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(Original Signature of Member)

118TH CONGRESS
1ST SESSION

H. R.

To streamline nuclear technology regulatory permitting and licensing, and
for other purposes.

IN THE HOUSE OF REPRESENTATIVES

M. _____ introduced the following bill; which was referred to the
Committee on _____

A BILL

To streamline nuclear technology regulatory permitting and
licensing, 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 “Nuclear Licensing Ef-
5 ficiency Act”.

6 **SEC. 2. EFFICIENT LICENSING REVIEWS.**

7 (a) GENERAL.—Section 181 of the Atomic Energy
8 Act of 1954 (42 U.S.C. 2231) is amended—

1 (1) by striking “The provisions of” and insert-
2 ing the following:

3 “(a) ‘The provisions of’ ”; and

4 (2) by adding at the end the following:

5 “(b) Consistent with the declaration in section 1, the
6 Commission shall provide for efficient, timely, and predict-
7 able reviews and proceedings for the granting, suspending,
8 revoking, or amending of any license or construction per-
9 mit, or application to transfer control, and in any pro-
10 ceeding for the issuance or modification of rules and regu-
11 lations dealing with the activities of licenses.”.

12 (b) CONSTRUCTION PERMITS AND OPERATING LI-
13 CENSES.—Section 185 of the Atomic Energy Act of 1954
14 (42 U.S.C. 2235) is amended by adding at the end the
15 following:

16 “c. APPLICATION REVIEWS FOR PRODUCTION AND
17 UTILIZATION FACILITIES OF AN EXISTING SITE.—In re-
18 viewing an application for an early site permit, construc-
19 tion permit, operating license, or combined construction
20 permit and operating license for a production facility or
21 utilization facility located at the site of a production facil-
22 ity or utilization facility licensed by the Commission, the
23 Commission shall, to the extent practicable, use informa-
24 tion that was part of the licensing basis of the licensed
25 production facility or utilization facility.”.

1 **SEC. 3. PERFORMANCE METRICS AND MILESTONES.**

2 Section 102(c) of the Nuclear Energy Innovation and
3 Modernization Act (42 U.S.C. 2215(c)) is amended—

4 (1) in paragraph (3)—

5 (A) in the paragraph heading, by striking
6 “180” and inserting “90”; and

7 (B) by striking “180” and inserting “90”;
8 and

9 (2) by adding at the end the following:

10 “(4) PERIODIC UPDATES TO METRICS AND
11 SCHEDULES.—

12 “(A) REVIEW AND ASSESSMENT.—Not less
13 frequently than once every 3 years, the Com-
14 mission shall review and assess, based on the li-
15 censing and regulatory activities of the Com-
16 mission, the performance metrics and milestone
17 schedules developed under paragraph (1).

18 “(B) REVISIONS.—After each review and
19 assessment under subparagraph (A), the Com-
20 mission shall revise, as appropriate, the per-
21 formance metrics and milestone schedules devel-
22 oped under paragraph (1) to provide the most
23 efficient performance metrics and milestone
24 schedules reasonably achievable.”.

1 **SEC. 4. CLARIFICATION ON FUSION REGULATION.**

2 Section 103(a)(4) of the Nuclear Energy Innovation
3 and Modernization Act (42 U.S.C. 2133 note; Public Law
4 115–439) is amended—

5 (1) by striking “Not later” and inserting the
6 following:

7 “(A) IN GENERAL.—Not later”; and

8 (2) by adding at the end the following:

9 “(B) EXCLUSION OF FUSION REACTORS.—
10 Notwithstanding section 3(1), for purposes of
11 subparagraph (A), the term ‘advanced nuclear
12 reactor applicant’ does not include an applicant
13 for a license for a nuclear fusion reactor.”.

14 **SEC. 5. TECHNICAL CORRECTION.**

15 Section 104 c. of the Atomic Energy Act of 1954 (42
16 U.S.C. 2134(c)) is amended—

17 (1) by striking the third sentence and inserting
18 the following:

19 “(3) LIMITATION ON UTILIZATION FACILI-
20 TIES.—The Commission may issue a license under
21 this section for a utilization facility useful in the
22 conduct of research and development activities of the
23 types specified in section 31 if—

24 “(A) not more than 75 percent of the an-
25 nual costs to the licensee of owning and oper-
26 ating the facility are devoted to the sale, other

1 than for research and development or education
2 and training, of—

3 “(i) nonenergy services;

4 “(ii) energy; or

5 “(iii) a combination of nonenergy
6 services and energy; and

7 “(B) not more than 50 percent of the an-
8 nual costs to the licensee of owning and oper-
9 ating the facility are devoted to the sale of en-
10 ergy.”;

11 (2) in the second sentence, by striking “The
12 Commission” and inserting the following:

13 “(2) REGULATION.—The Commission”; and

14 (3) by striking “C. The Commission” and in-
15 sserting the following:

16 “C. RESEARCH AND DEVELOPMENT ACTIVITIES.

17 “(1) IN GENERAL.—Subject to paragraphs (2)
18 and (3), the Commission”.