

Committee on Energy and Commerce

**Opening Statement as Prepared for Delivery
of
Ranking Member Frank Pallone, Jr.**

***Hearing on “Oversight Of NRC: Ensuring Efficient and Predictable Nuclear Safety
Regulation for A Prosperous America”***

June 14, 2023

Nuclear power plays an important role in producing carbon-free power for the electric grid. In April, this Subcommittee held a hearing examining the current and future nuclear energy landscape. I thought it was an informative and bipartisan hearing, and I look forward to building on that progress today as we conduct oversight of the Nuclear Regulatory Commission.

Democrats have long been committed to decarbonizing the power sector to combat the worsening climate crisis. Over the past two years, Congressional Democrats and President Biden took major action on climate by passing both the Bipartisan Infrastructure Law and the Inflation Reduction Act. These laws included historic climate investments to help us lead the rest of the world in the transition to clean energy, while also creating millions of good-paying clean energy jobs and lowering energy costs for Americans.

In 2022, the power sector accounted for about 31 percent of total U.S. carbon dioxide emissions. If we’re going to dramatically reduce power sector emissions while keeping prices low for consumers, we need reliable, carbon-free resources that can sustain output for long periods of time.

Nuclear power can meet this test and that’s why we looked to bolster nuclear power in the two new laws. In the Bipartisan Infrastructure Law, we authorized the Civil Nuclear Credit Program, a \$6 billion fund at the Department of Energy to support our existing reactor fleet. Then, as part of the Inflation Reduction Act, we created a tax credit for zero-emission nuclear power and invested \$700 million in a program to support the next generation nuclear fuel.

The Nuclear Regulatory Commission has done an admirable job over the years of ensuring nuclear power is safe and secure. The nuclear industry often touts its safety successes over the past decades, but that success is partly due to the efforts of federal regulators to stay on top of inspections and safety protocols at plants across the country.

I would also like to commend the NRC for creating an Environmental Justice Review Team two years ago to evaluate how the agency’s policies and activities address environmental justice. The resulting set of recommendations is an important first step on environmental justice. The report recommends that the NRC enhance its environmental justice outreach activities. It also recommends that the Commission reassess its ban on using funds to assist environmental justice communities in participating in NRC proceedings and other topics.

This is also an issue that I discussed with the FERC Commissioners when they were before this Subcommittee yesterday. It is critical that our federal agencies and commissions acknowledge and include communities that have disproportionately faced the negative effects of energy generation and climate change.

The NRC is also in the process of creating a new regulatory framework for advanced nuclear reactors. This was something Congress required the Commission to do in 2018 as part of the bipartisan Nuclear Energy Innovation and Modernization Act. Earlier this year, NRC staff proposed a draft of this new framework, which is referred to as “Part 53.” In April, I joined Chairs Rodgers and Duncan, and Ranking Member DeGette in a “Request for Information.” We asked nuclear power stakeholders for comments and recommendations on the NRC licensing and regulatory process. One common theme we heard in these responses is that the draft “Part 53” framework is too cumbersome and difficult to use.

I hope the Commission can make targeted revisions to the licensing framework so it can be used to safely and efficiently license advanced reactors in the future. Advanced reactors can be designed to provide enhanced safety features and produce less waste. They can come in different sizes, be constructed faster with lower construction costs, and be sited in more remote areas.

Finally, I want to briefly mention the Commission’s “Decommissioning Rulemaking” that will guide the process for shutting down and decommissioning shuttered nuclear reactors. A proposed version of this rule was published last year, but I remain seriously concerned that the rule provides an insufficient role for local communities to participate in the decommissioning process. I hope this will be corrected before the rule is finalized.

It is nice to see all five NRC Commissioners here today. I look forward to your testimony.