

118TH CONGRESS
1ST SESSION

H. R. 4675

To amend the Atomic Energy Act of 1954 to clarify the organization and duties of the Advisory Committee on Reactor Safeguards, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 17, 2023

Mr. DONALDS introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Atomic Energy Act of 1954 to clarify the organization and duties of the Advisory Committee on Reactor Safeguards, 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 “Advisory Committee
5 on Reactor Safeguards Reform Act” or the “ACRS Re-
6 form Act”.

7 **SEC. 2. SENSE OF CONGRESS.**

8 It is the sense of Congress that—

1 (1) the Nuclear Regulatory Commission (in this
2 Act referred to as the “Commission”) should take a
3 more active approach in collaborating with the
4 Chairman of the Advisory Committee on Reactor
5 Safeguards (in this Act referred to as the “Com-
6 mittee”) for the purpose of modernizing and evalu-
7 ating the scope of the Committee, in furtherance of
8 the requirements set out in the Nuclear Energy In-
9 novation and Modernization Act along with role of
10 the Committee in independently reviewing and re-
11 solving key application issues;

12 (2) the Commission staff should improve its
13 preparation for engagements with the Committee to
14 better optimize the review of pending application
15 topics;

16 (3) the Commission and Committee staff should
17 collaborate and review practices to identify best
18 practices that lead to efficient and effective Com-
19 mittee reviews;

20 (4) the Committee should focus its reviews on
21 novel and safety-significant issues in its review proc-
22 ess;

23 (5) the Committee shouldn’t heavily focus on
24 reviewing the aspects of reactor technologies that are
25 well known and well understood;

1 (6) the Committee should recognize and under-
2 stand that the Commission staff time is valuable in
3 ultimately streamlining, and approving, nuclear reac-
4 tor applications;

5 (7) the Committee should perform a budget re-
6 view to Committee staff to ensure it's appropriately
7 staffed to ensure it can meet the anticipated future
8 influx of applications;

9 (8) the Committee should be modernized by im-
10 proving the internal processes associated with the
11 Committee independent review process;

12 (9) the Committee should consider modifying
13 its Membership Balance Plan to ensure adequate ex-
14 pertise and experience, while simultaneously ensur-
15 ing increased member diversity, including but not
16 limited to establishing certain term limits to carry
17 forth this intention;

18 (10) Congress recognizes that the Committee
19 originally provided significant value in providing an
20 independent review of each application, but after
21 decades of accumulating experience and vast
22 changes in nuclear technology, the Committee no
23 longer serves the same role as it originally did; and

24 (11) Congress understands the Committee has
25 the potential to play a valuable role in the Commis-

1 sion licensing review process, but its purpose, proc-
2 esses, and practices need to be improved,
3 economized, and modernized.

4 **SEC. 3. ADVISORY COMMITTEE ON REACTOR SAFEGUARDS**
5 **REFORM.**

6 (a) SELECTION OF ACRS CHAIRMAN.—Section 29 of
7 the Atomic Energy Act of 1954 (42 U.S.C. 2039) is
8 amended by striking “by the Committee as its Chairman”
9 in the third sentence and inserting “as the Chairman of
10 the Committee by a majority of the members of the Com-
11 mission”.

12 (b) LICENSE APPLICATIONS.—

13 (1) IN GENERAL.—Section 182 b. of the Atomic
14 Energy Act of 1954 (42 U.S.C. 2232(b)) is amended
15 by striking “The Advisory Committee” and inserting
16 the following:

17 “(1) IN GENERAL.—The Advisory Committee”.

18 (2) LIMITATION ON REVIEW.—Section 182 of
19 the Atomic Energy Act of 1954 (42 U.S.C. 2232) is
20 amended by inserting at the end of subsection b., as
21 amended by paragraph (1), the following:

22 “(2) LIMITATION ON REVIEW.—With respect to
23 the applications described in paragraph (1), the Ad-
24 visory Committee on Reactor Safeguards may only
25 review such applications that present a novel issue

1 or an issue of significant safety concern, based on a
2 risk-informed determination by the Committee.”.

3 (c) FEE RECOVERY EXEMPTION.—Section
4 102(b)(1)(B) of the Nuclear Energy Innovation and Mod-
5 ernization Act (42 U.S.C. 2215(b)(1)(B) is amended by
6 adding at the end the following:

7 “(iv) Costs associated with any re-
8 views conducted by the Advisory Com-
9 mittee on Reactor Safeguards, established
10 under section 29 of the Atomic Energy Act
11 of 1954 (42 U.S.C. 2039), including any
12 direct or indirect costs relating to pre-
13 paring for, or attending, meetings held by
14 the Advisory Committee on Reactor Safe-
15 guards.”.

16 (d) ACRS ORGANIZATION.—Section 29 of the Atomic
17 Energy Act of 1954 (42 U.S.C. 2039) is amended—

18 (1) by striking “There is hereby” and inserting
19 the following:

20 “(a) IN GENERAL.—There is hereby”;

21 (2) by adding at the end the following:

22 “(b) PROHIBITION ON SUBCOMMITTEES.—The Com-
23 mittee established under subsection (a) may not form sub-
24 committees.”.

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