

(B) A contract under section 3103 of the National Defense Authorization Act for Fiscal Year 1997.

(f) Assessment of contracting without sufficient appropriations

Not later than 90 days after November 18, 1997, the Secretary shall submit to the congressional defense committees a report assessing whether, and under what circumstances, the Secretary could enter into contracts for defense environmental management privatization projects in the absence of sufficient appropriations to meet obligations under such contracts without thereby violating the provisions of section 1341 of title 31.

(Pub. L. 107-314, div. D, title XLIV, §4431, formerly Pub. L. 105-85, div. C, title XXXI, §3132, Nov. 18, 1997, 111 Stat. 2034; renumbered Pub. L. 107-314, div. D, title XLIV, §4431, and amended Pub. L. 108-136, div. C, title XXXI, §3141(g)(14), Nov. 24, 2003, 117 Stat. 1767.)

REFERENCES IN TEXT

Section 3102(i) of the National Defense Authorization Act for Fiscal Year 1998, referred to in subsecs. (a), (c)(1)(B)(i), and (d), is section 3102(i) of Pub. L. 105-85, div. C, title XXXI, Nov. 18, 1997, 111 Stat. 2028, which is not classified to the Code.

Section 3103 of the National Defense Authorization Act for Fiscal Year 1997, referred to in subsecs. (c)(1)(B)(ii), (2) and (e)(2)(B), is section 3103 of Pub. L. 104-201, div. C, title XXXI, Sept. 23, 1996, 110 Stat. 2824, which is not classified to the Code.

AMENDMENTS

2003—Subsecs. (a), (c)(1)(B)(i). Pub. L. 108-136, §3141(g)(14)(D)(i), inserted “of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85)” after “section 3102(i)”.

Subsec. (c)(1)(B)(ii). Pub. L. 108-136, §3141(g)(14)(D)(ii), substituted “November 18, 1997” for “the date of enactment of this Act”.

Subsec. (d). Pub. L. 108-136, §3141(g)(14)(D)(i), inserted “of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85)” after “section 3102(i)”.

Subsec. (f). Pub. L. 108-136, §3141(g)(14)(D)(ii), substituted “November 18, 1997” for “the date of enactment of this Act”.

PART D—HANFORD RESERVATION, WASHINGTON

§ 2621. Safety measures for waste tanks at Hanford Nuclear Reservation

(a) Identification and monitoring of tanks

Not later than February 3, 1991, the Secretary of Energy shall identify which single-shelled or double-shelled high-level nuclear waste tanks at the Hanford Nuclear Reservation, Richland, Washington, may have a serious potential for release of high-level waste due to uncontrolled increases in temperature or pressure. After completing such identification, the Secretary shall determine whether continuous monitoring is being carried out to detect a release or excessive temperature or pressure at each tank so identified. If such monitoring is not being carried out, as soon as practicable the Secretary shall install such monitoring, but only if a type of monitoring that does not itself increase the danger of a release can be installed.

(b) Action plans

Not later than March 5, 1991, the Secretary of Energy shall develop action plans to respond to

excessive temperature or pressure or a release from any tank identified under subsection (a).

(c) Prohibition

Beginning March 5, 1991, no additional high-level nuclear waste (except for small amounts removed and returned to a tank for analysis) may be added to a tank identified under subsection (a) unless the Secretary determines that no safer alternative than adding such waste to the tank currently exists or that the tank does not pose a serious potential for release of high-level nuclear waste.

(d) Report

Not later than May 5, 1991, the Secretary shall submit to Congress a report on actions taken to promote tank safety, including actions taken pursuant to this section, and the Secretary's timetable for resolving outstanding issues on how to handle the waste in such tanks.

(Pub. L. 107-314, div. D, title XLIV, §4441, formerly Pub. L. 101-510, div. C, title XXXI, §3137, Nov. 5, 1990, 104 Stat. 1833; renumbered Pub. L. 107-314, div. D, title XLIV, §4441, and amended Pub. L. 108-136, div. C, title XXXI, §3141(g)(16), Nov. 24, 2003, 117 Stat. 1767.)

AMENDMENTS

2003—Pub. L. 108-136, §3141(g)(16)(D)(i), made technical amendment to section catchline.

Subsec. (a). Pub. L. 108-136, §3141(g)(16)(D)(ii), substituted “Not later than February 3, 1991,” for “Within 90 days after the date of the enactment of this Act,”.

Subsec. (b). Pub. L. 108-136, §3141(g)(16)(D)(iii), substituted “Not later than March 5, 1991,” for “Within 120 days after the date of the enactment of this Act,”.

Subsec. (c). Pub. L. 108-136, §3141(g)(16)(D)(iv), substituted “Beginning March 5, 1991,” for “Beginning 120 days after the date of the enactment of this Act,”.

Subsec. (d). Pub. L. 108-136, §3141(g)(16)(D)(v), substituted “Not later than May 5, 1991,” for “Within six months after the date of the enactment of this Act,”.

§ 2622. Hanford waste tank cleanup program reforms

(a) Establishment of Office of River Protection

The Secretary of Energy shall establish an office at the Hanford Reservation, Richland, Washington, to be known as the “Office of River Protection” (in this section referred to as the “Office”).

(b) Management and responsibilities of Office

(1) The Office shall be headed by a senior official of the Department of Energy, who shall report to the Assistant Secretary of Energy for Environmental Management.

(2) The head of the Office shall be responsible for managing all aspects of the River Protection Project, Richland, Washington, including Hanford Tank Farm operations and the Waste Treatment Plant.

(3)(A) The Assistant Secretary of Energy for Environmental Management shall delegate in writing responsibility for the management of the River Protection Project, Richland, Washington, to the head of the Office.

(B) Such delegation shall include, at a minimum, authorities for contracting, financial management, safety, and general program management that are equivalent to the authorities