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REPORT
111-278

ENERGY AND WATER DEVELOPMENT AND
RELATED AGENCIES APPROPRIATIONS
ACT, 2010

CONFERENCE REPORT

TO ACCOMPANY

H.R. 3183



SEPTEMBER 30, 2009.—Ordered to be printed

Efficiency and Renewable Energy Projects” in the joint explanatory statement accompanying the conference report on this Act.

ELECTRICITY DELIVERY AND ENERGY RELIABILITY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for electricity delivery and energy reliability activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$171,982,000, to remain available until expended: Provided, That, within the funding available funding the Secretary shall establish an independent national energy sector cyber security organization to institute research, development and deployment priorities, including policies and protocol to ensure the effective deployment of tested and validated technology and software controls to protect the bulk power electric grid and integration of smart grid technology to enhance the security of the electricity grid: Provided further, That within 60 days of enactment, the Secretary shall invite applications from qualified entities for the purpose of forming and governing a national energy sector cyber organization that have the knowledge and capacity to focus cyber security research and development and to identify and disseminate best practices; organize the collection, analysis and dissemination of infrastructure vulnerabilities and threats; work cooperatively with the Department of Energy and other Federal agencies to identify areas where Federal agencies with jurisdiction may best support efforts to enhance security of the bulk power electric grid: Provided further, That, of the amount appropriated in this paragraph, \$13,075,000 shall be used for projects specified in the table that appears under the heading “Congressionally Directed Electricity Delivery and Energy Reliability Projects” in the joint explanatory statement accompanying the conference report on this Act.

NUCLEAR ENERGY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for nuclear energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not more than 36 passenger motor vehicles, including one ambulance, all for replacement only, \$786,637,000, to remain available until expended: Provided, That, of the amount appropriated in this paragraph, \$2,500,000 shall be used for projects specified in the table that appears under the heading “Congressionally Directed Nuclear Energy Projects” in the joint explanatory statement accompanying the conference report on this Act.

FOSSIL ENERGY RESEARCH AND DEVELOPMENT

For necessary expenses in carrying out fossil energy research and development activities, under the authority of the Department

NUCLEAR ENERGY

The conference agreement provides \$786,637,000 for nuclear energy activities, instead of \$812,000,000 as proposed by the House and \$761,274,000 as proposed by the Senate.

Nuclear Power 2010.—The conference agreement provides \$105,000,000, which shall be available only for the Nuclear Power 2010 program. The conferees include this funding as the final installment to complete the Department's commitment to this effort to advance combined operating licenses of reactor designs.

Generation IV (Gen IV) Nuclear Energy Systems.—The conference agreement provides \$220,137,000 for Gen IV Nuclear Energy systems, of which \$51,137,000 is for Gen IV research and development. Included within this amount is \$10,000,000 to support light water reactor life extension research, \$22,000,000 for the Modeling and Simulation Hub, and \$17,764,000 for technology research and development of Gen IV advanced reactor concepts, which is not intended to supplement the Next Generation Nuclear Plant efforts. The conference agreement does not provide funds for gas centrifuge enrichment technology.

The conferees provide \$169,000,000 for the Next Generation Nuclear Plant (NGNP), of which \$7,000,000 is for deep burn research. To date, Congress has provided approximately \$360,000,000 for research into a very-high-temperature, gas-cooled reactor (VHTR) design. The Department is directed to report to the House and Senate Committees on Appropriations, within 90 days of enactment of this Act, on the research conducted and a detailed accounting of the funds appropriated to date. This report shall also include a program execution plan, including the \$169,000,000 appropriated in this Act. The execution plan shall detail the scope and schedule of activities, milestones or critical decision points, total project cost estimates including anticipated cost-share requirements, and any necessary updates to the NGNP licensing strategy that was delivered to Congress in August of 2008. This plan shall also include a review of the range of technology options under consideration and the technical and commercial challenges facing each option. The conferees further direct the Secretary of Energy to require industry cost-sharing requirements consistent with the terms and conditions of section 988 of the Energy Policy Act of 2005 for funds provided for the NGNP program.

Fuel Cycle Research and Development.—The conference agreement provides \$136,000,000 for fuel cycle research and development. No funding is provided for the Extreme Materials Energy Innovation Hub.

Space and Defense Infrastructure.—The conference agreement provides \$42,000,000 for space and defense infrastructure.

Research Reactor Infrastructure.—For research reactor infrastructure, the House proposed \$6,000,000 in Idaho Facilities Management while the Senate proposed \$15,000,000 in Radiological Facilities Management (RFM). The conference agreement provides \$10,000,000 in RFM for fresh reactor fuel, disposal of spent fuel for university reactors, and improved reactor instrumentation and equipment upgrades.

Oak Ridge Nuclear Infrastructure.—For nuclear infrastructure at Oak Ridge, the House proposed \$15,000,000 in RFM while the Senate proposed \$10,000,000 in Gen IV Nuclear Energy systems. The conference agreement provides \$10,000,000 in RFM for hot cells at the Oak Ridge Radiochemical Engineering Development Center.

Los Alamos Nuclear Infrastructure.—For nuclear infrastructure at Los Alamos, the Senate proposed \$10,000,000 in Gen IV Nuclear Energy systems. The conference agreement provides \$10,000,000 in RFM for Los Alamos radiological facilities.

Pu-238 Production Restart Project.—The conference agreement provides no funding for the Pu-238 Restart Project. The conferees agree with language proposed by the House regarding a start-up plan which shall include the role and contribution of major users of Pu-238, such as the National Aeronautics and Space Administration, and shall be submitted with the fiscal year 2011 budget submission.

Idaho National Laboratory (INL) Facilities Management.—The conference agreement provides \$173,000,000 for INL facilities management, including not less than \$12,000,000 for the Advanced Test Reactor life extension program.

Program Direction.—The conference agreement provides \$73,000,000 for Program Direction.

Congressionally Directed Projects.—The conference agreement provides \$2,500,000 for the following congressionally directed projects and activities. The agency should remind recipients that statutory cost-sharing requirements may apply to these projects.

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| Department of Energy | Nuclear Energy | MCCLELLAN NUCLEAR RADIATION CENTER | \$500,000 | Lungren, Dan | |
| Department of Energy | Nuclear Energy | NUCLEAR FABRICATION CONSORTIUM (OH) | \$2,000,000 | | Voinovich |
| Department of Energy | Fossil Energy R&D | CENTER FOR ADVANCED SEPARATION TECHNOLOGIES | \$500,000 | Boucher, Mbran (VA) | Warner, Webb |
| Department of Energy | Fossil Energy R&D | CENTER FOR RENEWABLE ENERGY, SCIENCE, AND TECHNOLOGY (CREST) | \$1,000,000 | Barton (TX) | |
| Department of Energy | Fossil Energy R&D | CENTER FOR ZERO EMISSIONS RESEARCH AND TECHNOLOGY | \$3,000,000 | Rehberg | Baucus, Tester |
| Department of Energy | Fossil Energy R&D | DESIGN AND TEST OF AN ADVANCED SOFC GENERATOR IN PA (PA) | \$1,000,000 | | Specter |
| Department of Energy | Fossil Energy R&D | FOSSIL FUEL RESEARCH AND DEVELOPMENT (ND) | \$4,000,000 | Pomeroy | Dorgan, Conrad |
| Department of Energy | Fossil Energy R&D | GULF OF MEXICO HYDRATES RESEARCH CONSORTIUM | \$1,200,000 | Childers | Cochran, Wicker |
| Department of Energy | Fossil Energy R&D | HYDROGEN FUEL DISPENSING STATION (WV) | \$1,200,000 | | Byrd |
| Department of Energy | Fossil Energy R&D | INNOVATIONS FOR LOW-COST GASIFICATION SYSTEMS | \$750,000 | Dent | Casey |
| Department of Energy | Fossil Energy R&D | INNOVATIONS IN CONTROL TECHNOLOGIES FOR SYNTHESIS GAS COMBUSTION | \$300,000 | LaTourette | |
| Department of Energy | Fossil Energy R&D | LONG TERM ENVIRONMENTAL AND ECONOMIC IMPACTS OF DEVELOPMENT OF COAL LIQUEFACTION SECTOR IN CHINA (WV) | \$1,250,000 | | Byrd |
| Department of Energy | Fossil Energy R&D | METHANOL ECONOMY | \$750,000 | Watson | |
| Department of Energy | Fossil Energy R&D | MONTANA ICTL DEMONSTRATION (MT) | \$1,250,000 | | Baucus |
| Department of Energy | Fossil Energy R&D | NATIONAL CENTER FOR HYDROGEN TECHNOLOGY | \$3,000,000 | Pomeroy | Dorgan, Conrad |
| Department of Energy | Fossil Energy R&D | OKLAHOMA UNIVERSITY ENHANCED OIL RECOVERY DESIGN CENTER | \$500,000 | Cole | |