

106TH CONGRESS  
1ST SESSION

# H. R. 1656

To authorize appropriations for fiscal years 2000 and 2001 for the commercial application of energy technology and related civilian energy and scientific programs, projects, and activities of the Department of Energy, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 3, 1999

Mr. CALVERT introduced the following bill; which was referred to the Committee on Science, and in addition to the Committees on Commerce, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To authorize appropriations for fiscal years 2000 and 2001 for the commercial application of energy technology and related civilian energy and scientific programs, projects, and activities of the Department of Energy, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Department of Energy  
5 Commercial Application of Energy Technology Authoriza-  
6 tion Act of 1999”.

1 **SEC. 2. DEFINITIONS.**

2 For the purposes of this Act—

3 (1) the term “Department” means the Depart-  
4 ment of Energy; and

5 (2) the term “Secretary” means the Secretary  
6 of Energy.

7 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

8 (a) ENERGY SUPPLY.—There are authorized to be  
9 appropriated to the Secretary for Energy Supply commer-  
10 cial application of energy technology and related civilian  
11 energy and scientific research, development, and dem-  
12 onstration operation and maintenance and construction  
13 programs, projects, and activities for which specific sums  
14 are not authorized under other authority of law  
15 \$237,850,000 for fiscal year 2000 and \$235,921,000 for  
16 fiscal year 2001, to remain available through the end of  
17 fiscal year 2002, of which—

18 (1) \$177,000,000 for fiscal year 2000 and  
19 \$174,070,000 for fiscal year 2001 shall be for Nu-  
20 clear Energy, including—

21 (A) \$85,000,000 for fiscal year 2000 and  
22 \$87,550,000 for fiscal year 2001 for Termi-  
23 nation Costs;

24 (B) \$30,000,000 for fiscal year 2000 and  
25 \$30,900,000 for fiscal year 2001 for the Fast  
26 Flux Test Facility;

1 (C) \$13,000,000 for fiscal year 2000 and  
2 \$13,390,000 for fiscal year 2001 for Isotope  
3 Support;

4 (D) \$8,000,000 for fiscal year 2000 for  
5 completion of Project 98–E–201, Isotope Pro-  
6 duction Facility, Los Alamos National Labora-  
7 tory; and

8 (E) \$41,000,000 for fiscal year 2000 and  
9 \$42,230,000 for fiscal year 2001 for Uranium  
10 Programs;

11 (2) \$50,750,000 for fiscal year 2000 and  
12 \$51,703,000 for fiscal year 2001 shall be for Envi-  
13 ronment, Safety, and Health;

14 (3) \$9,100,000 for fiscal year 2000 and  
15 \$9,148,000 for fiscal year 2001 shall be for Tech-  
16 nical Information Management; and

17 (4) \$1,000,000 for fiscal year 2000 and  
18 \$1,000,000 for fiscal year 2001 shall be for transfer  
19 to the Occupational Health and Safety Administra-  
20 tion for external regulation of all federally owned or  
21 operated nonmilitary energy laboratories under sec-  
22 tion 15.

23 (b) NON-DEFENSE ENVIRONMENTAL MANAGE-  
24 MENT.—There are authorized to be appropriated to the  
25 Secretary for Non-Defense Environmental Management

1 commercial application of energy technology and related  
2 civilian energy and scientific research, development, and  
3 demonstration operation and maintenance programs,  
4 projects, and activities for which specific sums are not au-  
5 thorized under other authority of law \$330,934,000 for  
6 fiscal year 2000 and \$340,862,000 for fiscal year 2001,  
7 to remain available through the end of fiscal year 2002,  
8 of which—

9           (1) \$211,146,000 for fiscal year 2000 and  
10         \$217,480,000 for fiscal year 2001 shall be for Site  
11         Closure;

12           (2) \$100,866,000 for fiscal year 2000 and  
13         \$103,892,000 for fiscal year 2001 shall be for the  
14         Site/Project Completion; and

15           (3) \$18,922,000 for fiscal year 2000 and  
16         \$19,490,000 for fiscal year 2001 shall be for post  
17         2006 Completion.

18         (c) FOSSIL ENERGY RESEARCH AND DEVELOP-  
19         MENT.—There are authorized to be appropriated to the  
20         Secretary for Fossil Energy Research and Development  
21         Environmental Restoration commercial application of en-  
22         ergy technology and related civilian energy and scientific  
23         research, development, and demonstration operation and  
24         maintenance programs, projects, and activities for which  
25         specific sums are not authorized under other authority of

1 law \$10,000,000 for fiscal year 2000 and \$10,300,000 for  
2 fiscal year 2001, to remain available through the end of  
3 fiscal year 2002.

4 (d) ENERGY CONSERVATION RESEARCH AND DEVEL-  
5 OPMENT.—There are authorized to be appropriated to the  
6 Secretary for Energy Conservation Research and Develop-  
7 ment commercial application of energy technology and re-  
8 lated civilian energy and scientific research, development,  
9 and demonstration operation and maintenance programs,  
10 projects, and activities for which specific sums are not au-  
11 thorized under other authority of law \$26,227,000 for fis-  
12 cal year 2000 and \$27,014,000 for fiscal year 2001, to  
13 remain available through the end of fiscal year 2002, of  
14 which—

15 (1) \$10,700,000 for fiscal year 2000 and  
16 \$11,021,000 for fiscal year 2001 shall be for Clean  
17 Cities;

18 (2) \$9,138,000 for fiscal year 2000 and  
19 \$9,412,000 for fiscal year 2001 shall be for Building  
20 Standards and Guidelines; and

21 (3) \$6,389,000 for fiscal year 2000 and  
22 \$6,581,000 for fiscal year 2001 shall be for Lighting  
23 and Appliance Standards.

1 **SEC. 4. NOTICE.**

2 (a) REPROGRAMMING.—The Secretary may use for  
3 any authorized civilian energy or scientific research, devel-  
4 opment, and demonstration and commercial application of  
5 energy technology programs, projects, and activities of the  
6 Department—

7 (1) up to the lesser of \$250,000 or 5 percent  
8 of the total funding for a fiscal year of another such  
9 program, project, or activity of the Department; or

10 (2) after the expiration of 60 days after trans-  
11 mitting to the Committee on Science and the Com-  
12 mittee on Appropriations of the House of Represent-  
13 atives, and to the Committee on Energy and Natural  
14 Resources and the Committee on Appropriations of  
15 the Senate, a report described in subsection (b), up  
16 to 25 percent of the total funding for a fiscal year  
17 of another such program, project, or activity of the  
18 Department.

19 (b) REPORT.—(1) The report referred to in sub-  
20 section (a)(2) is a report containing a full and complete  
21 statement of the action proposed to be taken and the facts  
22 and circumstances relied upon in support of such proposed  
23 action.

24 (2) In the computation of the 60-day period under  
25 subsection (a)(2), there shall be excluded any day on

1 which either House of Congress is not in session because  
2 of an adjournment of more than 3 days to a day certain.

3 (c) LIMITATIONS.—In no event may funds be used  
4 pursuant to subsection (a) for a civilian energy or sci-  
5 entific research, development, and demonstration or com-  
6 mercial application of energy technology program, project,  
7 or activity for which funding has been requested to the  
8 Congress but which has not been funded by the Congress.

9 (d) NOTICE OF REORGANIZATION.—The Secretary  
10 shall provide notice to the Committee on Science and the  
11 Committee on Appropriations of the House of Representa-  
12 tives, and to the Committee on Energy and Natural Re-  
13 sources and the Committee on Appropriations of the Sen-  
14 ate, not later than 15 days before any major reorganiza-  
15 tion of any civilian energy or scientific research, develop-  
16 ment, and demonstration or commercial application of en-  
17 ergy technology program, project, or activity of the De-  
18 partment.

19 (e) COPY OF REPORTS.—The Secretary shall provide  
20 copies to the Committee on Science and the Committee  
21 on Appropriations of the House of Representatives, and  
22 to the Committee on Energy and Natural Resources and  
23 the Committee on Appropriations of the Senate, of any  
24 report relating to the civilian energy or scientific research,  
25 development, and demonstration or commercial applica-

1 tion of energy technology activities of the Department pre-  
2 pared at the direction of any committee of Congress.

3 **SEC. 5. LIMITATION ON DEMONSTRATIONS.**

4 The Department of Energy shall provide funding for  
5 civilian energy or scientific or commercial application of  
6 energy technology demonstration programs, projects, and  
7 activities only for technologies or processes that are sub-  
8 stantially new, and not for incremental improvements to  
9 technologies or processes that exist in the marketplace.

10 **SEC. 6. LIMITS ON GENERAL PLANT PROJECTS.**

11 If, at any time during the construction of a civilian  
12 energy or scientific research, development, and demonstra-  
13 tion or commercial application of energy technology  
14 project of the Department for which no specific funding  
15 level is provided by law, the estimated cost (including any  
16 revision thereof) of the project exceeds \$500,000, the Sec-  
17 retary may not continue such construction unless the Sec-  
18 retary has furnished a complete report to the Committee  
19 on Science and the Committee on Appropriations of the  
20 House of Representatives, and to the Committee on En-  
21 ergy and Natural Resources and the Committee on Appro-  
22 priations of the Senate, explaining the project and the rea-  
23 sons for the estimate or revision.

1 **SEC. 7. LIMITS ON CONSTRUCTION PROJECTS.**

2 (a) LIMITATION.—Except as provided in subsection  
3 (b), construction on a civilian energy or scientific research,  
4 development, and demonstration or commercial applica-  
5 tion of energy technology project of the Department for  
6 which funding has been specifically provided by law may  
7 not be started, and additional obligations may not be in-  
8 curred in connection with the project above the authorized  
9 funding amount, whenever the current estimated cost of  
10 the construction project exceeds by more than 5 percent  
11 the higher of—

12 (1) the amount authorized for the project, if the  
13 entire project has been funded by the Congress; or

14 (2) the amount of the total estimated cost for  
15 the project as shown in the most recent budget jus-  
16 tification data submitted to Congress.

17 (b) NOTICE.—An action described in subsection (a)  
18 may be taken if—

19 (1) the Secretary has submitted to the Com-  
20 mittee on Science and the Committee on Appropria-  
21 tions of the House of Representatives, and to the  
22 Committee on Energy and Natural Resources and  
23 the Committee on Appropriations of the Senate, a  
24 report on the proposed actions and the cir-  
25 cumstances making such actions necessary; and



1 for the conceptual design before submitting a request for  
2 funds for the construction project.

3 (3) The requirement in paragraph (1) does not apply  
4 to a request for funds for a construction project, the total  
5 estimated cost of which is less than \$1,000,000.

6 (b) **AUTHORITY FOR CONSTRUCTION DESIGN.—**(1)  
7 The Secretary may carry out construction design (includ-  
8 ing architectural and engineering services) in connection  
9 with any proposed construction project that is in support  
10 of a civilian energy or scientific research, development,  
11 and demonstration or commercial application of energy  
12 technology program of the Department if the total esti-  
13 mated cost for such design does not exceed \$100,000.

14 (2) If the total estimated cost for construction design  
15 in connection with any construction project described in  
16 paragraph (1) exceeds \$100,000, funds for such design  
17 must be specifically authorized by law.

18 **SEC. 9. LIMITS ON USE OF FUNDS.**

19 (a) **CLEAN COAL TECHNOLOGY RESERVE.—**No funds  
20 in the Clean Coal Technology Reserve may be used to ini-  
21 tiate or carry out a clean coal technology energy dem-  
22 onstration project based outside the United States.

23 (b) **TRAVEL.—**Not more than 1 percent of the funds  
24 authorized by this Act may be used either directly or indi-  
25 rectly to fund travel costs of the Department or travel

1 costs for persons awarded grants, contracts, subcontracts,  
2 or any other form of financial assistance by the Depart-  
3 ment. As part of the Department's annual budget request  
4 submission to the Congress, the Secretary shall submit a  
5 report to the Committee on Science and the Committee  
6 on Appropriations of the House of Representatives, and  
7 to the Committee on Energy and Natural Resources and  
8 the Committee on Appropriations of the Senate, that  
9 identifies—

10           (1) the estimated amount of travel costs by the  
11 Department and for persons awarded grants, con-  
12 tracts, subcontracts, or any other form of financial  
13 assistance by the Department for the fiscal year of  
14 such budget submission, as well as for the 2 pre-  
15 vious fiscal years;

16           (2) the major purposes for such travel; and

17           (3) the sources of funds for such travel.

18       (c) TRADE ASSOCIATIONS.—No funds authorized by  
19 this Act may be used either directly or indirectly to fund  
20 a grant, contract, subcontract, or any other form of finan-  
21 cial assistance awarded by the Department to a trade as-  
22 sociation on a noncompetitive basis. As part of the Depart-  
23 ment's annual budget request submission to the Congress,  
24 the Secretary shall submit a report to the Committee on  
25 Science and the Committee on Appropriations of the

1 House of Representatives, and to the Committee on En-  
2 ergy and Natural Resources and the Committee on Appro-  
3 priations of the Senate, that identifies—

4           (1) the estimated amount of funds provided by  
5           the Department to trade associations, by trade asso-  
6           ciation, for the fiscal year of such budget submis-  
7           sion, as well as for the 2 previous fiscal years;

8           (2) the services either provided or to be pro-  
9           vided by each such trade association; and

10           (3) the sources of funds for services provided by  
11           each such trade association.

12 **SEC. 10. MANAGEMENT AND OPERATING CONTRACTS.**

13           (a) **COMPETITIVE PROCEDURE REQUIREMENT.**—

14 None of the funds authorized to be appropriated by this  
15 Act or any prior Act may be used to award a management  
16 and operating contract for a federally owned or operated  
17 nonmilitary energy laboratory of the Department unless  
18 such contract is awarded using competitive procedures or  
19 the Secretary grants, on a case-by-case basis, a waiver to  
20 allow for such a deviation. The Secretary may not delegate  
21 the authority to grant such a waiver.

22           (b) **CONGRESSIONAL NOTICE.**—At least 60 days be-  
23 fore a contract award, amendment, or modification for  
24 which the Secretary intends to grant such a waiver, the  
25 Secretary shall submit to the Committee on Science and

1 the Committee on Appropriations of the House of Rep-  
2 resentatives, and to the Committee on Energy and Nat-  
3 ural Resources and the Committee on Appropriations of  
4 the Senate, a report notifying the committees of the waiver  
5 and setting forth the reasons for the waiver.

6 **SEC. 11. FEDERAL ACQUISITION REGULATION.**

7       (a) **REQUIREMENT.**—None of the funds authorized to  
8 be appropriated by this Act or any prior Act for any com-  
9 mercial application of energy technology or civilian energy  
10 or scientific research, development, and demonstration or  
11 commercial application of energy technology activities may  
12 be used to award, amend, or modify a contract of the De-  
13 partment in a manner that deviates from the Federal Ac-  
14 quisition Regulation, unless the Secretary grants, on a  
15 case-by-case basis, a waiver to allow for such a deviation.  
16 The Secretary may not delegate the authority to grant  
17 such a waiver.

18       (b) **CONGRESSIONAL NOTICE.**—At least 60 days be-  
19 fore a contract award, amendment, or modification for  
20 which the Secretary intends to grant such a waiver, the  
21 Secretary shall submit to the Committee on Science and  
22 the Committee on Appropriations of the House of Rep-  
23 resentatives, and to the Committee on Energy and Nat-  
24 ural Resources and the Committee on Appropriations of

1 the Senate, a report notifying the committees of the waiver  
2 and setting forth the reasons for the waiver.

3 **SEC. 12. REQUESTS FOR PROPOSALS.**

4 None of the funds authorized to be appropriated by  
5 this Act or any prior Act may be used by the Department  
6 to prepare or initiate Requests for Proposals (RFPs) for  
7 a civilian energy or scientific research, development, and  
8 demonstration or commercial application of energy tech-  
9 nology program, project, or activity if the program,  
10 project, or activity has not been specifically authorized by  
11 Congress.

12 **SEC. 13. PRODUCTION OR PROVISION OF ARTICLES OR**  
13 **SERVICES.**

14 (a) RESTRICTION.—Except as provided in subsection  
15 (b), none of the funds authorized to be appropriated by  
16 this Act or any prior Act may be used by any civilian en-  
17 ergy or scientific research, development, and demonstra-  
18 tion or commercial application of energy technology pro-  
19 gram, project, or activity of the Department to produce  
20 or provide articles or services for the purpose of selling  
21 the articles or services to a person outside the Federal  
22 Government, unless the Secretary determines that the ar-  
23 ticles or services are not available from a commercial  
24 source in the United States.

1 (b) EXCEPTION.—Subsection (a) does not apply to  
2 the transmission and sale of electricity by any Federal  
3 power marketing administration.

4 **SEC. 14. ELIGIBILITY FOR AWARDS.**

5 (a) IN GENERAL.—The Secretary shall exclude from  
6 consideration for grant agreements for civilian energy or  
7 scientific research, development, and demonstration or  
8 commercial application of energy technology activities  
9 made by the Department after fiscal year 1999 any person  
10 who received funds, other than those described in sub-  
11 section (b), appropriated for a fiscal year after fiscal year  
12 1999, under a grant agreement from any Federal funding  
13 source for a program, project, or activity that was not sub-  
14 jected to a competitive, merit-based award process, except  
15 as specifically authorized by this Act. Any exclusion from  
16 consideration pursuant to this section shall be effective for  
17 a period of 5 years after the person receives such Federal  
18 funds.

19 (b) EXCEPTION.—Subsection (a) shall not apply to  
20 the receipt of Federal funds by a person due to the mem-  
21 bership of that person in a class specified by law for which  
22 assistance is awarded to members of the class according  
23 to a formula provided by law.

24 (c) DEFINITION.—For purposes of this section, the  
25 term “grant agreement” means a legal instrument whose

1 principal purpose is to transfer a thing of value to the  
2 recipient to carry out a public purpose of support or stim-  
3 ulation authorized by a law of the United States, and does  
4 not include the acquisition (by purchase, lease, or barter)  
5 of property or services for the direct benefit or use of the  
6 United States Government. Such term does not include  
7 a cooperative agreement (as such term is used in section  
8 6305 of title 31, United States Code) or a cooperative re-  
9 search and development agreement (as such term is de-  
10 fined in section 12(d)(1) of the Stevenson-Wydler Tech-  
11 nology Innovation Act of 1980 (15 U.S.C. 3710a(d)(1))).

12 **SEC. 15. EXTERNAL REGULATION.**

13 (a) AUTHORITY.—

14 (1) ELIMINATION OF DEPARTMENT OF ENERGY  
15 AUTHORITY.—Except as provided in paragraph (2),  
16 effective January 1, 2000, the Department shall  
17 have no regulatory or enforcement authority,  
18 through rules, regulations, orders, and standards, or  
19 reporting requirements, with respect to Federal,  
20 State, and local environmental, safety, and health  
21 requirements at any federally owned or operated  
22 nonmilitary energy laboratory.

23 (2) EXCEPTION.—Notwithstanding paragraph  
24 (1), the Department shall retain regulatory or en-  
25 forcement authority described in paragraph (1) at

1 any federally owned or operated nonmilitary energy  
2 laboratory to the extent that no other Federal,  
3 State, or local governmental agency has such regu-  
4 latory or enforcement authority.

5 (b) NUCLEAR REGULATORY COMMISSION AUTHOR-  
6 ITY.—

7 (1) ENFORCEMENT RESPONSIBILITIES.—Effec-  
8 tive January 1, 2000, the Nuclear Regulatory Com-  
9 mission shall assume the regulatory and enforcement  
10 responsibilities of the Department under the Atomic  
11 Energy Act of 1954 with regard to federally owned  
12 or operated nonmilitary energy laboratories, includ-  
13 ing such responsibilities with respect to accelerator-  
14 produced radioactive material and ionizing radiation  
15 generating machine.

16 (2) LICENSED ENTITY.—For the purposes of  
17 carrying out at federally owned or operated non-  
18 military energy laboratories regulatory and enforce-  
19 ment responsibilities described in paragraph (1), the  
20 Nuclear Regulatory Commission may regulate and  
21 license or provide certification for the Department,  
22 the Department's contractor, or both.

23 (3) DECOMMISSIONING.—A contractor oper-  
24 ating a federally owned nonmilitary energy labora-  
25 tory shall not be responsible for the costs of decom-

1 missioning that facility. No enforcement action may  
2 be taken against such contractor for any violation of  
3 Nuclear Regulatory Commission decommissioning  
4 requirements, if such violation is the result of a fail-  
5 ure of the Department to authorize or fund decom-  
6 missioning activities. The Nuclear Regulatory Com-  
7 mission and the Department shall, not later than  
8 July 1, 2000, enter into a memorandum of under-  
9 standing establishing decommissioning procedures  
10 and requirements for federally owned or operated  
11 nonmilitary energy laboratories.

12 (c) OCCUPATIONAL SAFETY AND HEALTH.—

13 (1) OSHA JURISDICTION.—Notwithstanding  
14 any other provision of law, effective January 1,  
15 2000, the Occupational Safety and Health Adminis-  
16 tration shall assume the regulatory and enforcement  
17 responsibilities of the Department relating to mat-  
18 ters covered by the Occupational Safety and Health  
19 Act of 1970 with regard to all federally owned or op-  
20 erated nonmilitary energy laboratories. The Depart-  
21 ment's contractor or contractors operating those lab-  
22 oratories shall be considered employers for purposes  
23 of the Occupational Safety and Health Act of 1970.

24 (2) APPLICABILITY.—Section 4(b)(1) of the Oc-  
25 cupational Safety and Health Act of 1970 (29

1 U.S.C. 653(b)(1)) does not apply with respect to the  
2 Department's regulation, or the Nuclear Regulatory  
3 Commission's regulation, of federally owned or oper-  
4 ated nonmilitary energy laboratories.

5 (3) RADIATION REGULATIONS.—With respect to  
6 federally owned or operated nonmilitary energy lab-  
7 oratories, the Secretary of Labor may enforce the  
8 regulations contained in part 20 of title 10 of the  
9 Code of Federal Regulations, relating to Protection  
10 from Radiation, to the same extent as regulations  
11 issued under section 6(b) of the Occupational Safety  
12 and Health Act of 1970 (29 U.S.C. 655(b)).

13 (4) MEMORANDUM OF UNDERSTANDING.—The  
14 Nuclear Regulatory Commission and the Occupa-  
15 tional Safety and Health Administration shall, with-  
16 in 90 days after the date of the enactment of this  
17 Act, enter into a memorandum of understanding to  
18 govern the exercise of their respective authorities  
19 over occupational safety and health hazards at feder-  
20 ally owned or operated nonmilitary energy labora-  
21 tories.

22 (d) TRANSFER OF FUNDS.—For the purposes of car-  
23 rying out this section, and for conducting pilot programs  
24 and other activities necessary to prepare for and effect the  
25 transition of regulatory and enforcement responsibilities

1 for federally owned or operated nonmilitary energy labora-  
2 tories from the Department, the Secretary shall transfer  
3 \$1,000,000 from the appropriation made pursuant to sec-  
4 tion 3(a)(4) to the Occupational Safety and Health Ad-  
5 ministration.

6 (e) CIVIL PENALTIES.—The Department’s contractor  
7 operating a federally owned or operated nonmilitary en-  
8 ergy laboratory shall not be liable for civil penalties under  
9 the Atomic Energy Act of 1954 or the Occupational Safety  
10 and Health Act of 1970 for any actions taken before Octo-  
11 ber 1, 2000, pursuant to the transfer of regulatory and  
12 enforcement responsibilities required by this section.

13 (f) INDEMNIFICATION.—The Secretary shall continue  
14 to indemnify federally owned or operated nonmilitary en-  
15 ergy laboratories in accordance with the provisions of sec-  
16 tion 170d. of the Atomic Energy Act of 1954.

17 (g) DEPARTMENT OF ENERGY REPORTING REQUIRE-  
18 MENT.—By October 31, 1999, the Secretary shall trans-  
19 mit to the Committee on Science and the Committee on  
20 Appropriations of the House of Representatives, and the  
21 Committee on Energy and Natural Resources and the  
22 Committee on Appropriations of the Senate, a plan for  
23 the termination of the Department’s regulatory and en-  
24 forcement responsibilities for federally owned or operated

1 nonmilitary energy laboratories required by this section.

2 The report shall include—

3           (1) a detailed transition plan, drafted in coordi-  
4 nation with the Nuclear Regulatory Commission and  
5 the Occupational Safety and Health Administration,  
6 giving the schedule for termination of self-regulation  
7 authority as outlined in subsection (a), including the  
8 activities to be coordinated with the Nuclear Regu-  
9 latory Commission and the Occupational Safety and  
10 Health Administration;

11           (2) a description of any issues remaining to be  
12 resolved with the Nuclear Regulatory Commission,  
13 the Occupational Safety and Health Administration,  
14 or other external regulators, and a timetable for re-  
15 solving such issues before January 1, 2000;

16           (3) an estimate of—

17                   (A) the annual cost of administering and  
18 implementing self-regulation of environmental,  
19 safety, and health activities at federally owned  
20 or operated nonmilitary energy laboratories;

21                   (B) the number of Federal and contractor  
22 employees administering and implementing such  
23 self-regulation;

24                   (C) the cost of external regulation based  
25 on the pilot project of simulated Nuclear Regu-

1           latory Commission regulation which has already  
2           been conducted; and

3                   (D) the extent and schedule by which the  
4           Department and laboratory staffs will be re-  
5           duced as a result of implementation of this sec-  
6           tion; and

7                   (4) a description of regulatory or enforcement  
8           authorities the Department determines it will be re-  
9           quired to retain pursuant to subsection (a)(2).

○