



September 4, 2015

TO: Members, Subcommittee on Energy and Power and Subcommittee on  
Environment and the Economy

FROM: Committee Majority Staff

RE: Hearing entitled “Oversight of the Nuclear Regulatory Commission”

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## **I. INTRODUCTION**

On Wednesday, September 9, 2015, at 10:00 a.m. in 2123 Rayburn House Office Building, the Subcommittee on Energy and Power and the Subcommittee on Environment and the Economy will hold a joint hearing entitled “Oversight of the Nuclear Regulatory Commission.”

## **II. WITNESSES**

Four commissioners of the Nuclear Regulatory Commission (NRC) are the only witnesses:

- Stephen Burns, Chairman;
- Kristine Svinicki, Commissioner;
- William Ostendorff, Commissioner; and,
- Jeff Baran, Commissioner.

## **III. BACKGROUND**

The NRC is an independent agency established by Congress in the Energy Reorganization Act of 1974.<sup>1</sup> Its mission is “to license and regulate the Nation’s civilian use of byproduct, sources, and special nuclear materials to ensure adequate protection of public health and safety, to promote the common defense and security, and to protect the environment.”<sup>2</sup>

By law, the NRC is required to recover 90 percent of its budget through fees assessed to applicants and NRC licensees. In Fiscal Year (FY) 2015, the NRC was provided \$1,003,233,000 in budget authority to support 3,700 employees, which was offset through the collection of

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<sup>1</sup> P.L. 93-438.

<sup>2</sup> Nuclear Regulatory Commission, “Mission.” Accessible at: <http://www.nrc.gov/about-nrc.html>.

approximately \$885 million in fees.<sup>3</sup> The Commission is examining its long-term staffing and budgetary needs through “Project AIM 2020.” Project AIM will forecast workload for the agency and make recommendations to “enhance the NRC’s ability to plan and execute its mission in a more effective, efficient and agile manner.”<sup>4</sup>

The Commission’s activities are divided between two principle areas: Reactor and Preparedness Programs; and Materials, Waste, Research, State, Tribal and Compliance Programs.<sup>5</sup> The Reactor and Preparedness Programs oversees 99 operating nuclear power plants through licensing, inspection, and regulatory actions. It also is responsible for licensing and oversight of new nuclear power plants. The Nuclear Materials and Waste Safety Program regulates activities associated with the production of nuclear fuel; storage, transportation, and disposal of high-level radioactive waste and spent nuclear fuel; and transportation of radioactive materials.

The NRC continues to consider issues associated with the consequences of the Fukushima Dai-ichi nuclear accident in Japan. NRC established a Near Term Task Force (NTTF) to evaluate the incident and develop recommendations for existing operating reactors.<sup>6</sup> Recommendations were placed into three tiers for action in order of priority of implementation and significance. Tier 1 recommendations are considered the highest priority to implement, while Tier 2 and Tier 3 recommendations can be addressed through longer term Commission action. The NRC is in the process of addressing remaining Tier 1 NTTF recommendations<sup>7</sup> and recently directed NRC staff to provide a plan to resolve outstanding Tier 2 and 3 recommendations.

The NRC recently issued a draft Supplemental Environmental Impact Statement (SEIS) on potential contamination of groundwater for a repository located at Yucca Mountain, Nevada. The draft SEIS is currently in a public comment period and is expected to be finalized in early 2016. NRC projects its remaining carryover funding for Yucca Mountain activities will be nearly exhausted upon publication of the final SEIS.

#### IV. ISSUES

The following issues may be examined at the hearing:

- Commission budget development and resource planning;

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<sup>3</sup> P.L. 113-235.

<sup>4</sup> <http://pbadupws.nrc.gov/docs/ML1501/ML15012A594.pdf>.

<sup>5</sup> <http://www.nrc.gov/about-nrc/organization/nrcorg.pdf>.

<sup>6</sup> U.S. Nuclear Regulatory Commission, “*Recommendations for Enhancing Reactor Safety in the 21<sup>st</sup> Century: The Near-Term Task Force Review of Insights From the Fukushima Dai-ichi Accident*,” July 12, 2011. Accessible at: <http://pbadupws.nrc.gov/docs/ML1118/ML111861807.pdf>.

<sup>7</sup> More information on the NRC’s actions relating to Japan Lessons Learned can be found on the NRC’s website located at: <http://www.nrc.gov/reactors/operating/ops-experience/japan-dashboard.html>.

- Proposed rulemaking associated with the NTTF; and,
- Ongoing activities relating to storage, transportation and disposal of high-level radioactive material and spent nuclear fuel.

#### **V. STAFF CONTACTS**

If you have any questions regarding this hearing, please contact Andy Zach of the Committee staff at (202) 225-2927.