

States with the applicable provisions of this chapter and shall report to the Senate and the House of Representatives by January 1, 1982, and January 1 of each succeeding year the status of the States' compliance with the purposes of this chapter."

§ 10007. Federal radiation guidelines

The Secretary shall, in conjunction with the Radiation Policy Council, the Secretary of Veterans Affairs, the Administrator of the Environmental Protection Agency, appropriate agencies of the States, and appropriate professional organizations, promulgate Federal radiation guidelines with respect to radiologic procedures. Such guidelines shall—

- (1) determine the level of radiation exposure due to radiologic procedures which is unnecessary and specify the techniques, procedures, and methods to minimize such unnecessary exposure;
- (2) provide for the elimination of the need for retakes of diagnostic radiologic procedures;
- (3) provide for the elimination of unproductive screening programs;
- (4) provide for the optimum diagnostic information with minimum radiologic exposure; and
- (5) include the therapeutic application of radiation to individuals in the treatment of disease, including nuclear medicine applications.

(Pub. L. 97-35, title IX, §982, Aug. 13, 1981, 95 Stat. 601; Pub. L. 102-54, §13(q)(13)(B), June 13, 1991, 105 Stat. 281.)

AMENDMENTS

1991—Pub. L. 102-54 substituted "Secretary of Veterans Affairs" for "Administrator of Veterans Affairs" in introductory provisions.

§ 10008. Applicability to Federal agencies

(a) Except as provided in subsection (b) of this section, each department, agency, and instrumentality of the executive branch of the Federal Government shall comply with standards promulgated pursuant to this chapter.

(b) The Secretary of Veterans Affairs, through the Under Secretary for Health of the Department of Veterans Affairs, shall, to the maximum extent feasible consistent with the responsibilities of such Secretary and Under Secretary for Health under title 38, prescribe regulations making the standards promulgated pursuant to this chapter applicable to the provision of radiologic procedures in facilities over which that Secretary has jurisdiction. In prescribing and implementing regulations pursuant to this subsection, the Secretary of Veterans Affairs shall consult with the Secretary in order to achieve the maximum possible coordination of the regulations, standards, and guidelines, and the implementation thereof, which the Secretary and the Secretary of Veterans Affairs prescribe under this chapter.

(Pub. L. 97-35, title IX, §983, Aug. 13, 1981, 95 Stat. 601; Pub. L. 102-54, §13(q)(13)(C), June 13, 1991, 105 Stat. 282; Pub. L. 102-405, title III, §302(e)(1), Oct. 9, 1992, 106 Stat. 1985.)

AMENDMENTS

1992—Subsec. (b). Pub. L. 102-405 substituted "Under Secretary for Health" for "Chief Medical Director" in two places.

1991—Subsec. (b). Pub. L. 102-54 substituted "The Secretary of Veterans Affairs, through the Chief Medical Director of the Department of Veterans Affairs, shall, to the maximum extent feasible consistent with the responsibilities of such Secretary and Chief Medical Director under title 38" for "(1) The Administrator of Veterans Affairs, through the Chief Medical Director of the Veterans Administration, shall, to the maximum extent feasible consistent with the responsibilities of such Administrator and Chief Medical Director under subtitle 38", "over which that Secretary" for "over which the Administrator", and "Secretary of Veterans Affairs" for "Administrator" wherever else appearing, and struck out pars. (2) and (3) which read as follows:

"(2) Not later than 180 days after standards are promulgated by the Secretary pursuant to this chapter, the Administrator of Veterans Affairs shall submit to the appropriate committees of Congress a full report with respect to the regulations (including guidelines, policies, and procedures thereunder) prescribed pursuant to paragraph (1) of this subsection. Such report shall include—

"(A) an explanation of any inconsistency between standards made applicable by such regulations and the standards promulgated by the Secretary pursuant to this chapter;

"(B) an account of the extent, substance, and results of consultations with the Secretary respecting the prescription and implementation of regulations by the Administrator; and

"(C) such recommendations for legislation and administrative action as the Administrator determines are necessary and desirable.

"(3) The Administrator of Veterans Affairs shall publish the report required by paragraph (2) in the Federal Register."

CHAPTER 108—NUCLEAR WASTE POLICY

Sec.

- 10101. Definitions.
- 10102. Separability.
- 10103. Territories and possessions.
- 10104. Ocean disposal.
- 10105. Limitation on spending authority.
- 10106. Protection of classified national security information.
- 10107. Applicability to atomic energy defense activities.
- 10108. Applicability to transportation.

SUBCHAPTER I—DISPOSAL AND STORAGE OF HIGH-LEVEL RADIOACTIVE WASTE, SPENT NUCLEAR FUEL, AND LOW-LEVEL RADIOACTIVE WASTE

- 10121. State and affected Indian tribe participation in development of proposed repositories for defense waste.

PART A—REPOSITORIES FOR DISPOSAL OF HIGH-LEVEL RADIOACTIVE WASTE AND SPENT NUCLEAR FUEL

- 10131. Findings and purposes.
- 10132. Recommendation of candidate sites for site characterization.
- 10133. Site characterization.
- 10134. Site approval and construction authorization.
- 10135. Review of repository site selection.
- 10136. Participation of States.
- 10137. Consultation with States and affected Indian tribes.
- 10138. Participation of Indian tribes.
- 10139. Judicial review of agency actions.
- 10140. Expedited authorizations.
- 10141. Certain standards and criteria.
- 10142. Disposal of spent nuclear fuel.
- 10143. Title to material.
- 10144. Consideration of effect of acquisition of water rights.
- 10145. Termination of certain provisions.

Sec.	PART B—INTERIM STORAGE PROGRAM
10151.	Findings and purposes.
10152.	Available capacity for interim storage of spent nuclear fuel.
10153.	Interim at-reactor storage.
10154.	Licensing of facility expansions and shipments.
10155.	Storage of spent nuclear fuel.
10156.	Interim Storage Fund.
10157.	Transportation.
	PART C—MONITORED RETRIEVABLE STORAGE
10161.	Monitored retrievable storage.
10162.	Authorization of monitored retrievable storage.
10163.	Monitored Retrievable Storage Commission.
10164.	Survey.
10165.	Site selection.
10166.	Notice of disapproval.
10167.	Benefits agreement.
10168.	Construction authorization.
10169.	Financial assistance.
	PART D—LOW-LEVEL RADIOACTIVE WASTE
10171.	Financial arrangements for low-level radioactive waste site closure.
	PART E—REDIRECTION OF NUCLEAR WASTE PROGRAM
10172.	Selection of Yucca Mountain site.
10172a.	Siting a second repository.
	PART F—BENEFITS
10173.	Benefits agreements.
10173a.	Content of agreements.
10173b.	Review Panel.
10173c.	Termination.
	PART G—OTHER BENEFITS
10174.	Consideration in siting facilities.
10174a.	Report.
	PART H—TRANSPORTATION
10175.	Transportation.
	SUBCHAPTER II—RESEARCH, DEVELOPMENT, AND DEMONSTRATION REGARDING DISPOSAL OF HIGH-LEVEL RADIOACTIVE WASTE AND SPENT NUCLEAR FUEL
10191.	Purpose.
10192.	Applicability.
10193.	Identification of sites.
10194.	Siting research and related activities.
10195.	Test and evaluation facility siting review and reports.
10196.	Federal agency actions.
10197.	Research and development on disposal of high-level radioactive waste.
10198.	Research and development on spent nuclear fuel.
10199.	Payments to States and Indian tribes.
10200.	Study of research and development needs for monitored retrievable storage proposal.
10201.	Judicial review.
10202.	Research on alternatives for permanent disposal of high-level radioactive waste.
10203.	Technical assistance to non-nuclear weapon states in field of spent fuel storage and disposal.
10204.	Subseabed disposal.
	SUBCHAPTER III—OTHER PROVISIONS RELATING TO RADIOACTIVE WASTE
10221.	Mission plan.
10222.	Nuclear Waste Fund.
10223.	Alternative means of financing.
10224.	Office of Civilian Radioactive Waste Management.

Sec.	Location of test and evaluation facility.
10225.	Location of test and evaluation facility.
10226.	Nuclear Regulatory Commission training authorization.
	SUBCHAPTER IV—NUCLEAR WASTE NEGOTIATOR
10241.	“State” defined.
10242.	Office of Nuclear Waste Negotiator.
10243.	Duties of Negotiator.
10244.	Environmental assessment of sites.
10245.	Site characterization; licensing.
10246.	Monitored retrievable storage.
10247.	Environmental impact statement.
10248.	Administrative powers of Negotiator.
10249.	Cooperation of other departments and agencies.
10250.	Termination of Office.
10251.	Authorization of appropriations.
	SUBCHAPTER V—NUCLEAR WASTE TECHNICAL REVIEW BOARD
10261.	Definitions.
10262.	Nuclear Waste Technical Review Board.
10263.	Functions.
10264.	Investigatory powers.
10265.	Compensation of members.
10266.	Staff.
10267.	Support services.
10268.	Report.
10269.	Authorization of appropriations.
10270.	Termination of Board.

§ 10101. Definitions

For purposes of this chapter:

(1) The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) The term “affected Indian tribe” means any Indian tribe—

(A) within whose reservation boundaries a monitored retrievable storage facility, test and evaluation facility, or a repository for high-level radioactive waste or spent fuel is proposed to be located;

(B) whose federally defined possessory or usage rights to other lands outside of the reservation’s boundaries arising out of congressionally ratified treaties may be substantially and adversely affected by the locating of such a facility: *Provided*, That the Secretary of the Interior finds, upon the petition of the appropriate governmental officials of the tribe, that such effects are both substantial and adverse to the tribe;¹

(3) The term “atomic energy defense activity” means any activity of the Secretary performed in whole or in part in carrying out any of the following functions:

(A) naval reactors development;
 (B) weapons activities including defense inertial confinement fusion;
 (C) verification and control technology;
 (D) defense nuclear materials production;
 (E) defense nuclear waste and materials by-products management;
 (F) defense nuclear materials security and safeguards and security investigations; and
 (G) defense research and development.

(4) The term “candidate site” means an area, within a geologic and hydrologic system, that is recommended by the Secretary under

¹ So in original. The semicolon probably should be a period.