



Coalition of Pro-Nuclear Organizations Urges The Senate to Oppose Re-Nomination of NRC Commissioner Jeff Baran

Groups point out mismatch between Baran's record and his promises to Committee

Berkeley, Calif. – 20, 2023 — A coalition of environmental organizations committed to regulatory and legislative change to accelerate the licensing and deployment of new advanced nuclear reactors in the United States today spoke out against the re-nomination of Jeff Baran to serve another five-year term on the Nuclear Regulatory Commission (NRC). As part of their opposition, groups including [Build Nuclear Now](#), [The Breakthrough Institute \(BTI\)](#), [Generation Atomic](#), [Nuclear New York](#) and [Green Nuclear Deal](#) pointed to Commissioner Baran's extensive pattern of actions that contradict his claimed support for bipartisan solutions to modernize the country's nuclear energy infrastructure.

Despite repeated claims before the Senate Environment and Public Works Committee (EPW) conducted as part of his 2018 and 2023 confirmations to the NRC, Commissioner Baran's voting record has consistently stood as the sole vote against reasonable steps to improve the efficiency of the NRC's regulations, hindering the deployment of new nuclear, which is necessary for combating climate change:

1. Commissioner Baran was the sole vote against updating NRC's guidance for siting smaller and safer advanced nuclear reactors that would allow advanced reactors to more easily replace shut-down fossil-fuel power plants

Transitioning old coal-fired power plants to cleaner nuclear power plants is an essential step for environmental justice because it provides a healthy pathway to stability for a community that is dependent upon a power plant, while decarbonizing US energy use. Current NRC regulations were developed with large light water reactors in mind, and may be a barrier to replacing fossil-fueled plants that existed closer to people, regardless of the safety risks (or lack thereof) of operating a specific type of reactor in more densely populated areas.

2. Commissioner Baran was the sole vote against an NRC staff proposal to align emergency preparedness requirements with the reduced risk associated with advanced reactors.

Imposing the same emergency planning requirements on smaller, safer reactors as what is applicable to today's large reactors is not technically justified and would impose extra costs on new reactors. The Advisory Committee on Reactor Safeguards (ACRS) found that there are "no technical obstacles at this time to the rulemaking and recommend that it move forward."

3. Commissioner Baran was the sole vote against developing a commonsense environmental review document for advanced reactors

The NRC staff proposed, and the Commission approved, the development of a Generic Environmental Impact Statement (GEIS) for advanced reactors to provide for a faster and more efficient environmental review process by taking into account the reduced environmental impacts (such as reduced water use or modular construction techniques) associated with new reactor technologies compared to today's large, light-water reactor technologies.

4. Commissioner Baran opposed streamlining environmental regulations

Commissioner Baran seems to believe that any effort to streamline environmental reviews would be problematic. He wrote:

I do not support guidance changes aimed at reducing the length and detail of National Environmental Policy Act environmental reviews. The agency has often struggled with including sufficient detail in these important reviews. Efforts to "streamline" environmental impact statements would be counterproductive and could have significant adverse unintended consequence

5. Commissioner Baran supported planning for extremely unlikely hypothetical accidents

The NRC staff found in NUREG-2161 that a release from a spent fuel pool accident after a severe earthquake at a reference plant could occur about one time in 10 million years or lower. While Commissioner Baran accepts those findings, he nevertheless comes to the conclusion that such events should be taken into account during radiological emergency planning.

6. Commissioner Baran supported basing the new 10 CFR Part 53 on the current 10 CFR Parts 50 and 52, even though the new framework was supposed to be innovative.

The Nuclear Energy Innovation and Modernization Act (NEIMA) directed the NRC to develop a new technology-inclusive regulatory framework for advanced reactors. The current nuclear reactor regulations were developed with one type of technology in mind: large light-water reactors. As such, a departure from the status quo was required to meet the mandate in NEIMA; however Commissioner Baran approved a rulemaking plan that would base the new regulatory framework on the existing frameworks and guidance.

7. Commissioner Baran supported unnecessarily increasing regulations on the current fleet of reactors

One of Commissioner Baran's repeatedly stated concerns is that new, advanced reactor designs do not have any operating experience, yet even with the legacy fleet of reactors with decades of experience, he votes for increasing regulatory burden and oversight. For example, he voted to increase inspection frequency on the currently operating fleet.

"We need good faith commissioners on the NRC who are going to act in the interest of the American people," said Ted Nordhaus, Founder and Executive Director of The Breakthrough Institute. "The status quo is denying the American people access to clean, affordable energy, and the NRC needs to be led by Commissioners who recognize the evolution of nuclear energy technologies and the need for change. Rather than confirm Commissioner Baran, we strongly support considering an alternative candidate with the necessary vision, qualities, and character to lead the NRC into the future and address the imminent challenges faced by our country and the world."

Additional background on Commissioner Baran's record is available [here](#). The Senate is set to consider the forthcoming vacancy at the NRC following the June 14th placement of Commissioner Baran's nomination to the Senate Executive Calendar.



About The Breakthrough Institute

The [Breakthrough Institute](https://thebreakthrough.org) is an environmental research center based in Berkeley, California. Our research focuses on identifying and promoting technological solutions to environmental and human development challenges in three areas: energy, conservation, and food and farming. For additional information about the Breakthrough Institute, please visit: <https://thebreakthrough.org>

Media Contact:

breakthrough@icrinc.com