



Jeffrey S. Merrifield | Partner



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The Honorable Jeffrey S. Merrifield, a former presidential appointee to the Nuclear Regulatory Commission, is widely recognized as an international thought leader on nuclear power and the deployment of complex energy systems for the avoidance of carbon generation.

During his three decades of involvement in the energy industry, Jeff has developed wide-ranging relationships throughout the international nuclear community that allow him to identify strategic and legal solutions for major energy and environmental matters. He is considered a leader in advanced nuclear and fusion deployment and has assisted large and developing nuclear utilities, suppliers and governments in effectively meeting their regulatory requirements and strategic objectives regarding the deployment of complex energy systems. Jeff's well-received corporate executive experience, as well as media and public speaking capabilities, also provide a significant resource for the advocacy of common-sense and cost-effective solutions.

Representative Experience

- Provides strategic counsel and advice to Terrestrial Energy, newcleo, and General Fusion, which are developing next-generation advanced nuclear and fusion generating facilities.
- Serve as the outside counsel and for the Fusion Industry Association (FIA) and lead their successful effort to receive U.S. Nuclear Regulatory Commission adoption of simplified accelerator framework under 10 CFR Part 30 to regulate future commercial fusion machines. Also serve as the Counsel and Secretary to the FIA Board of Directors.
- Served as co-outside counsel for the nuclear due diligence effort for Brookfield's purchase of Westinghouse and served as outside nuclear counsel for a half-dozen confidential mergers and activities efforts.



- Provides counsel and representation for several utilities before the Nuclear Regulatory Commission regarding how to meet a wide variety of NRC safety and security requirements.
- Developed a successful regulatory strategy for a U.S. utility that reduced its security workforce by over 40 percent.
- Served as co-outside counsel for the board of directors for a U.S. utility in an independent investigation of allegations directed against senior management of the company regarding nuclear safety culture.
- Served as confidential counsel to a major international energy association, including engaging with over two dozen global utility CEOs, to address complex governance matters.
- Served as confidential counsel to two startup companies providing innovative nuclear power applications for terrestrial and space-based nuclear applications.
- Co-lead on nuclear regulatory analysis for the Nuclear Alternative Project, a DOE-sponsored effort to assess the deployment of advanced nuclear energy in Puerto Rico.
- Provides advice and counsel on public communications and legislative engagement for a major fuel storage facility.
- Serves as outside legal advisor to Clearpath Foundation, a free-market, clean energy advocacy organization, which promotes nuclear power, clean coal and hydropower as non-carbon-based solutions to providing clean energy.
- Provides confidential pro-bono counsel to over a half dozen non-governmental organizations focused on the nexus of energy and carbon-free generation matters.
- Advises a handful of Asia-based companies seeking to establish or expand their U.S. operations.
- Advises several Canadian corporations and organizations who seek to expand their nuclear presence in North America.
- Advises a leading artificial intelligence developer in Silicon Valley on its defense and nuclear energy deployment efforts.
- Testified over a half-dozen times in front of the House and Senate on the deployment of advanced reactors since 2015.

Professional Highlights

- Serves as the chairman of E4 Carolinas—the 150-member Energy Association of North and South Carolina.



- Serves as a Vice Chairman of the U.S. Nuclear Industry Council (USNIC); also serves as the chairman of the Advanced Nuclear Working Group, where he leads an effort to promote the deployment of this innovative nuclear technology.
- Appointed to the 24-member Civil Nuclear Trade Advisory Committee (CINTAC) (2016 – 2018, 2023-24) that advises the Secretary of Commerce on nuclear trade issues.
- Was a leading spokesperson for the U.S. nuclear industry during the Fukushima incident, fielding over 100 live interviews (TV and radio) over a two-week period following that unfortunate accident.
- **Honors & Awards**
 - Recognized by *Chambers Global* for Energy: Nuclear (Regulatory & Litigation) – USA (2020 – 2023).
 - Recognized by *Chambers USA* for Energy: Nuclear (Regulatory & Litigation) (2019 – 2023).
 - Presidential Citation, Fukushima Rapid Response, American Nuclear Society, 2011
 - Energy Leadership Award, Charlotte Business Journal, 2010
 - Special Achievement Award, United States Transport Council, 2007
- **Career Highlights**
 - While serving on the U.S. Nuclear Regulatory Commission, became the most widely traveled commissioner ever, having visited 30 of the 31 countries then operating nuclear plants and toured 240 of the world's 440 nuclear reactors.
 - Appointed by President Clinton and reappointed by President Bush to serve on the five-member, Senate-confirmed, independent Nuclear Regulatory Commission, serving from 1998 to 2007. Managed a staff of 3,250 employees and a budget of \$900 million; set all policies and rules that governed the safe and secure use of nuclear materials at the 104 U.S. nuclear power plants then operating.
 - Served as president of The Merrifield Group LLC, providing energy and environmental consulting, advocacy and strategic advice for companies, organizations and individuals.
 - Senior vice president of global business development with Chicago Bridge & Iron Co.'s Power Business Unit. Led a team of 25 sales and proposal staff to develop and win over \$1.5 billion in nuclear, fossil and renewable energy annual sales, including the first competitive, EPC combined cycle gas unit in over six years.
 - Senior vice president for The Shaw Group Inc.'s Power Group, overseeing external relationships, including nuclear business development, customer relations, strategic planning, marketing and communications, as well as government and regulatory affairs. Helped lead a business



development team that increased Shaw's nuclear outage services to achieve penetration of over 50 percent of the U.S. nuclear outage maintenance market.

- For almost 10 years, served as a policy advisor on energy and environmental matters for two members of the United States Senate and was the staff director and counsel for a subcommittee of the Senate Environment and Public Works Committee responsible for hazardous, solid and radioactive waste cleanup matters.

- **Board and Association Activities**

- Served on the board of directors for U.S. Ecology Corp. (2007 – 2014), one of the largest U.S. operators of both hazardous and low-level radioactive waste disposal facilities; lead director, chairman of governance committee and a member of the compensation and audit committees.
- Vice Chairman of U.S. Nuclear Industry Council (202-present); Chairman of the Governance Committee - (2019 – 2022); chairman, USNIC Advanced Nuclear Working Group (2016 – present).
- Chairman, E4 Carolinas (Energy Association) (2018 – present), founding board member of 150-member energy association since 2012; since becoming chairman in 2018, helped oversee the growth of the association from two to seven full-time staff and increased membership by one quarter.
- Advisory board member, Idaho National Laboratory, Gateway for Accelerated Innovation in Nuclear Advisory Board, (2017 – 2020).
- Board member, Central Piedmont Community College Foundation (2008 – 2015)
- Advisory board member, University of North Carolina Charlotte – EPIC Program (2007 – 2015)
- Executive board member, Charlotte Chamber of Commerce (2010 – 2014)
- Member, American Nuclear Society
- Member, New Hampshire and District of Columbia Bar Associations

- **External Publications**

- The World Needs More Nuclear Power, *Foreign Affairs*, Authors: Jeffrey S. Merrifield, DJ Nordquist, 01/12/23
- "The Case for Nuclear: How the U.S. Can Bolster Global Energy Security," *The National Interest*, Authors: Jeffrey Merrifield, Richard Morningstar, 08/03/2022
- "Nuclear Regulatory Commission Updates Guidance for Advanced Reactors," *Platts Inside NRC*, 08/02/2022

- "NRC to develop risk-informed licensing for reactors near population centres," *Platts Nucleonics Week*, (July, 2022) Volume 63, Issue 29, 7/22/2022
- "Jeff Merrifield: Russia Sees Gold in Ukraine's Nuclear Plants," *Wall Street Journal*, Authors: Jeffrey S. Merrifield, 03/11/2022
- "Wanted: A Regulatory Framework for Commercial Fusion Energy," *Nuclear News*, Authors: Jeffrey S. Merrifield, 02/05/2022
- "Bridging the Gap: How Nuclear-Derived Zero-Carbon Fuels Can Help Decarbonize Marine Shipping," *Clean Air Task Force*, Authors: Jeffrey S. Merrifield, Mike Fowler, Jonathan Lewis, Brett Rampal, Meghan Claire Hammond, 08/05/2021
- "Advanced Reactors: Turning the Corner," *Advanced Nuclear Energy*, Authors: Elina Teplinsky, Jeffrey S. Merrifield, Alan Ahn, Nicholas McMurray, Brett Rampal, Alex Gilbert, Natalie Houghtalen, Meghan Claire Hammond, 06/30/2021
- "Fee Reform and Public Investment to Unlock Advanced Nuclear Energy Innovation," *Morning Consult*, Authors: Jeffrey S. Merrifield, Stephen Burns, Judi Greenwald, 05/27/2021
- "High Assay LEU," *Nuclear Plant Journal* (September – October, 2018) Volume 36, No. 5.
- "Keep Calm and Carry on with Nuclear Power," Part II, *The Hill*, Authors: Jeffrey S. Merrifield, 06/10/2015
- "Globally Engaged," *Nuclear Plant Journal*, September – October 2012
- "The Nuclear Renaissance," *Nuclear Plant Journal*, July – August 2010
- "Regulatory Perspectives on the Deployment of High Temperature Gas-Cooled Reactors in Electric and Non-Electric Energy Sectors," *Nuclear Plant Journal*, September – October 2006
- "Spent Fuel: Myths and Facts," *Nuclear Plant Journal*, March – April 2006
- « Enjeux et perspectives dans un environnement éclairé par le risque, » *Contrôle* N°155 (Autorité de sûreté nucléaire), Novembre 2003
- "A Vision for Tomorrow, a Plan for Today," *Representative American Speeches 2000 – 2001*, The Reference Shelf, Volume 73, Number 6, H.W. Wilson Company, 2001
- "Dynamic Environments Demand Dynamic Performance," *Nuclear Plant Journal*, September – October 2000
- "Tax Treatment of Environmental Costs," *Toxics Law Reporter*, November 2, 1994
- "California Leads in Environmental Claims," *Chemical Times & Trends*, July 1993



- **Media Coverage**

- Featured on the *American Bar Association* podcast: [Policy and Regulation: Why NRC Regulations Must be Updated to Address Advanced Nuclear Reactors](#), May 3, 2022.
- Quoted in *Morning Consult* article, "Murkowski, 5 Other Senators Join Push for End of Nuclear Financing Ban," November 18, 2019.
- Featured on the [Titans of Nuclear podcast](#), which spotlights nuclear energy experts from around the world, September 29, 2018.

Education

J.D., Georgetown University Law Center

B.A., Tufts University

Admissions

District of Columbia

New Hampshire

Firm Publications

The Nuclear Regulatory Commission Unanimously Votes to Separate Fusion Energy Regulation from Nuclear Fission, Authors: William E. Fork, Jeffrey S. Merrifield, Sidney L. Fowler, Ashley L. Meredith, Elorm K. Sallah, 04/19/2023

Nuclear Energy Agency Announces Publication of the Small Modular Reactor Dashboard, Authors: William E. Fork, Jeffrey S. Merrifield, Sidney L. Fowler, Ashley L. Meredith, 04/06/2023

Department of Energy Establishes the High-Assay, Low-Enriched Uranium (HALEU) Consortium, Authors: Elina Teplinsky, Jeffrey S. Merrifield, Sidney L. Fowler, Ashley L. Meredith, 12/15/2022

Canada Announces Major Investment Incentives for Clean Energy and Hydrogen, Authors: Elina Teplinsky, Jeffrey S. Merrifield, Sidney L. Fowler, Ashley L. Meredith, 11/14/2022

Eielson Air Force Base Requests Proposals for Micro-Reactor, Authors: Anne Leidich, Jeffrey S. Merrifield, Sidney L. Fowler, 10/06/2022

DOE Announces \$50 Million Award for the Design of a Fusion Pilot Plant, Authors: William E. Fork, Jeffrey S. Merrifield, Sidney L. Fowler, Ashley L. Meredith, 10/03/2022

The CHIPS and Science Act Offers Support to Advanced Nuclear and Fusion Industries, Authors: Craig J. Saperstein, Jeffrey S. Merrifield, Sidney L. Fowler, Nicole Steinberg, 08/24/2022



NRC Staff Issues Environmental Justice Recommendations, Authors: Anne Leidich, Jeffrey S. Merrifield, Ashley L. Meredith, 04/15/2022

Understanding What's Behind the Uranium Spot Price Surge, Authors: Michael G. Lepre, Elina Teplinsky, Jeffrey S. Merrifield, Stephen B. Amdur, Ruthanne Neely, 10/01/2021

Civil Nuclear Credit Program in the Bipartisan Infrastructure Bill, Authors: Sheila McCafferty Harvey, Elina Teplinsky, Jeffrey S. Merrifield, Sidney L. Fowler, Jorge Medina (Unpublished), Meghan Claire Hammond, 09/02/2021

Biden's Infrastructure Bill and the Promise of NEPA Reform, Authors: Sheila McCafferty Harvey, Reza Zarghamee, William E. Fork, Jeffrey S. Merrifield, Shelby L. Dyl, Rose Fowler Lapp (Unpublished), 08/23/2021

NRC Seeking Input to Update NEPA Process for Categorical Exclusions, Authors: Sheila McCafferty Harvey, Reza Zarghamee, Jeffrey S. Merrifield, Sidney L. Fowler, 05/21/2021

Federal Support for Defense Uses of Advanced Nuclear, Authors: Nancy A. Fischer, Elina Teplinsky, Benjamin J. Cote, Aaron R. Hutman, Jeffrey S. Merrifield, Sidney L. Fowler, 02/03/2021

New York Law Authorizing Taxation of Spent Nuclear Fuel Storage Facilities Raises Property Tax Issues for the U.S. Nuclear Industry, Authors: Craig A. Becker, Jay E. Silberg, Breann E. Robowski, Jeffrey S. Merrifield, Marc A. Simonetti (Unpublished), Zachary T. Atkins, 01/25/2021

Considerations for Regulation of Fusion-Based Power Generation Devices, Authors: David R. Lewis (Unpublished), Jeffrey S. Merrifield, Sidney L. Fowler, 12/03/2020

NRC Commissioners Adopt a Generic Environmental Impact Statement for Advanced Nuclear Reactors, Following Approaches Outlined in Pillsbury White Paper, Authors: Reza Zarghamee, Jeffrey S. Merrifield, 09/30/2020

Legislators, Companies and Consumers Turn Their Attention Toward Plastics, Authors: Christopher J. McNevin, Sheila McCafferty Harvey, Jeffrey S. Merrifield, Sidney L. Fowler, 08/28/2020

Generational Reform of the National Environmental Policy Act Has Weighty Implications for the Nuclear Industry, Authors: Jay E. Silberg, Sheila McCafferty Harvey, Reza Zarghamee, Jeffrey S. Merrifield, 07/21/2020

NRC Takes Important Step Toward Following White Paper Recommendations for Streamlining NEPA Reviews for Advanced Nuclear Reactors, Authors: Reza Zarghamee, Jeffrey S. Merrifield, 04/03/2020

Department of Energy Moves Forward on its New Advanced Reactor Demonstration Program, Authors: Elina Teplinsky, Jeffrey S. Merrifield, Sidney L. Fowler, 02/06/2020

DOE's Latest Effort to Expedite Cleanup of Cold War Sites Will Shave Cleanup Costs—and Could Hit Commercial Nuclear Utilities in the Wallet, Authors: Jay E. Silberg, Sheila McCafferty Harvey, Jeffrey S. Merrifield, Robert B. Ross, 06/14/2019



Pillsbury's Post-Election Outlook, Authors: Deborah S. Thoren-Peden, Stephan E. Becker, The Honorable Gregory H. Laughlin, Elizabeth Vella Moeller, Emily B. Erlingsson, Craig J. Saperstein, Gerry Hinkley (Unpublished), Brian E. Finch, Aimee P. Ghosh, Jeffrey S. Merrifield, Matthew Oresman, Charles F. Donley II, Edward W. Sauer, Laura Jennings Ochoa, Meghan Claire Hammond, 11/07/2018

DOE Opens the Door to Major Energy Market Reforms, Authors: Sheila McCafferty Harvey, Paul A. Gaukler (Unpublished), Jeffrey S. Merrifield, Andrew D. Weissman, Meghan Claire Hammond, 08/25/2017

Roundtable: How Companies Can Take Advantage of President Trump's Plan to Roll Back Federal Energy Regulation, Authors: Sheila McCafferty Harvey, Matthew W. Morrison, Jeffrey S. Merrifield, Andrew D. Weissman, 05/10/2017

Trump Jettisons Obama Climate Policies, Authors: Anthony B. Cavender, Sheila McCafferty Harvey, Matthew W. Morrison, Jeffrey S. Merrifield, Robert B. Ross, Andrew D. Weissman, Meghan Claire Hammond, 03/29/2017

FERC Enters the Trump Era, Authors: Jeffrey J. Delaney, Sheila McCafferty Harvey, Jeffrey S. Merrifield, Andrew D. Weissman, Meghan Claire Hammond, 03/09/2017

The Trump Energy Agenda, Authors: Sheila McCafferty Harvey, Elizabeth Vella Moeller, Jeffrey S. Merrifield, 02/01/2017