

(b) Budget plan alternative 1

One of the budget plans submitted under subsection (a) shall assume constant annual funding for 10 years at the appropriated level for the civilian nuclear energy research and development of the Department for fiscal year 2016.

(c) Budget plan alternative 2

One of the budget plans submitted under subsection (a) shall be an unconstrained budget.

(d) Inclusions

Each alternative budget plan submitted under subsection (a) shall include—

- (1) a prioritized list of the programs, projects, and activities of the Department to best support the development of advanced nuclear reactor technologies;
- (2) realistic budget requirements for the Department to implement sections 16275(c), 16277, and 16278 of this title; and
- (3) the justification of the Department for continuing or terminating existing civilian nuclear energy research and development programs.

(Pub. L. 109–58, title IX, §959, as added Pub. L. 115–248, §2(i), Sept. 28, 2018, 132 Stat. 3160.)

§ 16280. Advanced Nuclear Energy Licensing Cost-Share Grant Program**(a) Definitions**

In this section:

(1) Commission

The term “Commission” means the Nuclear Regulatory Commission.

(2) Program

The term “program” means the Advanced Nuclear Energy Cost-Share Grant Program established under subsection (b).

(3) Secretary

The term “Secretary” means the Secretary of Energy.

(b) Establishment

The Secretary shall establish a grant program, to be known as the “Advanced Nuclear Energy Cost-Share Grant Program”, under which the Secretary shall make cost-share grants to applicants for the purpose of funding a portion of the Commission fees of the applicant for pre-application review activities and application review activities.

(c) Requirement

The Secretary shall seek out technology diversity in making grants under the program.

(d) Cost-share amount

The Secretary shall determine the cost-share amount for each grant under the program in accordance with section 16352 of this title.

(e) Use of funds

A recipient of a grant under the program may use the grant funds to cover Commission fees, including those fees associated with—

- (1) developing a licensing project plan;
- (2) obtaining a statement of licensing feasibility;
- (3) reviewing topical reports; and

(4) other—

- (A) pre-application review activities;
- (B) application review activities; and
- (C) interactions with the Commission.

(Pub. L. 115–248, §3, Sept. 28, 2018, 132 Stat. 3160.)

CODIFICATION

Section was enacted as part of the Nuclear Energy Innovation Capabilities Act of 2017, and not as part of the Energy Policy Act of 2005 which comprises this chapter.

PART F—FOSSIL ENERGY

§ 16291. Fossil energy**(a) In general**

The Secretary shall carry out research, development, demonstration, and commercial application programs in fossil energy, including activities under this part, with the goal of improving the efficiency, effectiveness, and environmental performance of fossil energy production, upgrading, conversion, and consumption. Such programs take into consideration the following objectives:

- (1) Increasing the energy conversion efficiency of all forms of fossil energy through improved technologies.
- (2) Decreasing the cost of all fossil energy production, generation, and delivery.
- (3) Promoting diversity of energy supply.
- (4) Decreasing the dependence of the United States on foreign energy supplies.
- (5) Improving United States energy security.
- (6) Decreasing the environmental impact of energy-related activities.
- (7) Increasing the export of fossil energy-related equipment, technology, and services from the United States.

(b) Authorization of appropriations

There are authorized to be appropriated to the Secretary to carry out fossil energy research, development, demonstration, and commercial application activities, including activities authorized under this part—

- (1) \$611,000,000 for fiscal year 2007;
- (2) \$626,000,000 for fiscal year 2008; and
- (3) \$641,000,000 for fiscal year 2009.

(c) Allocations

From amounts authorized under subsection (a), the following sums are authorized:

- (1) For activities under section 16292 of this title—
 - (A) \$367,000,000 for fiscal year 2007;
 - (B) \$376,000,000 for fiscal year 2008; and
 - (C) \$394,000,000 for fiscal year 2009.
- (2) For activities under section 16294 of this title—
 - (A) \$20,000,000 for fiscal year 2007;
 - (B) \$25,000,000 for fiscal year 2008; and
 - (C) \$30,000,000 for fiscal year 2009.
- (3) For activities under section 16296 of this title—
 - (A) \$1,500,000 for fiscal year 2007; and
 - (B) \$450,000 for each of fiscal years 2008 and 2009.
- (4) For the Office of Arctic Energy under section 7144d of this title \$25,000,000 for each of fiscal years 2007 through 2009.

(d) Extended authorization

There are authorized to be appropriated to the Secretary for the Office of Arctic Energy established under section 7144d of this title \$25,000,000 for each of fiscal years 2010 through 2012.

(e) Limitations**(1) Uses**

None of the funds authorized under this section may be used for Fossil Energy Environmental Restoration or Import/Export Authorization.

(2) Institutions of higher education

Of the funds authorized under subsection (c)(2), not less than 20 percent of the funds appropriated for each fiscal year shall be dedicated to research and development carried out at institutions of higher education.

(Pub. L. 109–58, title IX, §961, Aug. 8, 2005, 119 Stat. 889.)

REFERENCES IN TEXT

This part, referred to in subsecs. (a) and (b), was in the original “this subtitle”, meaning subtitle F (§§961–968) of title IX of Pub. L. 109–58, Aug. 8, 2005, 119 Stat. 889, which enacted this part and provisions set out as notes under section 2001 of Title 30, Mineral Lands and Mining, and amended provisions set out as a note under section 1902 of Title 30. For complete classification of subtitle F to the Code, see Tables.

§ 16291a. Property interests

That for all programs funded under Fossil Energy appropriations in this and subsequent Acts, the Secretary may vest fee title or other property interests acquired under projects in any entity, including the United States.

(Pub. L. 113–76, div. D, title III, Jan. 17, 2014, 128 Stat. 165.)

CODIFICATION

Section was enacted as part of the Energy and Water Development and Related Agencies Appropriations Act, 2014, and also as part of the Consolidated Appropriations Act, 2014, and not as part of the Energy Policy Act of 2005 which comprises this chapter.

DEFINITIONS

For definition of “this [Act]”, referred to in text, see section 3 of Pub. L. 113–76, set out as a note under section 1 of Title 1, General Provisions.

§ 16292. Coal and related technologies program**(a) In general**

In addition to the programs authorized under subchapter IV, the Secretary shall conduct a program of technology research, development, demonstration, and commercial application for coal and power systems, including programs to facilitate production and generation of coal-based power through—

- (1) innovations for existing plants (including mercury removal);
- (2) gasification systems;
- (3) advanced combustion systems;
- (4) turbines for synthesis gas derived from coal;
- (5) carbon capture and sequestration research and development;
- (6) coal-derived chemicals and transportation fuels;

(7) liquid fuels derived from low rank coal water slurry;

(8) solid fuels and feedstocks;

(9) advanced coal-related research;

(10) advanced separation technologies; and

(11) fuel cells for the operation of synthesis gas derived from coal.

(b) Cost and performance goals**(1) In general**

In carrying out programs authorized by this section, during each of calendar years 2008, 2010, 2012, and 2016, and during each fiscal year beginning after September 30, 2021, the Secretary shall identify cost and performance goals for coal-based technologies that would permit the continued cost-competitive use of coal for the production of electricity, chemical feedstocks, and transportation fuels.

(2) Administration

In establishing the cost and performance goals, the Secretary shall—

(A) consider activities and studies undertaken as of August 8, 2005, by industry in cooperation with the Department in support of the identification of the goals;

(B) consult with interested entities, including—

- (i) coal producers;
- (ii) industries using coal;
- (iii) organizations that promote coal and advanced coal technologies;
- (iv) environmental organizations;
- (v) organizations representing workers; and
- (vi) organizations representing consumers;

(C) not later than 120 days after August 8, 2005, publish in the Federal Register proposed draft cost and performance goals for public comments; and

(D) not later than 180 days after August 8, 2005, and every 4 years thereafter, submit to Congress a report describing the final cost and performance goals for the technologies that includes—

- (i) a list of technical milestones; and
- (ii) an explanation of how programs authorized in this section will not duplicate the activities authorized under the Clean Coal Power Initiative authorized under subchapter IV.

(c) Powder River Basin and Fort Union lignite coal mercury removal**(1) In general**

In addition to the programs authorized by subsection (a), the Secretary shall establish a program to test and develop technologies to control and remove mercury emissions from subbituminous coal mined in the Powder River Basin, and Fort Union lignite coals, that are used for the generation of electricity.

(2) Efficacy of mercury removal technology

In carrying out the program under paragraph (1), the Secretary shall examine the efficacy of mercury removal technologies on coals described in that paragraph that are blended with other types of coal.