

# Congress of the United States

## House of Representatives

Washington, D.C. 20515

July 15, 2019

The Honorable Kristine L. Svinicki  
Chairman  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Dear Chairman Svinicki:

We write to express our deep concern with potential changes the Nuclear Regulatory Commission (NRC) is contemplating regarding its Reactor Oversight Process (ROP). Specifically, we are troubled by three alterations the Commission staff is currently reviewing:

- a. Replacing NRC inspector assessments with industry self-assessments;
- b. Arbitrarily reducing core safety inspections; and
- c. Reducing the significance and public reporting of “white” findings.

The ROP has governed the NRC’s regulatory oversight of nuclear reactors for nearly two decades and is critical to ensuring the health and safety of nuclear workers and the public.

Congress established the NRC as an independent agency whose primary mandate is to ensure the safe use of radioactive materials, while also protecting the public and the environment. It is difficult to understand why the NRC would attempt to make fundamental changes to its safety protocols without ensuring in-depth public awareness, comment and input.

While we are aware of at least three “public meetings” that the NRC has held on these potential changes on March 7, March 14, and April 24 of this year, it appears that each of these Category 2 sessions included only NRC staff and industry representatives. None of these meetings included significant input or comment from the general public and interested stakeholders.

Proceeding with these dramatic changes without sufficient input from a wide range of public stakeholders may jeopardize the health and safety of workers and the public. Each proposed alternation weakens the current standards and it is unclear why the NRC is pursuing these changes now and in an expeditious manner that does not appear to ensure broad public input.

The House of Representatives officially raised this concern when it passed H.R. 2740, which includes the Fiscal Year 2020 Energy and Water Development appropriations bill, on June 19, 2019. That bill included report language opposing these changes and requested a briefing from NRC on this critical issue.

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To ensure nuclear power provides safe, reliable, emissions-free energy, it is imperative for the NRC to uphold strong regulatory standards. That is why we are disturbed by the consideration of these far-reaching changes to the NRC's regulatory regime without first actively conducting robust public outreach and engagement. It would be a mistake to attempt to make nuclear power more cost competitive by weakening NRC's vital safety oversight. Cutting corners on such critical safety measures may eventually lead to a disaster that could be detrimental to the future of the domestic nuclear industry.

We understand that, in the coming weeks, NRC staff will provide to the Commission recommendations for proposed changes on the ROP. Given the significance of the proposed changes to the ROP, we request that NRC hold a public comment period prior to Commissioners voting on any changes.

It is critical these steps are taken before any further action. Thank you for your consideration and attention to our request.

Sincerely,



Frank Pallone Jr.  
Chairman  
Committee on Energy and Commerce



Nita M. Lowey  
Chairwoman  
Committee on Appropriations



Bobby L. Rush  
Chairman  
Committee on Energy and Commerce  
Subcommittee on Energy



Marcy Kaptur  
Chairwoman  
Committee on Appropriations  
Subcommittee on Energy and  
Water Development, and Related  
Agencies

cc: The Honorable Jeff Baran, Commissioner, Nuclear Regulatory Commission  
The Honorable Annie Caputo, Commissioner, Nuclear Regulatory Commission  
The Honorable David A. Wright, Commissioner, Nuclear Regulatory Commission