

POLICY ISSUE
NOTATION VOTE

RESPONSE SHEET

TO: Carrie M. Safford, Secretary
FROM: Commissioner Wright
SUBJECT: SECY-24-0083: Mission Statement Update Options
Pursuant to Subsection 501(a) of the ADVANCE Act
of 2024

Approved X Disapproved X Abstain Not Participating

COMMENTS: Below Attached X None

Entered in STAR

Yes X

No

Signature

Commissioner Wright's Comments on SECY-24-0083: Mission Statement Update Options Pursuant to Subsection 501(a) of the ADVANCE Act of 2024

After conversations with my colleagues, I offer for consideration the following language for a new mission statement for the Nuclear Regulatory Commission.

The NRC protects public health and safety and advances the nation's common defense and security by enabling the safe and secure use and deployment of civilian nuclear energy technologies and radioactive materials through efficient and reliable licensing, oversight, and regulation for the benefit of society and the environment.

Congress' passage of the ADVANCE Act¹ sent a clear message to the NRC that the time to be a modern risk-informed regulator was now. The future of nuclear energy and radioactive materials in this country is at a crossroads, and the NRC should position itself to be a part of the solution going forward. Congress has directed the NRC to be an enabler to nuclear technologies while staying true to the core principles laid out in the Atomic Energy Act (AEA).²

At the core of the NRC's mission is protecting the health and safety of the American people from radiological hazards. The NRC is a safety regulator with the mandate to protect the Nation's health and safety. This is our North Star, and we cannot lose sight of this. This is why my proposal for the mission statement leads with the mandate to "protect public health and safety."

However, this does not mean that the NRC can become paralyzed chasing absolute safety. Section 2011 of the AEA states that "the development, use, and control of atomic energy shall be directed so as to make the *maximum contribution to the general welfare*."³ This standard was not changed when the NRC was created under the Energy Reorganization Act of 1974.⁴ The NRC can and must be ready to enable the safe use of nuclear energy and radioactive materials to provide the greatest support to the Nation. As I have stated in the past, reasonable assurance of adequate protection of the public health and safety is our strike zone. But just like when an umpire calls a strike for ANY ball thrown within the strike zone, the NRC must be prepared to make a safety finding once it is determined that reasonable assurance has been achieved, no more and no less.

Section 501 of the ADVANCE Act directs the Commission to update the mission statement "to include that licensing and regulation of the civilian use of radioactive materials and nuclear energy be conducted in a manner that is *efficient*..."⁵ The Commission adopted the principles of good regulation in 1991, outlining a focus on Independence, Openness, Efficiency, Clarity, and Reliability.⁶ The efficiency principle states, "The American taxpayer, the rate-paying consumer, and licensees are all entitled to the best possible management and administration of regulatory

¹ ADVANCE Act of 2024, Pub. L. No. 118-67.

² Atomic Energy Act, 42 U.S.C. § 2011, et. seq.

³ *Id* at § 1.a (emphasis added).

⁴ Energy Reorganization Act of 1974, Pub. L. No. 93-438, § 2(a) (stating, "The Congress hereby declares that the general welfare and the common defense and security require effective action to develop, and increase the efficiency and reliability of use of, all energy sources to meet the needs of present and future generations, to increase the productivity of the national economy and strengthen its position in regard to international trade, to make the Nation self-sufficient in energy, to advance the goals of restoring, protecting, and enhancing environmental quality, and to assure public health and safety.").

⁵ ADVANCE Act of 2024, Pub. L. No. 118-67, tit. V, § 501(a). (emphasis added)

⁶ See NRC Annual Report 1990, at 3 (June 30, 1991) (ML20082K230) (noting that the Principles of Good Regulation were developed in fiscal year 1990 in COMKR-90-1: Principles of Good Regulation (ML15083A026), published in the NRC's Five Year Plan for 1991-1995, and separately provided to NRC staff); see also Principles of Good Regulation (ML14135A076), https://www.nrc.gov/about-nrc/values.html#principles_page_last_reviewed/updated_Jan._31,_2024).

activities....Regulatory decisions should be made without undue delay.”⁷ The adoption of this principle of efficiency requires the NRC to conduct licensing and regulatory activities in an efficient manner for the benefit of the public and licensees. Efficient licensing does not mean lower standards, or doing more with less, but to be smarter about how we work. The NRC owes it to the American people and licensees to be good stewards of the resources we are given and to make efficient licensing actions that will enable the use of nuclear technologies.

As Commissioner Caputo discussed in her vote on SECY-24-0083, the NRC has had in its mission statement the concept of “enabling” the safe and secure use of nuclear technologies. I only expand on her remarks to state that the NRC must meet the moment to help usher in this next generation of nuclear technologies and not be an impediment. As Senator Capito recently stated, “The overwhelming passage of the ADVANCE Act was a clear message from Congress that the NRC, with the leadership, support, and direction of the Commission, can and should do better to enable the safe use of nuclear technologies.”⁸ The time is now for the Commission and the NRC to lead by example and to enable the coming tide of nuclear technologies.

Enabling the safe use of nuclear technologies does not mean the NRC should lose sight of its non-promotional role. The NRC is not in the business of promoting specific nuclear technologies or picking winners or losers. This was made clear by the Energy Reorganization Act of 1974.⁹ However, even as a safety regulator, we must keep in mind our mandate to promote the common defense and security.¹⁰ Because we are viewed as the benchmark for nuclear safety, the decisions made by the agency impact the deployment of nuclear technologies worldwide. This mission statement acknowledges the critical role the NRC plays in advancing our nation’s interests, both here and abroad, while maintaining our non-promotional independent safety regulator role.

In the ADVANCE Act, Congress directed the NRC to be bold, to take steps to improve efficiency, and to get ready for the future growth of nuclear technologies. The time to take big steps toward this goal is now. The first step in changing the culture of the NRC is for the Commission to provide clear direction on where to go. This mission statement provides that clear direction to the staff – find efficiencies anywhere you can to enable the future of nuclear energy while maintaining the NRC’s world leading safety standards, in order to protect people and the environment.

I would like to thank the Office of the General Counsel for the thorough work on this paper to meet the requirements as set forth in the ADVANCE Act. The paper was highly informative and provided the needed insights to help me craft this mission statement for consideration by the rest of the Commission. Finally, I would like to thank my colleagues for the truly collegial effort in drafting this mission statement.

⁷ Principles of Good Regulation (ML14135A076), https://www.nrc.gov/about-nrc/values.html#principles_page_last_reviewed/updated_Jan_31_2024.

⁸ Press Release, RANKING MEMBER CAPITO VOTES AGAINST MATTHEW MARZANO’S NOMINATION TO NUCLEAR REGULATORY COMMISSION (November 20, 2024), <https://www.capito.senate.gov/news/press-releases/ranking-member-capito-votes-against-matthew-marzanos-nomination-to-nuclear-regulatory-commission>.

⁹ Energy Reorganization Act of 1974, Pub. L. No. 93-438.

¹⁰ See 42 U.S.C. § 2201(b).