

(B) any other services associated with carrying out the uranium lease and take-back program authorized by this subsection.

**(d) Coordination of environmental reviews**

The Department and the Nuclear Regulatory Commission shall ensure to the maximum extent practicable that environmental reviews for the production of the medical isotopes shall complement and not duplicate each review.

**(e) Operational date**

The Secretary shall establish a program as described in subsection (c)(3) not later than 3 years after January 2, 2013.

**(f) Radioactive waste**

Notwithstanding section 10101 of this title, radioactive material resulting from the production of medical isotopes that has been permanently removed from a reactor or subcritical assembly and for which there is no further use shall be considered low-level radioactive waste if the material is acceptable under Federal requirements for disposal as low-level radioactive waste.

(Pub. L. 112-239, div. C, title XXXI, §3173, Jan. 2, 2013, 126 Stat. 2211.)

REFERENCES IN TEXT

This subtitle, referred to in subsec. (c)(5), is subtitle F (§§3171-3178) of title XXXI of div. C of Pub. L. 112-239. For complete classification of this subtitle to the Code, see Short Title of 2013 Amendment note set out under section 2011 of this title and Tables.

CODIFICATION

Section was enacted as part of the American Medical Isotopes Production Act of 2012 and also as part of the National Defense Authorization Act for Fiscal Year 2013, and not as part of the Atomic Energy Act of 1954 which comprises this chapter.

DEFINITIONS

Pub. L. 112-239, div. C, title XXXI, §3172, Jan. 2, 2013, 126 Stat. 2211, provided that: "In this subtitle [subtitle F (§§3171-3178), see Short Title of 2013 Amendment note set out under section 2011 of this title and Tables]:

"(1) DEPARTMENT.—The term 'Department' means the Department of Energy.

"(2) HIGHLY ENRICHED URANIUM.—The term 'highly enriched uranium' means uranium enriched to 20 percent or greater in the isotope U-235.

"(3) LOW ENRICHED URANIUM.—The term 'low enriched uranium' means uranium enriched to less than 20 percent in the isotope U-235.

"(4) SECRETARY.—The term 'Secretary' means the Secretary of Energy."

SUBCHAPTER V—SPECIAL NUCLEAR MATERIAL

**§ 2071. Determination of other material as special nuclear material; Presidential assent; effective date**

The Commission may determine from time to time that other material is special nuclear material in addition to that specified in the definition as special nuclear material. Before making any such determination, the Commission must find that such material is capable of releasing substantial quantities of atomic energy and must find that the determination that such material is special nuclear material is in the inter-

est of the common defense and security, and the President must have expressly assented in writing to the determination. The Commission's determination, together with the assent of the President, shall be submitted to the Energy Committees and a period of thirty days shall elapse while Congress is in session (in computing such thirty days, there shall be excluded the days on which either House is not in session because of an adjournment for more than three days) before the determination of the Commission may become effective: *Provided, however*, That the Energy Committees, after having received such determination, may by resolution in writing, waive the conditions of or all or any portion of such thirty-day period.

(Aug. 1, 1946, ch. 724, title I, §51, as added Aug. 30, 1954, ch. 1073, §1, 68 Stat. 929; renumbered title I, Pub. L. 102-486, title IX, §902(a)(8), Oct. 24, 1992, 106 Stat. 2944; amended Pub. L. 103-437, §15(f)(2), Nov. 2, 1994, 108 Stat. 4592.)

PRIOR PROVISIONS

Provisions similar to this section were contained in section 1805(a)(1) of this title, prior to the general amendment and renumbering of act Aug. 1, 1946, by act Aug. 30, 1954.

AMENDMENTS

1994—Pub. L. 103-437 substituted "Energy Committees" for "Joint Committee" in two places.

**§ 2072. Repealed. Pub. L. 88-489, § 4, Aug. 26, 1964, 78 Stat. 603**

Section, act Aug. 1, 1946, ch. 724, §52, as added Aug. 30, 1954, ch. 1073, §1, 68 Stat. 929, related to Government ownership of all special nuclear material and provided for compensation of private owners of such material.

EXTINGUISHMENT OF RIGHTS, TITLE AND INTEREST IN SPECIAL NUCLEAR MATERIAL

Pub. L. 88-489, §4, Aug. 26, 1964, 78 Stat. 603, provided in part that: "All rights, title, and interest in and to any special nuclear material vested in the United States solely by virtue of the provisions of the first sentence of such section 52 [this section], and not by any other transaction authorized by the Atomic Energy Act of 1954, as amended [this chapter], or other applicable law, are hereby extinguished."

**§ 2073. Domestic distribution of special nuclear material**

**(a) Licenses**

The Commission is authorized (i) to issue licenses to transfer or receive in interstate commerce, transfer, deliver, acquire, possess, own, receive possession of or title to, import, or export under the terms of an agreement for co-operation arranged pursuant to section 2153 of this title, special nuclear material, (ii) to make special nuclear material available for the period of the license, and, (iii) to distribute special nuclear material within the United States to qualified applicants requesting such material—

(1) for the conduct of research and development activities of the types specified in section 2051 of this title;

(2) for use in the conduct of research and development activities or in medical therapy under a license issued pursuant to section 2134 of this title;

(3) for use under a license issued pursuant to section 2133 of this title;