



- ★ Congressional Legislative Action:
 - November 2020:
 - The American Nuclear Infrastructure Act of 2020 (S 4897), which will enable U.S. international leadership; preserve America’s uranium supply chain; reduce carbon emissions; and strengthen our economic, energy, and national security, was introduced to the Senate on [November 16, 2020](#).
 - The Nuclear Energy Leadership Act (NELA), included in the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2021, was passed by the Senate on [July 23, 2020](#). NELA will help facilitate the path to market for advanced reactors by allowing the federal government to be an early adopter of commercialized technologies; providing for needed scientific research facilities; demonstrating advanced reactor concepts; breaking down fuel availability barriers when the market cannot; and training the next generation of nuclear scientists.
 - The Nuclear Energy for the Future Act (HR 6796), which was introduced to the House on [May 8, 2020](#), builds on the Nuclear Energy Innovation Capabilities Act (NEICA) to provide full authorization for the Versatile Test Reactor.
 - The Nuclear Energy Research and Development Act (HR 6097) was passed by the House Science, Space, and Technology Subcommittee on Energy on [March 12, 2020](#) and forwarded to the full Committee. This act would authorize many programs within the Office of Nuclear Energy, including further research and development on the existing fleet of reactors, advanced reactors, hybrid energy systems, and advanced fuels.
- ★ [December 1, 2020](#): The Nuclear Regulatory Commission (NRC) issued a final safety evaluation report for the first of four licensing topical reports for GE Hitachi Nuclear Energy’s BWRX-300 reactor design. These reports could form the basis of a future preliminary safety analysis report.
- ★ [November 30, 2020](#): Duke Energy Corporation’s Chief Executive Officer, Lynn Good, reiterated the need to maintain its existing fleet of nuclear reactors to meet the company’s plan to eliminate carbon emissions by 2050.
- ★ [November 18, 2020](#): NextEra Energy submitted an application with the Nuclear Regulatory Commission for a second license renewal for its two Point Beach units. If approved, the units could operate until 2050 and 2053, respectively.
- ★ [November 11, 2020](#): NuScale Power announced their Power Module is capable of producing 77 megawatts electricity (MWe), an increase from the NRC’s previously approved 50 MWe design. The company also announced options for smaller four-module and six-module plant sizes.
- ★ [November 11, 2020](#): Terrestrial Energy, partnered with Argonne National Laboratory, began detailed testing of the fuel salt for their Integral Molten Salt Reactor.
- ★ [November 10, 2020](#): The NRC is seeking public comments on the preliminary language for a proposed rule that incorporates a risk-informed, technology-inclusive framework for the licensing and regulation of advanced nuclear reactors.
- ★ [November 10, 2020](#): BWX Technologies’ Nuclear Operations Group completed its Tri-structural Isotropic (TRISO) nuclear fuel line restart and has begun producing fuel at its Lynchburg, Virginia location.
- ★ [November 5, 2020](#): Holtec International presented an accelerated licensing roadmap to obtain a design certification for its SMR-160 small modular reactor from the NRC.
- ★ [October 16, 2020](#): The Department of Energy approved a multi-year cost-share award to the Carbon Free Power Project, LLC, a wholly owned subsidiary by the Utah Associated Municipal Power Systems, that

could provide up to \$1.4 billion (subject to future Congressional appropriations) to help demonstrate and deploy a 12-module NuScale power plant at the Idaho National Laboratory.

- ★ [October 15, 2020](#): The Department of Energy awarded Xcel Energy \$10.5 million to demonstrate high temperature electrolysis at one of its nuclear reactor sites.
- ★ [October 14, 2020](#): TerraPower and X-energy were each selected for major Demonstration Awards under the Department of Energy's Advanced Reactor Demonstration Program.
- ★ [September 30, 2020](#): The NRC issued a standard design approval to NuScale Power for its NuScale small modular reactor.
- ★ [September 4, 2020](#): Dominion Energy filed an application with the Nuclear Regulatory Commission to continue operating the North Anna Power Station Units 1 and 2 for an additional 20 years. The extension would allow the two units to operate until 2058 and 2060, respectively.

LICENSING ACTIONS

Vendors and utilities that wish to certify a new reactor design or a potential site, or construct and operate a new nuclear power plant must submit an application to the NRC, which will conduct an in-depth review of safety and environmental aspects related to the design and / or site.

Reactor Design Certifications (DC)

By issuing a DC, the NRC approves a nuclear power plant design, independent of an application to construct or operate a plant. A DC is valid for 15 years from the date of issuance, but can be renewed for an additional 10 to 15 years. A DC application (DCA) must include enough information to show the design meets NRC's safety standards and that the design resolves any existing generic safety issues and issues that arose after specific events in the nuclear industry such as the Three Mile Island accident. Applications must closely analyze the design's appropriate response to accidents or natural events, including lessons learned from the Fukushima accident. Applications must also lay out the inspections, tests, analyses, and acceptance criteria that will verify the construction of key design features. Certification reviews identify key information to consider in site-specific reviews for operating licenses. *(From NRC website)*

Four reactor designs that are being considered for future builds in the U.S. have been certified by the NRC. In addition, one SMR design is currently under NRC review*. One of the four certified designs is under renewal review. Two previously-submitted designs have been withdrawn from consideration¹.

¹AREVA US-EPR – Submitted December 12, 2007, and docketed February 25, 2008; review suspended at the request of the applicant.
Mitsubishi Heavy Industries US-APWR – Submitted December 31, 2007 and docketed February 29, 2008; MHI has requested a deferral of the review due to their work on reactor restarts in Japan.

	VENDOR	TECHNOLOGY	STATUS
Issued	Westinghouse	AP1000	Issued: 12/30/2011
	General Electric-Hitachi	ESBWR	Issued: 11/14/2014
	Korea Electric Power Corp	APR1400	Issued: 9/19/2019
Renewal	General Electric-Hitachi	ABWR	Originally Issued 5/12/1997: Final Safety Evaluation Report approved in March 2020
Active DCAs	NuScale Power	NuScale SMR Power Module	*Under Review: Standard Design Approval received on 9/30/2020

Early Site Permits (ESP)

By issuing an early site permit (ESP), the U.S. Nuclear Regulatory Commission (NRC) approves one or more sites for a nuclear power facility, independent of an application for a construction permit or combined license. An ESP is valid for 10 to 20 years from the date of issuance, and can be renewed for an additional 10 to 20 years. In reviewing an ESP application, the NRC staff will address site safety issues, environmental protection issues, and plans for coping with emergencies, independent of the review of a specific nuclear plant design. During this process, the NRC notifies all stakeholders (including the public) as to how and when they may participate in the regulatory process, which may include participating in public meetings and opportunities to request a hearing on the issuance of an ESP. *(From NRC website)*

Six ESPs have been issued and one was withdrawn²

²Victoria County Station, Texas (Exelon) was withdrawn from NRC review 10/2012

	SITE/LOCATION		UTILITY	TECHNOLOGY REFERENCED	STATUS
Issued	Clinton	IL	Exelon	Plant Parameter Envelope (PPE)	Issued: 3/15/2007
	Grand Gulf	MS	Entergy	PPE	Issued: 4/5/2007
	North Anna	VA	Dominion Power	PPE	Issued: 11/27/2007 Amended 1/30/2013
	Vogtle	GA	Southern	AP1000/ Westinghouse	Issued: 8/26/2009
	Salem County	NJ	PSEG	PPE	Issued: 5/5/2016
	Clinch River	TN	TVA	PPE	Issued: 12/19/2019

Combined Construction and Operating Licenses (COL)

By issuing a COL, the NRC authorizes the licensee to construct and (with specified conditions) operate a nuclear power plant at a specific site, in accordance with established laws and regulations. In a COL application (COLA), NRC staff reviews the applicant's qualifications, design safety, environmental impacts, operational programs, site safety, and verification of construction with inspections, testing, analyses, and acceptance criteria. The staff conducts its review in accordance with the Atomic Energy Act, NRC regulations, and the National Environmental Policy Act. All stakeholders (including the public) are given notice as to how and when they may participate in the regulatory process, which may include participating in public meetings and opportunities to request a hearing on the issuance of a COL. Once issued, a COL is good for 40 years and can be renewed for an additional 20. A COLA may reference a certified design and/or an ESP, or neither. *(From NRC website)*

A COL is valid indefinitely. If a licensee chooses not to construct a plant immediately following the issuance of a COL, it must submit a COL update annually to the NRC to reflect the most recent regulatory requirements and any new or different environmental or design information, or it can request an exemption. To begin construction, the COL must be fully updated. Alternatively, a licensee can choose to withdrawal their COL if they no longer wish to proceed with the plants.

A total of nineteen COLAs have been docketed by the NRC. Eight applications, totaling 14 reactors, have been issued COLs and one is under review. Eight applications were suspended and later withdrawn³ due to utility, economic or other considerations while two applications remain in “suspended” status⁴. After the COL was issued, three applications, totaling six reactors, were subsequently terminated.⁵

³Suspended and Withdrawn: Bell Bend; Bellefonte 3&4 Callaway 2, Calvert Cliffs 3 , Grand Gulf 3 , Nine Mile Point 3, River Bend 3 , Victoria County 1&2 ,

⁴Remains Suspended: Shearon Harris 2&3, Comanche Peak 3&4

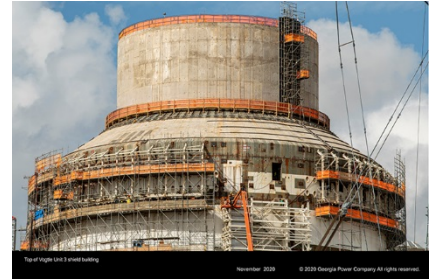
⁵Terminated: Levy 1&2, South Texas Project 3&4, V.C. Summer 2&3

	SITE/LOCATION		UTILITY	REACTOR TECHNOLOGY/ NO. of REACTORS		STATUS
Issued	Vogtle	GA	Southern Nuclear	AP1000	2	Issued: 2/10/2012
	Fermi	MI	DTE Energy	ESBWR	1	Issued: 5/1/2015
	William States Lee	SC	Duke Energy	AP1000	2	Issued: 12/19/2016
	North Anna	VA	Dominion Energy	ESBWR	1	Issued: 6/2/2017
	Turkey Point	FL	Florida Power and Light	AP1000	2	Issued: 4/12/2018
Under Review	Idaho National Laboratory	ID	Oklo Power LLC	Aurora	1	Under Review

NEW PLANT CONSTRUCTION

Vogtle

Vogtle Unit 3 recently completed cold hydro testing and the successful startup of the first reactor coolant pump. The cold hydro testing confirms the reactor's coolant system functions as designed and does not leak under high pressure. Georgia Power continues to work towards the regulatory-approved in-service dates of November 2021 and November 2022 for Units 3 and 4, respectively. Overall, the project is 88% complete, and direct construction of Unit 3 is 94% complete.



Vogtle Unit 3 (Courtesy of Georgia Power/Southern Company, November 2020)

The cost projections for the completion of the Vogtle plant are now at \$27.5 billion in total costs, more than double the original estimate. Southern Company recently announced they are expecting costs will increase an additional \$149 million due to the COVID-19 pandemic.

Two groups filed legal challenges to the Georgia Public Service Commission's (PSC) decision to allow Georgia Power and partners to complete two unfinished nuclear reactors at Plant Vogtle in early 2018. Southern Environmental Law Center, Partnership for Southern Equity, and Georgia Interfaith Power and Light filed a lawsuit in February 2018 arguing PSC violated state laws and the commission's own rules by approving spending that would nearly double the estimated cost of the project. Consumer group Georgia Watch filed a legal challenge in March 2018 alleging the PSC's decision benefits Georgia Power's shareholders over ratepayers. The Fulton County Superior Court dismissed the cases in December 2018 and, again, in April 2020 on the basis that the commission's decision was not "final" and appealable until the project is complete.

In September 2018, Jacksonville Electric Authority (JEA), the largest community-owned electric utility in Florida, filed a suit against the Municipal Electric Authority of Georgia (MEAG) seeking to void a 2008 agreement obligating Florida ratepayers to help build and buy power from the two new reactors at Vogtle. JEA entered into a power purchase agreement with MEAG in 2008, but cost overruns and delays have increased JEA's financial obligations. MEAG subsequently filed a federal suit accusing JEA of having a clear intent to breach the contract and undermine and disrupt the project. On April 8, 2019, the U.S. District Court for the Northern District of Georgia allowed JEA's suit to proceed while denying MEAG's claim. JEA and MEAG settled their litigation by dismissing pending lawsuits and requiring JEA to pay an additional \$20 million over a 20-year period with the option to continue the power-purchase agreement for longer than the 20-year term at a later date.

VC Summer

At the time of its August 2017 cancellation, the V.C. Summer project was about 65% complete. All four steam generators for Units 2 and 3 reactors were being installed, while two of the four reactor coolant pumps for Unit 2 reactor are on site. Units 2 and 3 reactors were planned to come online in April 2020 and December 2020, respectively.

OPERATING FLEET STATUS

Nation-Wide Status

As the pioneer of nuclear power development, the United States is the world's largest producer of nuclear power, accounting for approximately 25% of worldwide nuclear generation of electricity. Currently, there are 96 reactors operating in the United States. In 2019, they produced approximately 809 thousand Megawatt-hours (MWh), approximately 20% of America's total electrical output and nearly 55% of our emissions-free electricity. Since the early 1970s, the U.S. nuclear industry has significantly improved its safety and operational performance. By the turn of the century, it was among world leaders with a record-breaking capacity factor in 2019 of over 94%.

In deregulated electricity markets, nuclear power plants are facing financial challenges from solar and wind power sources.

License Renewal and Uprate Status

License Renewal

Sixty one reactors have received 20-year extensions of their operating licenses from the NRC, including Kewaunee, Vermont Yankee, Fort Calhoun, Oyster Creek, and Pilgrim which are now permanently closed.

Applications for License Renewal

- ★ Issued Applications:
 - No recently issued applications
- ★ Pending Applications:
 - Currently no applications for license renewal under review
- ★ Anticipated Future Submittals:
 - Clinton Power Station 1
 - Comanche Peak Nuclear Power Plant 1 & 2
 - Perry Nuclear Power Plant 1

Second License Renewal

The NRC staff has defined subsequent license renewal (SLR) to be the period of extended operation from 60 years to 80 years. (per NRC)

Applications for Second License Renewal

- ★ Issued Applications:
 - Turkey Point Units 3 and 4
 - Peach Bottom Units 2 and 3
- ★ Pending Applications:
 - Surry Units 1 and 2
 - North Anna Power Station Units 1 and 2
- ★ Anticipated Future Submittals:
 - Oconee Nuclear Station Units 1,2, and 3

Operating Fleet Uprate Activities

U.S. nuclear power plants have submitted power uprate applications to the NRC since the 1970s, accounting for an additional 7,968 MWe of output.

- ★ Recently Approved
 - Farley Units 1 and 2
 - Watts Bar 2
- ★ Pending Applications:
 - Oconee Units 1, 2, and 3
- ★ Expected Applications
 - As of July 28, 2020, there are 0 expected applications for power uprate in 2020 and 2021. (per NRC)

Operating Fleet Status: Supportive Federal and State Action

Initiatives are taking place at the national and state level to ensure a more competitive market for nuclear power. For example, the states of New York, Illinois, and New Jersey have taken action to level the playing field and include nuclear energy in their clean energy policies, and have averted the closure of seven power plants.

- ★ [Ohio](#) created the Clean Air Program on July 23, 2019 which allowed FirstEnergy, now Energy Harbor, to rescind the deactivation notices for the Davis-Besse and Perry plants. Ohio lawmakers are discussing a new bill to repeal the Clean Air Program, however, after criminal charges were brought against the former House Speaker.
- ★ In [October 2019](#), Pennsylvania’s Governor Tom Wolf moved to join the Regional Greenhouse Gas Initiative (RGGI) which is a cap-and-trade program intended to limit carbon dioxide emissions from power plants. This move enabled Energy Harbor’s Beaver Valley plant to rescind their deactivation notices.

Ten plants (13 reactors) announced they were closing prior to their license expiration date but were saved due to State Actions:

ORIGINALLY PROPOSED CLOSURE YEAR	SITE / LOCATION		UTILITY	LICENSE EXPIRATION (TERM)	POWER (MWe)
2017	FitzPatrick	NY	Entergy	2034 (60)	852
	GINNA	NY	Exelon	2029 (60)	582
	Clinton	IL	Exelon	2026 (40)	1,065
2017-18	Nine Mile Point-1 & 2	NY	Exelon	2029 / 2046 (60)	1,780
2018	Quad Cities 1 & 2	IL	Exelon	2032 (60)	1,820
2020	Davis-Besse	OH	Energy Harbor	2037 (60)	893
2021	Perry	OH	Energy Harbor	2026 (40)	1,261
	Beaver Valley	PA	Energy Harbor	2036 / 2047 (60)	1,872
2022	Salem – 1 & 2	NJ	PSEG	2036 / 2040 (60)	2,304
	Hope Creek		PSEG	2046 (60)	1,172
				Total Saved	13,601

Operating Fleet Status: Premature Closure

Some of the nuclear plants now closing are doing so because of state policy pressure (as with California’s Diablo Canyon, New Jersey’s Oyster Creek, and New York’s Indian Point), and some have had maintenance issues that were too costly to fix. However, most plants are closing or threatening closure because—given the economics in some regions—they have become unable to compete against primarily low-cost, gas-fired generation and, to a lesser extent, subsidized and mandated "variable renewable energy," such as wind- and solar-power, in a low electricity demand environment.

- ★ Ten plants (11 reactors) have closed prior to their license expiration date:

CLOSURE YEAR	SITE / LOCATION		UTILITY	LICENSE EXPIRATION (TERM)	POWER (MWe)
2013	Crystal River 3	FL	Duke	2016 (40)	860
	San Onofre 2 & 3	CA	SoCal Edison	2023 / 2024 (40)	2,150
	Kewaunee	WI	Dominion	2033 (60)	566
2014	Vermont Yankee	VT	Entergy	2032 (60)	620
2016	Fort Calhoun	IN	Omaha Power	2033 (60)	479
2018	Oyster Creek	NJ	Exelon	2029 (60)	610
2019	Pilgrim	MA	Entergy	2032 (60)	685
	Three Mile Island 1	PA	Exelon	2034 (60)	803
2020	Indian Point 2	NY	Entergy	2024 (60)	998
	Duane Arnold	IA	NextEra	2034 (60)	615
Total Closed since 2013:					8,386

- ★ Five plants (8 reactors) have announced plans to retire prior to their license expiration date with many utilities attributing these decisions to market and policy factors:

PENDING CLOSURE YEAR	SITE / LOCATION		UTILITY	LICENSE EXPIRATION (TERM)	POWER (MWe)
2021	Indian Point 3	NY	Entergy	2025 (60)	1,030
	Byron 1 & 2	IL	Exelon	2044 / 2046 (60)	2,300
	Dresden 2 & 3	IL	Exelon	2029 / 2031 (60)	1,773
2022	Palisades	MI	Entergy	2031 (60)	789
2024-25	Diablo Canyon 1 & 2	CA	PG&E	2024 / 2025 (40)	2,240
Total Pending Closures:					8,132