

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.

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 “Streamline America’s
5 Future Energy Nuclear Act”.

1 **SEC. 2. PUBLIC HEALTH AND SAFETY.**

2 Nothing in this Act shall supersede, mitigate, detract
3 from, or in anyway decrease the Nuclear Regulatory Com-
4 mission's ability to maintain the highest possible levels of
5 public health and safety standards, consistent with the
6 provisions of the Atomic Energy Act of 1954. No authority
7 granted by this Act shall be executed in a manner that
8 jeopardizes, minimizes, reduces, or lessens public health
9 and safety standards.

10 **SEC. 3. STREAMLINING COMBINED CONSTRUCTION AND**
11 **OPERATING LICENSE.**

12 (a) IN GENERAL.—The Nuclear Regulatory Commis-
13 sion shall establish and implement an expedited procedure
14 for issuing a Combined Construction and Operating Li-
15 cense.

16 (b) QUALIFICATIONS.—To qualify for the expedited
17 procedure under this section, an applicant shall—

18 (1) apply for construction of a reactor based on
19 a design approved by the Nuclear Regulatory Com-
20 mission;

21 (2) construct the new reactor on or adjacent to
22 a site where an operating nuclear power plant al-
23 ready exists;

24 (3) not be subject to a Nuclear Regulatory
25 Commission order to modify, suspend, or revoke a li-

1 cense under section 2.202 of title 10, Code of Fed-
2 eral Regulations; and

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

6 (c) EXPEDITED PROCEDURE.—With respect to a li-
7 cense for which the applicant has satisfied the require-
8 ments of subsection (b) and seeks fast track consideration,
9 the Nuclear Regulatory Commission shall follow the fol-
10 lowing procedures:

11 (1) Undertake an expedited environmental re-
12 view process and issue a draft Environmental Im-
13 pact Statement within 12 months after the applica-
14 tion is accepted for docketing.

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

21 (3) Complete the technical review process and
22 issue the Safety Evaluation Report and the final En-
23 vironmental Impact Statement within 18 months
24 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.

9 SEC. 4. REACTOR DESIGN CERTIFICATION.

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

17 SEC. 5. TECHNOLOGY NEUTRAL PLANT DESIGN SPECIFICA-
18 TIONS.

19 Within one year of date of enactment of this Act, the
20 Nuclear Regulatory Commission shall outline to the Con-
21 gress an approach that will allow the Nuclear Regulatory
22 Commission to develop technology-neutral guidelines for
23 nuclear plant licensing in the future that would allow for
24 the more seamless entry of new technologies into the mar-
25 ketplace.

1 **SEC. 6. ADDITIONAL FUNDING AND PERSONNEL RE-**
2 **SOURCES.**

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

11 **SEC. 7. NATIONAL LABORATORY SUPPORT.**

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

18 **SEC. 8. EDUCATIONAL PROGRAM FUNDS.**

19 To both support the Nation's effort to efficiently li-
20 cense new nuclear power plants and build the expertise
21 and workforce necessary to regulate and operate those
22 plants, the Nuclear Regulatory Commission and the De-
23 partment of Energy shall direct educational funding to
24 programs to enhance or directly support the activities au-
25 thorized by this Act.

1 **SEC. 9. NATIONAL NUCLEAR ENERGY COUNCIL.**

2 (a) IN GENERAL.—

3 (1) The Secretary of Energy shall establish a
4 National Nuclear Energy Council (in this section re-
5 ferred to as the “Council”).

6 (2) The Council shall be subject to the require-
7 ments of the Federal Advisory Committee Act (5
8 U.S.C. App.).

9 (b) PURPOSE.—The Council shall—

10 (1) serve in an advisory capacity to the Sec-
11 retary of Energy regarding nuclear energy on mat-
12 ters submitted to the Council by the Secretary of
13 Energy;

14 (2) advise, inform, and make recommendations
15 to the Secretary of Energy with respect to any mat-
16 ter relating to nuclear energy;

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

20 (4) not participate in any research and develop-
21 ment or commercialization activities.

22 (c) MEMBERSHIP AND ORGANIZATION.—

23 (1) The members of the Council shall be ap-
24 pointed by the Secretary of Energy.

1 (2) The Council may establish such study and
2 administrative committees as it considers appro-
3 priate.

4 **SEC. 10. NUCLEAR POWER 2010.**

5 There are authorized to be appropriated for the Nu-
6 clear Power 2010 \$121,000,000 to accomplish its original
7 mission of defining the plant permitting and design certifi-
8 cation process by September 30, 2010, at which date the
9 program shall cease to exist.

10 **SEC. 11. NEXT GENERATION NUCLEAR POWER PLANT.**

11 The Department of Energy and the Nuclear Regu-
12 latory Commission shall reevaluate the Next Generation
13 Nuclear Power Plant schedule with the purpose of signifi-
14 cant acceleration. Within 180 days of the date of enact-
15 ment of this Act, program managers shall submit to the
16 Congress a revised schedule, including funding require-
17 ments, that would allow for program completion as near
18 as is possible to 2015 (halving the current schedule of pro-
19 gram completion in 2021).

20 **SEC. 12. URANIUM MINING ON FEDERAL LANDS.**

21 The Federal Land Policy and Management Act of
22 1976 shall not be used to arbitrarily prevent uranium min-
23 ing from taking place on Federal lands. The Federal Gov-
24 ernment shall not collect additional leasing fees, beyond
25 that which are currently applicable, to mine uranium on

1 Federal lands. Any fees collected in association with com-
2 mercial uranium mining on Federal lands that should be
3 applied for remediation purposes, shall only be applied to
4 the remediation of sites that incurred damage as a result
5 of commercial nuclear activities. Such fees shall not be ap-
6 plied to the remediation of any sites that incurred damage
7 as a result of Government or Government-sponsored ac-
8 tivities.

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