

[DISCUSSION DRAFT]

118TH CONGRESS
1ST SESSION

H. R. _____

To enable timely licensing reviews for nuclear reactor facilities at brownfield sites, including retired fossil fuel sites, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

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

A BILL

To enable timely licensing reviews for nuclear reactor facilities at brownfield sites, including retired fossil fuel sites, 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 for
5 Brownfields Site Preparation Act”.

6 **SEC. 2. REGULATORY ISSUES FOR NUCLEAR FACILITIES AT**
7 **BROWNFIELD SITES.**

8 (a) DEFINITIONS.—In this section:

1 (1) BROWNFIELD SITE.—The term “brownfield
2 site” has the meaning given the term in section 101
3 of the Comprehensive Environmental Response,
4 Compensation, and Liability Act of 1980 (42 U.S.C.
5 9601).

6 (2) COMMISSION.—The term “Commission”
7 means the Nuclear Regulatory Commission.

8 (3) PRODUCTION FACILITY.—The term “pro-
9 duction facility” has the meaning given the term in
10 section 11 of the Atomic Energy Act of 1954 (42
11 U.S.C. 2014).

12 (4) RETIRED FOSSIL FUEL SITE.—The term
13 “retired fossil fuel site” means the site of 1 or more
14 fossil fuel electric generation facilities that are re-
15 tired or scheduled to retire, including multiunit fa-
16 cilities that are partially shut down.

17 (5) UTILIZATION FACILITY.—The term “utiliza-
18 tion facility” has the meaning given the term in sec-
19 tion 11 of the Atomic Energy Act of 1954 (42
20 U.S.C. 2014).

21 (b) IDENTIFICATION OF REGULATORY ISSUES.—

22 (1) IN GENERAL.—Not later than 1 year after
23 the date of enactment of this Act, the Commission
24 shall evaluate the extent to which modification of
25 regulations, guidance, or policy is needed to enable

1 timely licensing reviews for, and to support the over-
2 sight of, production facilities or utilization facilities
3 at brownfield sites.

4 (2) REQUIREMENT.—In carrying out paragraph
5 (1), the Commission shall consider how licensing re-
6 views for production facilities or utilization facilities
7 at brownfield sites may be expedited by—

8 (A) siting and operating a production facil-
9 ity or a utilization facility at or near a retired
10 fossil fuel site to support the reuse of existing
11 site infrastructure, including—

12 (i) electric switchyard components and
13 transmission infrastructure;

14 (ii) heat-sink components;

15 (iii) steam cycle components;

16 (iv) roads;

17 (v) railroad access; and

18 (vi) water availability;

19 (B) using early site permits;

20 (C) using plant parameter envelopes or
21 similar standardized site parameters on a por-
22 tion of a larger site; and

23 (D) using a standardized application for
24 similar sites.

1 (3) REPORT.—Not later than 14 months after
2 the date of enactment of this Act, the Commission
3 shall submit to the appropriate committees of Con-
4 gress a report describing any regulations, guidance,
5 and policies evaluated under paragraph (1).

6 (c) LICENSING.—

7 (1) IN GENERAL.—Not later than 2 years after
8 the date of enactment of this Act, the Commission
9 shall, based on the evaluation under subsection (b)—

10 (A) develop and implement strategies to
11 enable timely licensing reviews for, and to sup-
12 port the oversight of, production facilities or
13 utilization facilities at brownfield sites, includ-
14 ing retired fossil fuel sites; and

15 (B) initiate a rulemaking to enable timely
16 licensing reviews for, and to support the over-
17 sight of, production facilities or utilization fa-
18 cilities at brownfield sites, including retired fos-
19 sil fuel sites.

20 (2) REQUIREMENTS.—In carrying out para-
21 graph (1), consistent with the mission of the Com-
22 mission, the Commission shall consider matters re-
23 lating to—

24 (A) the use of existing site infrastructure;

1 (B) existing emergency preparedness orga-
2 nizations and planning;

3 (C) the availability of historical site-spe-
4 cific environmental data;

5 (D) previously completed environmental re-
6 views required by the National Environmental
7 Policy Act of 1969 (42 U.S.C. 4321 et seq.);

8 (E) activities associated with the potential
9 decommissioning of facilities or decontamina-
10 tion and remediation at brownfield sites; and

11 (F) community engagement and historical
12 experience with energy production.

13 (d) REPORT.—Not later than 3 years after the date
14 of enactment of this Act, the Commission shall submit to
15 the Committee on Energy and Commerce of the House
16 of Representatives and the Committee on Environment
17 and Public Works of the Senate a report describing the
18 actions taken by the Commission under subsection (c)(1).