

November 1, 2001

MEMORANDUM TO: Chairman Meserve
Commissioner Dicus
Commissioner Diaz
Commissioner McGaffigan
Commissioner Merrifield

FROM: Dennis K. Rathbun, Director */RA/*
Office of Congressional Affairs

SUBJECT: MARKUP OF PRICE-ANDERSON ACT, 10/31/01, AFTERNOON
SESSION

This is in follow up to my memorandum of October 31, 2001, which reported on the morning session of the House Energy and Commerce Committee's markup of H.R. 2983, Price-Anderson Act Reauthorization. After a lengthy recess, the Committee continued consideration of amendments. The following four amendments were adopted, all by voice vote:

- 1) Offered by Representative Charlie Norwood (R-GA) would change the definition of a single modular reactor at a single site from one that produces up to 950,000 KWe to one that produces less than 1,300,000 KWe.
- 2) Offered by Representative Henry Waxman (D-CA) would require NRC to consult with the Director of Homeland Security on the siting of new nuclear power plants to ensure that they do not pose an "unreasonable risk."
- 3) Offered by Representatives John Dingell (D-MI) and Billy Tauzin (R-LA) would deny liability protection to Department of Energy (DOE) contractors who engage in intentional misconduct and would allow the Attorney General to recover the total profit derived from the contract. Nonprofit institutions would be exempt.
- 4) Offered by Representative Ted Strickland (D-OH) would require DOE to issue OSHA-equivalent industrial and construction safety regulations for contractors and subcontractors at its nuclear facilities.

One amendment, offered by Representative Edward Markey (D-MA) would have required applicants for a utilization facility to have been rejected for private insurance coverage before being covered by Price-Anderson. The amendment failed on a roll call vote of 29 - 5.

Representative Markey also said that he wanted to offer an amendment that would require stockpiling of potassium iodide near nuclear power plant sites. He said he would not offer it on Price-Anderson but would look to include it in another piece of legislation. Chairman Tauzin said he agreed with the amendment and would work to include it in the bioterrorism bill.

Finally, two additional amendments were offered and withdrawn. One by Representative Bart Gordon (D-TN) would have renewed Price-Anderson for 10 years instead of 15. The other by Representative Peter Deutsch (D-FL) would have required the NRC employ, train and provide security personnel to protect facilities covered by Price-Anderson to the extent that the responsibility of the facilities for such protection is increased after the date of the bill's enactment.

The Committee agreed by voice vote to report the bill to the full House.

Copies of all of the amendments are attached.

Attachments:

As stated

cc: OEDO	RES	OIG	NMSS
OGC	NRR	ACNW	SECY
OGC (Cyr)	OPA	OCFO	OCAA

Contact: Tom Combs, 415-1776