds it unduly burdensome to require a utility to purchase advertisement space in a newspaper or airtime on a radio station that does not solely serve the community where a microreactor is proposed to be located.

To determine if sufficient newspaper or radio coverage exists, APA suggests the Department of Environmental Conservation consider if the community where a microreactor might be sited has a newspaper of regular circulation that serves the community exclusively and/or a radio station that is located in the community or has a reliably strong signal to the proposed microreactor site area under consideration.

For microreactor owners that are not electric utilities, the regulations should require a mailer or posting at community facilities if insufficient newspaper or radio options are available.

This change would also require that section 18 AAC XX.200 Application requirements be changed in Section 8(A) to include the social media and website language.

Thank you again for considering APA's comments. If you have any questions, please feel free to contact me.

Sincerely,



Crystal Enkvist
Executive Director