

Public Law 94-187  
94th Congress

An Act

To authorize appropriations to the Energy Research and Development Administration in accordance with section 261 of the Atomic Energy Act of 1954, as amended, section 305 of the Energy Reorganization Act of 1974, and section 16 of the Federal Nonnuclear Energy Research and Development Act of 1974, and for other purposes.

Dec. 31, 1975  
[H.R. 3474]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

Energy Research  
and Development  
Administration.  
Appropriation  
authorization.

TITLE I—AUTHORIZATION OF APPROPRIATIONS  
FOR FISCAL YEAR 1976

SEC. 101. There is hereby authorized to be appropriated to the Energy Research and Development Administration in accordance with the provisions of section 261 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2017), section 305 of the Energy Reorganization Act of 1974 (42 U.S.C. 5875), and section 16 of the Federal Nonnuclear Energy Research and Development Act of 1974 (42 U.S.C. 5915):

(a) For "Operating expenses", for the following programs, a sum of dollars equal to the total of the following amounts:

(1) FOSSIL ENERGY DEVELOPMENT.—

(A) Coal liquefaction:

Costs, \$96,897,000.

Changes in selected resources, \$665,000.

(B) High Btu gasification (coal):

Costs, \$37,838,000.

Changes in selected resources, \$20,526,000.

(C) Low Btu gasification (coal):

Costs, \$54,671,000.

Changes in selected resources, (minus) \$4,282,000.

*Provided*, That not less than 20 per centum of the funds appropriated pursuant to this subparagraph (C) shall be used for in situ processes.

(D) Advanced power systems (coal):

Costs, \$8,261,000.

Changes in selected resources, \$2,340,000.

(E) Direct combustion (coal):

Costs, \$32,645,000.

Changes in selected resources, \$5,451,000.

(F) Advanced research and supporting technology (coal), for the following:

(i) Advanced coal conversion process:

Costs, \$13,000,000.

Changes in selected resources, \$1,000,000.

(ii) Advanced direct coal utilization process:

Costs, \$4,600,000.

Changes in selected resources, \$400,000.

(iii) Advanced supporting research:

Costs, \$8,374,000.

Changes in selected resources, \$119,000.

- (iv) System studies :
  - Costs, \$9,087,000.
  - Changes in selected resources, \$2,813,000.
- (G) Demonstration plants (coal) :
  - Costs, \$18,100,000.
  - Changes in selected resources, \$18,900,000.
- (H) Natural gas and oil extraction :
  - Costs, \$32,865,000.
  - Changes in selected resources, \$8,564,000.
- (I) Natural gas and oil utilization :
  - Costs, \$1,582,000.
  - Changes in selected resources, \$215,000.
- (J) Oil shale in situ processing :
  - Costs, \$16,000,000.
  - Changes in selected resources, \$3,000,000.
- (K) Oil shale composition and characterization :
  - Costs, \$1,113,000.
  - Changes in selected resources, \$152,000.
- (L) Magnetohydrodynamics :
  - Costs, \$22,340,000.
  - Changes in selected resources, \$12,160,000.
- (2) SOLAR ENERGY DEVELOPMENT :
  - Costs, \$97,100,000.
  - Changes in selected resources, \$62,425,000.
- (3) GEOTHERMAL ENERGY DEVELOPMENT :
  - Costs, \$34,750,000.
  - Changes in selected resources, \$8,520,000.
- (4) CONSERVATION RESEARCH AND DEVELOPMENT.—
  - (A) Electric Power Transmission :
    - Costs, \$11,830,000.
    - Changes in selected resources, \$300,000.
  - (B) Advanced Transportation Power Systems :
    - Costs, \$19,000,000.
    - Changes in selected resources, \$4,500,000.
  - (C) Energy Storage Systems :
    - Costs, \$23,100,000.
    - Changes in selected resources, \$5,700,000.
  - (D) End-use Conservation :
    - Costs, \$31,000,000.
    - Changes in selected resources, \$18,650,000.
  - (E) Improved Conversion Efficiency :
    - Costs, \$12,625,000.
    - Changes in selected resources, \$3,000,000.
  - (F) Urban Waste Conversion :
    - Costs, \$10,000,000.
    - Changes in selected resources, \$5,000,000.
- (5) NUCLEAR ENERGY AND OTHER PROGRAMS.—\$3,158,970,000, of which a sum of dollars for the following programs equal to the total of the following amounts is included :
  - (A) Scientific and technical education in support of Nonnuclear Energy Technologies :
    - Costs, \$4,500,000.
    - Changes in selected resources, \$1,350,000.
  - (B) General new programs in Environmental and Safety Research in support of nonnuclear energy technology :
    - Costs, \$22,100,000.
    - Changes in selected resources, \$7,700,000.

(C) For use as provided in section 316 of this Act:

Costs, \$4,000,000.

Changes in selected resources, \$1,000,000.

(D) Nonpulmonary health studies on miners and people living in areas subjected to a high incidence of sulphur oxides and trace elements:

Costs, \$400,000.

Changes in selected resources, \$100,000.

(E) New programs of physical research in molecular and materials sciences in support of nonnuclear technologies:

Costs, \$15,725,000.

Changes in selected resources, \$3,750,000.

(F) \$2,750,000 shall be available pursuant to sections 14 and 16 of the Federal Nonnuclear Energy Research and Development Act of 1974 (42 U.S.C. 5913 and 5915) as follows:

(i) \$1,250,000 for the National Bureau of Standards;

(ii) \$500,000 for the Council on Environmental Quality;

and

(iii) \$1,000,000 for the Water Resources Council.

(b) For "Plant and capital equipment", including construction, acquisition, or modification of facilities, including land acquisition; and acquisition and fabrication of capital equipment not related to construction, a sum of dollars equal to the total of the following amounts:

#### FOSSIL ENERGY DEVELOPMENT

(1) COAL.—

Project 76-1-a, clean boiler fuel demonstration plant (A-E and long-lead procurement), \$20,000,000.

Project 76-1-b, High Btu synthetic pipeline gas demonstration plant (A-E and long-lead procurement), \$20,000,000.

Project 76-1-c, Low Btu fuel gas demonstration plant, (A-E and long-lead procurement), \$15,000,000.

Project 76-1-d, Fluidized bed direct combustion demonstration plant, \$13,000,000.

#### SOLAR, GEOTHERMAL, AND ADVANCED ENERGY SYSTEMS DEVELOPMENT

(2) SOLAR ENERGY DEVELOPMENT.—

Project 76-2-a, Five megawatt solar thermal test facility, \$5,000,000.

Project 76-2-b, Ten megawatt central receiver solar thermal powerplant, (A-E and long-lead procurement), \$5,000,000.

(3) GEOTHERMAL ENERGY DEVELOPMENT.—

Project 76-3-a, Geothermal powerplant (steam) (A-E and long-lead procurement), \$5,000,000.

Project 76-3-b, Geothermal powerplant (A-E and long-lead procurement), \$5,000,000.

(4) PHYSICAL RESEARCH.—

Project 76-4-a, accelerator and reactor improvements and modifications, \$4,000,000.

#### NUCLEAR ENERGY DEVELOPMENT

(5) FUSION POWER RESEARCH AND DEVELOPMENT.—

Project 76-5-a, Tokamak fusion test reactor, Princeton Plasma Physics Laboratory, Plainsboro, New Jersey, \$23,000,000.

Project 76-5-b, 14 Mev intense neutron source facility, Los Alamos Scientific Laboratory, New Mexico, \$22,100,000.

Project 76-5-c, 14 Mev high intensity neutron facility, Lawrence Livermore Laboratory, California, \$5,000,000.

(6) FISSION POWER REACTOR DEVELOPMENT.—

Project 76-6-a, modifications to reactors, \$4,000,000.

Project 76-6-b, sodium components test installation steam and feed-water system modification, Liquid Metal Engineering Center, Santa Susana, California, \$7,700,000.

(7) FISSION POWER REACTOR DEVELOPMENT.—

Project 76-7-a, test reactor area fire main replacement, Idaho National Engineering Laboratory, Idaho, \$2,200,000.

(8) NUCLEAR MATERIALS.—

Project 76-8-a, additional facilities, high level waste storage, Savannah River, South Carolina, \$68,000,000.

Project 76-8-b, additional high level waste storage facilities, Richland, Washington, \$35,000,000.

Project 76-8-c, supplemental N reactor irradiated fuel storage, Richland, Washington, \$2,500,000.

Project 76-8-d, uprate electrical switchyards for Roane substation, Oak Ridge, Tennessee, \$8,100,000.

Project 76-8-e, conversion of existing steam plants to coal capability, gaseous diffusion plants and Feed Materials Production Center, Fernald, Ohio, \$12,200,000.

Project 76-8-f, radioactive liquid waste system improvements, Idaho Chemical Processing Plant, Idaho National Engineering Laboratory, Idaho, \$5,800,000.

Project 76-8-g, additional facilities, enriched uranium production, locations undetermined, \$25,000,000.

#### NATIONAL SECURITY

(9) WEAPONS.—

Project 76-9-a, MK-12A MINUTEMAN III production facilities, various locations, \$3,000,000.

Project 76-9-b, plutonium metallurgy building modifications, Lawrence Livermore Laboratory, California, \$1,000,000.

Project 76-9-c, limited life component exchange facility, Charleston, South Carolina, \$13,900,000.

Project 76-9-d, water control and recycle project, Rocky Flats, Colorado, \$3,100,000.

(10) WEAPONS.—

Project 76-10-a, fire wall construction, Bendix Plant, Kansas City, Missouri, \$2,000,000.

Project 76-10-b, fire protection improvements, Los Alamos Scientific Laboratory, New Mexico, \$4,450,000.

Project 76-10-c, PHERMEX enhancement, Los Alamos Scientific Laboratory, New Mexico, \$6,150,000.

#### ENVIRONMENTAL AND SAFETY RESEARCH

(11) BIOMEDICAL AND ENVIRONMENTAL RESEARCH.—

Project 76-11-a, modifications and additions to biomedical and environmental research facilities, \$3,200,000.

Project 76-11-b, inhalation toxicology research facilities, \$6,800,000.

(12) GENERAL PLANT PROJECTS.—\$64,670,000.

(13) CONSTRUCTION PLANNING AND DESIGN.—\$6,000,000.

(14) SAFEGUARDS AND FACILITY UPGRADING.—

Project 76-14, safeguard and security upgrading, various locations, \$32,800,000.

## CAPITAL EQUIPMENT NOT RELATED TO CONSTRUCTION

(15) CAPITAL EQUIPMENT.—Acquisition and fabrication of capital equipment not related to construction, for the following programs, a sum of dollars equal to the total of the following amounts:

(A) Fossil energy development, \$425,000.

(B) Solar energy development, \$3,000,000.

(C) Geothermal energy development, \$3,120,000.

(D) Conservation research and development including improved conversion efficiency, \$11,500,000.

(E) Physical research in molecular and materials sciences in support of nonnuclear energy technology, \$4,600,000.

(F) Environmental and safety research in support of non-nuclear energy technology, \$2,000,000.

(G) Nuclear energy and other programs, \$237,502,000.

SEC. 102. LIMITATIONS.—(a) The Administration is authorized to start any project set forth in subsections 101(b) (4), (5), (6), (8), (9), (11), and (14) only if the currently estimated cost of that project does not exceed by more than 25 per centum the estimated cost set forth for that project.

(b) The Administration is authorized to start any project set forth in subsections 101(b) (7) and (10) only if the currently estimated cost of that project does not exceed by more than 10 per centum the estimated cost set forth for that project.

(c) The Administration is authorized to start any project under subsection 101(b) (12) only if it is in accordance with the following:

(1) The maximum currently estimated cost of any project shall be \$750,000 and the maximum currently estimated cost of any building included in such project shall be \$300,000: *Provided*, That the building cost limitation may be exceeded if the Administration determines that it is necessary in the interest of efficiency and economy.

(2) The total cost of all projects undertaken under subsection 101(b) (12) shall not exceed the estimated cost set forth in that section by more than 10 per centum.

(d) The total cost of any project undertaken under subsections 101(b) (4), (5), (6), (8), (9), (11), and (14) shall not exceed the estimated cost set forth for that project by more than 25 per centum unless and until additional appropriations are authorized under section 261 of the Atomic Energy Act of 1954, as amended: *Provided*, That this subsection will not apply to any project with an estimated cost less than \$5,000,000.

42 USC 2017.

(e) The total cost of any project undertaken under subsection 101(b) (7) and (10) shall not exceed the estimated cost set forth for that project by more than 10 per centum, unless and until additional appropriations are authorized under section 261 of the Atomic Energy Act of 1954, as amended: *Provided*, That this subsection will not apply to any project with an estimated cost less than \$5,000,000.

SEC. 103. AMENDMENT OF PRIOR YEAR ACTS.—(a) Section 101 of Public Law 91-273, as amended, is further amended by (1) striking from subsection (b) (1), project 71-1-f, process equipment modifications, gaseous diffusion plants, the figure "\$295,100,000" and substituting therefor the figure "\$478,100,000"; and (2) striking from subsection (b) (9), project 71-9, fire, safety, and adequacy of operating conditions projects, various locations, the figure "\$193,000,000" and substituting therefor the figure "\$240,000,000".

84 Stat. 299.

87 Stat. 143.

(b) Section 101 of Public Law 93-60, as amended, is further amended by (1) striking from subsection (b) (1), project 74-1-g, cascade uprating program, gaseous diffusion plants, the figure "\$183,100,000" and substituting therefor the figure "\$259,600,000"; and (2) striking from subsection (b) (2), project 74-2-c, high energy laser facility, Lawrence Livermore Laboratory, California, the figure "\$20,000,000" and substituting therefor the figure "\$25,000,000".

88 Stat. 115.

(c) Section 101 of Public Law 93-276 is amended by (1) striking from subsection (b) (1), project 75-1-a, additional facilities, high level waste handling and storage, Savannah River, South Carolina, the figure "\$30,000,000" and substituting therefor the figure "\$33,000,000"; (2) striking from subsection (b) (1), project 75-1-c, new waste calcining facility, Idaho Chemical Processing Plant, National Reactor Testing Station, Idaho, the figure "\$20,000,000" and substituting therefor the figure "\$27,500,000"; (3) striking from subsection (b) (3), project 75-3-e, addition to building 350 for safeguards analytical laboratory, Argonne National Laboratory, Illinois, the figure "\$3,500,000" and substituting therefor the figure "\$4,300,000"; (4) striking from subsection (b) (6), project 75-6-c, positron-electron joint project, Lawrence Berkeley Laboratory and Stanford Linear Accelerator Center, the figure "\$900,000" and substituting therefor the figure "\$11,900,000"; and (5) striking from subsection (b) (7), project 75-7-c, intermediate-level waste management facilities, Oak Ridge National Laboratory, Tennessee, the figure "\$9,500,000" and substituting therefor the figure "\$10,500,000".

84 Stat. 300.

(d) Section 106 of Public Law 91-273, as amended, is further amended by deleting the present text thereof and substituting therefor the following:

86 Stat. 234.

SEC. 104. RESCISSIONS.—(a) Public Law 92-314, as amended, is further amended by rescinding therefrom authorization for a project, except for funds heretofore obligated, as follows:

Project 73-5-d, modifications to TREAT facility, National Reactor Testing Station, Idaho, \$1,500,000.

(b) Public Law 93-60, as amended, is further amended by rescinding therefrom authorization for a project, except for funds heretofore obligated, as follows:

Project 74-3-e, modifications to TREAT facility, National Reactor Testing Station, Idaho, \$2,500,000.

(c) Public Law 93-276, as amended, is further amended by rescinding therefrom authorization for projects, except for funds heretofore obligated, as follows:

Project 75-13-a, hydrothermal pilot plant, \$1,000,000.

Project 75-5-e, high temperature gas reactor fuel reprocessing facility, National Reactor Testing Station, Idaho, \$10,100,000.

Project 75-5-f, high temperature gas reactor fuel refabrication pilot plant, Oak Ridge National Laboratory, Tennessee, \$3,000,000.

## TITLE II—AUTHORIZATION OF APPROPRIATIONS FOR THE PERIOD JULY 1, 1976, THROUGH SEPTEMBER 30, 1976

SEC. 201. There is hereby authorized to be appropriated to the Energy Research and Development Administration in accordance with the provisions of section 261 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2017), section 305 of the Energy Reorganization Act of 1974 (42 U.S.C. 5875), and section 16 of the Federal Non-nuclear Energy Research and Development Act of 1974 (42 U.S.C. 5915):

(a) For "Operating expenses", for the following programs, a sum of dollars equal to the total of the following amounts:

(1) FOSSIL ENERGY DEVELOPMENT.—

(A) Coal liquefaction:

Costs, \$16,000,000.

Changes in selected resources, \$12,750,000.

(B) High Btu gasification (coal):

Costs, \$7,450,000.

Changes in selected resources, \$1,800,000.

(C) Low Btu gasification (coal):

Costs, \$7,300,000.

Changes in selected resources, \$5,350,000.

*Provided*, That not less than 20 per centum of the funds appropriated pursuant to this subparagraph (C) shall be used for in situ processes.

(D) Advanced power systems (coal):

Costs, \$2,050,000.

Changes in selected resources, \$1,450,000.

(E) Direct combustion (coal):

Costs, \$5,100,000.

Changes in selected resources, \$9,800,000.

(F) Advanced research and supporting technology (coal), for the following:

(i) Advanced coal conversion process:

Costs, \$2,100,000.

Changes in selected resources, \$1,900,000.

(ii) Advanced direct coal utilization process:

Costs, \$500,000.

Changes in selected resources, \$500,000.

"SEC. 106. LIQUID METAL FAST BREEDER REACTOR DEMONSTRATION PROGRAM—FOURTH ROUND.—(a) The Energy Research and Development Administration (ERDA) is hereby authorized to enter into cooperative arrangements with reactor manufacturers and others for participation in the research and development, design, construction, and operation of a Liquid Metal Fast Breeder Reactor powerplant, in accordance with criteria approved by the Joint Committee on Atomic Energy, without regard to the provisions of section 169 of the Atomic Energy Act of 1954, as amended. Appropriations are hereby authorized for the period consisting of the fiscal year ending June 30, 1976, and the interim period following that fiscal year and ending September 30, 1976, for the aforementioned cooperative arrangements as shown in the basis for arrangements as submitted in accordance with subsection (b) hereof. In addition, ERDA may agree to provide assistance in the form of waiver of use charges during the term of the cooperative arrangements without regard to the provisions of section 53 of the Atomic Energy Act, as amended, by waiving use charges in an amount not to exceed \$10,000,000.

Cooperative arrangements.

42 USC 2209.

Waiver.

42 USC 2073.

"(b) Before ERDA enters into any arrangement or amendment thereto under the authority of subsection (a) of this section, the basis for the arrangement or amendment thereto which ERDA proposes to execute (including the name of the proposed participating party or parties with which the arrangement is to be made, a general description of the proposed powerplant, the estimated amount of cost to be incurred by ERDA and by the participating parties, and the general features of the proposed arrangement or amendment) shall be submitted to the Joint Committee on Atomic Energy, and a period of forty-five days shall elapse while Congress is in session (in computing such forty-five days, there shall be excluded the days on which either

Proposal, submittal to Joint Committee on Atomic Energy.

Waiver.

House is not in session because of adjournment for more than three days): *Provided, however*, That the Joint Committee, after having received the basis for a proposed arrangement or amendment thereto, may by resolution in writing waive the conditions of all, or any portion of, such forty-five-day period: *Provided, further*, That such arrangement or amendment shall be entered into in accordance with the basis for the arrangement or amendment submitted as provided herein: *And provided further*, That no basis for arrangement need be resubmitted to the Joint Committee for the sole reason that the estimated amount of the cost to be incurred by ERDA exceeds the estimated cost previously submitted to the Joint Committee by not more than 15 per centum. Notwithstanding the foregoing, ERDA, in each of its annual budget submissions, shall submit for the information and review of the Joint Committee in the exercise of its oversight responsibility, the anticipated obligations and costs for the ensuing fiscal year for the project authorized under subsection (a) of this section.

“(c) The ERDA is hereby authorized to agree, by modification to the definitive cooperative arrangement reflecting such changes therein as it deems appropriate for such purpose, to the following: (1) to execute and deliver to the other parties to the definitive contract, the special undertakings of indemnification specified in said contract, which undertakings shall be subject to availability of appropriations to ERDA and to the provisions of section 3679 of the Revised Statutes, as amended; and (2) to acquire ownership and custody of the property constituting the Liquid Metal Fast Breeder Reactor powerplant or parts thereof, and to use, decommission, and dispose of said property, as provided for in the definitive contract.”

31 USC 665.

## (iii) Advanced supporting research:

Costs, \$1,400,000.

Changes in selected resources, \$450,000.

## (iv) Systems studies:

Costs, \$1,400,000.

Changes in selected resources, \$1,600,000.

## (G) Demonstration plants (coal):

Costs, \$4,100,000.

Changes in selected resources, \$4,900,000.

## (H) Natural gas and oil extraction:

Costs, \$9,930,000.

Changes in selected resources, \$600,000.

## (I) Natural gas and oil utilization:

Costs, \$500,000.

Changes in selected resources (minus) \$50,000.

## (J) Oil shale in situ processing:

Costs, \$4,241,000.

Changes in selected resources, \$529,000.

## (K) Oil shale composition and characterization:

Costs, \$300,000.

Changes in selected resources, \$0.

## (L) Magneto-hydrodynamics.

Costs, \$6,700,000.

Changes in selected resources, \$1,700,000.

## (2) SOLAR ENERGY DEVELOPMENT.—

Costs, \$24,500,000.

Changes in selected resources, \$19,203,000.

## (3) GEOTHERMAL ENERGY DEVELOPMENT.—

Costs, \$10,100,000.

Changes in selected resources, \$850,000.

- (4) CONSERVATION RESEARCH AND DEVELOPMENT.—
- (A) Electric Power Transmission:  
Costs, \$2,673,000.  
Changes in selected resources (minus) \$100,000.
- (B) Advanced Transportation Power Systems:  
Costs, \$4,750,000.  
Changes in selected resources, \$1,060,000.
- (C) Energy Storage Systems:  
Costs, \$5,400,000.  
Changes in selected resources, \$900,000.
- (D) End-use Conservation:  
Costs, \$8,000,000.  
Changes in selected resources, \$2,000,000.
- (E) Improved Conversion Efficiency:  
Costs, \$3,475,000.  
Changes in selected resources, \$1,100,000.
- (F) Urban Waste Conversion:  
Costs, \$2,500,000.  
Changes in selected resources, \$1,250,000.
- (5) NUCLEAR ENERGY AND OTHER PROGRAMS.—\$914,849,000, of which a sum of dollars for the following programs equal to the total of the following amounts is included:
- (A) Scientific and technical education in support of Nonnuclear Energy Technologies:  
Costs, \$1,125,000.  
Changes in selected resources, \$337,000.
- (B) General new programs in Environmental and Safety Research in support of nonnuclear energy technology:  
Costs, \$5,525,000.  
Changes in selected resources, \$1,919,000.
- (C) For use as provided in section 316 of this Act:  
Costs, \$1,000,000.  
Changes in selected resources, \$250,000.
- (D) Nonpulmonary health studies on miners and people living in areas subjected to a high incidence of sulphur oxides and trace elements:  
Costs, \$100,000.  
Changes in selected resources, \$25,000.
- (E) New programs of physical research in molecular and materials sciences in support of nonnuclear technologies:  
Costs, \$3,931,000.  
Changes in selected resources, \$1,168,000.
- (F) \$687,000 shall be available pursuant to sections 14 and 16 of the Federal Nonnuclear Energy Research and Development Act of 1974 (42 U.S.C. 5913 and 5915) as follows:
- (i) \$312,000 for the National Bureau of Standards;
- (ii) \$125,000 for the Council on Environmental Quality;
- and
- (iii) \$250,000 for the Water Resources Council.
- (b) For "Plant and capital equipment", including construction, acquisition, or modification of facilities, including land acquisition; and acquisition and fabrication of capital equipment not related to construction, a sum of dollars equal to the total of the incremental amounts of the following:

## FOSSIL ENERGY DEVELOPMENT

## (1) COAL.—

Project 76-1-a, clean boiler fuel demonstration plant (A-E and long-lead procurement), \$8,000,000.

Project 76-1-b, High Btu synthetic pipeline gas demonstration plant (A-E and long-lead procurement), \$5,000,000.

Project 76-1-c, Low Btu fuel gas demonstration plant (A-E and long-end procurement), \$3,750,000.

Project 76-1-d, Fluidized bed direct combustion demonstration plant, \$3,250,000.

## SOLAR, GEOTHERMAL, AND ADVANCED ENERGY SYSTEMS DEVELOPMENT

## (2) SOLAR ENERGY DEVELOPMENT.—

Project 76-2-a, Five megawatt solar thermal test facility, \$1,250,000.

Project 76-2-b, Ten megawatt central receiver solar thermal powerplant (A-E and long-lead procurement), \$1,250,000.

## (3) GEOTHERMAL ENERGY DEVELOPMENT.—

Project 76-3-a, Geothermal powerplant (steam) (A-E and long-lead procurement), \$1,250,000.

Project 76-3-b, Geothermal powerplant (A-E and long-lead procurement), \$1,250,000.

## (4) PHYSICAL RESEARCH.—

Project 76-4-a, accelerator and reactor improvements and modifications, \$1,000,000.

## NUCLEAR ENERGY DEVELOPMENT

## (5) FUSION POWER RESEARCH AND DEVELOPMENT.—

Project 76-5-a, tokamak fusion test reactor, Princeton Plasma Physics Laboratory, Plainsboro, New Jersey, \$7,000,000.

## (6) GENERAL PLANT PROJECTS.—\$15,900,000.

## (7) CONSTRUCTION PLANNING AND DESIGN.—\$1,500,000.

## CAPITAL EQUIPMENT NOT RELATED TO CONSTRUCTION

## (8) CAPITAL EQUIPMENT.—

Acquisition and fabrication of capital equipment not related to construction, for the following programs, a sum of dollars equal to the total of the following amounts:

(A) Fossil energy development, \$200,000.

(B) Geothermal energy development, \$200,000.

(C) Conservation research and development including improved conversion efficiency, \$2,900,000.

(D) Physical research in molecular and materials sciences in support of nonnuclear energy technology, \$1,037,000.

(E) Environmental and safety research in support of nonnuclear energy technologies, \$500,000.

(F) Nuclear energy and other programs, \$58,086,000.

SEC. 202. LIMITATIONS.—(a) The Administration is authorized to start any project set forth in subsections 201(b) (4) and (5) only if the currently estimated cost of that project does not exceed by more than 25 per centum the estimated cost set forth for that project.

(b) The Administration is authorized to start any project under subsection 201(b) (6) only if it is in accordance with the following:

(1) The maximum currently estimated cost of any project shall be \$750,000 and the maximum currently estimated cost of any building included in such project shall be \$300,000: *Provided,*

That the building cost limitation may be exceeded if the Administration determines that it is necessary in the interest of efficiency and economy.

(2) The total cost of all projects undertaken under subsection 201(b)(6) shall not exceed the estimated cost set forth in that subsection by more than 10 per centum.

(c) The total cost of any project undertaken under subsection 201(b)(4) and (5) shall not exceed the estimated cost set forth for that project by more than 25 per centum, unless and until additional appropriations are authorized under section 261 of the Atomic Energy Act of 1954, as amended: *Provided*, That this subsection will not apply to any project with an estimated cost less than \$5,000,000.

SEC. 203. AMENDMENT OF PRIOR YEAR ACTS.—(a) Section 101 of Public Law 91-273, as amended, is further amended by striking from subsection (b)(1), project 71-1-f, process equipment modifications, gaseous diffusion plants, the figure "\$478,100,000" and substituting therefor the figure "\$510,100,000".

84 Stat. 299.

(b) Section 101 of Public Law 93-60, as amended, is further amended by striking from subsection (b)(1), project 74-1-g, cascade uprating program, gaseous diffusion plants, the figure "\$259,600,000" and substituting therefor the figure "\$270,400,000".

87 Stat. 143.

### TITLE III—GENERAL PROVISIONS

#### PART A—PROVISIONS RELATING TO PROGRAMS OTHER THAN FOSSIL ENERGY DEVELOPMENT

SEC. 301. The Administrator is authorized to perform construction design services for any Administration construction project whenever (1) such construction project has been included in a proposed authorization bill transmitted to the Congress by the Administrator, and (2) the Administrator determines that the project is of such urgency that construction of the project should be initiated promptly upon enactment of legislation appropriating funds for its construction.

Construction design services.

SEC. 302. Any moneys received by the Administration may be retained and used for operating expenses (except sums received from disposal of property under the Atomic Energy Community Act of 1955 and the Strategic and Critical Materials Stockpiling Act, as amended, and fees received for tests or investigations under the Act of May 16, 1910, as amended (42 U.S.C. 2301; 50 U.S.C. 98h; 30 U.S.C. 7)), notwithstanding the provisions of section 3617 of the Revised Statutes (31 U.S.C. 484), and may remain available until expended.

SEC. 303. Transfers of sums from the "Operating expenses" appropriation may be made to other agencies of the Government for the performance of the work for which the appropriation is made, and in such cases the sums so transferred, may be merged with the appropriation to which transferred.

Transfer of sums.

SEC. 304. Sections 301, 302, and 303 of this Act do not apply to fossil energy development programs of the Administration.

#### PART B—PROVISIONS RELATING TO NONNUCLEAR ENERGY DEVELOPMENT

SEC. 305. REPROGRAMING AUTHORITY.—Except as provided in part C of this title—

(1) no amount appropriated pursuant to this Act may be used for any nonnuclear program in excess of the amount actually authorized for that particular program by this Act,

(2) no amount appropriated pursuant to this Act may be used for any nonnuclear program which has not been presented to, or requested of, the Congress, unless (A) a period of thirty calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than three calendar days to a day certain) has passed after the receipt by the Committee on Science and Technology of the House of Representatives and the Committee on Interior and Insular Affairs of the Senate of notice given by the Administrator containing a full and complete statement of the action proposed to be taken and the facts and circumstances relied upon in support of such proposed action, or (B) each such committee before the expiration of such period has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action: *Provided*, That the following categories may not, as a result of reprogramming, be decreased by more than 10 per centum of the sums appropriated pursuant to this Act for such categories: Coal, petroleum and natural gas, oil shale, solar, geothermal, and conservation.

Allocation of funds, explanation to congressional committees.

30 USC 1122.

SEC. 306. The Administrator shall submit to the Committee on Science and Technology of the House of Representatives and the Committee on Interior and Insular Affairs of the Senate a detailed explanation of the allocation of the funds appropriated pursuant to sections 101(a) and 201(a) of this Act for nonnuclear energy programs and subprograms, reflecting the relationships, consistencies, and dissimilarities between those allocations and (a) the comprehensive program definition transmitted pursuant to section 102 of the Geothermal Energy Research, Development, and Demonstration Act, (b) the comprehensive program definition transmitted pursuant to section 15 of the Solar Energy Research, Development, and Demonstration Act of 1974 (42 U.S.C. 5564), (c) the comprehensive nonnuclear energy research development, and (d) demonstrations transmitted pursuant to section 6 of the Federal Nonnuclear Energy Research and Development Act of 1974 (42 U.S.C. 5905).

SEC. 307. When so specified in an appropriation Act, any amount appropriated pursuant to this Act for "Operating expenses" or for "Plant and capital equipment" for nonnuclear energy may remain available until expended.

Report to congressional committees.

42 USC 5801 note.

SEC. 308. The Administrator shall, by June 30, 1976, and by the end of each fiscal year thereafter, submit a report to the Committee on Science and Technology of the House of Representatives and the Committee on Interior and Insular Affairs of the Senate detailing the extent to which small business and nonprofit organizations are being funded by the nonnuclear research, development, and demonstration programs of the Administrator, and the extent to which small business involvement pursuant to section 2(d) of the Energy Reorganization Act of 1974 (42 U.S.C. 5801(d)) is being encouraged by the Administrator.

42 USC 5904 note.

SEC. 309. The Administrator shall coordinate nonnuclear programs of the Administration with the heads of relevant Federal agencies in order to minimize unnecessary duplication of programs, projects, and research facilities.

SEC. 310. The Administrator shall, as soon as practicable and consistent with design, economic, and feasibility studies, include in an annual authorization proposal a recommendation on construction of at least one demonstration offshore wind-electric generating facility.

42 USC 5914 note.

SEC. 311. As a part of the annual report required by section 15(a) (1) of the Federal Nonnuclear Energy Research and Development Act of 1974 (42 U.S.C. 5914(a) (1)), the Administrator shall:

(a) detail the Solar Energy Division personnel level recommended for the current fiscal year by the Administrator and submitted to the Office of Management and Budget, and the personnel level authorized upon review by that Office; and

(b) detail progress toward completion by January 1, 1980, of the objectives of the Solar Energy Research Development, and Demonstration Act of 1974 (42 U.S.C. 5551, et seq.).

SEC. 312. The Federal Nonnuclear Energy Research and Development Act of 1974 (42 U.S.C. 5901) is amended by adding at the end thereof the following new section:

“CENTRAL SOURCE OF NONNUCLEAR ENERGY INFORMATION

“SEC. 17. The Administrator shall promptly establish, develop, acquire, and maintain a central source of information on all energy resources and technology in furtherance of the Administrator's research, development, and demonstration mission carried out directly or indirectly under this Act. When the Administrator determines that such information is needed to carry out the purposes of this Act, he may acquire proprietary and other information (a) by purchase through negotiation or by donation from any person, or (b) from another Federal agency. The information maintained by the Administrator shall be made available to the public, subject to the provisions of section 552 of title 5, United States Code, and section 1905 of title 18, United States Code, and to other Government agencies in a manner that will facilitate its dissemination: *Provided*, That upon a showing satisfactory to the Administrator by any person that any information, or portion thereof, obtained under this section by the Administrator directly or indirectly from such person, would, if made public, divulge (1) trade secrets or (2) other proprietary information of such person, the Administrator shall not disclose such information and disclosure thereof shall be punishable under section 1905 of title 18, United States Code: *Provided further*, That the Administrator shall, upon request, provide such information to (A) any delegate of the Administrator for the purpose of carrying out this Act, and (B) the Attorney General, the Secretary of Agriculture, the Secretary of the Interior, the Federal Trade Commission, the Federal Energy Administration, the Environmental Protection Agency, the Federal Power Commission, the General Accounting Office, other Federal agencies, when necessary to carry out their duties and responsibilities under this and other statutes, but such agencies and agency heads shall not release such information to the public. This section is not authority to withhold information from Congress or any committee of Congress upon request of the chairman.”

SEC. 313. The Federal Nonnuclear Energy Research and Development Act of 1974 (42 U.S.C. 5901) is amended by adding at the end thereof (after the new section added by section 312 of this Act) the following new section:

“ENERGY INFORMATION

“SEC. 18. The Administrator is, upon request, authorized to obtain energy information under section 11(d) of the Energy Supply and Environmental Coordination Act of 1974, as amended (15 U.S.C. 796(d)).”

42 USC 5916.

Availability.

42 USC 5917.

## PART C—PROVISIONS RELATING TO FOSSIL ENERGY DEVELOPMENT

SEC. 314. Funds appropriated pursuant to this Act for "Operating expenses" for fossil energy purposes may be used for (1) any facilities which may be required at locations, other than installations of the Administration, for the performance of research and development contracts, and (2) grants to any organization for purchase or construction of research facilities. No such funds shall be used for the acquisition of land. Fee title to all such facilities shall be vested in the United States, unless the Administrator determines in writing that the programs of research and development authorized by this Act shall best be implemented by vesting fee title in an entity other than the United States: *Provided*, That, before approving the vesting of title in such entity, the Administrator shall (A) transmit such determination, together with all pertinent data, to the Committee on Science and Technology of the House of Representatives and the Committee on Interior and Insular Affairs of the Senate, and (B) wait a period of thirty calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than three calendar days to a day certain), unless prior to the expiration of such period each such committee has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action. Each grant shall be made under such conditions as the Administrator deems necessary to insure that the United States will receive therefrom benefits adequate to justify the making of the grant. No such funds shall be used under clause (1) of the first sentence of this section for the construction of any major facility the estimated cost of which, including collateral equipment, exceeds \$250,000 unless the Administrator shall (i) transmit a report on such major facility showing the nature, purpose, location, and estimated cost of such facility to the Committee on Science and Technology of the House of Representatives and the Committee on Interior and Insular Affairs of the Senate, and (ii) wait a period of thirty calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than three calendar days to a day certain), unless prior to the expiration of such period each such committee has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action.

SEC. 315. Not to exceed three per centum of all funds appropriated pursuant to this Act for "Operating expenses" for fossil energy purposes may be used by the Administrator to construct, expand, or modify laboratories and other facilities, including the acquisition of land, at any location under the control of the Administrator, if the Administrator determines that (1) such action would be necessary because of changes in the national programs authorized to be funded by this Act or because of new scientific or engineering developments, and (2) deferral of such action until the enactment of the next authorization Act would be inconsistent with the policies established by Congress for the Administration. No portion of such sums may be obligated for expenditure or expended for such activities, unless (A) a period of thirty calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than three calendar days to a day certain) has passed after the Administrator has transmitted to the Committee on Science and Technology of the House of Representatives and the Committee on Interior and Insular Affairs of the Senate a written report containing a full and complete statement concerning (i) the nature of construction, expan-

Determination and data, transmittal to congressional committees.

Report to congressional committees.

Report to congressional committees.

sion, or modification, (ii) the cost thereof, including the cost of any real estate action pertaining thereto, and (iii) the reason why such construction, expansion, or modification is necessary and in the national interest, or (B) each such committee before the expiration of such period has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action.

SEC. 316. The Administrator shall conduct an environmental and safety research, development, and demonstration program related to fossil fuels.

#### TITLE IV—OAK RIDGE HOLIFIELD NATIONAL LABORATORY

SEC. 401. The Holifield National Laboratory at Oak Ridge, Tennessee, shall hereafter be known and designated as the "Oak Ridge National Laboratory". Any reference in any law, map, regulation, document, record, or other paper of the United States to the Holifield National Laboratory or to the Oak Ridge National Laboratory shall be held to be a reference to the "Oak Ridge National Laboratory".

Designation.

SEC. 402. The Heavy Ion Research Facility under construction at Oak Ridge, Tennessee, is hereby designated as the "Holifield Heavy Ion Research Facility". Any reference in any law, regulation, map, record, or other document of the United States to the Heavy Ion Research Facility shall be considered a reference to the "Holifield Heavy Ion Research Facility".

Holifield Heavy Ion Research Facility.  
Designation.

#### TITLE V—AIR TRANSPORTATION OF PLUTONIUM

SEC. 501. The Energy Research and Development Administration shall not ship plutonium in any form by aircraft whether exports, imports, or domestic shipment: *Provided*, That any exempt shipments of plutonium, as defined by section 502, are not subject to this restriction. This restriction shall be in force until the Energy Research and Development Administration has certified to the Joint Committee on Atomic Energy of the Congress that a safe container has been developed and tested which will not rupture under crash and blast testing equivalent to the crash and explosion of a high-flying aircraft.

42 USC 5817  
note.

SEC. 502. For the purposes of this title, the term "exempt shipments of plutonium" shall include the following:

"Exempt shipment of plutonium."  
42 USC 5817  
note.

(1) Plutonium shipments in any form designed for medical application.

(2) Plutonium shipments which pursuant to rules promulgated by the Administrator of the Energy Research and Development Administration are determined to be made for purposes of national security, public health and safety, or emergency maintenance operations.

(3) Shipments of small amounts of plutonium deemed by the Administrator of the Energy Research and Development Administration to require rapid shipment by air in order to preserve the chemical, physical, or isotopic properties of the transported item or material.

#### TITLE VI—ASSISTANCE PAYMENTS AMENDMENTS

SEC. 601. Chapter 9 of the Atomic Energy Community Act of 1955 (42 U.S.C. 2391 et seq.) is amended—

(1) by striking out "Commission" each time it appears in sections 91 and 94, the first time it appears in section 92, and where

42 USC 2391,  
2394, 2392.

42 USC 2393.

it appears in section 93, and inserting in each instance in lieu thereof the following: "Administrator";

42 USC 2391.

(2) by striking out "atomic energy" in section 91a (2) and inserting "Energy Research and Development Administration" in lieu thereof;

(3) by striking out "its" in section 91d;

(4) by striking out "itself" in section 91e;

(5) by striking out the period at the end of the first sentence of section 91a, and inserting in lieu thereof the following: "*Provided further*, That the Administrator is also authorized to make payments of just and reasonable sums to Anderson County and Roane County, Tennessee.";

(6) by inserting immediately after "Richland School District" in section 91d, but before the closing of parentheses, the following: "; or not less than six months prior to June 30, 1986, in the case of Anderson County and Roane County, Tennessee";

(7) by striking out "Commission" in the catchlines of sections 92 and 94;

42 USC 2392,  
2394.

(8) by striking out "Commission" the second time it appears in section 92, and inserting "Energy Research and Development Administration" in lieu thereof; and

(9) by striking out the final period in section 93 and inserting in lieu thereof the following: "; and in the case of Anderson County and Roane County, Tennessee, shall not extend beyond June 30, 1986.".

Approved December 31, 1975.

---

#### LEGISLATIVE HISTORY:

HOUSE REPORTS: No. 94-294 (Joint Committee on Atomic Energy and Comm. on Science and Technology) and No. 94-696 (Comm. of Conference).

SENATE REPORTS: No. 94-104 (Joint Committee on Atomic Energy) and No. 94-332 (Comm. on Interior and Insular Affairs) both accompanying S. 598 and No. 94-514 (Comm. of Conference).

CONGRESSIONAL RECORD, Vol. 121 (1975):

June 19, 20, considered and passed House.

July 31, considered and passed Senate, amended, in lieu of S. 598.

Dec. 9, Senate agreed to conference report.

Dec. 11, House rejected the conference report; concurred in Senate amendment with an amendment.

Dec. 18, Senate concurred in House amendment.