

part of the Atomic Energy Act of 1954 which comprises this chapter.

**§ 2297h-10b. Secretarial determinations; congressional notification**

**(a) Secretarial determinations**

In this fiscal year, and in each subsequent fiscal year, any determination (including a determination made prior to December 16, 2014) by the Secretary of Energy under section 2297h-10(d)(2)(B) of this title shall be valid for not more than 2 calendar years subsequent to such determination.

**(b) Congressional notification**

In this fiscal year, and in each subsequent fiscal year, not less than 30 days prior to the provision of uranium in any form the Secretary of Energy shall notify the Committees on Appropriations of the House of Representatives and the Senate of the following—

- (1) the provisions of law (including regulations) authorizing the provision of uranium;
- (2) the amount of uranium to be provided;
- (3) an estimate by the Secretary of Energy of the gross fair market value of the uranium on the expected date of the provision of the uranium;
- (4) the expected date of the provision of the uranium;
- (5) the recipient of the uranium;
- (6) the value the Secretary of Energy expects to receive in exchange for the uranium, including any adjustments to the gross fair market value of the uranium; and
- (7) whether the uranium to be provided is encumbered by any restriction on use under an international agreement or otherwise.

(Pub. L. 113-235, div. D, title III, §306, Dec. 16, 2014, 128 Stat. 2324.)

CODIFICATION

Section was enacted as part of the Energy and Water Development and Related Agencies Appropriations Act, 2015, and also as part of the Consolidated and Further Continuing Appropriations Act, 2015, and not as part of the Atomic Energy Act of 1954 which comprises this chapter.

**§ 2297h-11. Low-level waste**

**(a) Responsibility of DOE**

(1) The Secretary, at the request of the generator, shall accept for disposal low-level radioactive waste, including depleted uranium if it were ultimately determined to be low-level radioactive waste, generated by—

- (A) the Corporation as a result of the operations of the gaseous diffusion plants or as a result of the treatment of such wastes at a location other than the gaseous diffusion plants, or
- (B) any person licensed by the Nuclear Regulatory Commission to operate a uranium enrichment facility under sections 2073, 2093, and 2243 of this title.

(2) Except as provided in paragraph (3), the generator shall reimburse the Secretary for the disposal of low-level radioactive waste pursuant to paragraph (1) in an amount equal to the Secretary's costs, including a pro rata share of any

capital costs, but in no event more than an amount equal to that which would be charged by commercial, State, regional, or interstate compact entities for disposal of such waste.

(3) In the event depleted uranium were ultimately determined to be low-level radioactive waste, the generator shall reimburse the Secretary for the disposal of depleted uranium pursuant to paragraph (1) in an amount equal to the Secretary's costs, including a pro rata share of any capital costs.

(4) In the event that a licensee requests the Secretary to accept for disposal depleted uranium pursuant to this subsection, the Secretary shall be required to take title to and possession of such depleted uranium at an existing DUF6 storage facility.

**(b) Agreements with other persons**

The generator may also enter into agreements for the disposal of low-level radioactive waste subject to subsection (a) of this section with any person other than the Secretary that is authorized by applicable laws and regulations to dispose of such wastes.

**(c) State or interstate compacts**

Notwithstanding any other provision of law, no State or interstate compact shall be liable for the treatment, storage, or disposal of any low-level radioactive waste (including mixed waste) attributable to the operation, decontamination, and decommissioning of any uranium enrichment facility.

(Pub. L. 104-134, title III, §3113, Apr. 26, 1996, 110 Stat. 1321-347; Pub. L. 108-447, div. C, title III, §311, Dec. 8, 2004, 118 Stat. 2959.)

CODIFICATION

Section was enacted as part of the USEC Privatization Act and also as part of the Omnibus Consolidated Rescissions and Appropriations Act of 1996, and not as part of the Atomic Energy Act of 1954 which comprises this chapter.

AMENDMENTS

2004—Subsec. (a)(4). Pub. L. 108-447, §311, which directed the addition of par. (4) to subsec. (a) of section 3113 of Public Law 102-486 (42 U.S.C. 2297h-11), was executed by adding par. (4) to subsec. (a) of this section, which is section 3113 of Pub. L. 104-134, to reflect the probable intent of Congress.

**§ 2297h-12. AVLIS**

**(a) Exclusive right to commercialize**

The Corporation shall have the exclusive commercial right to deploy and use any AVLIS patents, processes, and technical information owned or controlled by the Government, upon completion of a royalty agreement with the Secretary.

**(b) Transfer of related property to Corporation**

**(1) In general**

To the extent requested by the Corporation and subject to the requirements of the Atomic Energy Act of 1954 (42 U.S.C. 2011, et seq.), the President shall transfer without charge to the Corporation all of the right, title, or interest in and to property owned by the United States under control or custody of the Secretary that is directly related to and materially useful in