[DISCUSSION DRAFT]

118TH CONGRESS 1ST SESSION

H. R. ______

To authorize the Secretary of Energy to make awards to cover regulatory costs relating to licensing certain first-of-a-kind advanced nuclear reactors.

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IN THE HOUSE OF REPRESENTATIVES

Mr. CURTIS introduced the following bill; which was referred to the Committee on ________

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A BILL

To authorize the Secretary of Energy to make awards to cover regulatory costs relating to licensing certain first-of-a-kind advanced nuclear reactors.

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 “Advanced Nuclear Re-
5 actor Prize Act”.


SEC. 2. ADVANCED NUCLEAR REACTOR PRIZES.

Section 103 of the Nuclear Energy Innovation and Modernization Act (Public Law 115–439; 132 Stat. 5571) is amended by adding at the end the following:

“(f) PRIZES FOR ADVANCED NUCLEAR REACTOR LICENSING.—

“(1) DEFINITION OF ELIGIBLE ENTITY.—In this subsection, the term ‘eligible entity’ means—

“(A) a non-Federal entity; and

“(B) the Tennessee Valley Authority.

“(2) PRIZE FOR ADVANCED NUCLEAR REACTOR LICENSING.—

“(A) IN GENERAL.—Notwithstanding section 169 of the Atomic Energy Act of 1954 (42 U.S.C. 2209) and subject to the availability of appropriations, the Secretary is authorized to make, with respect to each award category described in subparagraph (C), an award in an amount described in subparagraph (B) to the first eligible entity—

“(i) to which the Commission issues an operating license for an advanced nuclear reactor under part 50 of title 10, Code of Federal Regulations (or successor regulations), for which an application has not been approved by the Commission as
of the date of enactment of this subsection;

or

“(ii) for which the Commission makes a finding described in section 52.103(g) of title 10, Code of Federal Regulations (or successor regulations), with respect to a combined license for an advanced nuclear reactor—

“(I) that is issued under subpart C of part 52 of that title (or successor regulations); and

“(II) for which an application has not been approved by the Commission as of the date of enactment of this subsection.

“(B) AMOUNT OF AWARD.—An award under subparagraph (A) shall be in an amount equal to the total amount assessed by the Commission and collected under section 102(b)(2) from the eligible entity receiving the award for costs relating to the issuance of the license described in that subparagraph, including, as applicable, costs relating to the issuance of an associated construction permit described in section 50.23 of title 10, Code of Federal Regula-
tions (or successor regulations), or early site permit (as defined in section 52.1 of that title (or successor regulations)).

“(C) AWARD CATEGORIES.—An award under subparagraph (A) may be made for—

“(i) the first advanced nuclear reactor for which the Commission—

“(I) issues a license in accordance with clause (i) of subparagraph (A); or

“(II) makes a finding in accordance with clause (ii) of that subparagraph;

“(ii) an advanced nuclear reactor that—

“(I) uses isotopes derived from spent nuclear fuel (as defined in section 2 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101)) or depleted uranium as fuel for the advanced nuclear reactor; and

“(II) is the first advanced nuclear reactor described in subclause (I) for which the Commission—
“(aa) issues a license in accordance with clause (i) of subparagraph (A); or

“(bb) makes a finding in accordance with clause (ii) of that subparagraph;

“(iii) an advanced nuclear reactor that—

“(I) is a nuclear integrated energy system—

“(aa) that is composed of 2 or more co-located or jointly operated subsystems of energy generation, energy storage, or other technologies;

“(bb) in which not fewer than 1 subsystem described in item (aa) is a nuclear energy system; and

“(cc) the purpose of which is—

“(AA) to reduce greenhouse gas emissions in both the power and nonpower sectors; and

“(bb) in which not fewer than 1 subsystem described in item (aa) is a nuclear energy system; and

“(cc) the purpose of which is—

“(AA) to reduce greenhouse gas emissions in both the power and nonpower sectors; and

“(bb) in which not fewer than 1 subsystem described in item (aa) is a nuclear energy system; and

“(cc) the purpose of which is—

“(AA) to reduce greenhouse gas emissions in both the power and nonpower sectors; and
“(BB) to maximize energy production and efficiency; and

“(II) is the first advanced nuclear reactor described in subclause (I) for which the Commission—

“(aa) issues a license in accordance with clause (i) of subparagraph (A); or

“(bb) makes a finding in accordance with clause (ii) of that subparagraph;

“(iv) an advanced reactor that—

“(I) operates flexibly to generate electricity or high temperature process heat for nonelectric applications; and

“(II) is the first advanced nuclear reactor described in subclause (I) for which the Commission—

“(aa) issues a license in accordance with clause (i) of subparagraph (A); or

“(bb) makes a finding in accordance with clause (ii) of that subparagraph; and
“(v) the first advanced nuclear reactor for which the Commission grants approval to load nuclear fuel pursuant to the technology-inclusive regulatory framework established under subsection (a)(4).

“(3) Federal funding limitation.—An award under this subsection shall not exceed the total amount expended (excluding any expenditures made with Federal funds received for the applicable project and an amount equal to the minimum cost-share required under section 988 of the Energy Policy Act of 2005 (42 U.S.C. 16352)) by the eligible entity receiving the award for licensing costs relating to the project for which the award is made.”.