

## **Cosponsor H.R. 5549, the Efficient Nuclear Licensing Hearings Act**

Congressman H. Morgan Griffith (R-VA-09)

*This bipartisan, commonsense bill, eliminates a costly and redundant 1950's era nuclear licensing rule*

### **BACKGROUND:**

The Nuclear Regulatory Commission (NRC) is currently required by Section 189 of the Atomic Energy Act of 1954 to hold a hearing on every single reactor license application. This step is required after the NRC conducts statutorily required environmental and safety reviews. In almost all cases, these hearings are not contested by advocacy organizations or members of the public. Under statute, the NRC holds a public licensing hearing with a voluminous record prepared by Commission nuclear engineers who are paid \$336 per hour by the license applicant. These costs are borne by nuclear companies and cost upwards of \$2 million per reactor license.

### **HISTORY:**

- The mandatory nuclear licensing hearing was created in 1957 when there were not any large-scale electric power nuclear reactors in operation, and all reactor designs were novel.
- The original justification for a mandatory hearing was to provide a forum in which details of reactor project applications were aired publicly and debated.
- Mandatory licensing hearings became less relevant as the Advisory Committee on Reactor Safeguards, authorized under Section 29 of the Atomic Energy Act of 1954, took on more safety review responsibilities.
- Modern NRC proceedings provide significant opportunities for public engagement through scoping and siting community meetings and notice and comment periods.
- Today, the NRC staff independently assesses technical data and publishes numerous documents related to all safety and environmental reviews on its database.
- Elimination of mandatory public hearings was first proposed by NRC career staff in an internal efficiency study in 2007 and has been supported by numerous NRC Commissioners of both parties.

### **WHAT DOES THE BILL DO?**

- Current statute requires NRC to hold hearings on all nuclear reactor license applications pertaining to construction, operating, and combined licenses. Each mandatory hearing generally requires over 1,000 hours in NRC staff work.
- The *Efficient Nuclear Licensing Hearings Act* repeals the requirement for mandatory hearings, impacted individuals may still petition the NRC for a public hearing.
- This bill requires the NRC to publish a 30-day notice as each license application is filed unless the NRC determines that there are no significant hazards to consider.

### **SUPPORTING ORGANIZATIONS:**

ClearPath Action, the Nuclear Energy Institute (NEI), the Nuclear Innovation Alliance, Breakthrough Institute, Citizens for Responsible Energy Solutions, Third Way, The Nuclear Company (TNC), and Conservatives for Clean Energy.

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