



Zero-Emission Nuclear Power Production Credit

Federal Agency: Department of the Treasury

IRA Statutory Location: 13105

Tax Code Location: 26 U.S. Code § 45U

Tax Provision Description: Tax credit for electricity produced at a qualified nuclear power facility.

Period of Availability: Available for electricity produced and sold after 12/31/23, in tax years beginning after that date. Not available for tax years beginning after 12/31/32.

Tax Mechanism: Production tax credit

New or Modified Provision: New

Eligible Recipients: Existing nuclear power plants at time of enactment that are not eligible for the 45J credit.

Tribal Eligibility: Yes

Base Credit Amount: 0.3 cents/kWh, inflation adjusted after 2024. Credit amount phases down depending on the amount of energy produced and the gross receipts of the nuclear power facility.

Bonus Credit Amount: 5 times the base credit if prevailing wage requirement is met for workers doing alteration or repair at the facility. Initial guidance on the labor provisions is available [here](#).

Direct Pay Eligibility: Yes, for tax-exempt organizations; states; political subdivisions; the Tennessee Valley Authority; Indian Tribal governments; Alaska Native Corporations; and rural electricity co-ops.

Transferability: Yes

Stackability: Facilities eligible for the 45J advanced nuclear production tax credit are not eligible for the 45U credit. Payments from federal, state, or local zero-emission nuclear subsidies reduce the credit amount.

Relevant Announcements: [Request for Comments on Certain Energy Generation Incentives \(10/5/2022\)](#)
[Prevailing Wage and Apprenticeship Initial Guidance \(11/29/2022\)](#)
[FAQ: Prevailing Wage and the Inflation Reduction Act](#)