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Committee on Environment
and Public Works

Washington, D.C.

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HEARING ON THE NOMINATIONS OF HO NIEH TO BE A MEMBER OF THE NUCLEAR REGULATORY COMMISSION AND DOUGLAS TROUTMAN TO BE ASSISTANT ADMINISTRATOR FOR TOXIC SUBSTANCES OF THE ENVIRONMENTAL PROTECTION AGENCY

Wednesday, October 8, 2025

United States Senate
Committee on Environment and Public Works
Washington, D.C.

The committee met, pursuant to notice, at 10:00 a.m. in room 562, Dirksen Senate Office Building, the Honorable Shelley Moore Capito [chairman of the committee] presiding.

Present: Senators Capito, Whitehouse, Lummis, Curtis, Ricketts, Merkley, Markey, Kelly, Padilla, Blunt Rochester, Alsobrooks.

STATEMENT OF THE HONORABLE SHELLEY MOORE CAPITO, A UNITED STATES SENATOR FROM THE STATE OF WEST VIRGINIA

Senator Capito. The committee will come to order, and good morning to all of you. Thank you all for being here today.

Today, we will receive testimony from Ho Nieh, who is nominated to serve on the Nuclear Regulatory Commission for the remainder of the term expiring June, 2029, and Douglas Troutman, who is the nominee to lead the EPA's Office of Chemical Safety and Pollution Prevention. I welcome both qualified nominees and I will support their swift confirmation.

First, we will hear from Ho Nieh. Strong, unified leadership at the NRC will help provide the necessary confidence in the industry and the public that we need to build more nuclear safely and quickly, and to meet our energy needs. A slate full of five commissioners who are all aligned with ambitiously implementing the bipartisan ADVANCE Act and Executive Order 14300 will provide that confidence.

The Commission and the NRC staff working on these efforts must carry out reform initiatives without losing sight of the agency's core licensing responsibility and safety mission, and deliver updated regulations that are durable and thoughtful.

Mr. Nieh's diverse and unique background provides him with the necessary experience to strike that balance on the Commission. He worked in many different roles at the NRC,

including as a resident inspector, a division director, a chief of staff for a Commissioner, and ultimately as the office director for the most consequential NRC office, the Office of Nuclear Reactor Regulation.

In addition, he has had two stints at international nuclear organizations: the International Atomic Energy Agency and OECD's Nuclear Energy Agency.

Mr. Nieh has also led a large nuclear utility's regulatory affairs program. Most recently, he was detailed to the Institute of Nuclear Power Operations, the nuclear industry's own safety watchdog.

Today, we will consider the nomination of Doug Troutman to serve as Assistant Administrator for the EPA's Office of Chemical Safety and Pollution Prevention. This office is central to how our Country regulates chemicals, protects public health, and sustains American competitiveness in critical industries.

If confirmed, he will inherit an office with well-documented problems and high stakes for the Country in successfully addressing them. Mr. Troutman brings 18 years of progressively more senior leadership at the American Cleaning Institute, having concurrently both led their legal and government affairs teams for more than a decade; also serving as the Interim Co-CEO during the final nine months of his tenure.

I am confident that Mr. Troutman's legal and regulatory experience has prepared him for this role. The current chemical safety system buries new, often safer, innovations under years of scrutiny and restrictions. That is the opposite of what Congress intended in the bipartisan 2016 TSCA amendments.

Instead of a balanced, science-based approach, the system today assumes the worst of every product while leaving legacy chemicals largely untouched. As we work to improve TSCA, the Committee has received feedback on what works and what needs to be fixed.

We have repeatedly heard that customers now prefer older chemicals over new ones saddled with restrictions. Greener or safer alternative chemicals are abandoned due to excessive regulatory burdens. This doesn't make sense to me.

We have heard that EPA imposed restrictions create major business impacts such as shelving products, delaying investments, and moving projects overseas.

The economic impacts of the status quo are clear, and the environmental costs are especially troubling. For one large company, even when its customers tried to purchase safer chemicals, restrictions could be so unworkable that compliance was infeasible.

For example, the EPA set a discharge limit for one chemical so low that the only way to comply was to incinerate wastewater.

We are literally forcing companies to burn water to bring safer chemicals to market, an absurd, backwards outcome.

The GAO and the EPA Inspector General both concluded that the EPA's dysfunctional implementation of TSCA is not really a resource problem, it is the combined issues of leadership, management, and culture.

I look forward to hearing from both nominees on how we can efficiently support innovation and improvements for environmental safety.

I will now turn to our Ranking Member for his opening statement, and then I will turn to Senator Britt to introduce one of our candidates.

[The prepared statement of Senator Capito follows:]

STATEMENT OF THE HONORABLE SHELDON WHITEHOUSE, A UNITED STATES SENATOR FROM THE STATE OF RHODE ISLAND

Senator Whitehouse. Thank you. Let me welcome Senator Britt, also. And let me thank you, Madam Chair, and welcome both of our witnesses.

Mr. Nieh, I appreciate very much your willingness to return to public service, to an agency where you have devoted nearly 20 years of your career. But be warned: this is not the same agency you left four years ago. Over the past nine months, institutional and technical knowledge have been gutted, dozens of senior managers and staffers have left or been pushed out. The administration's hiring freeze has left the NRC unable to backfill positions.

At the same time, there is a rush to roll back agency safety protocols and carry out organizational restructuring. Unqualified DOGE -- my term -- staffers have moved into offices at NRC headquarters to "make recommendations," and "consult with" the agency.

Despite calls for less political interference and a return to independence, more DOGE members keep appearing at the NRC. Yet another, number eight, arrived at the NRC last month.

Department of Energy influence erodes the firewall that was the very purposes for the NRC's creation.

Another cloud hangs over the Commission. You have been

nominated to fill the unexpired term of Commissioner Chris Hanson. Fired without cause in June, the first commissioner fired in the agency's 50-year history, signaling influence pressure. Fossil fuel operatives are infiltrating the agency with every motive to obstruct and delay new technologies that will displace fossil fuels polluting electrons.

All this turbulence at the NRC comes at a pivotal moment, when the U.S. needs to deploy more nuclear power safety to meet future electricity demand and cut greenhouse gas emissions. When the NRC anticipates new reactor applications on a scale it has never before experienced, it must be able to review these applications in an efficient, predictable, and timely manner.

Most importantly, the public must have confidence that NRC review is based solely on ensuring the public safety. The success of the nuclear industry in America depends upon that confidence.

Mr. Nieh, you are well-qualified to serve on the Commission, based on your naval nuclear reactor training and decades of experience at the NRC, international regulatory agencies, and in the private sector. But you must uphold the NRC's safety mission, along with your fellow commissioners. You all must have the fortitude to stand up to political pressures that shunt safety aside for expediency.

My only reservation about your nomination, Mr. Nieh, is

whether you can and will do that. I expect to support you, but I want to reserve judgment until after your hearing.

I look forward to your testimony and answers to the committee's questions.

As to Mr. Troutman, the nominee for the Office of Chemical Safety and Pollution Prevention, in this administration, I would tend to put that title in quotation marks, has predictably spent his entire career, more than two decades, as a lobbyist for oil, gas, and chemical interests. And for influence groups out to weaken protections against dangerous chemicals, groups aping the fossil fuel disinformation campaign to undermine science, capture regulatory agencies, and obstruct efforts aimed at protecting people from pollution.

He will be the third such industry operative in the office he has been nominated to lead. And he has stock in the very companies he is supposed to regulate: Dow, Proctor and Gamble, and EcoLab. It is clear where his loyalty will likely lie.

Mr. Troutman will be one more industry proxy embedded at the polluter-captured EPA out to tilt the scales toward industry profits and away from transparency, public health, and safety, out to protect industry secrecy and profits, not to protect the American people from toxic chemical dangers.

This is what corruption looks like. I have zero confidence he cares either about chemical safety or pollution prevention.

I plan to oppose his confirmation, and Mr. Troutman, I challenge you to make me wrong.

[The prepared statement of Senator Whitehouse follows:]

Senator Capito. All right, with that opening statement, I will ask Senator Britt to introduce Mr. Nieh. Before she does that, I would like to acknowledge Kerry, his wife, who is here, and also Cameron, his daughter, and not in attendance is Hunter, I understand, your other daughter. I hope you are listening, Hunter, we are talking about you.

Senator Britt?

Senator Britt. Thank you, Madam Chairman and Ranking Member and members of the committee, for the opportunity to introduce Ho Nieh. I want to welcome him and his family. It is an honor to join you all today, all of you. Thank you for your willingness, again, to serve.

He is President Trump's nominee to serve on the U.S. Nuclear Regulatory Commission. And as referred to by the Chair and Ranking Member, Ho has spent his career dedicated to advancing America's nuclear leadership in many different capacities. This includes serving as director of the Office of Nuclear Reactor Regulation within the NRC, where he was directly responsible for reactor safety licensing and new reactor oversight.

Ho skillfully served the NRC more than two decades on a variety of leadership positions. This includes also onsite resident inspector. The NRC resident inspectors are the eyes and ears of the Commission, as this committee knows. And Ho's

personal experience and his strong leadership will keep our nuclear reactors safe.

In fact, he will be the only NRC commissioner with experience as a resident inspector at multiple different reactor sites, a significant accomplishment that makes him uniquely qualified for this role.

Aside from his time at the NRC, he has a strong international experience that I believe this role demands. He advised the International Atomic Energy Agency and separately serving as director of the Division of Nuclear Safety Technology and Regulation at the Nuclear Energy Agency puts him head and shoulders above the rest.

And importantly, one of the reasons that I am honored and proud to be here today is that Ho is an Alabamian. We are proud of all that he has accomplished, and our State is thrilled to have him represent us on the national stage.

Alabama is a top producer of electricity from nuclear power in the Country with five reactors between two nuclear plants, making our State a national leader.

As the Vice President of Regulatory Affairs at Southern Nuclear, Ho has not only supported Alabama's nuclear capabilities but also strengthened Americans' energy dominance. In this role, Ho had directly involved himself in helping bring Vogtle 3 and 4 on line, the first newly constructed nuclear

units in the United States in over three decades.

If I were to list each and every role that Ho has served in and around the nuclear industry, I can promise you, we would be here all day. His years of dedication to the industry, unparalleled understanding of science, and demonstrated leadership uniquely position him to advance the Commission's directive of safely developing America's nuclear assets and materials.

I urge this Committee to support Ho's nomination, and I look forward to seeing all he is going to accomplish for our Country.

Thank you, Madam Chair.

Senator Capito. Thank you, Senator Britt. Appreciate that.

I will now ask the nominees to move toward the witness table, please. Before you get seated, we are going to do something standing up.

Before we move to the opening statements, I will administer the oath to receive their sworn testimony. So if you will raise your right hand and answer the following questions.

Do you swear the testimony you are about to give to this Committee is the truth, the whole truth, and nothing but the truth, so help you God?

[Witnesses respond in the affirmative.]

Senator Capito. Let the record show that the witnesses have answered in the affirmative. So we shall now hear from the witnesses.

Mr. Nieh, when you are ready you can proceed with your opening statement.

STATEMENT OF HO K. NIEH, JR., NOMINEE TO BE A MEMBER OF THE NUCLEAR REGULATORY COMMISSION

Mr. Nieh. Thank you. Good morning, Chairman Capito, Ranking Member Whitehouse and distinguished members of the committee. Thank you for this opportunity to appear before you today. I also thank Senator Britt for her kind introduction and support. The great State of Alabama holds a very special place in my heart.

Before I begin my remarks, I would like to recognize and appreciate my wife, Kerry. For nearly 30 years, she has been a constant source of love and encouragement. I also want to thank our daughters, Hunter and Cameron, and my parents, Katherine and Ho Nieh, Sr., for their support.

I am honored to have been nominated by President Trump to serve on the Nuclear Regulatory Commission. My career in nuclear energy spans more than 32 years, including 23 years at the NRC, where I began as a resident inspector and advanced through a wide range of leadership roles. My desire to return reflects my appreciation for the NRC's safety mission and its dedicated workforce. I am grateful for the trust the NRC placed in me and the opportunities it gave me to grow as a leader.

Today, America's electricity demand is soaring, driven by artificial intelligence, data centers and economic growth. Nuclear energy is increasingly seen as a safe and reliable

solution to help meet this demand. The work of the NRC is essential to our Nation's welfare and energy security through safely expanding the capacity and lifetime of America's existing reactor fleet and timely licensing of new nuclear power plants.

The NRC is at a critical crossroads. What worked well 50 years ago may not meet the needs of today. The ADVANCE Act and Executive Order 14300 are roadmaps for improvement and reform. If confirmed, I will work to ensure they are implemented effectively in ways that strengthen the credibility and public trust of the NRC.

The NRC is capable of change. From 2018 to 2021, I served as the Director of the NRC's Office of Nuclear Reactor Regulation. During that time, we improved and streamlined licensing and oversight programs using risk-informed approaches. We modernized business tools to increase accountability and efficiency.

Our aim was to focus the NRC's resources on what matters most to safety. Perhaps more importantly, we embarked on a culture change to become a more enabling and innovative regulator without compromising safety. We embraced a new vision statement for the NRC's reactor safety program, which was: "We make SAFE use of nuclear technology POSSIBLE."

This statement embraced the safety and enabling elements of the Atomic Energy Act and served as our shared sense of purpose.

As I was leaving the agency, a senior NRC scientist shared with me that he initially had reservations about this new sense of purpose, but over time he came to believe that it struck the right balance between safety and innovation.

What encouraged me most was when he said that after three decades at the agency, he felt more energized about the NRC's work than ever before. That shared sense of purpose and that renewed energy are what I commit to building, if confirmed, especially since the NRC's mission statement has recently been updated to include both safety and enabling.

In addition to my experience at the NRC, I had the privilege to work in the international nuclear community and the electric utility industry. These experiences gave me broader perspectives on how other regulators and organizations pursue safety; perspectives I believe can help the NRC adapt to today's challenges.

If confirmed, I will be an advocate for safety and the NRC's Principles of Good Regulation, which are Independence, Openness, Efficiency, Clarity and Reliability. I hope to have this opportunity to work with the current members of the Commission and the dedicated staff of the NRC.

Thank you again for this opportunity to meet with you. I look forward to your questions.

[The prepared statement of Mr. Nieh follows:]

Senator Capito. Thank you, Mr. Nieh.

Our next nominee under consideration this morning is Douglas Troutman, who is nominated to lead, as I said, EPA's Office of Chemical Safety and Pollution Prevention. Before joining the EPA, Mr. Troutman served for more than a decade as general counsel, corporate secretary and senior vice president of government affairs for the American Cleaning Institute. Prior to working at ACI, he served in various government affairs roles, and as an aide to former Senator Arlen Specter.

Mr. Troutman, you are now recognized. But before you give your statement, you probably have this in your statement, but I want to recognize your wife, Pam, who is here with us today, your son, Max, who I see, and Emily is not in attendance, but Emily, I hope you are listening because we are talking about you.

Feel free to introduce anybody, other members of your families that might be here. Mr. Troutman, we welcome your statement.

STATEMENT OF DOUGLAS TROUTMAN, NOMINEE TO BE ASSISTANT ADMINISTRATOR FOR TOXIC SUBSTANCES OF THE ENVIRONMENTAL PROTECTION AGENCY

Mr. Troutman. Good morning, Madam Chair, Ranking Member Whitehouse and distinguished members of this committee. Thank you for holding the hearing today.

My name is Douglas Troutman. Today I have the privilege of appearing before you as the President's nominee to be the Assistant Administrator for EPA's Office of Chemical Safety and Pollution Prevention. I want to express my deep gratitude to President Trump and Administrator Zeldin for the confidence and trust that they have put in me. It is an honor to be nominated and to be here today.

I am joined today, as you note, by my wife Pam, my son Max, and Emily, who is online, and also my brother Mark. My mother, Dorothy, my late father Allen and in-laws Robert and Mary, complete the proud family members among many other colleagues and friends who support me and to whom I say simply, deeply and genuinely, thank you.

I come to you with a deep respect for public service and serving the interest of others. I follow on the path of my father who served in the military, and siblings who did the same in the Navy and the Army, and my sister who is a nurse. Coming from Pennsylvania and now residing in Maryland, I am fortunate

to enjoy clean air, water and land, and also a robust economy that has shown me the power of dynamic innovations and the brilliance of new technologies.

I seek to help all Americans have these same benefits that I am fortunate to enjoy. If confirmed, I am committed to working to bring the best to all through this office to provide a clean, safe environment with an eye toward strong economic growth and social well-being.

My entry into public service, as you note, and my professional career began as a Senate aide to Arlen Specter. Indeed, the variety of issues I saw on Capitol Hill there, I gained a unique vantage point to understand the power of chemical innovations and their impact on the lives of Americans.

Most of my career has been spent working on complex environmental legal frameworks and their role and importance at the Federal and State levels. I have been part of broad public policy roles and have engaged in substantive statutory and rulemaking processes and implementation.

The program office I am nominated to lead leads the chemical policy work across the Environmental Protection Agency to develop and implement broad chemical policy and programs. It is charged with the mission of protecting you, your family, and the environment from potential risks. This reduces waste, saves energy and natural resources, leaving our homes, schools and

workplaces cleaner and safer.

The program staff are a talented and dedicated group, and if confirmed, I would be proud to lead them and to learn from them. If confirmed, I hope to bring a reasoned approach to engaging chemical management matters and issues under the belief that economic prosperity and environmental protection are not mutually exclusive.

I pledge to work with the public, this committee, and Congress in a balanced and thoughtful manner that promotes clean air, land, water and an overall environment, and to leverage this Nation's innovative technologies to continue to stimulate economic growth. I look forward to working with all of you to fulfill this mission.

I thank you for the invitation, and I look forward to answering your questions.

[The prepared statement of Mr. Troutman follows:]

Senator Capito. Thank you, Mr. Troutman.

So before we start the individual questioning, I am going to ask both of you these questions. There are three questions.

Do you agree, if confirmed, to appear before this committee, designated members of this committee, and other appropriate committees of this Congress to provide information subject to appropriate and necessary security protections with respect to your responsibilities? Mr. Nieh?

Mr. Nieh. Yes.

Senator Capito. Mr. Troutman?

Mr. Troutman. Yes.

Senator Capito. Thank you.

Do you agree to ensure that testimony, briefings, documents, and electronic and other forms of communication of information are provided to the committee, its staff and other appropriate committees in a timely manner?

Mr. Nieh. Yes.

Mr. Troutman. Yes.

Senator Capito. Yes, thank you.

Fiinally, do you know of any matters which may or may not have been disclosed that may place you in a conflict of interest if you are confirmed?

Mr. Nieh. No.

Mr. Troutman. No.

Senator Capito. Okay. Thank you.

So with that, I am going to start my first questions with Mr. Troutman. We are working to improve both the efficiency and the effectiveness of the EPA's Chemicals program. I talked about that in my opening statement.

Much of the public conversation is focused on speed, or ways to address unacceptable multi-year delays in the review process. However, American innovators are also concerned about the outcome of this process, it needs certainty. If EPA continues imposing burdensome restrictions in the world, it will effectively make it impossible for our U.S. businesses to commercialize their new products. This creates massive uncertainty that new chemistries will be funneled into a commercial dead end, even if they survive this long, drawn-out, multi-year review.

So, Mr. Troutman, I have two questions for you. Do you agree that the problem is two-fold, both timeliness and outcome? That is my first question. And then as a follow-up, what specific reforms would you pursue to achieve both faster reviews and predictably commercially viable outcomes?

Mr. Troutman. Senator, I appreciate the question and the discussion we had in your office very much.

Senator, EPA needs to ensure that the reviews of new chemicals are timely, using the best available science and to

follow the statutory instructions provided by Congress. In direct answer to your question, Senator, it is both two-fold. It is timeliness, and it is outcomes. So I acknowledge your concerns and your observations with the program.

As the Administrator has publicly remarked and in testimony before Congress, there are new resources coming to the Office of Chemical Safety and Pollution Prevention, both in new team members, but also in additional resources, such as technological resources, IT resources, which we appreciate from Congress, to speed up those reviews and to make sure they are done in a timely manner.

Senator Capito. Thank you.

We also are going to be looking at TSCA because the fee authorization expires next year. So this is an opportunity for us to address gaps where current implementation has fallen short. So I am working, we are working on bipartisan legislation to achieve this goal.

If confirmed, Mr. Troutman, will you work with Congress in a timely and constructive manner on this effort?

Mr. Troutman. I will.

Senator Capito. Thank you.

Mr. Nieh, during your time as the director of the NRC's Office of Nuclear Reactor Regulation, or NRR, you led an effort to change the culture of the office with a vision of making the

safe use of nuclear technology possible. This vision aligns with the NRC's role to enable the use of nuclear energy as envisioned by the ADVANCE Act and as reflected in the recently updated mission statement.

Would you discuss your experience at NRR and how your efforts to bring about a culture change will help shape your vision for the agency as a member of the Commission?

Mr. Nieh. Yes, Chairman. In my role as director of NRR, as I mentioned in my statement, we embarked on this culture change to become a more enabling regulator. And from my experience there, I found that the staff of the NRC is among the most dedicated staff I have ever worked with in my career. And there were many staff that understood the need, of course, for ensuring that any nuclear development is brought to America safely, but also that the NRC and nuclear technologies have significant benefit to the welfare of our Nation.

So it is really to focus on safety but at the same time, recognizing the benefit that these technologies can bring to the United States. I feel confident that the dedicated workforce at the NRC can rise and meet this moment and deliver to the United States what Congress and the President and the administration are asking for with the further development of nuclear technologies in the United States in a safe way.

Senator Capito. Well, thank you.

Just as a follow-up to that, any time you are in a conversation, as we are talking about the shortage of energy or the need for more energy, and nuclear enters the conversation, it is almost as if there is a rolling of the eyes of people that you are talking with, whether it is somebody on the manufacturing and technology side, because they feel like we are never going to really get there because of the length of time and the expense that all of this.

But I think it is important, and I would be interested to hear your insights into what our international leadership needs to be. Yes, it is important for our Nation, but it is important for our Nation to lead here and be the world leader.

What is your perspective on that?

Mr. Nieh. Yes, Chairman. Referring back to the vision that we embraced when I was last at the NRC about making the safe use of nuclear technology possible, what one element of that was to reassert America's leadership in nuclear energy. We recognize that having a robust civilian program and a regulatory process that enables this technology to be deployed more timely and safely gives us great benefit in the global nuclear energy market. So that was something in the spirit of making safe nuclear technology possible.

My experience in the international nuclear community, America has incredible leadership through its technical capacity

and credibility that it brings to many of the international fora that I have seen. I think this is a great opportunity and I know the ADVANCE Act calls for greater collaboration and participation in international activities to help restore America's leadership in global nuclear energy.

Senator Capito. Thank you.

Senator Whitehouse?

Senator Whitehouse. Thanks very much.

Mr. Nieh, I was glad to have the chance to meet with you. As you will recall, we discussed four dangers to the NRC which I told you I would mention in the hearing, and which I will now mention.

The first is of course political influence over the NRC brought to bear by the industry through political channels at the White House, for instance. When the White House is willing to fire NRC commissioners without cause, that is a pretty good sign that they seek to exert political influence and the likely beneficiaries of that exertion of influence would be nuclear industry plants that are trying to be rushed forward ahead of safety parameters. That is the first one.

The second is infiltration by the Department of Energy into the NRC. Bureaucracies love to expand, bureaucrats love control, but the efforts of DOE to infiltrate their way into the NRC risk degrading the firewall between the DOE, which is the

advocate for the industry, and the NRC, which is the safety regulator for the industry, a firewall that was the very purpose for the establishment of the NRC. So I see the DOE infiltration as very dangerous.

The third danger we discussed is staff collapse, whether that is because the staff are overwhelmed after so much in the way of departures, or whether they are under-qualified, because people are being brought in who don't know what they are doing, but are perhaps obedient to DOE or to the industry or something else.

And the fourth is how many people who don't know the first thing about the nuclear industry come out of fossil fuel are being put into the NRC? The fossil fuel industry has a vested interest in slowing down, delaying and degrading the expansion of clean nuclear energy because every clean nuclear energy facility that comes online to a significant degree, in fact very often to its entirety, will displace fossil fuel generated electrons and the revenues that the fossil fuel industry gets from generating those electrons.

So watch out for the possibility that these are moles whose purpose is not to advance the cause of safe nuclear energy quickly achieved, but to get in there and try to degrade and attack competing industries the way they degraded and attacked my offshore wind facility, Revolution Wind, until a court put an

end to that political nonsense.

So tell me how you are going to defend the NRC against those four potential dangers that it faces right now.

Mr. Nieh. Ranking Member Whitehouse, I appreciated the opportunity we had to meet prior to this hearing, and I understand your concerns. Related to the first two about administration influence and Department of Energy influence over the NRC, if confirmed, I will 100 percent stay committed to the independent safety mission of the Nuclear Regulatory Commission to ensure that all the decisions NRC makes are in fact made independently with the right technical input.

Senator Whitehouse. Even if it gets you fired?

Mr. Nieh. My focus is going to be on the NRC's safety mission, Senator. I do not envision a circumstance where the President or anyone in the administration would advocate for anything unsafe. That would be counterproductive to the vision embraced in the ADVANCE Act of Congress, as well as the Executive Order 14300, and I commit to you that I will dutifully support the independent safety mission of the agency.

On your third point, related to the staff, if confirmed, one of my top priorities would be to work with my fellow, other members of the commission, to ensure that we do everything we can do to develop the leadership and talent at the agency to continue to do the excellent work that it has been performing.

One of the things I believe I bring to the table is the experience gained from the private sector in leadership and talent development. I feel that there are many things that I have learned over my years in the private sector that would be very beneficial to help grow the future leaders of the agency and Senator, I assure you that I will focus on ensuring that the NRC has a capable and credible staff to conduct its work.

Senator Whitehouse. And watching out for fossil fuel moles?

Mr. Nieh. Sir, I can't speculate on your observation there, so I don't have any comments.

Senator Whitehouse. You registered, right, you have heard it? You will keep an eye out, if something shows up, you will be alert to it.

Mr. Nieh. Yes.

Senator Whitehouse. Fair enough. My time is expired.

Senator Capito. Senator Curtis?

Senator Curtis. Thank you, Chair and Ranking Member and our witnesses.

Mr. Nieh, we also had a chance to talk. Thank you for taking the time to come by. In our conversation, we talked about Utah and their excitement for nuclear. It is baseload, it is clean, it is reliable. I think as we get it up to scale it will become more and more affordable, and Utah would look to be

a leader in it.

Could you just talk briefly about how we can better engage States? You and I talked about a little bit, and how States can play a role in particularly expediting bringing them into their States.

Mr. Nieh. Senator Curtis, thank you for that opportunity to meet with you prior to this hearing. As we discussed, I believe that the States are a very important stakeholder for the Nuclear Regulatory Commission.

The opportunities that I envision for building on the relationships between the States and the NRC as it relates to nuclear development are for the NRC to share as much information as possible about any nuclear projects that are being under consideration for NRC licensing as well as explaining the process and the timelines of how NRC arrives at its safety decisions in any new nuclear project, and of course, in the State of Utah, that comes before the agency.

Senator Curtis. And some of the things we talked about are helping States get years ahead of perhaps preparing sites and identifying sites, things that might expedite it coming up. As I mentioned to you, I will double down on it, any opportunities to run pilot programs. I think Utah would be very interested in participating with you to see if we could find some new innovative approaches.

I would like to shift a little bit to the ADVANCE Act. Inside that I had a bill called the Advanced Nuclear Reactor Prize Act. Among other things, it was aimed at bringing predictability to innovators and to applicants. And as you know, we had UAMPS go through a very long process, a number of things, including the unpredictability of it, and it eventually killed that application.

What do you think, if confirmed, the NRC, what are some of the steps that it could take to ensure applicants have a more clear, understandable, predictable path ahead of them?

Mr. Nieh. Thank you, Senator. In terms of predictability, I believe that the NRC providing clarity of its licensing process and of course, the ADVANCE Act is driving changes along with Executive Order 14300's on the licensing process itself. Having said that, the NRC can greatly enhance the predictability by clearly explaining the licensing process, so applicants very well understand what is needed on their end to support a timely regulatory review and NRC can also clearly explain their commitments on timeliness and what to expect during the review.

Senator Curtis. Thank you. If confirmed, I really look forward to working with you in the State of Utah and see what we can do.

Mr. Nieh. Thank you, Senator.

Senator Curtis. Mr. Troutman, I appreciate Mr. Zeldin's

prioritization of reducing the chemical review backlog. When he came here for his nomination that was a topic that I brought up with him. I reminded him that the previous administration had a zero percent record for approving chemicals within the statutory guideline.

I continue to think that that is impossible that you could accidentally approve one on time and beat that zero. I told Mr. Zeldin at the time I would give him a little bit of time to get his feet underneath him, but then I would be as grump with him as I was the previous administration.

So please know that it is just a huge priority. I think on lots of levels, whether you are concerned about the environment, we have old chemicals out there that could be replaced with newer ones, there is just lots of reasons this is a problem.

But I am wondering, from your experience, if you could just take a minute and share what the impact of the not-approving this is on downstream users, how it is impacting innovation and what you are seeing because of the slow approval process?

Mr. Troutman. Senator, I appreciated the opportunity to meet and talk with you. In the comments I have remaining and under your time, Senator, the innovative chemistries that could be sped to market and come to the fore for consumer and commercial use are so vital for American manufacturing, for the growth of the U.S. economy, and to help the U.S. economy remain

competitive globally. There are anecdotal and real life examples of where those chemistries have not made it to the marketplace in various applications, either in the consumer or the commercial world that I am aware of.

I am excited to work with you, Senator, and the members of this committee and with the Administrator to continue to press for more chemical reviews in a timely and a certain way.

Senator Curtis. Thank you. I am out of time. I yield my time. Thanks.

Senator Capito. Senator Padilla?

Senator Padilla. Thank you, Madam Chair.

I want to begin by echoing Ranking Member Whitehouse's remarks regarding the illegal firing of Commissioner Chris Hanson. The firing was without cause and contrary to existing law and longstanding precedent regarding the removal of independent agency appointees.

As I mentioned during a previous committee hearing, Mr. Hanson was an exceptional public servant. And this action is yet another example of this administration's overreach and an example of how they threaten the very independence of the NRC. So the fact that the nomination we are considering today is only open due to this unlawful firing taints the entire process.

That being said, let me raise a couple of key questions. I remain deeply concerned, first of all, about the continued

presence of DOGE at NRC, also as Ranking Member Whitehouse has referenced. Their presence at the NRC threatens the very autonomy and subject matter expertise that we rely on to ensure nuclear safety and maintaining the trust of the American people,.

I asked this of current NRC commissioners during last month's NRC oversight hearing and I am going to ask it again today. Mr. Nieh, if confirmed, do you commit to ensuring that any DOGE staffers, even if they are labeled as "DOE detailees," do not dictate policy to NRC staff or have veto power over NRC staff? Yes or no?

Mr. Nieh. Yes, Senator.

Senator Padilla. Thank you. Do you support the separation of nuclear safety and nuclear promotion responsibilities between NRC and the DOE? Yes or no?

Mr. Nieh. Yes.

Senator Padilla. Thank you very much.

Do you agree that the NRC staff have unique and critical expertise necessary to license new reactors as compared to the expertise at DOE or the DOD? Yes or no?

Mr. Nieh. Yes.

Senator Padilla. Thank you very much. Good answers.

[Laughter.]

Senator Padilla. I want to move on to another topic.

Nearly 40 percent of Americans live within three miles of high-risk chemical facilities and are at an increased risk as a result of cancers, respiratory illnesses and other preventable illnesses from exposure to toxic chemicals.

Despite TSCA's mandate to evaluate risks to groups with greater exposure or susceptibility of the general population, the EPA recently proposed a rule to no longer include what was referenced as over-burdened communities from the regulatory addition of "potentially exposed or susceptible sub-populations."

This rollback is in addition to other changes that would overlook increased risks to fenceline communities such as allowing the EPA to narrow the scope of uses and exposure pathways evaluated and make use by use rather than whole chemical determinations.

Question for you, Mr. Troutman. Do you agree that there are communities that face disproportionate health risks because of proximity to chemical facilities?

Mr. Troutman. Senator, I appreciate the question. The rule which I believe you are referring to is the proposed risks and evaluation rule, which was noticed for comment just a short time ago. And as you know, Senator, that rule has been proposed in various iterations in 2017, 2024, and now again in 2025.

And based on the briefings I have had and the notice that

is out, there will be further comment on all aspects of the amendments with regard to what has been proposed in the Federal Register. We will take a very close look at where there is actual risk and looking at real-world conditions. So we expect to review those comments in a timely manner.

Senator Padilla. I am aware of the background. Appreciate the additional context. I think my question is pretty straightforward. Do you agree or disagree that there are certain populations with disproportionate risk based on disproportionate exposure, yes or no?

Mr. Troutman. Senator, where the statute that has been enacted by Congress instructs with regard to those risks, we will follow the statute and the authorization.

Senator Padilla. Do you believe there are certain communities with disproportionate exposure and therefore risk or not?

Mr. Troutman. Senator, where the statute indicates --

Senator Padilla. It is a pretty straightforward question. Geographic proximity is easy to understand. The data is absolutely there.

So my follow-up question, that was a more a comment since response to my first was if these considerations are being taken away, is there any new framework that you would have in mind to evaluate or address these increased risks? Or would you simply

leave fenceline communities to their fate by declining to take any action to properly protect them?

Mr. Troutman. Senator, I appreciate the question. And without prejudging an outcome, I would like to see where the comments come in on this rule and consult with the subject matter experts and understand where changes need to be made.

Senator Padilla. Thank you, Madam Chair.

Senator Capito. Senator Ricketts?

Senator Ricketts. Chairman Capito, Ranking Member Whitehouse, thank you very much for holding this important hearing. Mr. Nieh and Mr. Troutman, good to see you both again. Thank you for your willingness to serve our great Nation.

Let's start by talking first about the science used at the EPA. EPA's regulatory process is supposed to be based upon robust, risk-based reviews. This is the right regulatory approach. We should be using the best available data and evaluate uses for chemistry based upon known risks.

The Biden Administratoin's EPA had repeatedly overestimated farm pesticide use in its efforts to comply with stringent Endangered Species Act measures. This in turn has significant implications for FIFRA implementation. Under FIFRA, EPA is required to use the best science and commercial data available when evaluating pesticides.

Crop protection tools such as glyphosate and dicamba are

critical to modern agricultural practices. Conflicting Federal and State guidance threatens the use of chemicals and pesticides producers rely on to maximize yields while minimizing inputs, despite international and American research indicating these chemistries are safe.

Mr. Troutman, do you believe the EPA has consistently followed sound science and risk-based analysis in its evaluation and approval of pesticides?

Mr. Troutman. Senator, I appreciate the conversation we had in your office about these issues. With regard to the American farmer and the importance of crop protection, but also the role of the farmer, American farms, play not only domestically but in the global realm, it is critical to help continue to innovate and stimulate American farm growth, and the availability of crops not only to our own population but to remain competitive across the globe.

FIFRA and the other statutes are risk-based statutes, and where the science leads to those data rich analyses, the administration is committed to following the statutory authority and the authorization that is in place there for that on a risk-based analysis. I am committed to consulting with the subject matter experts and making sure it is a risk-based analysis and to continue to balance these interests of human health and the environment and the American farmer and our competitiveness

around the globe.

Senator Ricketts. Well, that is really what I was trying to get at, is actually the implementation of the risk-based analysis. I understand the EPA models are structured to assume the maximum pesticide application when that is certainly not the case, given agronomic implications and economic cost. Does assuming the highest possible pesticide application rates truly reflect what is happening on farmers' fields? Are you aware of other places that EPA assumes risk-based approaches such as this?

Mr. Troutman. Senator, if confirmed, I expect to get further briefings on other aspects with relation to your question and concerns. But if confirmed, I am committed to continuing to follow the risk-based statutory requirements that Congress has provided to us.

Senator Ricketts. Well, I encourage you to look for ways to incorporate the best and most updated data into EPA's review processes. EPA regulates the real world; therefore, the regulations should reflect the real world. EPA shouldn't just rely on restrictive modeling to eliminate all risks.

Mr. Troutman. Thank you, Senator.

Senator Ricketts. We have long heard complaints from agriculture about the processes and decisions on pesticide registration review at the EPA. One area of criticism has been

the backlog of products under review or re-review. Such backlog greatly limits the ability of our farmers to have the latest, greatest, and safest tools at their disposal.

I understand the administration is making headway but can you share any thoughts on how you plan to address this, if confirmed?

Mr. Troutman. Senator, you are correct, the administration is making headway with additional resources, both financial and technical. And with additional personnel to speed up those reviews, but do them within the requirements that we are statutorily bound by.

The importance here of making sure, as the bathtub fills but gets emptied, if I can use that analogy, with the backlog of the FIFRA-related reviews, we are making process there. The agency is making progress through the program staff. And I would anticipate that continuing to be done.

Senator Ricketts. Well, thank you very much, Mr. Troutman. And again, as we had in our conversation one of the things that I would highly recommend to you is the Lean Six Sigma process for process improvement, or some other process improvement methodology.

Again, we had great success at the State of Nebraska implementing that. It doesn't change any regulations, it is just a way to improve the processes, to remove the steps that

don't add value, to consolidate steps down and be able to run the process more effectively and more efficiently. And I certainly encourage you to take a look at that as you are looking at how you can improve the processes at the EPA.

With that, Madam Chair, thank you very much.

Senator Capito. Senator Merkley?

Senator Merkley. Thank you, Madam Chair.

Mr. Troutman, my colleague from California asked the question whether there are communities that have higher risks and you didn't choose to answer the question. But it is such a simple point that we know the cancer rates are higher, in study after study, around certain facilities, petrochemical facilities, chemical facilities.

I would just encourage you to just do the easy thing and say, when a simple question is asked and there are simple, clear facts, just say yes instead of doing kind of a big circular bureaucratic journey around the question.

I did appreciate talking to you about the opportunity to do good things for America in this role. This role of chemical safety and pollution prevention, we have all kinds of chemicals that we have lots of studies on that are causing harm. That was really highlighted by the MAHA study done in May and then reaccentuated in September, Make America Healthy Again.

And it laid out in that report the risks associated with

plastics and with PFAS and with ag chemicals. And it also noted that often the studies that come from the industry are often very biased compared to the rest. I thought that was a healthy fresh air about just being honest about the challenges we face for American health.

On the plastics front, the MAHA report says microplastics, one study in 2025 shows a concentration found in Americans' brain tissue increased by 50 percent between 2016 and 2024. As we have been able to measure micro and nanoplastics, we are finding more and more contamination inside of our bodies. And it noted that those plastics have endocrine disrupting chemicals that interfere with hormonal development, trigger early puberty, especially in girls, and heightens the risk of obesity, infertility, and hormone related cancers.

I appreciate that type of just honesty about the challenges we are facing. We have chemicals that do amazing things. But there are also effects on human health. So let's just face that honestly and wrestle with how do we maximize the good and minimize the harm that comes from that.

On the plastics front, both the chemicals, plastics themselves and the additives are endocrine disruptors. That is certainly a big, significant contributor to the challenges we face in public health. We heard from my colleagues the mission of just accelerating the approval of chemicals. But we know a

lot of chemicals that have been approved are also having health related consequences.

How are you going to use your position to help support the MAHA movement and try to figure out how we can minimize uses or applications in the plastics world? Plastics do a lot of amazing things. I am not saying we ban plastics. I am just saying that when they get into the environment and degrade and get consumed by us humans, then there is a risk factor. How do we try to figure out how to minimize that harm?

Mr. Troutman. Senator, I appreciated the conversation we had and the time we had to meet, and learning more about where your concerns and interests are with regard to the plastics matter.

A couple of thoughts there, with regard to the plastics and microplastics matter at the agency, the Administrator and across the program offices recognize that microplastics matters and plastics related interest there with regard to the science and protecting human health and the environment is committed to using all the program resources to continue to look at that across the programs that are within the Environmental Protection Agency.

And as the Administrator has committed, and I do as well, we are working collaboratively across the Federal family to ensure that children and our environment are protected. With

regard to where the MAHA report and the strategy is, we have, as the Administrator has remarked and I am learning in my briefings, there are pro-growth policies and collaborations with private sector to advance research and drive innovation to increase public health awareness and address and understand where some of these critical issues are.

So those are some of the commitments that I am happy to talk about here with you today.

Senator Merkley. I do hope you will pursue that, because you will be under constant pressure just simply to accelerate approval of chemicals and diminish actually doing anything about harmful chemicals we have. You and I also talked about PFAS and how every non-stick pan -- and consumers don't even know where it is. You get the microwave popcorn, you don't know if PFAS is on it. You get the frozen food that I eat every night, something in a carboard container, I have no idea if it has been sprayed with PFAS.

Can't we at least warn consumers about where this stuff is, so that there is an incentive for the industry to say, if consumers don't want this stuff, they should know, and we will get alternatives. And I cited to you the example of growth hormone in milk. The way that it was eliminated was because when people had small kids, like we did, we sought out the milk at the one place we could buy it that didn't have growth

hormones. So did lots of other parents. And pretty soon, the dairy industry chose to say, well, we are going to respond to that and collectively not use it.

So do you support at least labeling for us to be able to know, Americans to know when they are coming in contact with these PFAS chemicals that have innumerable studies related to immune suppression, decreased fertility and cancer risk?

Mr. Troutman. Senator, I appreciate the question and the discussion. As you and I discussed, the Administrator has announced earlier this year a strategy across the agency for PFAS and where the program office can, within Chemical Safety and Pollution Prevention, can help to advance that strategy and address some of these issues, the program office will do so.

Senator Merkley. Thank you for the extra time, Chairman. I will give some follow-up for the record on the other chemicals I am concerned about. I do hope the strategy is simply not the strategy of doing nothing, because that is kind of expecting. I would love for you to surprise us.

Senator Capito. Thank you.

Before I turn it over to Senator Blunt Rochester, I would like to ask for unanimous consent to submit various records of letters of support for both nominees. Without objection, so ordered.

[The referenced information follows:]

Senator Blunt Rochester. Thank you, Chairwoman Capito.

To my colleagues, yesterday there was a split screen on the television coverage of committee hearings, and a shutdown clock. It was a tale of two realities. Our Republican colleagues are holding hearings as if it is business as usual, while Americans are literally living in the midst of a shutdown that jeopardizes their health care, their jobs, and the services that they rely on.

Now, the issues before us are very important. But the number one priority in this moment should be reopening the government, and restoring people's health care.

So today, I want to use my time to remind all of us about what is at stake. We are at a pivotal moment. Energy costs are going up. The price of food has gone up. For some, their rent has gone up. And millions of Americans in red States and blue States alike are on the brink of their health care costs doubling or losing it altogether.

From small business owners, ranchers and farmers, to moms and dads at this very moment, Americans across the Nation are making difficult decisions about how to make ends meet. But we can fix this. But it requires negotiations. It requires us to do our jobs and define a path forward together.

We can reopen the government. We can restore health care for the millions of Americans who are counting on us. But it

requires urgency and it requires trust and it requires a willingness to come to the table now.

My Republican colleagues control the White House, the House and the Senate. The ball is in your court. Let's make a deal.

I yield back.

Senator Capito. I will resist saying something and turn to Senator Kelly.

Senator Kelly. Thank you, Madam Chair. Mr. Nieh and Mr. Troutman, thank you both for being here today.

Mr. Nieh, as you know, I spent a good amount of time in the Navy, but also before that as a student at the U.S. Merchant Marine Academy as a marine engineer, working with power plants and I appreciate your leadership in this industry. I think the NRC right now is at a critical crossroads. Its independence is under pressure, key staff have been removed or have left. And amid all that, the NRC is being asked to do a lot more, and to do it faster.

You recently served at the Institute for Nuclear Power Operations, a respected, industry funded non-profit. While it earned praise for its safety mission, I have real concerns about applying that model to the NRC. INPO is funded by the very industry it evaluates. And its findings aren't made public. That is just not the level of independence and transparency we expect from our agencies.

And as the NRC is asked to do more with less, I worry about the appearance that the Commission is in the pocket of the industry. We can't have the American public feel that nuclear reactors are being deployed without independent oversight. The stakes are just too high.

As commissioner, how will you ensure the NRC maintains true independence from industry, even as you collaborate to meet ambitious deployment goals?

Mr. Nieh. Thank you, Senator. I appreciate the opportunity we had to meet and I also appreciate the common connection we have with our Merchant Marine backgrounds.

To your question about NRC's independence and being asked to do more at a time where the resources may be challenged with staffing levels, Senator, if confirmed, I fully commit to ensuring that NRC's safety decisions are made independently.

Moreover, when I think about your comment about industry and NRC being in the pocket of industry, in my experience, working for a private company, an electric utility as well as the Institute of Nuclear Power Operations, I have observed and learned that those private organizations are 100 percent committed to the safety of their operating facilities. In fact, I believe from my experience at INPO, the Institute of Nuclear Power Operations, that the high level of safety and reliability that exists today in America's nuclear power plants that are

operating would not be possible without the work of INPO.

So I believe that NRC is an independent regulator, that is by law. And at the same time, independence does not apply isolation. So I commit to doing the job independently, focused on safety first, working with the other members of the Commission and the dedicated staff of the NRC to ensure that safety will always be the number one priority.

But we will listen to all stakeholders.

Senator Kelly. All right. Then the NRC is being asked to significantly reduce permitting time, and issue more licenses than it has in decades. The administration wants 10 new reactors licensed by 2030. That is nearly as many as have been done in the past 25 years.

Can that be done without sidelining public participation or compromising safety?

Mr. Nieh. Senator, I think the public has a right to access the Federal Government processes that are involved with a nuclear power project. So if confirmed, I commit to ensuring that the NRC follows all applicable laws and statutes related to public participation in their licensing process.

Senator Kelly. And do you think we can license 10 new reactors by 2030 and do it safely?

Mr. Nieh. If it comes before the NRC, I commit to you that I will work with the current members of the Commission to ensure

that any agency decisions are done with safety as a top priority.

Senator Kelly. They also want, meaning the administration wants three small modular reactors up and running by next July. A lot of this technology is still untested or is in testing, and some of these projects only recently broke ground.

From an engineering and safety standpoint, does the timeline seem to you to be overly optimistic, to get these three up by July?

Mr. Nieh. Senator, I don't want to speculate on the optimism of any particular schedules or goals. What I will say is that if anything comes to the NRC, if confirmed, I will ensure that NRC does its job with safety first. It has to be safety first. Recognizing there are some timelines that are on the table, but the work of the agency has to be done with safety.

Beyond the regulatory process, sir, during our discussion, you recall we talked about some of the other factors that go into a nuclear project, such as financing, supply chain, particularly for long lead time components, as well as a workforce to construct these projects as well. So those are things that are not directly under the purview, necessarily, of the NRC. But those are factors that would also need to be considered for any timeline of a large nuclear project.

Senator Kelly. All right. Well, thank you. I do believe that nuclear is part of the solution here. We have rising energy demand needs. Clearly this needs to be done in a way that is safe and where the general public is fully informed.

Thank you.

Senator Capito. Senator Lummis? Thank you, Senator.

Senator Lummis. Thank you, Madam Chairman. And thank you, nominees, for your willingness to serve. Appreciate your being here.

Mr. Nieh, you have said you would like to make safe use of nuclear technology possible. Certainly, I agree with that . I think we all agree that that is the ultimate goal.

So how would you work with other NRC commissioners to reflect that mission of enabling the use of technology but retaining the NRC's mission as a nuclear safety regulator?

Mr. Nieh. Senator Lummis, I appreciate the opportunity we had to meet in advance of the hearing. In terms of looking at safety and enabling which is part of the Atomic Energy Act and part of the organic elements of the agency, if confirmed, I 100 percent commit to working collegially with the other members of the Commission to ensure that decisions are made with safety as the primary consideration.

And in the collegial process, there are opportunities for commissioners to engage with each other one on one or even

during commission meetings. Perhaps those are opportunities to discuss the enabling aspects of how the safe use of nuclear technologies can bring benefits to our society in a wide range of fields.

So if confirmed, I commit to you to do that.

Senator Lummis. As you are aware, one of the early licensees and future developers is in my State, TerraPower. So how will you ensure that early movers like Terra Power are not disadvantaged by shifting regulatory frameworks intended to benefit future applicants?

Mr. Nieh. Senator, I think in any process, if you are moving the goalpost, that is never good for getting the desired outcome. I think there are opportunities for early movers such as TerraPower to actually be thought leaders in things that could actually improve the permitting process in terms of its efficiency, but at the same time, maintaining the safety decision as the primary focus.

So I believe that going through the process as an early mover is actually perhaps an opportunity to do things that could be considered in future regulatory reform. I commit to you, if confirmed, that I will work with my other members of the Commission to provide the leadership and direction to the staff if needed.

Senator Lummis. Well, thank you. And I will look forward

to working with you in that regard as well.

In addition, as you know, it is important that the NRC quickly proceed with streamlining its environmental review requirements. It has been an area where they have been bogged down for years.

So could you tell me what you view as the most impactful opportunity to streamline the NRC's environmental review requirements?

Mr. Nieh. Senator, in the ADVANCE Act and Executive Order 14300, there are a variety of opportunities to streamline environmental reviews, such as expanding the use of a generic environmental impact statement, leveraging the use of categorical exclusions, and reducing the sheer volume of an environmental review.

I believe other opportunities exist also to perhaps look at any redundancies that are in an environmental review that may be occurring in the safety review. Also, there is probably worth, in my opinion, to look at whether there are any areas where the NRC is going above and beyond unnecessarily the minimum standards in the National Environmental Policy Act. Perhaps there is also opportunities to leverage modern business and data tools to facilitate more expedited environmental reviews.

Senator Lummis. So, one more question for you before I turn to Mr. Troutman. It is with regard to our U.S. enrichment

technology. Can you explain how you would go about processing licenses for U.S.-owned nuclear fuel facilities, including enrichment facilities, using U.S. technology?

Mr. Nieh. Senator, I believe that if American society wants nuclear, the front end of the fuel cycle has to be part of that. If confirmed, I commit to you that we will, that I would work with the other members of the Commission to ensure that the improvements and reforms, the fuel cycle licensing, we will treat that as the same way we are treating reactor licensing as well.

Senator Lummis. Okay. So both conversion and enrichment?

Mr. Nieh. Yes. And of course, it has to be safe. Anything that we do related to nuclear must be done with safety in mind first.

Senator Lummis. Thanks so much. Appreciate your responses.

Mr. Troutman, welcome. My State of Wyoming is going to be deeply involved in powering America's energy dominance and the fuel that is necessary to compete with China on artificial intelligence. Wyoming is the top coal-producing State. We are top 10 for oil and gas and also have enormous deposits of critical minerals.

So all of these require chemistry to mine and process. And many of these chemicals have been under threat from TSCA

regulations.

So given that chemicals are so fundamental to these goals and to our economic competitiveness and our national security, can you speak to how you would balance the need for access to critical chemicals we need while also protecting health and the environment?

Mr. Troutman. Thank you, Senator, for the question. I enjoyed meeting your staff to further discuss various aspects of the program office. Just briefly, the Administrator has announced as part of his five pillars energy dominance as one of those. One of those aspects are PMN or premanufactured notice, notifications with regard to energy centers, AI energy needs.

And with regard to that, to help accelerate and understand the need for that innovation and that investment to help grow the American economy. If those PMNs come in to help develop that resource within the US, it will not get a lesser robust review, but it will be an important part of the queue to keep reducing our PMNs and to advance energy needs for this critical industry that has come across.

Senator Lummis. Madam Chairman, I know you have been very gracious with my time. I appreciate it very much.

Senator Capito. We are glad you are here. Thank you.

Senator Alsobrooks?

Senator Alsobrooks. Thank you so much, Madam Chair. I

would like to also thank both of our nominees for being here today, Mr. Troutman, Mr. Nieh.

I would also like to take a moment to acknowledge the Marylanders from my State who are willing to serve our Federal Government. We have the largest share of Federal Government employees in the Country, but who cannot do so due to this administration's government shutdown.

I would also like to thank Mr. Nieh for his comments earlier in this hearing, where you acknowledge that during your time at the Nuclear Regulatory Commission, you said you are working now with the most dedicated professionals that you have had the privilege of working with, that these are some top-notch individuals. I think that is refreshing to hear, especially considering the way that this administration has maligned and attacked professionals like the ones with whom you have had the privilege of working with every day.

The Nuclear Regulatory Commission plays a vital role in Maryland, is headquartered in Rockville, and the NRC oversees the Calvert Cliffs Nuclear Power Plant, which generates nearly 40 percent of our State's electricity. On October 1st, the NRC furloughed 1,837 employees. That means that the NRC is operating at reduced capacity with only 828 employees who are working without pay.

Once the NRC exhausts its available funds, it will halt

licensing, certification and permitting activities, adding to regulatory backlogs and further delaying energy projects.

So my first question, and I would also like to note that since July, there have been reports of 11 senior level managers who have departed the NRC, including several of whom that have been pushed out by DOGE detailees.

So, Mr. Nieh, I wonder whether you believe that political interference and loss of staff morale are contributing to the departures at the NRC?

Mr. Nieh. Senator Alsbrooks, because I am not currently at the NRC, I really can't comment on what is happening inside the agency. But what I will say, and in response to your concerns, if confirmed, Senator, I fully commit to working with the other members of the Commission and the dedicated staff of the NRC to ensure that the NRC has the, again, maintains that dedicated and technically competent workforce that it has had over the many decades of its existence. In fact, I think last year was the 50-year anniversary of the Nuclear Regulatory Commission.

Staffing is really an important issue for the agency to do its job to serve the American people. I fully commit to ensuring that I put the people of the NRC at the top of the priority list and working with the other members of the Commission.

Senator Alsobrooks. I thank you so much for that. So if I

am clear, you are committing to support only candidates who have the requisite nuclear and management experience to hold senior level staff positions at the NRC. Is that your commitment?

Mr. Nieh. Senator, yes, fully. In my opinion, to be an effective leader, or a technical contributor, you have to be competent and qualified.

Senator Alsobrooks. Thank you so much.

I would like to also ask another question, Mr. Nieh. Global collaboration and harmonization of regulatory licensing are essential to driving the wise adoption of standardized, cost effective, advanced nuclear reactors. Recently, the U.S. and U.K. announced several promising nuclear partnerships, including Centrica's plan to deploy 6 gigawatts of X energy reactors. And this is a company that is based in my home State of Maryland.

So I would like to know whether you plan to engage with international partners to promote the standardization of reactor designs in the licensing process.

Mr. Nieh. Thank you, Senator. In my statement, I mentioned I had the privilege to work in the international nuclear community. I formed very good relationships with many regulatory counterparts from many different countries, including the United Kingdom.

If confirmed, yes, I will continue to build that collaboration. And what I have seen in the experience with

seeing other regulatory programs from around the world, in many ways, we are more similar than we are different. So I think there are many opportunities for harmonization of regulatory approaches to safety.

Senator Alsobrooks. Thank you so much. Thank you, Madam Chair.

Senator Capito. Thank you.

Senator Markey?

Senator Markey. Thank you, Madam Chair. The independence of the Nuclear Regulatory Commission is vital to the safe operation and decommissioning of nuclear energy infrastructure in the United States as well as critical to the trust of the public in the nuclear industry. But the Trump administration would rather kill the NRC's credibility to cut corners than to keep us safe.

Mr. Nieh, do you think it is appropriate that political appointees in the White House now get final review on NRC decisions and documents through the Office of Information and Regulatory Affairs, and can even intervene to make those decisions less protective of public safety?

Mr. Nieh. Senator Markey, thank you for the opportunity that we had to discuss some of the issues that are important to you prior to this hearing.

Senator, let me first say, I have been away from the NRC

for almost five years, so I am not current on how the OIRA process that you referenced is currently being implemented in the Federal Government. If confirmed, I assure you that I will seek to understand that current way of doing business.

And what I also commit to you is that --

Senator Markey. Well, here is where we are. This administration has already shown it will fire NRC commissioners who it seems focusing too much on safety. That is the commissioner you are replacing. And I wouldn't put an electron's worth of confidence that they won't meddle with NRC regulators.

Will you stand up if the White House tell you to compromise on any nuclear safety decision which you have made?

Mr. Nieh. Senator Markey, if confirmed, I will faithfully commit to carrying out the NRC's independent safety regulatory authorities.

Senator Markey. Well, you are going to be challenged. It is coming. The NRC has recently posted job openings to try to replace some of the 200 NRC staff that have left since the start of the Trump administration. But the applications posted online don't just ask about technical qualifications, they include a loyalty test about which of President Trump's executive orders are the applicant's, for a job at your agency, what are their favorite executive orders from Trump? And they have to answer

that in an essay question.

Mr. Nieh, which is more important in hiring: qualified NRC staff, or fealty to the President and his views and executive orders? Or is it the technical expertise in nuclear safety that should be what guides who gets hired at the agency?

Mr. Nieh. Senator, in my experience in working at the NRC, it has always been evaluation of the technical qualifications and merits of the candidate for a particular position. And if confirmed, I will commit to working with the other members of the Commission and the senior leaders at the NRC to ensure that NRC hires only the best technically competent candidates for positions.

Senator Markey. Well, I will tell you: these are mission-critical permanent civil service positions that do not serve at the pleasure of the President. And not only are they civil service roles, they are civil service roles at what is supposed to be an independent agency. Qualified job candidates should not feel that their employment is conditional on pledging allegiance to Donald Trump just as independent commissioners should not feel that their standing at the agency is based on their personal loyalty to this President's marching orders. Their only loyalty has to be to nuclear safety to protect communities where nuclear power plants are located around this Nation.

Mr. Troutman, a few weeks ago EPA announced a plan to prioritize the review of chemicals used in AI data centers to make it easier to build AI data centers. Administrator Zeldin at the EPA, he said this: "The Trump EPA wants to get out of the way."

Mr. Troutman, which provisions of our toxic safety laws tells EPA to get out of the way of reviewing chemicals for safety?

Mr. Troutman. Senator, I appreciate the question. With regard to the review of those premanufactured notices, nothing will change with regard to the robust review based on the risk-based statute enacted under Section 5 of TSCA.

Senator Markey. You are going to be under orders from Administrator Zeldin to get out of the way. Get out of the way in terms of chemical safety. And it doesn't say anywhere in any law that that is your job. Because this administration ultimately wants to make communities sick again, dumping toxic chemicals into our air, into our water, into our land.

If their big tech bosses who sat right behind the President at the inaugural want it, are you going to guarantee that there will never be a compromise of safety of toxics, even though the EPA administrator is saying that is what he wants you to do?

Mr. Troutman. Senator, I commit to following the statutory requirements and the regulations, the rules that Congress has

enacted, and to follow the science and what the statutes require with regard to the review of chemicals, either new or existing.

Senator Markey. That is not what Lee Zeldin is saying. Lee Zeldin is saying, no, he is not going to follow the law. He is going to get the Trump EPA out of the way so that these plants can be built without the protections against toxic chemicals going into the lungs of Americans.

That is the administration you are joining. That is the boss you are going to have at the EPA, Lee Zeldin. EPA will now stand for "Every Polluters Ally." Your job is going to be to stand up to him. I am not hearing you say that today, sir.

Thank you.

Senator Capito. Thank you. I think Senator Lummis has one more question, and then we will call it a day. Thank you.

Senator Lummis. Thank you so much, Madam Chairman. Mine is a follow-up to Senator Markey's question for Mr. Troutman.

I took that EPA's announcement, EPA Director Zeldin's announcement that he just plans to prioritize reviews of new chemicals, not to just get out of the way and turn a blind eye, but rather to prioritize their review.

So, Mr. Troutman, what would be your role in prioritizing those reviews? And how have you thought about going about it?

Mr. Troutman. Senator, I appreciate the question. Nothing will change with regard to the robust review as the statute

requires under TSCA Section 5 with regard to premanufactured notice.

If confirmed, I commit to working with the subject matter experts, the program staff which is very capable to make sure I understand the rules and the law as stated in the statute. And that is my commitment to you today.

Senator Lummis. Thank you, Mr. Troutman. Thank you, Madam Chairman.

Senator Markey. Madam Chair, can I just follow up?

Senator Capito. I will let you go over a little bit. I will give you a minute.

Senator Markey. My only point is, there are thousands of chemicals that have never had a robust safety review at the EPA. And that is where the resources should be placed, not firing EPA employees, but making sure that we have more EPA employees to review the exposure that these chemicals could mean for the health of Americans.

Instead, what Lee Zeldin is saying is that he is going to prioritize the AI industry's desire to have data centers be built and that the EPA will get out of the way. They won't be reviewing these chemicals. Instead, they are going to be prioritizing AI centers that are going to result in more pollution in communities all across this Country.

So that is very clear what Zeldin is saying. He has been

very clear all along. He is going to start up new coal-burning plants that will be polluting neighborhoods. He is going to allow AI plants to be built without looking at the chemical effects.

So it is just very clear what this agenda is. I thank you, Madam Chair, for giving me that little extra time.

Senator Capito. Before I close the committee, I want to make a couple comments. First of all, I live within three miles of a large chemical plant myself and have for years, 50 years. The progress that has been made over the last 50 years, no matter who it is, a Republican or a Democrat in terms of cleaning up the air, cleaning up the water, making sure the communities are aware of what is going on, if there is a potential spill or something happens at a plant, it is millennials beyond what it was when I first was a young married person living in Charleston, West Virginia.

So I want to say to both of you that the message that I got from both of you is that safety is number one, both on the chemical side and on the nuclear side. And I will say in response to Senator Markey, he is saying chemicals haven't gone through the system over the last years.

You know why? Because they didn't do anything. They didn't do anything. They left old chemistry on the books waiting for new, greener, safer chemistries to be approved, and

they never approved them. They just let them sit there.

So, Mr. Troutman, thank you for stepping up. Mr. Nieh, thank you for stepping up. And I hope that we know, all of us collectively, you live in this Country. You have kids in this Country. The safety of the air and the water and the energy production in this Country is absolutely critical to you, as it is to Lee Zeldin and the President.

And I think it is insulting to think that you are going to sit there and let all of us live and become less safe, less healthy, and to leave it to future generations.

So with that, without further questions, I would like to thank the nominees and all my colleagues for their participation in today's hearing. Senators who wish to submit written questions for the record have until 5:00 o'clock on Friday, October 17th to do so.

The nominees' responses to these questions are due back to the committee no later than close of business on Monday, October 27th, and they will be submitted for the record.

With that, this hearing is adjourned.

[Whereupon, at 11:29 a.m., the hearing was adjourned.]