

CHARTER

Price-Anderson Act Task Force

I. Scope and purpose

This charter establishes the responsibilities of the Price-Anderson Act Task Force (Task Force). The Secretary of Energy has approved formation of this Task Force to review the need for the continuation or modification of the Price-Anderson Act, section 170 of the Atomic Energy Act of 1954, as amended (AEA), and to prepare a detailed report for submission to Congress as required by section 170p. of the AEA by August 1, 1998.

II. Background

Congress enacted the Price-Anderson Act in 1957 to establish a comprehensive system to insure that adequate funds are available to the public to satisfy liability claims in the event of a nuclear incident and to remove the deterrent to private sector participation in nuclear activities that arises from the threat of potentially enormous liability claims. Congress renewed and revised the Price-Anderson Act in 1965, 1975, and 1988. The 1988 renewal extended the Act until August 1, 2002.

As applied to DOE, the Price-Anderson Act requires that up to August 1, 2002, the Secretary shall enter into agreements of indemnification with DOE's contractors for activities involving the risk of public liability for a nuclear incident. The Act also provides a system of financial protection for licensees of the Nuclear Regulatory Commission (NRC).

DOE's current policies regarding nuclear indemnification of its contractors are set forth in the Department of Energy Acquisition Regulations (DEAR), 48 CFR § 950.70.

III. Authority

Section 170p. of the AEA requires that the Secretary of Energy and the NRC "shall submit to the Congress by August 1, 1998, detailed reports concerning the need for continuation or modification of the provisions of [the Price-Anderson Act] taking into account the condition of the nuclear industry, availability of private insurance, and the state of knowledge concerning nuclear safety at that time, among other relevant factors, and shall include recommendations as to the repeal or modification of any of the provisions of [the Price Anderson Act]."

IV. Responsibilities

- A. The Task Force shall prepare detailed reports for approval by the Secretary to submit to Congress by August 1, 1998, including recommendations as to the repeal or modification of any provisions of the Price-Anderson Act.

- B. The Task Force shall prepare the reports taking into account the factors required by section 170p. of the AEA:
 - 1. the condition of the nuclear industry;
 - 2. availability of private insurance; and
 - 3. the state of knowledge concerning nuclear safety at that time, among other relevant factors.

- C. The Task Force should examine the Price-Anderson Act in the context of DOE's current operations and anticipated changes in operations such as increased privatization and external regulation. The task force's examination should address DOE's Price-Anderson system of indemnification as well as the system administered by the NRC. Because of the important policy questions relating to the NRC system and because of the increasing likelihood that certain DOE contractors will be NRC-licensees, it is appropriate to expand the 1998 report to cover the NRC system.

- D. The Task Force should seek and consider comments from DOE headquarters programs, DOE operations and field offices, DOE contractors, subcontractors and suppliers.

- E. The Task Force should seek and consider, in accordance with DOE's public participation policy (DOE P 1210.1), public input from individuals and groups in public and private sectors who are interested in and/or affected by DOE's activities and decisions.

V. Membership of Task Force

- A. Members and alternates shall be appointed by the cognizant secretarial officer of each program office listed below. Members and alternates should also be appointed by operations offices and field office as appropriate in order to ensure sufficient perspectives from the field. Members and alternates shall be appointed in writing as empowered to speak for that secretarial officer, operations office or field office. Members and alternates shall be full-time officers or employees of the federal government.

- B. The Committee shall be chaired by the General Counsel or his or her designee.

C. Members shall include representatives from the following program offices:

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| 1. | Civilian Radioactive Waste Management | RW |
| 2. | Congressional, Public and Intergovernmental Affairs | CP |
| 3. | Defense Programs | DP |
| 4. | Energy Research | ER |
| 5. | Environmental Management | EM |
| 6. | Environment, Safety and Health | EH |
| 7. | Fissile Materials Disposition | MD |
| 8. | Field Management | FM |
| 9. | General Counsel | GC |
| 10. | Human Resources and Administration (Procurement) | HR |
| 11. | Nonproliferation and National Security | NN |
| 12. | Nuclear Energy | NE |
| 13. | Policy | PO |