### Streamline America's Future Energy Nuclear Act (Introduced in House)

HR 3448 IH

111th CONGRESS

1st Session

**H. R. 3448**

To establish an expedited schedule for the issuance of a Combined Construction and Operating License for nuclear reactors that meet certain conditions, and for other purposes.

**IN THE HOUSE OF REPRESENTATIVES**

**July 31, 2009**

Mr. PITTS (for himself, Mr. REHBERG, Mr. BACHUS, Mr. OLSON, Mr. CRENSHAW, Mrs. MYRICK, Mr. BARRETT of South Carolina, Mr. FLEMING, and Mr. PAULSEN) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

**A BILL**

To establish an expedited schedule for the issuance of a Combined Construction and Operating License for nuclear reactors that meet certain conditions, and for other purposes.

> Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

**SECTION 1. SHORT TITLE.**

This Act may be cited as the `Streamline America's Future Energy Nuclear Act`. 
SEC. 2. PUBLIC HEALTH AND SAFETY.

Nothing in this Act shall supersede, mitigate, detract from, or in any way decrease the Nuclear Regulatory Commission's ability to maintain the highest possible levels of public health and safety standards, consistent with the provisions of the Atomic Energy Act of 1954. No authority granted by this Act shall be executed in a manner that jeopardizes, minimizes, reduces, or lessens public health and safety standards.

SEC. 3. STREAMLINING COMBINED CONSTRUCTION AND OPERATING LICENSE.

(a) In General- The Nuclear Regulatory Commission shall establish and implement an expedited procedure for issuing a Combined Construction and Operating License.

(b) Qualifications- To qualify for the expedited procedure under this section, an applicant shall--

(1) apply for construction of a reactor based on a design approved by the Nuclear Regulatory Commission;

(2) construct the new reactor on or adjacent to a site where an operating nuclear power plant already exists;

(3) not be subject to a Nuclear Regulatory Commission order to modify, suspend, or revoke a license under section 2.202 of title 10, Code of Federal Regulations; and

(4) submit a complete Combined Construction and Operating License application that is docketed by the Commission.

(c) Expedited Procedure- With respect to a license for which the applicant has satisfied the requirements of subsection (b) and seeks fast track consideration, the Nuclear Regulatory Commission shall follow the following procedures:

(1) Undertake an expedited environmental review process and issue a draft Environmental Impact Statement within 12 months after the application is accepted for docketing.

(2) Complete any public licensing hearings and related processes within 24 months of accepting for docketing the expedited Combined Construction and Operating License application. Such hearings shall begin with the issuance of a draft Environmental Impact Statement.

(3) Complete the technical review process and issue the Safety Evaluation Report and the final Environmental Impact Statement within 18 months after the application is accepted for docketing.

(4) Make a final decision on whether to issue the Combined Construction and Operating License within 25 months after docketing the application.
(d) Goals- The Nuclear Regulatory Commission shall present recommendations to Congress within 90 days of the date of enactment of this Act for procedures that would further facilitate the licensing of new nuclear reactors in a timely manner.

SEC. 4. REACTOR DESIGN CERTIFICATION.

The Nuclear Regulatory Commission shall reduce by one half the time necessary to certify a reactor design and may include designs under consideration for certification by the Nuclear Regulatory Commission as of the date of enactment of this Act. Such a schedule shall be presented to Congress within one year of date of enactment of this Act.

SEC. 5. TECHNOLOGY NEUTRAL PLANT DESIGN SPECIFICATIONS.

Within one year of date of enactment of this Act, the Nuclear Regulatory Commission shall outline to the Congress an approach that will allow the Nuclear Regulatory Commission to develop technology-neutral guidelines for nuclear plant licensing in the future that would allow for the more seamless entry of new technologies into the marketplace.

SEC. 6. ADDITIONAL FUNDING AND PERSONNEL RESOURCES.

Not later than 90 days after the date of enactment of this Act, the Nuclear Regulatory Commission shall transmit to the Congress a request for such additional funding and personnel resources as are necessary to carry out sections 2 through 5 without delaying consideration of applications for Combined Construction and Operating Licenses or reactor design certifications not subject to expedited procedures under this Act.

SEC. 7. NATIONAL LABORATORY SUPPORT.

Each national laboratory with expertise in the nuclear field shall, in coordination with the Nuclear Regulatory Commission, dedicate personnel to supporting either or both the expedited licensing procedures under section 3 and the expedited design certification procedures under section 4.

SEC. 8. EDUCATIONAL PROGRAM FUNDS.

To both support the Nation’s effort to efficiently license new nuclear power plants and build the expertise and workforce necessary to regulate and operate those plants, the Nuclear Regulatory Commission and the Department of Energy shall direct educational funding to programs to enhance or directly support the activities authorized by this Act.

SEC. 9. NATIONAL NUCLEAR ENERGY COUNCIL.

(a) In General-

(1) The Secretary of Energy shall establish a National Nuclear Energy Council (in this section referred to as the ‘Council’).
(2) The Council shall be subject to the requirements of the Federal Advisory Committee Act (5 U.S.C. App.).

(b) Purpose- The Council shall--

(1) serve in an advisory capacity to the Secretary of Energy regarding nuclear energy on matters submitted to the Council by the Secretary of Energy;

(2) advise, inform, and make recommendations to the Secretary of Energy with respect to any matter relating to nuclear energy;

(3) help nuclear energy related investors to navigate the Federal bureaucracy to efficiently bring their products and services to the marketplace; and

(4) not participate in any research and development or commercialization activities.

(c) Membership and Organization-

(1) The members of the Council shall be appointed by the Secretary of Energy.

(2) The Council may establish such study and administrative committees as it considers appropriate.

SEC. 10. NUCLEAR POWER 2010.

There are authorized to be appropriated for the Nuclear Power 2010 $121,000,000 to accomplish its original mission of defining the plant permitting and design certification process by September 30, 2010, at which date the program shall cease to exist.

SEC. 11. NEXT GENERATION NUCLEAR POWER PLANT.

The Department of Energy and the Nuclear Regulatory Commission shall reevaluate the Next Generation Nuclear Power Plant schedule with the purpose of significant acceleration. Within 180 days of the date of enactment of this Act, program managers shall submit to the Congress a revised schedule, including funding requirements, that would allow for program completion as near as is possible to 2015 (halving the current schedule of program completion in 2021).

SEC. 12. URANIUM MINING ON FEDERAL LANDS.

The Federal Land Policy and Management Act of 1976 shall not be used to arbitrarily prevent uranium mining from taking place on Federal lands. The Federal Government shall not collect additional leasing fees, beyond that which are currently applicable, to mine uranium on Federal lands. Any fees collected in association with commercial uranium mining on Federal lands that should be applied for remediation purposes, shall only be applied to the remediation of sites that incurred damage as a result of commercial nuclear activities. Such fees shall not be applied to the remediation of any sites that incurred damage as a result of Government or Government-sponsored activities.