

AMENDMENT TO
RULES COMMITTEE PRINT 116-63
OFFERED BY MR. DUNCAN OF SOUTH CAROLINA

At the end of title IV, add the following:

1 **Subtitle C—Efficient Environ-**
2 **mental Reviews of Nuclear Re-**
3 **actors**

4 **SEC. 4301. FACILITATION OF EFFICIENT ENVIRONMENTAL**
5 **REVIEWS.**

6 (a) IN GENERAL.—Not later than 180 days after the
7 date of enactment of this Act, the Nuclear Regulatory
8 Commission shall submit to the Committee on Environ-
9 ment and Public Works of the Senate and the Committee
10 on Energy and Commerce of the House of Representatives
11 a report on facilitating efficient, timely environmental re-
12 views of nuclear reactors through expanded use of categor-
13 ical exclusions, environmental assessments, and generic
14 environmental impact statements.

15 (b) REPORT.—In completing the report under sub-
16 section (a), the Nuclear Regulatory Commission shall—

17 (1) consider—

18 (A) the use of categorical exclusions, envi-
19 ronmental assessments, and generic environ-

1 mental impact statements by other Federal
2 agencies and the applicability of such categor-
3 ical exclusions, environmental assessments, and
4 generic environmental impact statements for ac-
5 tions relating to nuclear reactors;

6 (B) existing categorical exclusions, environ-
7 mental assessments, and generic environmental
8 impact statements of the Commission that
9 could be applied in whole or in part to construc-
10 tion permits, early site permits, or combined li-
11 cense applications for nuclear reactors;

12 (C) the potential to use other Federal or
13 State environmental permitting, or permitting
14 from units of local government, in lieu of some
15 portion of the environmental impact statement,
16 or environmental assessment, for an action re-
17 lating to a nuclear reactor;

18 (D) opportunities to coordinate the devel-
19 opment of environmental assessments or envi-
20 ronmental impact statements with other Fed-
21 eral agencies for greater efficiency; and

22 (E) new categorical exclusions that could
23 be applied to actions relating to advanced nu-
24 clear reactors (as defined in section 3 of the

1 Nuclear Energy Innovation and Modernization
2 Act (42 U.S.C. 2215 note); and

3 (2) include a schedule for promulgating the rule
4 required under subsection (c).

5 (c) RULEMAKING.—

6 (1) IN GENERAL.—Not later than 3 years after
7 the date of enactment of this Act, the Nuclear Regu-
8 latory Commission shall promulgate a final rule—

9 (A) establishing an optional generic envi-
10 ronmental impact statement for actions relating
11 to nuclear reactors that may be used in the
12 process for issuing a construction permit, early
13 site permit, or combined license; and

14 (B) amending section 51.20 of title 10,
15 Code of Federal Regulations, to eliminate the
16 list in such section of types of actions that re-
17 quire an environmental impact statement or a
18 supplement to an environmental impact state-
19 ment to allow for the use of environmental as-
20 sessments and categorical exclusions for such
21 actions, as appropriate.

22 (2) REQUIREMENTS.—To the maximum extent
23 practicable, in promulgating the final rule under
24 paragraph (1), the Nuclear Regulatory Commission

- 1 shall take into account the considerations described
- 2 in subsection (b)(1).

