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**Contact:** LDEQ Communications  
**Phone:** 225-219-3964

## LOUISIANA JOINS LEGAL CHALLENGE TO UNLEASH NUCLEAR ENERGY INNOVATION

**BATON ROUGE, LA** — The Louisiana Department of Environmental Quality (LDEQ) announced today that the State of Louisiana will join a major national lawsuit challenging the U.S. Nuclear Regulatory Commission’s (NRC) “Utilization Facility Rule” as it applies to small modular reactors (SMRs) and related nuclear innovation. This strategic move positions Louisiana to benefit from any favorable ruling or settlement that could remove unnecessary Federal regulatory burdens, aligning the State with Texas, Utah, and private sector energy innovators Last Energy, Inc., Deep Fission, Inc., and Valar Atomics.

The lawsuit, originally filed on December 29, 2024, by Texas, Utah, and Last Energy, contends that the NRC is overstepping its statutory authority by subjecting all nuclear reactors — regardless of size or risk profile — to the same licensing requirements. This includes microreactors and SMRs, which are designed to be safer, more scalable, and more economically viable than traditional nuclear power plants.

“Louisiana’s energy future demands innovation, not unnecessary red tape,” **said Governor Jeff Landry**. “Joining this lawsuit is about defending our ability to pursue advanced energy solutions like SMRs — solutions that are reliable, clean, and essential for economic development in the State. This is part of our broader strategy to make Louisiana an energy leader in the 21st century.”



### *A Regulatory Barrier to Innovation*

LDEQ was approved as an NRC Agreement State in 1967 under [Section 274 of the Atomic Energy Act](#), granting the agency authority to regulate source, byproduct, and special nuclear materials within the State. While no state currently licenses nuclear power generation itself, LDEQ holds authority over operations and emergency preparedness — making it uniquely positioned to support and regulate SMR deployment in Louisiana.

“This lawsuit is about unlocking opportunity,” **stated LDEQ Secretary Aurelia S. Giacometto**. “Louisiana is already an NRC Agreement State with robust regulatory experience in radiological licensing and emergency

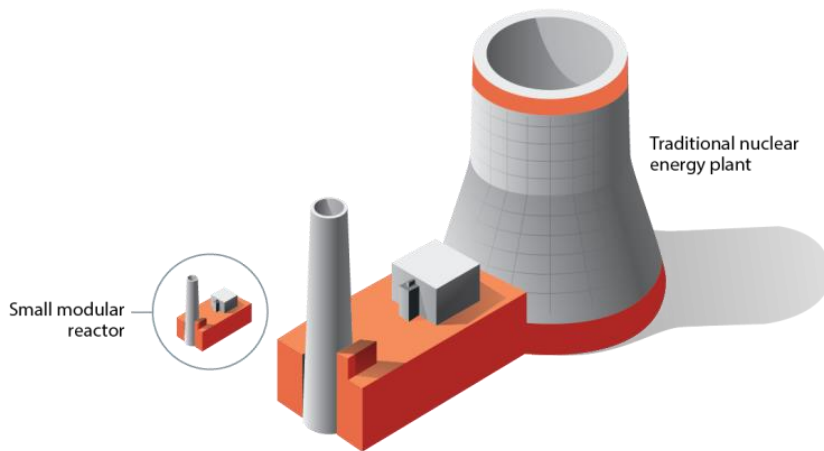
response. We are ready to take the next step and lead in the deployment and oversight of SMRs. This litigation ensures we are not left behind while other states set the pace for nuclear innovation.”

“The NRC’s rule imposes sweeping regulations that fail to distinguish between emerging technologies and legacy reactors. That’s not only inefficient — it’s unlawful,” **said Attorney General Liz Murrill**. “By joining this case, we’re defending our State’s right to tailor nuclear innovation to our unique needs, while pushing back on Federal overreach.”

### ***Supporting Concurrent Legislative Efforts***

The State’s interest in SMR deployment is reinforced by [Senate Bill 127](#), authored by Senator Adam Bass. The bill establishes a permitting framework to support advanced nuclear energy, including a Federal permitting parity program for electric utilities pursuing SMRs. This legislative action complements the legal strategy and underscores Louisiana’s commitment to nuclear energy development.

“Louisiana has a tremendous opportunity to lead in advanced nuclear power,” **said Senator Adam Bass**. “Our legislation lays the groundwork for a clear, streamlined permitting process. Now, by joining this case, we can remove Federal barriers and create a welcoming environment for innovation and investment. This is a major win for Louisiana.”



LDEQ's involvement in the lawsuit reflects [Governor Landry’s Executive Order JML 24-166](#), which directs State agencies to advance innovative environmental solutions, including waste management and nuclear expansion. The lawsuit is also in line with national security interests: military installations in Louisiana are evaluating SMRs to increase base resilience, and tech companies such as Meta and other data centers are exploring SMRs to ensure reliable clean energy.

### ***Building Louisiana’s Competitive Advantage***

By joining the lawsuit during the 21-day amendment window following the NRC’s motion to dismiss the case, Louisiana ensures its eligibility to share in any favorable judgment or settlement. Failure to act would leave the State subject to the rule’s burdens without access to any future regulatory relief.

“If this challenge succeeds, states not participating in the case may remain under outdated rules, while Louisiana would be free to lead,” **added Secretary Giacometto**. “We want our universities, military bases, and industries to have every advantage in deploying this next generation of safe, clean energy.”

Louisiana’s entry into the case reflects a strategic commitment to energy innovation, environmental stewardship, and long-term economic growth under Governor Landry’s leadership. As global interest in small modular reactors grows, the State is poised to be at the forefront of this emerging sector — and add another significant layer to its economic development power.

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