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(Original Signature of Member)

118TH CONGRESS
1ST SESSION

H. R.

To direct the Nuclear Regulatory Commission to submit a report and conduct a rulemaking on facilitating efficient, timely environmental reviews of nuclear reactor applications, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

M. _____ introduced the following bill; which was referred to the
Committee on _____

A BILL

To direct the Nuclear Regulatory Commission to submit a report and conduct a rulemaking on facilitating efficient, timely environmental reviews of nuclear reactor applications, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Modernize Nuclear Re-
5 actor Environmental Reviews Act”.

1 **SEC. 2. FACILITATION OF EFFICIENT ENVIRONMENTAL RE-**
2 **VIEWS.**

3 (a) IN GENERAL.—Not later than 90 days after the
4 date of enactment of this Act, the Nuclear Regulatory
5 Commission (in this section referred to as the “Commis-
6 sion”) shall submit to the Committee on Environment and
7 Public Works of the Senate and the Committee on Energy
8 and Commerce of the House of Representatives a report
9 on the efforts of the Commission to facilitate efficient,
10 timely environmental reviews of nuclear reactor applica-
11 tions, including through expanded use of categorical exclu-
12 sions, environmental assessments, and generic environ-
13 mental impact statements.

14 (b) REPORT.—In completing the report under sub-
15 section (a), the Commission shall—

16 (1) describe the actions the Commission will
17 take to implement the amendments to the National
18 Environmental Policy Act of 1969 (42 U.S.C. 4321
19 et seq.) made by section 321 of the Fiscal Responsi-
20 bility Act of 2023;

21 (2) consider—

22 (A) using, through adoption, incorporation
23 by reference, or other appropriate means, cat-
24 gorical exclusions, environmental assessments,
25 and environmental impact statements prepared
26 by other Federal agencies to streamline environ-

1 mental reviews of nuclear reactor applications
2 by the Commission;

3 (B) using categorical exclusions, environ-
4 mental assessments, and environmental impact
5 statements prepared by the Commission to
6 streamline environmental reviews of nuclear re-
7 actor applications by the Commission;

8 (C) using mitigated findings of no signifi-
9 cant impact in environmental reviews of nuclear
10 reactor applications by the Commission to re-
11 duce the impact of a proposed action to a level
12 that is not significant;

13 (D) the extent to which the Commission
14 may rely on prior studies or analyses prepared
15 by Federal, State, and local governmental per-
16 mitting agencies to streamline environmental
17 reviews of nuclear reactor applications by the
18 Commission;

19 (E) opportunities to coordinate the devel-
20 opment of environmental assessments and envi-
21 ronmental impact statements with other Fed-
22 eral agencies to avoid duplicative environmental
23 reviews and to streamline environmental reviews
24 of nuclear reactor applications by the Commis-
25 sion;

1 (F) opportunities to streamline formal and
2 informal consultations and coordination with
3 other Federal, State, and local governmental
4 permitting agencies during environmental re-
5 views of nuclear reactor applications by the
6 Commission;

7 (G) opportunities to streamline the Com-
8 mission's analyses of alternatives, including the
9 Commission's analysis of alternative sites, in
10 environmental reviews of nuclear reactor appli-
11 cations by the Commission;

12 (H) establishing new categorical exclusions
13 that could be applied to actions relating to new
14 nuclear reactors applications;

15 (I) amending section 51.20(b) of title 10,
16 Code of Federal Regulations, to allow the Com-
17 mission to determine on a case-specific basis
18 whether an environmental assessment (rather
19 than an environmental impact statement or
20 supplemental environmental impact statement)
21 is appropriate for a particular nuclear reactor
22 application, including in proceedings in which
23 the Commission relies upon a generic environ-
24 mental impact statement for advanced nuclear
25 reactors;

1 (J) authorizing the use of an applicant's
2 environmental impact statement as the Com-
3 mission's draft environmental impact statement,
4 consistent with section 107(f) of the National
5 Environmental Policy Act of 1969 (42 U.S.C.
6 4336a(f));

7 (K) opportunities to adopt online and dig-
8 ital technologies, including technologies that
9 would allow applicants and cooperating agencies
10 to upload documents and coordinate with the
11 Commission to edit documents in real time,
12 that would streamline communications be-
13 tween—

14 (i) the Commission and applicants;

15 and

16 (ii) the Commission and other rel-
17 evant cooperating agencies;

18 (L) in addition to implementing measures
19 under subsection (c), potential revisions to part
20 51 of title 10, Code of Federal Regulations, and
21 relevant Commission guidance documents, to—

22 (i) facilitate efficient environmental
23 reviews of nuclear reactor applications;

24 (ii) assist decision-making about rel-
25 evant environmental issues;

1 (iii) maintain openness with the pub-
2 lie;

3 (iv) meet obligations under the Na-
4 tional Environmental Policy Act of 1969
5 (42 U.S.C. 4321 et seq.); and

6 (v) reduce burdens on licensees, appli-
7 cants, and the Commission; and

8 (3) include a schedule for promulgating the rule
9 required under subsection (c).

10 (c) RULEMAKING.—Not later than 2 years after the
11 submission of the report under subsection (a), the Com-
12 mission shall promulgate a final rule implementing, to the
13 maximum extent practicable, measures considered by the
14 Commission under subsection (b)(2) that are necessary to
15 streamline the Commission’s review of nuclear reactor ap-
16 plications.