within eligible States may apply for planning, implementation and/or training efforts (list of eligible States and activities to be supported in any given year as well as cost-sharing requirements are available from the program office). Separate applications for planning/implementation and graduate traineeships are required. Planning/implementation applications must contain information that details development of a State-wide improvement plan for energy-related research and human resources, while training grant applications must detail the need for energy-related specific and technical educational disciplines.

(c) Nuclear Engineering Research

The objective of this program is to support research efforts aimed at strengthening University-based nuclear engineering programs. Specific areas of basic and applied research of interest include, but are not limited to: (1) Material behavior in a radiation environment typical of advanced nuclear power plants; (2) real-time instrumentation that identifies and applies innovative measurements technologies in nuclear-related fields; (3) advanced nuclear reactor concepts; (4) applied nuclear sciences that address improvements in the applications of radiation and the understanding of the interaction of radiation with matter; (5) engineering science research applicable to advanced nuclear reactor concepts, industry safety and reliability concerns; (6) neutronics that address improvements in reactor computational methodologies and knowledge of the basic fission processes; and (7) nuclear thermal hydraulics that address improvements of models and analysis of thermal hydraulic behavior in an advanced nuclear reactor system.

(f) Used Energy-Related Laboratory Equipment (ERIE) Program

In accordance with DOE’s responsibility to encourage research and development in the energy area, grants of used energy-related laboratory equipment for use in energy-oriented educational programs in the life, physical and environmental sciences, and engineering are available to universities, colleges and other non-profit educational institutions of higher learning in the United States. An institution is not required to have a current DOE grant or contract in order to participate in this program. The program office should be contacted for specific information on how to access the list of eligible equipment under this program. The cost of care and handling incident to the grant must be borne by the institution.

9. PROGRAM ANALYSIS

The Office of Program Analysis conducts assessments to identify research opportunities in specific areas of interest to DOE programs.
as applicable, on or before December 31, 2007; provided, that DOE accepted
the Pre-Application and invited an Application pursuant to such Pre-Application.

(d) Part 1024 of chapter X of title 10
of the Code of Federal Regulations
shall not apply to actions taken under
this part.

§ 609.2 Definitions.

Act means Title XVII of the Energy
16514), as amended.

Administrative Cost of Issuing a Loan
Guarantee means the total of all admin-
istrative expenses that DOE incurs dur-
ing:

(1) The evaluation of a Pre-Application,
if a Pre-Application is requested
in a solicitation, and an Application
for a loan guarantee;

(2) The offering of a Term Sheet, exe-
cuting the Conditional Commitment,
negotiation, and closing of a Loan
Guarantee Agreement; and

(3) The servicing and monitoring of a
Loan Guarantee Agreement, including
during the construction, startup, com-
misssioning, shakedown, and oper-
ational phases of an Eligible Project.

Applicant means any person, firm,
corporation, company, partnership, as-
sociation, society, trust, joint venture,
joint stock company, or other business
entity or governmental non-Federal
entity that has submitted an Applica-
tion to DOE and has the authority to
enter into a Loan Guarantee Agree-
ment with DOE under the Act.

Application means a comprehensive
written submission in response to a so-
llicitation or a written invitation from
DOE to apply for a loan guarantee pur-
suant to §609.6 of this part.

Borrower means any Applicant who
enters into a Loan Guarantee Agree-
ment with DOE and issues Guaranteed
Obligations.

Commercial Technology means a tech-
nology in general use in the commer-
cial marketplace in the United States
at the time the Term Sheet is issued by
DOE. A technology is in general use if
it has been installed in and is being
used in three or more commercial
projects in the United States in the
same general application as in the pro-
posed project, and has been in oper-
ation in each such commercial project
for a period of at least five years. The
five-year period shall be measured, for
each project, starting on the in service
date of the project or facility employ-
ning that particular technology. For
purposes of this section, commercial
projects include projects that have
been the recipients of a loan guarantee
from DOE under this part.

Conditional Commitment means a
Term Sheet offered by DOE and accept-
ed by the Applicant, with the under-
standing of the parties that if the Ap-
plicant thereafter satisfies all specified
and precedent funding obligations and
all other contractual, statutory and
regulatory requirements, or other re-
quirements, DOE and the Applicant
will execute a Loan Guarantee Agree-
ment: Provided that the Secretary may
terminate a Conditional Commitment
for any reason at any time prior to the
execution of the Loan Guarantee
Agreement; and Provided further that
the Secretary may not delegate this
authority to terminate a Conditional
Commitment.

Contracting Officer means the Sec-
retary of Energy or a DOE official au-
thorized by the Secretary to enter into,
administer and/or terminate DOE Loan
Guarantee Agreements and related
contracts on behalf of DOE.

Credit Subsidy Cost has the same
meaning as “cost of a loan guarantee”
in section 502(5)(C) of the Federal Cred-
it Reform Act of 1990 (2 U.S.C.
661a(5)(C)), which is the net present
value, at the time the Loan Guarantee
Agreement is executed, of the fol-
lowing estimated cash flows, dis-
counted to the point of disbursement:

(1) Payments by the Government to
cover defaults and delinquencies, inter-
est subsidies, or other payments; less

(2) Payments to the Government in-
cluding origination and other fees, pen-
alties, and recoveries; including the ef-
effects of changes in loan or debt terms
resulting from the exercise by the Bor-
rrower, Eligible Lender or other Holder
of an option included in the Loan Guar-
antee Agreement.

DOE means the United States De-
partment of Energy.

Eligible lender means:

(1) Any person or legal entity formed
for the purpose of, or engaged in the