

117TH CONGRESS
2D SESSION

H. R. 8471

To update oversight and inspection practices of the Nuclear Regulatory Commission, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 21, 2022

Mrs. LESKO introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To update oversight and inspection practices of the Nuclear Regulatory Commission, 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 “Advancing Nuclear
5 Regulatory Oversight Act”.

6 **SEC. 2. IMPLEMENTING LESSONS LEARNED FROM THE**
7 **COVID-19 HEALTH EMERGENCY.**

8 (a) IN GENERAL.—Not later than 180 days after the
9 date of enactment of this Act, the Commission shall sub-
10 mit to the appropriate committees of Congress a report

1 on actions taken by the Commission during the public
2 health emergency declared by the Secretary of Health and
3 Human Services under section 319 of the Public Health
4 Service Act (42 U.S.C. 247d) on January 31, 2020, with
5 respect to COVID–19.

6 (b) CONTENTS.—The report submitted under sub-
7 section (a) shall—

8 (1) identify any processes, procedures, and
9 other regulatory policies that the Commission re-
10 vised or temporarily suspended during the public
11 health emergency described in subsection (a);

12 (2) examine how any revision or temporary sus-
13 pension of a process, procedure, or other regulatory
14 policy identified under paragraph (1) affected the
15 ability of the Commission to license and regulate the
16 civilian use of radioactive materials in the United
17 States to protect public health and safety, promote
18 the common defense and security, and protect the
19 environment;

20 (3) discuss lessons learned from the matters de-
21 scribed in paragraph (2);

22 (4) list actions that the Commission will take to
23 incorporate into the licensing and oversight activities
24 of the Commission, without compromising the mis-

1 sion of the Commission, the lessons described in
 2 paragraph (3); and

3 (5) describe when the actions listed under para-
 4 graph (4) may be implemented.

5 **SEC. 3. ADVANCING EFFICIENT, RISK-INFORMED OVER-**
 6 **SIGHT AND INSPECTIONS.**

7 (a) IN GENERAL.—Not later than 1 year after the
 8 date of enactment of this Act, the Commission shall de-
 9 velop and submit to the appropriate committees of Con-
 10 gress a report that identifies specific improvements to the
 11 nuclear reactor and materials oversight and inspection
 12 programs carried out pursuant to the Atomic Energy Act
 13 of 1954 that the Commission may implement to maximize
 14 the efficiency of such programs through, where appro-
 15 priate, the use of risk-informed, performance-based proce-
 16 dures, expanded incorporation of information technologies,
 17 and staff training.

18 (b) STAKEHOLDER INPUT.—In developing the report
 19 under subsection (a), the Commission shall, as appro-
 20 priate, seek input from—

- 21 (1) the Secretary of Energy;
- 22 (2) the National Laboratories;
- 23 (3) the nuclear energy industry; and
- 24 (4) nongovernmental organizations that are re-
- 25 lated to nuclear energy.

1 (c) CONTENTS.—The report submitted under sub-
2 section (a) shall—

3 (1) assess specific elements of oversight and in-
4 spections that may be modified by the use of tech-
5 nology, improved planning, and continually updated
6 risk-informed, performance-based assessment, in-
7 cluding—

8 (A) use of travel resources;

9 (B) planning and preparation for inspec-
10 tions, including entrance and exit meetings with
11 licensees and consideration of whether inspec-
12 tion teams need to be onsite;

13 (C) document collection and preparation,
14 including consideration of whether nuclear reac-
15 tor data are accessible without onsite visits or
16 requests to the licensee, and that document re-
17 quests are timely and within the scope of in-
18 spections;

19 (D) the cross-cutting issues program;

20 (E) the scope of event reporting required
21 by licensees to ensure decisions are risk-in-
22 formed; and

23 (F) regular staff training on the applica-
24 tion of risk-informed criteria for inspection
25 planning and assessments;

1 (2) assess measures to advance risk-informed
2 procedures, including—

3 (A) increased use of inspection approaches
4 that balance the level of resources commensu-
5 rate with safety significance;

6 (B) increased review of the use of inspec-
7 tion program resources based on licensee per-
8 formance; and

9 (C) expansion of modern information tech-
10 nology, including artificial intelligence and ma-
11 chine learning to risk inform oversight and in-
12 spection decisions;

13 (3) assess the Commission’s ability, consistent
14 with its obligations to provide reasonable assurance
15 of adequate protection of health and safety pursuant
16 to the Atomic Energy Act of 1954, to encourage li-
17 censee innovations that may advance nuclear reactor
18 operational efficiency and safety, including the Com-
19 mission’s criteria for timely acceptance of licensee
20 adoption of advanced technologies, including digital
21 technologies;

22 (4) identify recommendations resulting from the
23 assessments described in paragraphs (1) through
24 (3);

1 (5) identify specific actions that the Commis-
2 sion will take to incorporate into the training, in-
3 spection, oversight, and licensing activities, and reg-
4 ulations of the Commission, without compromising
5 the mission of the Commission, the recommenda-
6 tions identified under paragraph (4); and

7 (6) describe when the actions identified under
8 paragraph (5) may be implemented.

9 **SEC. 4. OFFICE AND FACILITY SPACE REVIEW.**

10 (a) REPORT.—Not later than 1 year after the date
11 of enactment of this Act, the Comptroller General of the
12 United States shall—

13 (1) review office and other facility space re-
14 quirements of the Commission; and

15 (2) submit to the appropriate committees of
16 Congress a report, with recommendations, on the re-
17 sults of such review.

18 (b) CONTENTS.—The report described in subsection
19 (a) shall include—

20 (1) an examination of—

21 (A) the costs associated with the head-
22 quarters, regional offices, and technical training
23 center of the Commission, including examina-
24 tion of—

(i) costs that do not support the Commission’s mission, including rent subsidies for other Federal agencies; and

(ii) opportunities to reduce future costs through reduction in unnecessary office space, consolidation of offices, use of advanced information technology, or any other appropriate means; and

(B) current and anticipated office and facility requirements to efficiently accomplish the mission of the Commission; and

(2) recommendations to Congress, the Commission, and the General Services Administration for actions that may assist in reducing office and facility costs to licensees and taxpayers.

SEC. 5. DEFINITIONS.

In this Act:

(1) **APPROPRIATE COMMITTEES OF CONGRESS.**—The term “appropriate committees of Congress” means the Committee on Energy and Commerce of the House of Representatives and the Committee on Environment and Public Works of the Senate.

(2) **COMMISSION.**—The term “Commission” means the Nuclear Regulatory Commission.

1 (3) LICENSEE.—The term “licensee” means a
2 person that holds a license issued under section 103
3 or section 104 of the Atomic Energy Act of 1954
4 (42 U.S.C. 2133; 2134).

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