

118TH CONGRESS  
1ST SESSION

# H. R. 6346

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

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IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 9, 2023

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

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## 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 has taken  
23 or will take to incorporate into the licensing and  
24 oversight activities of the Commission, without com-

1 promising the mission of the Commission, the les-  
2 sons described in paragraph (3); and

3 (5) describe when the actions listed under para-  
4 graph (4) were implemented or 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; and

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

23 (2) identify and assess measures to improve  
24 oversight and inspections, including—

1 (A) elimination of areas of duplicative or  
2 otherwise unnecessary activities;

3 (B) increased use of templates in docu-  
4 menting inspection results; and

5 (C) periodic training of Commission staff  
6 and leadership on the application of risk-in-  
7 formed criteria for—

8 (i) inspection planning and assess-  
9 ments;

10 (ii) agency decision making processes  
11 on the application of regulations and guid-  
12 ance; and

13 (iii) the application of the Commis-  
14 sion's standard of reasonable assurance of  
15 adequate protection;

16 (3) assess measures to advance risk-informed  
17 procedures, including—

18 (A) increased use of inspection approaches  
19 that balance the level of resources commensu-  
20 rate with safety significance;

21 (B) increased review of the use of inspec-  
22 tion program resources based on licensee per-  
23 formance;

24 (C) expansion of modern information tech-  
25 nology, including artificial intelligence and ma-

1 machine learning to risk inform oversight and in-  
2 spection decisions; and

3 (D) updating the Differing Professional  
4 Views or Opinions process to include—

5 (i) safety significance as a threshold  
6 for entering such process; and

7 (ii) guidance for issue resolution to  
8 minimize the impact of such process on  
9 project schedules;

10 (4) assess the ability of the Commission, con-  
11 sistent with its obligations to provide reasonable as-  
12 surance of adequate protection of health and safety  
13 pursuant to the Atomic Energy Act of 1954, to en-  
14 able licensee innovations that may advance nuclear  
15 reactor operational efficiency and safety, including  
16 the criteria of the Commission for timely acceptance  
17 of licensee adoption of advanced technologies, includ-  
18 ing digital technologies;

19 (5) identify recommendations resulting from the  
20 assessments described in paragraphs (1) through  
21 (4);

22 (6) identify specific actions that the Commis-  
23 sion will take to incorporate into the training, in-  
24 spection, oversight, and licensing activities, and reg-  
25 ulations of the Commission, without compromising

1 the mission of the Commission, the recommenda-  
2 tions identified under paragraph (5); and

3 (7) describe when the actions identified under  
4 paragraph (6) may be implemented.

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

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

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

11 (2) submit to the appropriate committees of  
12 Congress a report, with recommendations, on the re-  
13 sults of such review.

14 (b) CONTENTS.—The report described in subsection  
15 (a) shall include—

16 (1) an examination of—

17 (A) the costs associated with the head-  
18 quarters, regional offices, and technical training  
19 center of the Commission, including examina-  
20 tion of—

21 (i) costs that do not support the Com-  
22 mission's mission, including rent subsidies  
23 for other Federal agencies; and

24 (ii) opportunities to reduce future  
25 costs through reduction in unnecessary of-

1            fice space, consolidation of offices, use of  
2            advanced information technology, or any  
3            other appropriate means; and

4            (B) current and anticipated office and fa-  
5            cility requirements to efficiently accomplish the  
6            mission of the Commission; and

7            (2) recommendations to Congress, the Commis-  
8            sion, and the General Services Administration for  
9            actions that may assist in reducing office and facility  
10          costs to licensees and taxpayers.

11 **SEC. 5. DEFINITIONS.**

12          In this Act:

13            (1) APPROPRIATE COMMITTEES OF CON-  
14            GRESS.—The term “appropriate committees of Con-  
15            gress” means the Committee on Energy and Com-  
16            merce of the House of Representatives and the Com-  
17            mittee on Environment and Public Works of the  
18            Senate.

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

21            (3) LICENSEE.—The term “licensee” means a  
22            person that holds a license issued under section 103  
23            or section 104 of the Atomic Energy Act of 1954  
24            (42 U.S.C. 2133; 2134).

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