To streamline nuclear technology regulatory permitting and licensing, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

M. ______ introduced the following bill; which was referred to the Committee on ________________

A BILL

To streamline nuclear technology regulatory permitting and licensing, and for other purposes.

1 Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,

3 SECTION 1. SHORT TITLE.

4 This Act may be cited as the “Nuclear Licensing Ef-
5 ficiency Act”.

6 SEC. 2. EFFICIENT LICENSING REVIEWS.

7 (a) GENERAL.—Section 181 of the Atomic Energy
8 Act of 1954 (42 U.S.C. 2231) is amended—
(1) by striking “The provisions of” and inserting the following:

“(a) ‘The provisions of’”; and

(2) by adding at the end the following:

“(b) Consistent with the declaration in section 1, the Commission shall provide for efficient, timely, and predictable reviews and proceedings for the granting, suspending, revoking, or amending of any license or construction permit, or application to transfer control, and in any proceeding for the issuance or modification of rules and regulations dealing with the activities of licenses.”.

(b) CONSTRUCTION PERMITS AND OPERATING LICENSES.—Section 185 of the Atomic Energy Act of 1954 (42 U.S.C. 2235) is amended by adding at the end the following:

“c. APPLICATION REVIEWS FOR PRODUCTION AND UTILIZATION FACILITIES OF AN EXISTING SITE.—In reviewing an application for an early site permit, construction permit, operating license, or combined construction permit and operating license for a production facility or utilization facility located at the site of a production facility or utilization facility licensed by the Commission, the Commission shall, to the extent practicable, use information that was part of the licensing basis of the licensed production facility or utilization facility.”.
SEC. 3. PERFORMANCE METRICS AND MILESTONES.

Section 102(c) of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2215(c)) is amended—

(1) in paragraph (3)—

(A) in the paragraph heading, by striking “180” and inserting “90”; and

(B) by striking “180” and inserting “90”;

and

(2) by adding at the end the following:

“(4) PERIODIC UPDATES TO METRICS AND SCHEDULES.—

“(A) REVIEW AND ASSESSMENT.—Not less frequently than once every 3 years, the Commission shall review and assess, based on the licensing and regulatory activities of the Commission, the performance metrics and milestone schedules developed under paragraph (1).

“(B) REVISIONS.—After each review and assessment under subparagraph (A), the Commission shall revise, as appropriate, the performance metrics and milestone schedules developed under paragraph (1) to provide the most efficient performance metrics and milestone schedules reasonably achievable.”.
SEC. 4. CLARIFICATION ON FUSION REGULATION.

Section 103(a)(4) of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2133 note; Public Law 115–439) is amended—

(1) by striking “Not later” and inserting the following:

“(A) IN GENERAL.—Not later”;

and

(2) by adding at the end the following:

“(B) EXCLUSION OF FUSION REACTORS.—Notwithstanding section 3(1), for purposes of subparagraph (A), the term ‘advanced nuclear reactor applicant’ does not include an applicant for a license for a nuclear fusion reactor.”.

SEC. 5. TECHNICAL CORRECTION.

Section 104 c. of the Atomic Energy Act of 1954 (42 U.S.C. 2134(c)) is amended—

(1) by striking the third sentence and inserting the following:

“(3) LIMITATION ON UTILIZATION FACILITIES.—The Commission may issue a license under this section for a utilization facility useful in the conduct of research and development activities of the types specified in section 31 if—

“(A) not more than 75 percent of the annual costs to the licensee of owning and operating the facility are devoted to the sale, other
than for research and development or education and training, of—

“(i) nonenergy services;
“(ii) energy; or
“(iii) a combination of nonenergy services and energy; and
“(B) not more than 50 percent of the annual costs to the licensee of owning and operating the facility are devoted to the sale of energy.”;

(2) in the second sentence, by striking “The Commission” and inserting the following:

“(2) REGULATION.—The Commission”; and

(3) by striking “c. The Commission” and inserting the following:

“C. RESEARCH AND DEVELOPMENT ACTIVITIES.
“(1) IN GENERAL.—Subject to paragraphs (2) and (3), the Commission”.