

Questions and Answers:

Q. Will this funding announcement be impacted by Trump’s executive order to pause all Infrastructure Investment and Jobs Act (IIJA) and Inflation Reduction Act (IRA) disbursements?

A. The Department of Energy (DOE) does not anticipate this funding announcement to be affected by the pause. The funds available for the Advanced Nuclear Energy Licensing Cost-share Grant Program were not appropriated under either the IIJA or the IRA.

Q. Are there remaining concerns of this notice of funding opportunity (NOFO) proceeding after the issuance and rescission of the Office of Management and Budget’s (OMB) memo OMB M-25-13 to pause all federal assistance programs?

A. As that memo was fully rescinded, it does not have an impact on this NOFO.

Q. What is the anticipated payment method for this NOFO? Will it allow for use of DOE’s Other Transaction Authority (OTA)?

A. The planned payment reimbursement method is invoicing via the Vendor Invoicing Portal (VIPERS) under the administrative requirements in 2 CFR 200.305. Awardees will be required to provide an NRC invoice to DOE and will be reimbursed for actual NRC fees assessed, subject to the cost-share requirements. Other Transaction Agreements will not be considered under this NOFO.

Q. Can applicants include costs for any non-Nuclear Regulatory Commission (NRC) costs such as the cost of development of applications for review? Can any developer, utility or applicant costs be included?

A. No. Per NEICA 2017, the Advanced Nuclear Energy Licensing Cost-Share Grant Program “shall make cost-share grants to applicants for the purpose of funding a portion of the Commission fees of the applicant for pre-application review activities and application review activities”. Pursuant to this language, DE-FOA-0003339 will only fund NRC licensing fees, in accordance with applicable cost-share requirements, and will not fund applicants directly for other costs, such as costs associated with research and development, design activities, or development of licensing documents.

Q. Based on licensing experience, the award caps and funding limits are lower than that which we expect would be needed to achieve the project objectives indicated for a full licensing application. Does DOE-NE expect to receive additional funding for this NOFO?

A. The award caps and funding limits were based on an analysis of NRC fees assessed for recent license applications. These caps account for the fact that there is a 50% cost-share requirement for application activities. The caps and funding limits also account for the fact that this program will only pay for NRC licensing fees. The cost for other activities such as development of licensing documents or research/testing to support license applications, will not be covered by this funding opportunity.

Q. Does DOE-NE have any intention to increase the caps on award sizes for on-going or future awards?

A. At the moment, there are no plans to increase the caps on award sizes for on-going or future awards. DOE welcomes the opportunity to review additional data on previous or estimated NRC fee requirements for advanced reactor licensing applications

Q. During which period will continuations be required to be completed for projects that have a period of performance that is greater than 12 months?

A. Continuation applications will likely be based on annual periods, but can be negotiated to use other Go/No-Go points. An alternate schedule outside of the yearly periods can always be submitted as part of the technical narrative for consideration.

Q. Will the continuations be based on the project award date, the government fiscal year, the application due date, etc.?

A. Generally, yearly continuation applications align with the award start date, but can be negotiated after selection to be what works best for both parties. The actual continuation applications themselves will be due 90 days prior to the negotiated date.

Q. Can the awards be applied to past costs, i.e., retroactively, or does it focus solely on current and anticipated activities?

Q. Can an applicant request reimbursement of fees that have been incurred prior to the award date for a topical report that has yet to have been approved by the NRC? For instance, if a Licensing Topical Report is submitted March but does not receive funding for the project until October, would the regulatory fees incurred prior to the award date still be eligible for funding?

A. In general, the award can only be applied to costs that occur after award. However, an exception to pay for authorized costs may be available under certain conditions, though these costs are time-limited and made at the awardee's own risk.

Per the NOFO Part 2, Section C.2 (Page 29):

“An Applicant selected for award negotiations (selectees) must request prior written approval to charge pre-award costs. Pre-award costs are those incurred prior to the effective date of the federal award directly pursuant to the negotiation and in anticipation of the federal award where such costs are necessary for efficient and timely performance of the scope of work.

Such costs are allowable only to the extent that they would have been allowable if incurred after the date of the federal award and only with the written approval of the federal awarding agency, through the DOE Grants Officer.

Pre-award costs cannot be incurred prior to the Selection Official signing the Selection Statement and Analysis.

Pre-award expenditures are made at the selectee’s risk. DOE is not obligated to reimburse costs: (1) in the absence of appropriations; (2) if an award is not made; or (3) if an award is made for a lesser amount than the selectee anticipated.

Q. We are having issues locating some of the required application documents and inconsistencies in the instructions for required documents listed in the required content section of the NOFO. We have assembled a table of requested clarifications below:

A. Each is answered individually underneath the document identified.

NOFO Documentation Requests

Required Document (pg. 18-19 of NOFO Part 1 Amd. 1)	Issue/Inconsistency	Clarification Request
SF-424A	Pg. 18 (Part 1) says this should be uploaded as a PDF. Pg. 17 (Part 2) says to save this as an excel file for upload.	Please confirm that the SF-424A PDF available on grants.gov should be submitted for this requirement, and that the SF-424A excel file provided at the energy.gov link should serve as the budget justification workbook.
It is confirmed that the PDF version available on grants.gov is acceptable to be submitted for this requirement. The requirement for it to be submitted as an Excel file has been changed to .PDF in Part 1, Amendment 3 of the NOFO.		
Budget Justification Workbook	No amplifying instructions are provided. The subrecipient justification instructions say that we should refer to the budget justification workbook section above, but this is not present within the document.	Please provide instructions on required content.
As this grant program will only provide reimbursement for NRC licensing fees, a budget justification workbook is unnecessary. This requirement has been removed in Part 1, Amendment 3 of the NOFO.		
Location(s) of Work	Amplifying instructions title this “Project/Performance Site Location(s)” and point to a form that is able to be filled out. However, this form is not located at any of the links provided in the NOFO.	Please confirm “Project/Performance

The form itself was hosted by another Office within DOE. In order to correct this, Part 2 of this NOFO has been updated to ask for the following information regarding the project/performance site locations.

“The applicant must provide a list of locations where project work will be performed by the prime recipient or subrecipient(s) including the following information for each location:

- Location Type
- Location Type Category
- Is this a Principal Place of Performance?
- Prime or Subrecipient Location?
- If Subrecipient, Subrecipient/Community Name
- Facility Name (if applicable)
- Is the location in a foreign country?
- Street Address, City, State, 5-Digit Zip Code - +4
- % of work performed at this location

Applicants must provide the Locations of Work Documentation as a Microsoft Excel file.”

Environmental Considerations Summary	No amplifying instructions for required content have been provided.	Please provide instructions on required content.
As this grant program will only provide reimbursement for NRC licensing fees, environmental considerations will not be taken. Inclusion in the list on Page 19 of the NOFO was an oversight. This requirement has been removed in Amendment 3 of the NOFO.		
Regulatory Engagement Plan	No amplifying instructions for required content have been provided.	Applicant can submit its current regulatory engagement plan with the NRC. However, without amplifying instructions for required content, the Company has no ability to determine if it is compliant with the solicitation. Please provide instructions on required content.
The applicant is required to submit the regulatory engagement plan that was submitted to the NRC. No specific information is required per the NOFO.		
Environmental Questionnaire	No amplifying instructions for required content have been provided.	Please provide instructions on required content.
As this grant program will only provide reimbursement for NRC licensing fees, environmental considerations will not be taken. Inclusion in the list on Page 19 of the NOFO was an oversight. This requirement has been removed in Amendment 3 of this NOFO		

<p>All PDF forms</p>	<p>All PDF forms available through provided links have an expiration date of 02/28/2025, which occurs prior to the application due date.</p>	<p>Please confirm expired forms are acceptable or confirm intentions to update and provide non-expired forms well in advance of the application due date.</p>
<p>Because the submission date is so close to the forms' expiration date, this solicitation will accept forms on the current to be expired forms or the replacement forms for this first tranche.</p>		
<p>All documents</p>	<p>The required documents table says to title the files beginning with the application control number. However, Fedconnect does not assign a control number.</p>	<p>Please confirm no control number is associated with application submissions. If a control number is required, please provide instructions on how to obtain one.</p>
<p>Because no control number is provided through FedConnect, no control number will be associated with the submission. However, to ensure that the application documents are filed correctly and collated together, please replace the Control Number at the beginning with the name of the applicant submitting the files. This change has been reflected in Amendment 3 of this NOFO.</p>		