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# United States Senate

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

WASHINGTON, DC 20510-6175

MARY FRANCES REPKO, DEMOCRATIC STAFF DIRECTOR  
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January 24, 2023

The Honorable Christopher T. Hanson  
Chairman  
US Nuclear Regulatory Commission  
11555 Rockville Pike  
Rockville, MD 20852

Dear Chairman Hanson,

I write to request an update on the status of the Nuclear Regulatory Commission's (NRC) telework policy, Commission review and approval process for personnel management decisions, and use of agency office space. While the Commission works as a collegial body to formulate policies and make regulatory decisions, as the Chairman you are ultimately responsible for managing the Agency's administrative, personnel, and organizational policies.

For NRC to fulfill its mission and serve the public as a credible, transparent nuclear safety regulator, the Agency's culture must be predicated on trust, open communication, and effective collaboration. That culture is more likely to be successfully established and strengthened through personal relationships—relationships facilitated by in-person interactions.

In addition to internal NRC staff relationships, personal interaction with external stakeholders is more likely to result in the efficient, predictable, and safe review of applications to deploy advanced nuclear reactor technologies. Numerous companies are developing new nuclear reactor designs with innovative technologies and the NRC must be prepared to review and approve those license applications, which are likely to include novel regulatory issues. It is imperative that the NRC staff is taking all steps to facilitate a successful review and approval process, both with the NRC staff review team as well as with applicants. Face-to-face meetings are necessary to achieve that goal.

If the Commission chooses to provide staff with increased telework opportunities, the Agency must conduct a thorough examination of how the NRC's office footprint is managed to be commensurate with staff office needs. I previously raised my concern about NRC's office footprint—specifically, paying the General Services Administration (GSA) for office space the NRC does not use. As a fee-based agency, American ratepayers primarily fund NRC's operations. For more than a decade those ratepayers have paid GSA more than \$20 million to subsidize the Food and Drug Administration's (FDA) use of office space originally leased by the NRC. That subsidy resulted from poor NRC planning. I am concerned that poorly-planned telework policies today will result in ratepayers being on the hook for tens of millions of dollars for vacant office space due to telework for years to come.

To assist Congress's review of NRC's telework and budgeting policies, please provide the Commission's current telework policy and the Telework Working Group recommendations referenced at the December 14, 2022 Commission meeting. In addition, please respond to the following by February 7, 2023:

- 1.) Please provide the current total number of NRC staff, the total number of NRC staff working the standard five-day, 40-hour workweek in the office; the total number of NRC staff that are in the office at least three days a week; the number of staff that are in the office fewer than three days a week, and the number of staff authorized for full-time telework for each of the following categories:
  - a. NRC staff located at NRC headquarters;
  - b. NRC staff located at the four regional offices; and
  - c. NRC staff located at the sites of nuclear facilities, such as Resident Inspectors.
- 2.) What was the Commission's role in developing and approving the Commission's telework policy?
  - a. Did the Commission vote on any telework policies?
  - b. If so, please provide the relevant Commission Voting Records, Staff Requirements Memorandum, and any other relevant documentation.
  - c. If not, why not?
- 3.) What was your role, as Chairman, in developing and approving the Commission's telework policy?
- 4.) Will you commit that the Commission will vote on major telework and related personnel policies going forward?
- 5.) What specific decisions have the Commission or the NRC staff made regarding the Agency's office space needs since the development and implementation of its telework policies, including the most recent Telework Working Group report?
- 6.) At a December 2021 EPW hearing, you committed to me that the Commission would examine how to address NRC's payment to subsidize FDA's office space. You also committed that you would engage with my staff to address that cost. How does the Agency propose to reduce or eliminate that subsidy?
- 7.) I understand NRC is in the midst of a multiyear renovation process of the NRC's headquarters office space.
  - a. How does the Commission's telework policy impact those actions and planned renovation activities?
  - b. How much funding has NRC spent to date to renovate existing office space?
  - c. How much funding is NRC planning to spend for future office space renovation?
  - d. How much office space is NRC using out of the total amount of renovated space?

I look forward to your timely response.

Sincerely,



Shelley Moore Capito  
United States Senator