Public Law 86-50

AN ACT

June 23, 1959
[S. 2094]

To authorize appropriations for the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes.

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

AEC Appropriation.
Acquisition, etc., of property.
71 Stat. 274.
42 USC 2017.

SEC. 101. PLANT OR FACILITY ACQUISITION OR CONSTRUCTION.— There is hereby authorized to be appropriated to the Atomic Energy Commission in accordance with the provisions of section 261a. (1) of the Atomic Energy Act of 1954, as amended, the sum of $165,400,000 for acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, as follows:

(a) SPECIAL NUCLEAR MATERIALS.—

Project 60–a–1, modifications to production and supporting installations, $10,000,000.

Project 60–a–2, prototype installations, gaseous diffusion plants, $1,000,000.

Project 60–a–3, central computing building, Oak Ridge, Tennessee, $1,650,000.

Project 60–a–4, reactor air filters, Savannah River, South Carolina, $5,000,000.

Project 60–a–5, additional raw water line, Paducah, Kentucky, $810,000.

Project 60–a–6, water plant expansion, 100 K area, Hanford, Washington, $5,000,000.

Project 60–a–7, modifications to reactor disassembly basins, Savannah River, South Carolina, $1,600,000.

(b) SPECIAL NUCLEAR MATERIALS.—

Project 60–b–1, cylinder storage area, Paducah, Kentucky, $500,000.

Project 60–b–2, increased cooling water capacity, Savannah River, South Carolina, $5,000,000.

(c) ATOMIC WEAPONS.—

Project 60–c–1, weapons production, development and test installations, $10,000,000.

Project 60–c–2, special processing plant, phase II, Mound Laboratory, Ohio, $3,800,000.

Project 60–c–3, test and environmental installations, Sandia Base, New Mexico, $1,000,000.

(d) ATOMIC WEAPONS.—

Project 60–d–1, storage site modifications, $1,500,000.

Project 60–d–2, materials storage vault, Los Alamos, New Mexico, $133,000.

(e) REACTOR DEVELOPMENT.—

Project 60–e–1, modifications to experimental breeder reactor Numbered 1 (EBR–1), National Reactor Testing Station, Idaho, $1,000,000.

Project 60–e–2, portable gas-cooled reactor prototype, National Reactor Testing Station, Idaho, $2,500,000.

Project 60–e–3, alterations, modifications and additions to MTR–ETR utility, technical and support installations, National Reactor Testing Station, Idaho, $2,000,000.

Project 60–e–4, hot cells, $2,500,000.

Project 60–e–5, chemical processing plant area utility modifications and improvements, National Reactor Testing Station, Idaho, $750,000.

Project 60–e–6, reactor support installations, Nevada Test Site, $500,000.

Project 60–e–7, nuclear test plant, Army Reactor Experimental Area (AREA), National Reactor Testing Station, Idaho, $5,000,000.

Project 60–e–8, modifications and additions for test installation for project Pluto, $2,000,000.

Project 60–e–9, research and development test plant additions and modifications for project Rover, $4,800,000.

Project 60–e–10, general support installations and utilities expansion, Argonne National Laboratory, Lemont, Illinois, $4,300,000.

Project 60–e–11, natural circulation test plant, National Reactor Testing Station, Idaho, $18,500,000.

Project 60–e–12, alterations to Shippingport reactor facilities, $5,000,000.

Project 60–e–13, experimental organic cooled reactor, $6,000,000.

Project 60–e–14, experimental low-temperature process heat reactor, $4,000,000.

Project 60–e–15, power reactor of advanced design capable of utilizing nuclear superheat, to be undertaken either as a cooperative project or conducted solely by the Atomic Energy Commission, $11,000,000.

(f) REACTOR DEVELOPMENT.—

Project 60–f–1, miscellaneous modifications and additions, Argonne National Laboratory, Illinois, $1,000,000.

(g) PHYSICAL RESEARCH.—

Project 60–g–1, project Sherwood Plant, $1,000,000.

Project 60–g–2, accelerator and reactor modifications, Brookhaven National Laboratory, New York, $1,950,000.

Project 60–g–3, transuranium laboratory, Oak Ridge National Laboratory, Tennessee, $1,200,000.

Project 60–g–4, physics building, Lawrence Radiation Laboratory, California, $2,000,000.

Project 60–g–5, 10 Mev tandem Van de Graaff accelerator, Oak Ridge, Tennessee, $2,400,000.

(h) BIOLOGY AND MEDICINE.—

Project 60–h–1, installations for support of biomedical research projects in atomic energy, $3,000,000.

(i) ISOTOPES DEVELOPMENT.—

Project 60–i–1, high-level radiation development laboratory, $1,600,000.

Project 60–i–2, radioisotope process development laboratory, $1,500,000.

(j) ISOTOPES DEVELOPMENT.—

Project 60–j–1, radioisotope production area expansion and modifications, Oak Ridge National Laboratory, Tennessee, $300,000.

(k) COMMUNITY.—

Project 60–k–1, high school additions, Los Alamos, New Mexico, $485,000.

Project 60–k–2, real estate development, Los Alamos, New Mexico, $240,000.

Project 60–k–3, housing alterations, Los Alamos, New Mexico, $1,000,000.

(l) GENERAL PLANT PROJECTS.—$30,882,000.

SEC. 102. LIMITATIONS.—(a) The Commission is authorized to start any project set forth in subsections 101 (a), (c), (e), (g), (h), and (i) 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 Commission is authorized to start any project set forth in subsections 101 (b), (d), (f), (j), and (k) 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 Commission is authorized to start a project under subsection 101(l) only if it is in accordance with the following:

1. For community operations, the maximum currently estimated cost of any project shall be $100,000 and the maximum currently estimated cost of any building included in such project shall be $10,000.

2. For all other programs, the maximum currently estimated cost of any project shall be $500,000 and the maximum currently estimated cost of any building included in such a project shall be $100,000.

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

SEC. 103. ADVANCE PLANNING AND DESIGN.—There are hereby authorized to be appropriated funds for advance planning, construction design, and architectural services, in connection with projects which are not otherwise authorized by law, and the Atomic Energy Commission is authorized to use funds currently or otherwise available to it for such purposes.

SEC. 104. RESTORATION OR REPLACEMENT.—There are hereby authorized to be appropriated funds necessary to restore or to replace plants or facilities destroyed or otherwise seriously damaged, and the Atomic Energy Commission is authorized to use funds currently or otherwise available to it for such purposes.

SEC. 105. CURRENTLY AVAILABLE FUNDS.—In addition to the sums authorized to be appropriated to the Atomic Energy Commission by section 101 of this Act, there are hereby authorized to be appropriated to the Atomic Energy Commission to accomplish the purposes of this Act such sums of money as may be currently available to the Atomic Energy Commission.

SEC. 106. SUBSTITUTIONS.—Funds authorized to be appropriated or otherwise made available by this Act may be used to start any other new project for which an estimate was not included in this Act if it be a substitute for a project or portion of a project authorized in subsections 101(a), 101(b), 101(c), and 101(d) and the estimated cost thereof is within the limit of cost of the project for which substitution is to be made, and the Commission certifies that—

(a) the project is essential to the common defense and security; and

(b) the new project is required by changes in weapon characteristics or weapon logistic operations; and

(c) it is unable to enter into a contract with any person, including a licensee, on terms satisfactory to the Commission to furnish from a privately owned plant or facility the product or services to be provided in the new project.

SEC. 107. AMENDMENT OF PRIOR-YEAR PROJECTS.—Section 101 of Public Law 85-590 is amended as follows: 72 Stat. 491.

(a) By striking therefrom "Project 59-d-10, gas-cooled power reactor, $51,000,000" and substituting therefor "Project 59-d-10, flexible experimental prototype gas-cooled reactor, $30,000,000".

(b) By striking therefrom "Project 59-e-11, high flux research reactor, Brookhaven National Laboratory, design, engineering and advance procurement, $1,000,000" and substituting therefor "Project 59-e-11, high flux research reactor, Brookhaven National Laboratory, $10,000,000". 72 Stat. 492.

(c) By striking therefrom "Project 59-d-12, design and engineering study of heavy water moderated power reactor, $2,500,000" and substituting therefor "Project 59-d-12, design and development, heavy water moderated power reactor, $4,500,000". 72 Stat. 491.

SEC. 108. PROJECT RESCISSIONS.—(a) Public Law 85–162 is amended by rescinding therefrom authorization for a project, except for funds heretofore obligated, as follows:

71 Stat. 405. Project 58–e–12, liquid metal fuel reactor experiment (LMFRE), $17,500,000.

(b) Public Law 506, Eighty-fourth Congress, as amended, is further amended by rescinding therefrom authorization for a project, except for funds heretofore obligated, as follows:

70 Stat. 128. Project 57–d–3, forty-eight-inch heavy particle cyclotron, Oak Ridge National Laboratory, $459,000.

SEC. 109. COOPERATION WITH EUROPEAN ATOMIC ENERGY COMMUNITY.—

There is hereby authorized to be appropriated to the Atomic Energy Commission, in accordance with the provisions of section 261 a. (2) 42 USC 2017. of the Atomic Energy Act of 1954, as amended, the sum of $7,000,000, in addition to the sum of $3,000,000 previously authorized under section 3 of Public Law 85–846, 72 Stat. 1084. which shall be available for carrying out the purposes of section 3 of Public Law 85–846, providing for cooperation with the European Atomic Energy Community.

SEC. 110. COOPERATIVE POWER REACTOR DEMONSTRATION PROGRAM.—

72 Stat. 493. (a) Section 111 of Public Law 85–162, as amended, is further amended by striking out the figures "$155,113,000" and "$175,113,000" in subsection (a), and inserting in lieu thereof the figures "$135,-113,000" and "$155,113,000", and by striking out the figure "$2,750,000" in clause (2) of subsection (a) and inserting in lieu thereof the figure "$3,600,000"; by striking out the date "June 30, 1959" in clause (3) of subsection (a) and inserting in lieu thereof the date "June 30, 1960".

(b) There is hereby authorized to be appropriated to the Atomic Energy Commission, under the terms and conditions of section 111 of 71 Stat. 409. Public Law 85–162, as amended, the sum of $55,500,000 for use in a program not to exceed $65,500,000, to be available for the Commission's cooperative power reactor demonstration program. Without regard to the provisions of clause (3) of subsection (a) of section 111 of Public Law 85–162, no funds or waiver of use charges authorized by this subsection shall be available on projects already approved under the power demonstration reactor program or on other nuclear power projects already under construction. In connection with such program, the Commission is authorized to waive its charges for the use of special nuclear materials and heavy water for research and development and for a period of not more than five years after initial criticality of the reactor.

(c) Funds appropriated to the Commission pursuant to the authorization contained in subsection (b) of this section shall be available to the Commission for the purpose of supplementing its Third Round power reactor demonstration program to include financial assistance to public and private organizations for research and development in connection with the design, construction, and operation of power reactor prototypes based on established reactor technology. The Commission shall consider, but not be limited to, the following types:

(1) One such plant may be a boiling water prototype reactor in the size range from 50,000 KWE to 100,000 KWE, and

(2) One such plant may be a prototype reactor in the intermediate size range.

Under this subsection, and without regard to subsection (f) of sec- 72 Stat. 493. tion 111 of Public Law 85–162, the Commission is authorized to use

funds, not to exceed $5,000,000 in the aggregate, to provide research and development assistance in support of unsolicited proposals from the utility industry to construct nuclear power plants.

(d) Funds appropriated to the Commission pursuant to the authorization contained in subsection (b) of this section shall be available to the Commission for the purpose of reinstituting and supplementing the Second Round of its power reactor demonstration program to provide for the development, design, construction and operation of two reactor prototypes in accordance with subsection 111(a)(1) of Public Law 85–162 and which shall be based on established reactor technology. There are also authorized to be appropriated such additional funds as may be necessary for the operation of such reactor prototypes, as provided in subsection 111(a)(1) of Public Law 85–162. The Commission shall consider, but not be limited to, the following types: 71 Stat. 409.

(1) One such reactor prototype may be a small power reactor which will be designed to make a significant contribution to the achievement of economical power in a small size nuclear powerplant; and

(2) One such reactor prototype may be in the intermediate size range.

(e) In the event the Commission solicits proposals for any prototype under subsection (c) or (d) of this section, but no satisfactory proposal is received, the Commission may, if the project is still deemed desirable, proceed with design, construction, and operation of such prototype at a Commission installation and funds authorized by subsection (b) shall be available for the purposes of this subsection (e).

(f) Funds appropriated to the Commission, pursuant to the authorization contained in subsection (b) of this section, and authorized for the Third Round of the Commission's power reactor demonstration program shall be available to the Commission for use in a cooperative arrangement to provide financial assistance for research and development in connection with the design, construction, and operation of an advanced, high temperature gas-cooled experimental power reactor in accordance with the basis for an arrangement described in the program justification data submitted by the Commission in support of its authorization proposal for fiscal year 1960: *Provided*, That, in the event the parties enter into such a cooperative arrangement and proceed with research and development and there is a unilateral abandonment of the research and development or of the construction of the plant for reasons other than (a) a contract amendment under which the Atomic Energy Commission approves such abandonment, or (b) causes beyond the control of the contracting parties and without their fault or negligence (including inability to obtain necessary licenses or regulatory approvals or adequate liability insurance coverage), the Commission shall be reimbursed by the party abandoning the project for its expenditures for research and development under the arrangement except to the extent that the Commission determines that any such expenditures have resulted in the acquisition by the Government of property, patents, or other value.

SEC. 111. The Commission is authorized to enter into cooperative arrangements with any person or persons for participation in the development, construction and operation of the experimental low-temperature process heat reactor authorized under project 60–e–14 of section 101(e) of this Act, and the utilization of the steam generated by the reactor plant. Under such arrangements—

(1) the Commission is authorized to obtain the participation of such person or persons to the fullest extent consistent with the Commission's direction of the project and ownership of the reactor;

(2) the reactor plant may be constructed upon a site provided by a participating party with or without compensation;

(3) the reactor plant shall be operated by, or under contract with, the Commission, for such period of time as the Commission determines to be advisable for research and development purposes and for such additional period as the Commission may determine to be necessary in the best interest of the Government. Upon the expiration of such period, the Commission may offer the reactor plant and its appurtenances for sale to a participating party or parties at a price to reflect appropriate depreciation, but not to include construction costs assignable to research and development, or the Commission may dismantle the reactor plant and its appurtenances;

(4) the Commission may sell steam to a participating party at rates based upon the present cost of, or the projected cost of, comparable steam from a plant using conventional fuels at the reactor location; and

(5) any steam sold shall be used for industrial, manufacturing or other commercial purposes, or for research and development related thereto, but shall not be used for the generation of electric power for sale. The participating party or parties shall provide facilities required for such utilization of the steam generated by the nuclear plant.

SEC. 112. In the event the Commission constructs a power reactor under the authorization of project 60–e–15 of section 101 or subsection 110(e) of this Act at an installation operated by or on behalf of the Commission—

(a) the electric energy generated may be used by the Commission in connection with the operation of such installation and the Commission is authorized to make necessary adjustments in its contract with the power supplier at such installation to provide for the interchange of reactor generated power into the transmission system of the supplier;

(b) the Commission is authorized to obtain the participation of private, cooperative, or public organizations to the fullest extent consistent with the Commission direction of the project, ownership of the reactor, and utilization of the electric energy generated; and

(c) the power reactor constructed shall be operated by, or under contract with, the Commission, for such period of time as the Commission determines to be advisable for research and development purposes and for such additional period as the Commission may determine to be necessary in the best interest of the Government. Upon the expiration of such period the Commission may offer the reactor and its appurtenances for sale to any public, private or cooperative power organization at a price to reflect appropriate depreciation but not to include construction costs assignable to research and development, or the Commission may dismantle the reactor and its appurtenances.

SEC. 113. DESIGN AND ENGINEERING STUDIES.—The Commission shall proceed with design and engineering studies to include, but not be limited to, the following:

(a) prototype reactor for nuclear tankers;

(b) reactor for remote military installations; and

(c) other reactor types.

The Commission shall submit reports on the studies under (a) and (b) of this section to the Joint Committee on Atomic Energy by April 1, 1960.

Report to Congress.

SEC. 114. Subsection 153(h) of the Atomic Energy Act of 1954, as amended, is amended by striking out the date "September 1, 1959" and inserting in lieu thereof the date "September 1, 1964".

68 Stat. 946. 42 USC 2183.

Approved June 23, 1959.

Public Law 86-51

AN ACT

June 23, 1959 [H. R. 318]

To authorize a revision of the boundaries of the Edison Laboratory National Monument, New Jersey, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to procure for addition to the Edison Laboratory National Monument, such additional lands and interests in lands lying directly across Main Street and northwest of the monument, not to exceed two and one-half acres, as in the discretion of the Secretary are necessary for the proper administration and interpretation thereof.

Edison Laboratory National Monument, N. J. Boundaries.

SEC. 2. Lands and interests in lands acquired pursuant to this Act shall become a part of the Edison Laboratory National Monument upon the issuance of an appropriate order or orders, by the Secretary of the Interior, setting forth the revised boundaries of the monument, such order or orders to be effective upon publication thereof in the Federal Register. Lands and interests therein so added to the monument shall thereafter be subject to all the laws and regulations applicable thereto.

Publication in F. R.

Approved June 23, 1959.

Public Law 86-52

AN ACT

June 23, 1959 [H. R. 1306]

To provide for the sale of Columbia Basin project lands to the State of Washington, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any provisions of sections 2(b)(iii), 2(b)(iv), and 4(b) of the Columbia Basin Project Act, as amended (16 U.S.C., ch. 12D), conformed farm units, or portions of farm units, comprising not more than six hundred and forty acres of irrigable land on the Columbia Basin project may be sold by the Secretary of the Interior and others to the State of Washington for use by the State College of Washington for agricultural research purposes, and water may be delivered from, through, or by means of the project works to or for conformed farm units comprising no more than that acreage, as nonexcess lands, whether so acquired or already held by the State, as long as they are used for those purposes. Except as otherwise provided in this Act, any lands sold to the State under this Act shall be governed by the provisions of the Columbia Basin Project Act, as amended, and regulations of the Secretary issued pursuant thereto.

Columbia Basin project lands, Wash.
71 Stat. 590; 64 Stat. 1037.
16 USC 835a(b), 835c.

57 Stat. 14. 16 USC 835 note.

Approved June 23, 1959.