

**TESTIMONY OF JACKIE TOTH
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U.S. HOUSE ENERGY AND COMMERCE COMMITTEE
SUBCOMMITTEE ON ENERGY, CLIMATE, AND GRID SECURITY**

**“American Nuclear Energy Expansion: Updating Policies for Efficient, Predictable
Licensing and Deployment”**

July 18, 2023

Chairman Duncan, Vice Chairman Curtis, Ranking Member DeGette, and Honorable Members of the Subcommittee. My name is Jackie Toth, Deputy Director of Good Energy Collective. Thank you for the opportunity to testify today on behalf of my organization, a progressive nuclear energy policy nonprofit that develops community-centered, social science-informed policies to enable the adoption of advanced nuclear energy and promote equitable energy outcomes in a climate-constrained world.

As an energy journalist covering Capitol Hill from 2016-2020, I observed regular bipartisan collaboration on laws that have jumpstarted domestic nuclear energy innovation and reinvigorated U.S. global nuclear leadership. I want to thank Congressional Democrats, including ones on this Subcommittee, for the key role you continue to play in supporting our nation’s largest source of carbon-free electricity.

Among these bipartisan statutes was the Nuclear Energy Innovation and Modernization Act, or NEIMA, which the House passed under suspension of the rules in 2018 on an overwhelmingly favorable vote of 361-10. NEIMA directed the U.S. Nuclear Regulatory Commission to develop the licensing frameworks and evaluation strategies to enable predictable, efficient, and timely approvals for the use of advanced reactors. These regulatory activities reflect the dual imperative to provide interested communities with reliable, emission-free power and the urgency to address

climate change. It is in these contexts — the need to uplift communities and to meet the climate challenge — that Good Energy Collective is interested in ensuring that Congress build upon NEIMA and equip the NRC with the necessary direction and resources to facilitate the successful adoption of new nuclear while preserving the public’s ability to learn about and participate in the NRC’s work.

Several bill texts before the Subcommittee today advance that goal. **H.R. 4530, the NRC Office of Public Engagement and Participation Act**, introduced by Rep. Levin, would ensure that as the NRC’s workload grows, the agency can undertake more effective and proactive engagements with the public to share information about NRC activities and provide technical assistance.

Another of our independent energy regulators, the Federal Energy Regulatory Commission, established in 2021 its own Office of Public Participation, which is now stakeholders’ one-stop-shop for receiving support in navigating matters before FERC. Establishing a similar office at the NRC would not only streamline engagement opportunities and address public hesitations about the use of nuclear, but also support licensing efficiency by bringing communities into the siting and licensing process early on and supplementing industry’s own local engagement efforts.

Developing these capacities aligns with reactor developers’ growing recognition that they will need to contribute more resources toward early-stage public engagement to ensure the timely success of their projects. We can build new energy infrastructure both quickly and justly. In fact, we must.

The NRC demonstrably struggles with employee satisfaction and retention. **H.R. 4528, the Strengthening the NRC Workforce Act** from Rep. DeGette, would begin to address NRC staff hiring and attrition issues by ensuring the agency can attract and reward skilled employees.

Good Energy Collective further approves of policies supporting our international allies with nuclear energy and fuels and with the development of strong safety regimes. **H.R. 995, the Global Nuclear Energy Assessment and Cooperation Act** from Reps. Carter and Peters, and the discussion draft of the **Strengthening American Nuclear Competitiveness Act**, include useful measures to bolster U.S. climate leadership through nuclear energy exports.

I maintain reservations regarding some of the other draft legislation under discussion today. Any proposal to alter the mission of the NRC, such as in the **NRC Mission Alignment Act**, must be weighed against the risk of frightening the public that its trusted nuclear regulator is operating with a new purpose at the very moment that the Commission undertakes an historic scaling of certification reviews and licensing activities. The cultural changes at the Commission that may be necessary to meet this moment and increase the timeliness and efficiency of its activities will depend more on the resonance and strength of commission leadership and the availability of resources for staff than on a change in mission.

Likewise, proposals before the Subcommittee to reduce mandatory hearing requirements and public notice regardless of the novelty of reactor design (the **Efficient Nuclear Licensing Hearings Act**), or to streamline environmental reviews without providing additional resources for public engagement and outreach (the **Modernize Nuclear Reactor Environmental Reviews Act**; the **Nuclear Licensing Efficiency Act**) may weaken the NRC's responsiveness to the public that it serves first and foremost.

Thank you, and I look forward to your questions.