

United States Senate

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

WASHINGTON, DC 20510-6175

ADAM TOMLINSON, REPUBLICAN STAFF DIRECTOR
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March 6, 2025

The Honorable David A. Wright
Chairman
US Nuclear Regulatory Commission
11555 Rockville Pike
Rockville, MD 20852

Dear Chairman Wright,

We request the Commission prioritize voting on the US Nuclear Regulatory Commission (“NRC” or “the Agency”) staff proposal, “Implementation of the Fiscal Responsibility Act of 2023 National Environmental Policy Act Amendments” (SECY-24-0046 or “SECY”).¹ We encourage the Commission to vote in a manner that fully reflects congressional intent to streamline the NRC’s licensing process, as directed in the Accelerating Deployment of Versatile, Advanced Nuclear for Clean Energy (ADVANCE) Act.² As part of your vote, we urge you to support an ambitious schedule for the NRC to complete the associated rulemaking to update the NRC’s regulations.

Section 506 of the ADVANCE Act required the NRC to report on the efforts of the Commission to “facilitate efficient, timely, and predictable environmental reviews of power reactor applications under section 103 of the Atomic Energy Act of 1954, including through expanded use of categorical exclusions, environmental assessments, and generic environmental impact statements.”³ The Commission was also required to report on actions taken to implement the Fiscal Responsibility Act (FRA) amendments to the National Environmental Policy Act (NEPA). The Commission submitted that report to Congress on January 6, 2025.⁴ The report noted that many of the actions to implement the FRA NEPA amendments are currently awaiting Commission approval as part of the SECY.

The NRC’s current environmental review process was established to review legacy nuclear reactor designs and needs to be modernized to allow for the Agency to efficiently carry out its licensing duties to meet today’s urgent energy and environmental needs. The Agency’s current process results in needless delays and additional costs and resources for both the Agency and the applicants. The NRC staff’s recommended actions in the SECY⁵ are predominantly productive regulatory updates that would enable the Agency to more efficiently

¹ US Nuclear Regulatory Commission, SECY-24-0046, “Implementation of the Fiscal Responsibility Act of 2023 National Environmental Policy Act Amendments” (May 30, 2024), <https://www.nrc.gov/docs/ML2407/ML24078A010.pdf>.

² Accelerating Deployment of Versatile, Advanced Nuclear for Clean Energy (ADVANCE) Act of 2024, Pub. L. 118-67, Division B, 138 Stat. 1448-1482 (July 9, 2024).

³ ADVANCE Act, Section 506.

⁴ US Nuclear Regulatory Commission, *Modernization of Nuclear Reactor Environmental Reviews* (January 6, 2025), <https://www.nrc.gov/docs/ML2429/ML24290A159.pdf>.

⁵ The SECY recommends initiating a rulemaking to modify elements of the NRC’s NEPA review, revise 10 CFR 51.20(b), and authorize project sponsor preparation, as allowed by the Fiscal Responsibility Act. The SECY makes worthy additional recommendations outside of a proposed rulemaking.

license the safe use of nuclear power – improving predictability, saving time and money, and providing major benefits to the Agency’s licensing process as a whole.

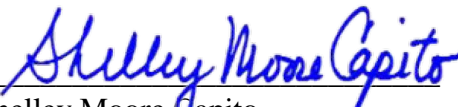
In addition to the Commission voting on the SECY, we support additional actions to improve the NRC’s environmental review requirements. The ADVANCE Act section 506 report noted the staff can immediately implement a number of efficiencies in the NEPA review without amending NRC’s Part 51 regulations. The NRC should proceed with those actions.


Further, the NRC recently published the “Generic Environmental Impact Statement for Licensing of New Nuclear Reactors” (or “New Reactor GEIS”) for public comment.⁶ The proposed New Reactor GEIS would streamline the environmental review of new reactor license applications by allowing the NRC to focus the review on the significant environmental issues specific to an application’s site and reactor design. The public comment period for the New Reactor GEIS concluded on December 18, 2024. The NRC staff should prioritize updating the proposed GEIS and send the draft final GEIS to the Commission for final approval. The Commission should then expeditiously vote on that proposed final rule.

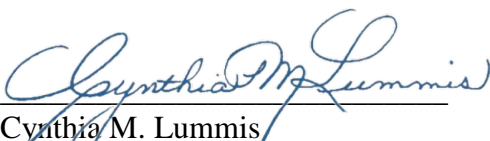
We hope that the Commission will strongly take our expectations and the congressional intent embodied in the ADVANCE Act into account for this vote and for future votes on important licensing and regulatory issues. These actions to prioritize updating the NRC’s environmental review process now will result in substantial efficiencies in future licensing actions for both the NRC, licensees, and applicants.

We thank you for your consideration of our request. We look forward to continuing to work with the Commission to enable the safe and secure use of nuclear power.

Sincerely,


Shelley Moore Capito
Chairman
Environment & Public Works Committee


Sheldon Whitehouse
Ranking Member
Environment & Public Works Committee


Cynthia M. Lummis
Chairman
Subcommittee on Clean Air, Climate, &
Nuclear Innovation & Safety


Mark Kelly
Ranking Member
Subcommittee on Clean Air, Climate, &
Nuclear Innovation & Safety

⁶ Generic Environmental Impact Statement for Licensing of New Nuclear Reactors, 89 Fed. Reg. 80797 (October 4, 2024).