Public Law 88-72

July 22, 1963
[S. 1745]

AN ACT

To authorize appropriations for the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes.

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

Atomic Energy Commission. Appropriation authorization.

SEC. 101. PLANT OR FACILITY ACQUISITION OR CONSTRUCTION.—There is hereby authorized to be appropriated to the Atomic Energy Commission in accordance with the provisions of section 261 a. (1) of the Atomic Energy Act of 1954, as amended, the sum of $172,562,000 for acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, as follows:

71 Stat. 274.
42 USC 2017.

(a) SPECIAL NUCLEAR MATERIALS.—

Project 64–a–1, modifications to production and supporting installations, $5,000,000.

Project 64–a–2, waste fractionization facilities, Richland, Washington, $3,700,000.

Project 64–a–3, additional waste storage facilities, National Reactor Testing Station, Idaho, $3,400,000.

Project 64–a–4, additional waste storage facilities, Savannah River, South Carolina, $7,700,000.

(b) SPECIAL NUCLEAR MATERIALS.—

Project 64–b–1, additional boiler for heating plant, Richland, Washington, $700,000.

(c) ATOMIC WEAPONS.—

Project 64–c–1, weapons production, development, and test installations, $10,000,000.

Project 64–c–2, explosive component plant, Mound Laboratory, Miamisburg, Ohio, $1,590,000.

Project 64–c–3, radiography facility, Sandia Base, New Mexico, $275,000.

Project 64–c–4, nuclear safety facility, Rocky Flats, Colorado, $1,500,000.

Project 64–c–5, fabrication building addition, Rocky Flats, Colorado, $2,140,000.

(d) ATOMIC WEAPONS.—

Project 64–d–1, theoretical and computations building, Lawrence Radiation Laboratory, California, $3,500,000.

Project 64–d–2, additions to administration and computer buildings, Los Alamos Scientific Laboratory, New Mexico, $2,400,000.

Project 64–d–3, technical area utility improvements, Los Alamos Scientific Laboratory, New Mexico, $865,000.

Project 64–d–4, steamplant addition, Sandia Base, New Mexico, $655,000.

Project 64–d–5, test range improvements, Tonopah, Nevada, $760,000.

Project 64–d–6, base construction, Nevada Test Site, $4,000,000.

Project 64–d–7, manufacturing standards laboratory, Rocky Flats, Colorado, $720,000.

Project 64–d–8, instrument maintenance and standards addition, Y–12 plant, Oak Ridge, Tennessee, $590,000.

Project 64–d–9, addition to development laboratory, Y–12 plant, Oak Ridge, Tennessee, $1,700,000.

(e) REACTOR DEVELOPMENT.—

Project 64–e–1, modifications to reactor facilities, $3,000,000.

Project 64–e–2, fast reactor test facility, National Reactor Testing Station, Idaho, $17,000,000.

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Project 64–e–3, SNAP development and test facilities, Santa Susana, California, $500,000.

Project 64–e–4, nuclear safety engineering test facilities, National Reactor Testing Station, Idaho, $19,400,000.

Project 64–e–5, expansion of expended core facility, National Reactor Testing Station, Idaho, $3,000,000.

Project 64–e–6, support facilities for advanced space power systems, National Reactor Testing Station, Idaho, $1,800,000.

Project 64–e–7, thorium-uranium fuel cycle development facility, Oak Ridge National Laboratory, Tennessee, $7,275,000.

Project 64–e–8, modifications to CANEL facilities, Middletown, Connecticut, $1,455,000.

Project 64–e–9, research and development test plants for Project Rover, Los Alamos Scientific Laboratory, New Mexico and Nevada Test Site, $3,000,000.

Project 64–e–10, modifications to radioactive materials handling facilities, Savannah River, South Carolina, $1,000,000.

Project 64–e–11, high temperature lattice testing reactor, Richland, Washington, $2,500,000.

(f) REACTOR DEVELOPMENT.—

Project 64–f–1, heating plant boiler No. 5, Argonne National Laboratory, Illinois, $1,500,000.

(g) PHYSICAL RESEARCH.—

Project 64–g–1, accelerator improvements, Lawrence Radiation Laboratory, California, $750,000.

Project 64–g–2, accelerator improvements, Argonne National Laboratory, Illinois, $500,000.

Project 64–g–3, accelerator and reactor additions and modifications, Brookhaven National Laboratory, New York, $1,250,000.

Project 64–g–4, Tandem Van de Graaff facility, Brookhaven National Laboratory, New York, $12,000,000.

Project 64–g–5, accelerator improvements, Cambridge and Princeton accelerators, $700,000.

(h) PHYSICAL RESEARCH.—

Project 64–h–1, modifications and additions to cafeteria, Lawrence Radiation Laboratory, California, $250,000.

Project 64–h–2, steamplant addition, Brookhaven National Laboratory, New York, $850,000.

(i) BIOLOGY AND MEDICINE.—

Project 64–i–1, low-level radiation counting facility for clinical research, Brookhaven National Laboratory, New York, $430,000.

Project 64–i–2, additional animal quarters, Lovelace Foundation, Albuquerque, New Mexico, $500,000.

Project 64–i–3, addition to agricultural research laboratory, Oak Ridge, Tennessee, $685,000.

Project 64–i–4, molecular biology laboratory, Oak Ridge National Laboratory, Tennessee, $330,000.

(j) COMMUNITY.—

Project 64–j–1, water distribution system, phase II, White Rock, Los Alamos, New Mexico, $625,000.

Project 64–j–2, classroom additions, Barranca Mesa Elementary School, Los Alamos, New Mexico, $224,000.

Project 64–j–3, additional water well, Los Alamos, New Mexico, $194,000.

(k) GENERAL PLANT PROJECTS.—$40,649,000.

SEC. 102. LIMITATIONS.—(a) The Commission is authorized to start any project set forth in subsections 101 (a), (c), (e), and (g), only if the currently estimated cost of that project does not exceed by more than 25 per centum the estimated cost set forth for that project.

(b) The Commission is authorized to start any project set forth in subsections 101 (b), (d), (f), (h), (i), and (j), only if the currently estimated cost of that project does not exceed by more than 10 per centum the estimated cost set forth for that project.

(c) The Commission is authorized to start a project under subsection 101(k) only if it is in accordance with the following:

1. For community operations, the maximum currently estimated cost of any project shall be $100,000 and the maximum currently estimated cost of any building included in such project shall be $10,000.

2. For all other programs, the maximum currently estimated cost of any project shall be $500,000 and the maximum currently estimated cost of any building included in such project shall be $100,000.

3. The total cost of all projects undertaken under subsection 101(k) shall not exceed the estimated cost set forth in that subsection by more than 10 per centum.

SEC. 103. COOPERATION WITH EUROPEAN ATOMIC ENERGY COMMUNITY.—There is hereby authorized to be appropriated to the Atomic Energy Commission, in accordance with the provisions of section 261 a. (2) of the Atomic Energy Act of 1954, as amended, the sum of $7,500,000, in addition to the sum of $15,000,000 previously authorized, which shall be available for carrying out the purposes of section 3 of Public Law 85–846, providing for cooperation with the European Atomic Energy Community.

71 Stat. 274.
42 USC 2017.
72 Stat. 1084.
42 USC 2292.

SEC. 104. COOPERATIVE POWER REACTOR DEMONSTRATION PROGRAM.—(a) Section 111 of Public Law 85–162, as amended, is further amended as follows:

71 Stat. 409.

1. By striking out the figure "$3,600,000" in clause (2) of subsection (a) and inserting in lieu thereof the figure "$4,309,000".

2. By striking out the date "June 30, 1963" in clause (3) of subsection (a) and inserting in lieu thereof the date "June 30, 1964".

(b) The maximum amount of the program authorization, specified in subsection 110(b) of Public Law 86–50, section 109 of Public Law 86–457, section 109 of Public Law 87–315, and section 110 of Public Law 87–701, is increased by $10,000,000.

73 Stat. 84.
74 Stat. 123.
75 Stat. 679.
76 Stat. 602.

SEC. 105. SPECTRAL SHIFT POWER REACTOR.—

(a) The Commission is hereby authorized to enter into cooperative arrangements with privately, publicly, or cooperatively owned utilities or industrial organizations for participation in the development, design, construction, and operation of a Spectral Shift Nuclear Powerplant for which the sum of $30,000,000 is hereby authorized to be appropriated. The Commission is also authorized to waive use charges in connection with this project in an amount not to exceed $10,000,000.

(b) The cooperative arrangements authorized under paragraph (a) of this section may be entered into in accordance with either (i) the criteria for the third round of the Commission's power reactor demonstration program: *Provided, however*, That under any such arrangement the Commission may furnish funds for design assistance without regard to the provisions of section 169 of the Atomic Energy Act of 1954; or (ii) an arrangement under the following terms and conditions:

68 Stat. 952.
42 USC 2209.

(1) The Commission shall provide for the manufacture and construction of the nuclear reactor plant. The Commission may obtain such participation by the cooperating utility or organization as is consistent with Commission ownership and operation of the nuclear reactor plant.

(2) The cooperating utility or organization shall furnish the site and all equipment, facilities, and services necessary for a complete and operable nuclear powerplant except those furnished by the Commission as part of the nuclear reactor plant.

(3) The Commission may enter into a contract with the cooperating utility or organization for the operation of the nuclear reactor plant, including the training of personnel and other relevant matters. Any such contract may be for such period of time as the Commission may determine to be advisable for research and development purposes and for such additional period as the Commission may determine to be necessary in the best interest of the Government. Upon the expiration of such period, the Commission is authorized to offer the nuclear reactor plant for sale to the cooperating utility or organization at a price to reflect appropriate depreciation, but not to include construction costs assignable to research and development; or the Commission may dismantle and remove the reactor plant and its appurtenances.

(4) The Commission, without regard to the provisions of section 44 of the Atomic Energy Act of 1954, as amended, is authorized to sell to the cooperating utility or organization the steam produced in the nuclear reactor plant. The price of such steam shall be based upon the current or projected cost of steam from conventional sources in the area in which the powerplant is constructed. Such steam may be used by the cooperating utility or organization for the generation of electric energy and any other industrial purpose. 68 Stat. 929. 42 USC 2064.

(5) There are authorized to be appropriated such additional funds as may be required for the operation of said nuclear powerplant in accordance with any such arrangement.

(c) Before the Commission enters into any arrangement or amendment thereto under the authority of subsection (a) of this section, the basis for the arrangement or amendment thereto which the Commission proposes to execute (including the name of the proposed participating party or parties with whom the arrangement is to be made, a general description of the proposed powerplant, the estimated amount of cost to be incurred by the Commission and by the participating parties, and the general features of the proposed arrangement or amendment) shall be submitted to the Joint Committee, and a period of forty-five days shall elapse while Congress is in session (in computing such forty-five days, there shall be excluded the days on which either House is not in session because of adjournment for more than three days) : *Provided, however*, That the Joint Committee, after having received the basis for a proposed arrangement or amendment thereto, may by resolution in writing waive the conditions of, or all or any portion of, such forty-five day period: *Provided further*, That such arrangement or amendment shall be entered into in accordance with the basis for the arrangement or amendment submitted as provided herein: *And provided further*, That no basis for arrangement need be resubmitted to the Joint Committee for the sole reason that the estimated amount of the cost to be incurred by the Commission exceeds the estimated cost previously submitted to the Joint Committee by not more than fifteen per centum.

SEC. 106. COOPERATIVE RESEARCH AND DEVELOPMENT PROGRAM WITH WEST GERMAN AUTHORITIES.—There is hereby authorized to be appropriated to the Commission, the sum of $5,500,000, for use in a cooperative program of research and development with any person or persons in connection with Arbeitagemeinshaft-Versuch Reaktor at Juelich, Germany, to be conducted either under the Agreement for Cooperation Concerning Civil Uses of Atomic Energy Between the Govern-

ment of the United States of America and the Government of the Federal Republic of Germany signed on the 4th day of July 1957 as now or hereafter modified, or the additional agreement between the United States of America and the European Atomic Energy Community signed on the 11th day of June 1960 as now or hereafter modified.

SEC. 107.

71 Stat. 274.
42 USC 2017.

Section 261 of the Atomic Energy Act of 1954, as amended, is amended to read as follows effective January 1, 1964:

"SEC. 261. APPROPRIATIONS.—

"a. No appropriation shall be made to the Commission, nor shall the Commission waive charges for the use of materials under the Cooperative Power Reactor Demonstration Program, unless previously authorized by legislation enacted by the Congress.

"b. Any Act appropriating funds to the Commission may appropriate specified portions thereof to be accounted for upon the certification of the Commission only.

"c. Notwithstanding the provisions of subsection a., funds are hereby authorized to be appropriated for the restoration or replacement of any plant or facility destroyed or otherwise seriously damaged, and the Commission is authorized to use available funds for such purposes.

"d. Funds authorized to be appropriated for any construction project to be used in connection with the development or production of special nuclear material or atomic weapons may be used to start another construction project not otherwise authorized if the substituted construction project is within the limit of cost of the construction project for which substitution is to be made, and the Commission certifies that—

"(1) the substituted project is essential to the common defense and security;

"(2) the substituted project is required by changes in weapon characteristics or weapon logistic operations; and

"(3) the Commission is unable to enter into a contract with any person on terms satisfactory to it to furnish from a privately owned plant or facility the product or services to be provided by the new project."

Approved July 22, 1963.

Public Law 88-73

AN ACT

July 22, 1963
[H. R. 2461]

To direct the Secretary of the Interior to convey to the city of Henderson, Nevada, at fair market value, certain public lands in the State of Nevada.

Nevada.
Public lands,
conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That within five years after he has advised, by certified mail, the mayor of the city of Henderson, Nevada, of the appraised fair market value of the lands involved, the Secretary of the Interior shall convey to said city the fifteen thousand acres of public lands described in section 2 hereof.

SEC. 2. The lands to be conveyed under section 1 of this Act are hereby segregated from all forms of appropriation under the public land laws, including the mining and mineral leasing laws, until said Secretary shall provide otherwise by publication of an order in the Federal Register, and comprise those fifteen thousand acres situated in the State of Nevada more particularly described as follows (all range references are to the Mount Diablo base and meridian):

Publication in
F. R.