



AMERICA FIRST *in* NUCLEAR

An Initiative of eGeneration Foundation



The eGeneration Foundation, an IRS recognized 501(c)3, and the eGeneration Economic Development Corporation, an IRS recognized 501(c)4, are in the process of executing a state-based initiative for reinvigorating innovation within America's nuclear industry.

After years of false starts and dashed hopes, the dream of a nuclear renaissance in the United States seems, by most accounts, to have slipped through our fingers. Investors are hesitant, even though there is growing interest and grassroots support for nuclear energy. Nuclear source materials are a million times more energy dense than that of any fossil fuel, yet the U.S. has managed to create a regulatory environment that negates the tremendous economic, environmental, and reliability advantage of nuclear power. The private sector is prevented from bringing new products to market due to prohibitively expensive regulations. America suffers under the burden of bureaucracy and our nuclear program needs help.

The United States is falling behind the rest of the world in building nuclear reactors, which produce no greenhouse gases in their production of electricity. The United States has not come close to the building and expansion of nuclear power plants projected under the Atomic Energy Commission (AEC) which was formed in 1946 and dissolved in 1974. In 1974 the Energy Research and Development Administration (ERDA) and the Nuclear Regulatory Commission (NRC) legally split the duties of the AEC. The ERDA

was to take on the research and development activities of the AEC and the NRC was to take on the safety and regulatory aspects of the defunct AEC. In 1977, Congress saw fit to dissolve the ERDA and consolidate the Federal Energy Administration, the ERDA, the Federal Power Commission, and programs of various other agencies into the Department of Energy (DOE).

What was lost in the dissolution of the AEC were a number of key issues that remain unresolved to this day. The 1954 Atomic Energy Act (AEA) amended the 1946 Atomic Energy Act and is still the core piece of legislation that drives the regulation of the nuclear industry. The language of the 1954 Atomic Energy Act:

- Required the AEC to “**recognize the interests of the States in the peaceful uses of atomic energy**” U.S. Code 42 Section 2021.
- Required the AEC to “**promote an orderly regulatory pattern between the Commission and State governments with respect to nuclear development**” U.S. Code 42 Section 2021.
- Required the AEC to create “**a program of conducting, assisting, and fostering research and development in order to encourage maximum scientific and industrial progress**” U.S. Code U.S. Code 42 Section 2013.
- Required the AEC to “**create a program of administration which will be consistent with the foregoing policies and programs, with international arrangements, and with agreements for cooperation**” U.S. Code U.S. Code 42 Section 2013.

Many of the legal requirements, as laid out by Congress in 1954, are not being met since the dissolution of the AEC. Many blame the NRC, but we believe some of the blame goes to the states for not taking a more active role in nuclear research and development.

While the NRC has developed rules that allow states to regulate source material and byproducts, it has failed to recognize the **interests of states** to develop new nuclear technologies and to encourage **maximum scientific and industrial progress**. The NRC has correctly identified that its mission is only concerned with safety and regulation; not development. Providing a program that encourages maximum scientific and industrial progress is the mission of the DOE. Our legal experts agree that the authority of the DOE can be extended to states in collaborative research and development agreements, per the 1954 AEA mandate to recognize the states interest in developing nuclear technologies for peaceful uses.

After meeting with DOE officials, the consensus regarding the best course of action was for a state to petition the DOE to promulgate rules for collaborative research and development agreements. The next step would be the creation of a state regulatory body that would have the authority to make decisions pertaining to nuclear research and development for the state. This state authority would sign a collaborative research and development agreement with the DOE. The last piece of the puzzle would be the funding mechanism that will allow investors the confidence to invest.

We have been working with state legislators to pass legislation to create a for-profit state initiated public benefit corporation that will incentivize private sector investment through accruing technology investment tax credits.

At the federal level, eGeneration is looking to pass legislation that will help eliminate litigation for our unique efforts and squash any potential lawsuits against the DOE and state governments.

The eGeneration Economic Development Corporation has worked to create a resolution that was recently dropped at the Ohio statehouse. With broad bipartisan support and nearly 60 co-sponsors, the resolution petitions the DOE to promulgate rules for collaborative research and development agreements.

We feel very confident that the decentralization of federal research and development of nuclear energy can be achieved, and our desire is to continue working towards that end.

We are encouraged that our efforts have received notice and praise from the DOE. We are a small foundation with a large impact, however our funding to date has been minimal. We could do so much more with adequate funding.

To maintain a consistent, powerful presence at state and federal levels we not only need funding, but we desire to partner with like-minded organizations for added impact. Our unique approach, experience, and connections will complement that of any free-market organization supportive of nuclear technology.

Working together, we can promote our common message of free-market development of nuclear technologies in Washington, DC. This will allow us to advance our efforts in Ohio in building a consortium capable of developing new nuclear technologies, which we hope we can roll out as the model for other states to follow.

Small but impactful, we have worked hard over many years to uniquely position ourselves to move our America First in Nuclear initiative forward at the state and federal level more quickly than any other organization. We have the team, the experience, the skill sets, and the connections. We need additional funding to enhance our efforts, and we would like to partner with with Clear Path to promote our mutual goals and objectives.

We would very much like to discuss the possibility of partnering together to bring about a nuclear renaissance in America. We believe that by working together with Clear Path, we could truly help usher in a new wave of innovation and prosperity for our nuclear industry. Thank you for your consideration.

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