

(6) The term “overfeed” means to use uranium in the enrichment process in excess of the amount required at the transactional tails assay.

(7) The term “utility regulatory authority” means any State agency or Federal agency that has ratemaking authority with respect to the sale of electric energy by any electric utility or independent power producer. For purposes of this paragraph, the terms “electric utility”, “State agency”, “Federal agency”, and “ratemaking authority” have the respective meanings given such terms in section 2602 of title 16.

(Pub. L. 102-486, title X, §1018, Oct. 24, 1992, 106 Stat. 2950; Pub. L. 104-134, title III, §3117(b), Apr. 26, 1996, 110 Stat. 1321-350.)

#### REFERENCES IN TEXT

Section 2297b of this title, referred to in par. (1), was repealed by Pub. L. 104-134, title III, §3116(a)(1), Apr. 26, 1996, 110 Stat. 1321-349.

#### CODIFICATION

Section was enacted as part of the Energy Policy Act of 1992, and not as part of the Atomic Energy Act of 1954 which comprises this chapter.

#### AMENDMENTS

1996—Par. (1). Pub. L. 104-134 inserted “or its successor” before period at end.

#### Division B—United States Enrichment Corporation

#### SUBCHAPTER I—GENERAL PROVISIONS

#### §§ 2297, 2297a. Repealed. Pub. L. 104-134, title III, § 3116(a)(1), Apr. 26, 1996, 110 Stat. 1321-349

Section 2297, act Aug. 1, 1946, ch. 724, title II, §1201, as added Pub. L. 102-486, title IX, §901, Oct. 24, 1992, 106 Stat. 2923, defined terms for purposes of this division.

Section 2297a, act Aug. 1, 1946, ch. 724, title II, §1202, as added Oct. 24, 1992, Pub. L. 102-486, title IX, §901, 106 Stat. 2924, related to purposes of United States Enrichment Corporation.

#### EFFECTIVE DATE OF REPEAL

Pub. L. 104-134, title III, §3116(a)(1), Apr. 26, 1996, 110 Stat. 1321-349, provided that: “Chapters 22 through 26 of the Atomic Energy Act of 1954 (42 U.S.C. 2297-2297e-7) are repealed as of the privatization date [July 28, 1998, see 42 U.S.C. 2297h(9) for definition of privatization date as date on which 100 percent of ownership of United States Enrichment Corporation has been transferred to private investors].”

#### SEVERABILITY

Pub. L. 102-486, title IX, §904, Oct. 24, 1992, 106 Stat. 2946, provided that: “If any provision of this title [see Tables for classification], or the amendments made by this title, or the application of any provision to any entity, person, or circumstance, is for any reason adjudged by a court of competent jurisdiction to be invalid, the remainder of this title, and the amendments made by this title, or its application shall not be affected.”

#### REFERENCES TO UNITED STATES ENRICHMENT CORPORATION

Pub. L. 104-134, title III, §3116(e), Apr. 26, 1996, 110 Stat. 1321-350, provided that: “Following the privatization date [July 28, 1998, see Effective Date of Repeal note above], all references in the Atomic Energy Act of 1954 [42 U.S.C. 2011 et seq.] to the United States Enrich-

ment Corporation shall be deemed to be references to the private corporation.”

#### SUBCHAPTER II—ESTABLISHMENT, POWERS, AND ORGANIZATION OF CORPORATION

#### §§ 2297b to 2297b-15. Repealed. Pub. L. 104-134, title III, §3116(a)(1), Apr. 26, 1996, 110 Stat. 1321-349

Section 2297b, act Aug. 1, 1946, ch. 724, title II, §1301, as added Pub. L. 102-486, title IX, §901, Oct. 24, 1992, 106 Stat. 2925, related to establishment of United States Enrichment Corporation.

Section 2297b-1, act Aug. 1, 1946, ch. 724, title II, §1302, as added Pub. L. 102-486, title IX, §901, Oct. 24, 1992, 106 Stat. 2925, related to offices of Corporation and service of process.

Section 2297b-2, act Aug. 1, 1946, ch. 724, title II, §1303, as added Pub. L. 102-486, title IX, §901, Oct. 24, 1992, 106 Stat. 2925, related to powers of Corporation.

Section 2297b-3, act Aug. 1, 1946, ch. 724, title II, §1304, as added Pub. L. 102-486, title IX, §901, Oct. 24, 1992, 106 Stat. 2926, related to Board of Directors of Corporation.

Section 2297b-4, act Aug. 1, 1946, ch. 724, title II, §1305, as added Pub. L. 102-486, title IX, §901, Oct. 24, 1992, 106 Stat. 2927, related to employees of Corporation.

Section 2297b-5, act Aug. 1, 1946, ch. 724, title II, §1306, as added Pub. L. 102-486, title IX, §901, Oct. 24, 1992, 106 Stat. 2928, related to independent and Comptroller General audits of Corporation’s financial statements.

Section 2297b-6, act Aug. 1, 1946, ch. 724, title II, §1307, as added Pub. L. 102-486, title IX, §901, Oct. 24, 1992, 106 Stat. 2929, related to annual reports by Corporation to President and Congress.

Section 2297b-7, act Aug. 1, 1946, ch. 724, title II, §1308, as added Pub. L. 102-486, title IX, §901, Oct. 24, 1992, 106 Stat. 2929, related to accounts and transfer of unexpended balances.

Section 2297b-8, act Aug. 1, 1946, ch. 724, title II, §1309, as added Pub. L. 102-486, title IX, §901, Oct. 24, 1992, 106 Stat. 2930, related to bonds, notes, and other evidences of indebtedness.

Section 2297b-9, act Aug. 1, 1946, ch. 724, title II, §1310, as added Pub. L. 102-486, title IX, §901, Oct. 24, 1992, 106 Stat. 2931, related to exemption from State and local taxes and payments in lieu of such taxes.

Section 2297b-10, act Aug. 1, 1946, ch. 724, title II, §1311, as added Pub. L. 102-486, title IX, §901, Oct. 24, 1992, 106 Stat. 2931, related to cooperation with other agencies.

Section 2297b-11, act Aug. 1, 1946, ch. 724, title II, §1312, as added Pub. L. 102-486, title IX, §901, Oct. 24, 1992, 106 Stat. 2932, related to applicability of certain Federal laws.

Section 2297b-12, act Aug. 1, 1946, ch. 724, title II, §1313, as added Pub. L. 102-486, title IX, §901, Oct. 24, 1992, 106 Stat. 2933, related to security of Corporation facilities, equipment, etc.

Section 2297b-13, act Aug. 1, 1946, ch. 724, title II, §1314, as added Pub. L. 102-486, title IX, §901, Oct. 24, 1992, 106 Stat. 2933, related to control of information.

Section 2297b-14, act Aug. 1, 1946, ch. 724, title II, §1315, as added Pub. L. 102-486, title IX, §901, Oct. 24, 1992, 106 Stat. 2933, related to governance of Corporation during transition period prior to appointment of Board.

Section 2297b-15, act Aug. 1, 1946, ch. 724, title II, §1316, as added Pub. L. 102-486, title IX, §901, Oct. 24, 1992, 106 Stat. 2934, related to establishment of Working Capital Account.

#### EFFECTIVE DATE OF REPEAL

Repeal effective as of date on which 100 percent of ownership of United States Enrichment Corporation has been transferred to private investors (July 28, 1998), see section 3116(a)(1) of Pub. L. 104-134, set out as a note under former section 2297 of this title.

SUBCHAPTER III—RIGHTS, PRIVILEGES,  
AND ASSETS OF CORPORATION

§§ 2297c to 2297c-7. Repealed. Pub. L. 104-134,  
title III, § 3116(a)(1), Apr. 26, 1996, 110 Stat.  
1321-349

Section 2297c, act Aug. 1, 1946, ch. 724, title II, § 1401, as added Pub. L. 102-486, title IX, § 901, Oct. 24, 1992, 106 Stat. 2934; amended Pub. L. 102-572, title IX, § 902(b)(1), Oct. 29, 1992, 106 Stat. 4516, related to marketing and contracting authority of United States Enrichment Corporation.

Section 2297c-1, act Aug. 1, 1946, ch. 724, title II, § 1402, as added Pub. L. 102-486, title IX, § 901, Oct. 24, 1992, 106 Stat. 2934, related to Corporation pricing policy for Department of Energy and other customers.

Section 2297c-2, act Aug. 1, 1946, ch. 724, title II, § 1403, as added Pub. L. 102-486, title IX, § 901, Oct. 24, 1992, 106 Stat. 2935, related to leasing of gaseous diffusion facilities of Department of Energy.

Section 2297c-3, act Aug. 1, 1946, ch. 724, title II, § 1404, as added Pub. L. 102-486, title IX, § 901, Oct. 24, 1992, 106 Stat. 2935, related to capital structure of Corporation.

Section 2297c-4, act Aug. 1, 1946, ch. 724, title II, § 1405, as added Pub. L. 102-486, title IX, § 901, Oct. 24, 1992, 106 Stat. 2936, authorized Corporation to apply for licenses for use of patented inventions and discoveries.

Section 2297c-5, act Aug. 1, 1946, ch. 724, title II, § 1406, as added Pub. L. 102-486, title IX, § 901, Oct. 24, 1992, 106 Stat. 2936, related to liability for acts committed before and after transition date.

Section 2297c-6, act Aug. 1, 1946, ch. 724, title II, § 1407, as added Pub. L. 102-486, title IX, § 901, Oct. 24, 1992, 106 Stat. 2937, related to transfer of uranium inventories to Corporation.

Section 2297c-7, act Aug. 1, 1946, ch. 724, title II, § 1408, as added Pub. L. 102-486, title IX, § 901, Oct. 24, 1992, 106 Stat. 2937, related to purchase of highly enriched uranium from former Soviet Union.

EFFECTIVE DATE OF REPEAL

Repeal effective as of date on which 100 percent of ownership of United States Enrichment Corporation has been transferred to private investors (July 28, 1998), see section 3116(a)(1) of Pub. L. 104-134, set out as a note under former section 2297 of this title.

SUBCHAPTER IV—PRIVATIZATION OF  
CORPORATION

§§ 2297d, 2297d-1. Repealed. Pub. L. 104-134, title  
III, § 3116(a)(1), Apr. 26, 1996, 110 Stat.  
1321-349

Section 2297d, act Aug. 1, 1946, ch. 724, title II, § 1501, as added Pub. L. 102-486, title IX, § 901, Oct. 24, 1992, 106 Stat. 2937, related to strategic plan for privatization of United States Enrichment Corporation.

Section 2297d-1, act Aug. 1, 1946, ch. 724, title II, § 1502, as added Pub. L. 102-486, title IX, § 901, Oct. 24, 1992, 106 Stat. 2938, related to implementation of privatization plan of Corporation.

EFFECTIVE DATE OF REPEAL

Repeal effective as of date on which 100 percent of ownership of United States Enrichment Corporation has been transferred to private investors (July 28, 1998), see section 3116(a)(1) of Pub. L. 104-134, set out as a note under former section 2297 of this title.

SUBCHAPTER V—AVLIS AND ALTERNATIVE  
TECHNOLOGIES FOR URANIUM ENRICH-  
MENT

§§ 2297e to 2297e-7. Repealed. Pub. L. 104-134,  
title III, § 3116(a)(1), Apr. 26, 1996, 110 Stat.  
1321-349

Section 2297e, act Aug. 1, 1946, ch. 724, title II, § 1601, as added Pub. L. 102-486, title IX, § 901, Oct. 24, 1992, 106

Stat. 2939, related to assessment by United States Enrichment Corporation of viability of commercialization of AVLIS (atomic vapor laser isotope separation technology) and alternative uranium enrichment technologies.

Section 2297e-1, act Aug. 1, 1946, ch. 724, title II, § 1602, as added Pub. L. 102-486, title IX, § 901, Oct. 24, 1992, 106 Stat. 2939, related to transfer of rights and property to Corporation.

Section 2297e-2, act Aug. 1, 1946, ch. 724, title II, § 1603, as added Pub. L. 102-486, title IX, § 901, Oct. 24, 1992, 106 Stat. 2940, related to predeployment activities by Corporation.

Section 2297e-3, act Aug. 1, 1946, ch. 724, title II, § 1604, as added Pub. L. 102-486, title IX, § 901, Oct. 24, 1992, 106 Stat. 2940; amended Pub. L. 102-572, title IX, § 902(b)(2), Oct. 29, 1992, 106 Stat. 4516, related to Corporation sponsorship of private for-profit corporation to construct AVLIS and alternative technologies.

Section 2297e-4, act Aug. 1, 1946, ch. 724, title II, § 1605, as added Pub. L. 102-486, title IX, § 901, Oct. 24, 1992, 106 Stat. 2942, related to AVLIS Commercialization Fund within Corporation.

Section 2297e-5, act Aug. 1, 1946, ch. 724, title II, § 1606, as added Pub. L. 102-486, title IX, § 901, Oct. 24, 1992, 106 Stat. 2942, related to Department research and development assistance.

Section 2297e-6, act Aug. 1, 1946, ch. 724, title II, § 1607, as added Pub. L. 102-486, title IX, § 901, Oct. 24, 1992, 106 Stat. 2942, related to site selection.

Section 2297e-7, act Aug. 1, 1946, ch. 724, title II, § 1608, as added Pub. L. 102-486, title IX, § 901, Oct. 24, 1992, 106 Stat. 2942, related to exclusion from Price-Anderson coverage.

EFFECTIVE DATE OF REPEAL

Repeal effective as of date on which 100 percent of ownership of United States Enrichment Corporation has been transferred to private investors (July 28, 1998), see section 3116(a)(1) of Pub. L. 104-134, set out as a note under former section 2297 of this title.

SUBCHAPTER VI—LICENSING AND REGU-  
LATION OF URANIUM ENRICHMENT FA-  
CILITIES

§ 2297f. Gaseous diffusion facilities

(a) Issuance of standards

Within 2 years after October 24, 1992, the Nuclear Regulatory Commission shall establish by regulation such standards as are necessary to govern the gaseous diffusion uranium enrichment facilities of the Department in order to protect the public health and safety from radiological hazard and provide for the common defense and security. Regulations promulgated pursuant to this subsection shall, among other things, require that adequate safeguards (within the meaning of section 2167 of this title) are in place.

(b) Annual report

(1) In general

Not later than the date on which a certificate of compliance is issued under subsection (c) of this section, the Nuclear Regulatory Commission, in consultation with the Department and the Environmental Protection Agency, shall report to the Congress on the status of health, safety, and environmental conditions at the gaseous diffusion uranium enrichment facilities of the Department.

(2) Required determination

Such report shall include a determination regarding whether the gaseous diffusion ura-