

118TH CONGRESS
1ST SESSION

H. R. 6253

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

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 7, 2023

Mr. CURTIS (for himself and Mr. TONKO) introduced the following bill; which was referred to the Committee on Energy and Commerce

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”.

6 **SEC. 2. ADVANCED NUCLEAR REACTOR PRIZES.**

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

1 “(f) PRIZES FOR ADVANCED NUCLEAR REACTOR LI-
2 CENSING.—

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

5 “(A) a non-Federal entity; and

6 “(B) the Tennessee Valley Authority.

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

9 “(A) IN GENERAL.—Notwithstanding sec-
10 tion 169 of the Atomic Energy Act of 1954 (42
11 U.S.C. 2209) and subject to the availability of
12 appropriations, the Secretary is authorized to
13 make, with respect to each award category de-
14 scribed in subparagraph (C), an award in an
15 amount described in subparagraph (B) to the
16 first eligible entity—

17 “(i) to which the Commission issues
18 an operating license for an advanced nu-
19 clear reactor under part 50 of title 10,
20 Code of Federal Regulations (or successor
21 regulations), for which an application has
22 not been approved by the Commission as
23 of the date of enactment of this subsection;
24 or

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

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

10 “(II) for which an application
11 has not been approved by the Com-
12 mission as of the date of enactment of
13 this subsection.

14 “(B) AMOUNT OF AWARD.—Subject to
15 paragraph (3), an award under subparagraph
16 (A) shall be in an amount equal to the total
17 amount assessed by the Commission and col-
18 lected under section 102(b)(2) from the eligible
19 entity receiving the award for costs relating to
20 the issuance of the license described in that
21 subparagraph, including, as applicable, costs re-
22 lating to the issuance of an associated construc-
23 tion permit described in section 50.23 of title
24 10, Code of Federal Regulations (or successor
25 regulations), or early site permit (as defined in

1 section 52.1 of that title (or successor regula-
2 tions)).

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

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

7 “(I) issues a license in accord-
8 ance with clause (i) of subparagraph
9 (A); or

10 “(II) makes a finding in accord-
11 ance with clause (ii) of that subpara-
12 graph;

13 “(ii) an advanced nuclear reactor
14 that—

15 “(I) uses isotopes derived from
16 spent nuclear fuel (as defined in sec-
17 tion 2 of the Nuclear Waste Policy
18 Act of 1982 (42 U.S.C. 10101)) or
19 depleted uranium as fuel for the ad-
20 vanced nuclear reactor; and

21 “(II) is the first advanced nu-
22 clear reactor described in subclause
23 (I) for which the Commission—

1 “(aa) issues a license in ac-
2 cordance with clause (i) of sub-
3 paragraph (A); or

4 “(bb) makes a finding in ac-
5 cordance with clause (ii) of that
6 subparagraph;

7 “(iii) an advanced nuclear reactor
8 that—

9 “(I) is a nuclear integrated en-
10 ergy system—

11 “(aa) that is composed of 2
12 or more co-located or jointly op-
13 erated subsystems of energy gen-
14 eration, energy storage, or other
15 technologies;

16 “(bb) in which not fewer
17 than 1 subsystem described in
18 item (aa) is a nuclear energy sys-
19 tem; and

20 “(cc) the purpose of which
21 is—

22 “(AA) to reduce green-
23 house gas emissions in both
24 the power and nonpower sec-
25 tors; and

1 “(BB) to maximize en-
2 ergy production and effi-
3 ciency; and

4 “(II) is the first advanced nu-
5 clear reactor described in subclause
6 (I) for which the Commission—

7 “(aa) issues a license in ac-
8 cordance with clause (i) of sub-
9 paragraph (A); or

10 “(bb) makes a finding in ac-
11 cordance with clause (ii) of that
12 subparagraph;

13 “(iv) an advanced reactor that—

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

17 “(II) is the first advanced nu-
18 clear reactor described in subclause
19 (I) for which the Commission—

20 “(aa) issues a license in ac-
21 cordance with clause (i) of sub-
22 paragraph (A); or

23 “(bb) makes a finding in ac-
24 cordance with clause (ii) of that
25 subparagraph; and

1 “(v) the first advanced nuclear reactor
2 for which the Commission grants approval
3 to load nuclear fuel pursuant to the tech-
4 nology-inclusive regulatory framework es-
5 tablished under subsection (a)(4).

6 “(3) FEDERAL FUNDING LIMITATION.—

7 “(A) EXCLUSION OF TVA FUNDS.—In this
8 paragraph, the term ‘Federal funds’ does not
9 include funds received under the power program
10 of the Tennessee Valley Authority established
11 pursuant to the Tennessee Valley Authority Act
12 of 1933 (16 U.S.C. 831 et seq.).

13 “(B) LIMITATION ON AMOUNTS EX-
14 PENDED.—An award under this subsection
15 shall not exceed the total amount expended (ex-
16 cluding any expenditures made with Federal
17 funds received for the applicable project and an
18 amount equal to the minimum cost-share re-
19 quired under section 988 of the Energy Policy
20 Act of 2005 (42 U.S.C. 16352)) by the eligible
21 entity receiving the award for licensing costs re-
22 lating to the project for which the award is
23 made.

24 “(C) REPAYMENTS AND DIVIDENDS NOT
25 REQUIRED.—Notwithstanding section

1 9104(a)(4) of title 31, United States Code, or
2 any other provision of law, an eligible entity
3 that received an award under this subsection
4 shall not be required—

5 “(i) to repay that award or any part
6 of that award; or

7 “(ii) to pay a dividend, interest, or
8 other similar payment based on the sum of
9 that award.”.

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