

ONE HUNDRED EIGHTEENTH CONGRESS  
**Congress of the United States**  
**House of Representatives**  
**COMMITTEE ON ENERGY AND COMMERCE**  
2125 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-6115  
Majority (202) 225-3641  
Minority (202) 225-2927

September 1, 2023

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

Dear Chairman Hanson,

We write regarding the U.S. Nuclear Regulatory Commission's (NRC) implementation of the changes to the National Environmental Policy Act (NEPA) included in the Fiscal Responsibility Act (FRA), which was signed into law on June 3, 2023.<sup>1</sup>

Section 321 of the FRA includes provisions from H.R. 1577, the BUILDER Act, which also passed the House of Representatives as part of H.R. 1, the Lower Energy Costs Act. The section in the FRA streamlines NEPA and improves federal review times by designating one lead agency, limiting evaluation to a single environmental document, setting page limits on environmental impact statements (EIS) and environmental assessments (EA), establishing deadlines of two years for EISs and one year for EAs, allowing for categorical exclusions, and instituting the E-NEPA unified permitting portal, among other provisions. Depending on the project, NRC could be considered a lead agency or a cooperating agency, both of which would have a key role in the implementation of the corresponding NEPA reforms.

Our goal is to ensure that NRC is following the intent of Congress and adhering to the coordination requirements and deadlines set forth in Section 321 of the FRA. Accordingly, we ask that you assist the Committee in better understanding NRC's implementation of the NEPA changes by responding to the following questions in writing by September 18, 2023.

1. What is NRC's interpretation of Section 321 of the FRA?
2. How long will it take NRC to implement fully Section 321 of the FRA?
3. What changes are being made to NRC's existing NEPA review processes to ensure that the Agency is following the updated law?


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<sup>1</sup> P.L. 118-5

4. Are you confident that NRC will meet the two-year and one-year statutory deadlines for EIS and EA reviews, respectively?
5. Will you commit to adhering to the page limits for EIS and EA reviews set forth in the FRA?
6. Will NRC apply the NEPA changes to projects and reviews that are already in process, or does the Agency plan to apply the NEPA changes just prospectively?

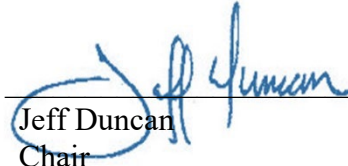
We look forward to your prompt response. Thank you in advance for your cooperation. If you have any questions regarding this matter, please contact Peter Spencer and Mary Martin with the Majority Committee staff at (202) 225-3641.

Sincerely,



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Cathy McMorris Rodgers  
Chair  
Committee on Energy and Commerce



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Jeff Duncan  
Chair  
Subcommittee on Energy, Climate, and  
Grid Security

CC: David A. Wright, Commissioner, NRC  
Annie Caputo, Commissioner, NRC  
Bradley Crowell, Commissioner, NRC