

section (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.

(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; Pub. L. 113-291, div. C, title XXXI, §3142(h), Dec. 19, 2014, 128 Stat. 3900.)

AMENDMENTS

2014—Subsec. (d). Pub. L. 113-291 struck out subsec. (d). Text read as follows: “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.”

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 of managers of other operations offices of the Department of Energy.

(C) The head of the Office shall, to the maximum extent possible, coordinate all activities of the Office with the manager of the Richland Operations Office of the Department of Energy.

(c) Department responsibilities

The Secretary shall provide the head of the Office with the resources and personnel necessary

to carry out the responsibilities specified in subsection (b)(2).

(d) Notification

The Assistant Secretary of Energy for Environmental Management shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives written notification detailing any changes in the roles, responsibilities, and reporting relationships that involve the Office.

(e) Termination

The Office shall terminate on September 30, 2019. The Office may be extended beyond that date if the Assistant Secretary of Energy for Environmental Management determines in writing that termination would disrupt effective management of the Hanford Tank Farm operations.

(Pub. L. 107-314, div. D, title XLIV, §4442, formerly Pub. L. 105-261, div. C, title XXXI, §3139, Oct. 17, 1998, 112 Stat. 2250; Pub. L. 106-398, §1 [div. C, title XXXI, §3141(b)-(d)], Oct. 30, 2000, 114 Stat. 1654, 1654A-463; Pub. L. 107-107, div. C, title XXXI, §3135, Dec. 28, 2001, 115 Stat. 1368; renumbered Pub. L. 107-314, div. D, title XLIV, §4442, and amended Pub. L. 108-136, div. C, title XXXI, §3141(g)(17), Nov. 24, 2003, 117 Stat. 1767; Pub. L. 112-81, div. C, title XXXI, §3113, Dec. 31, 2011, 125 Stat. 1709; Pub. L. 113-66, div. C, title XXXI, §3146(e)(13), Dec. 26, 2013, 127 Stat. 1078.)

AMENDMENTS

2013—Subsec. (b)(2). Pub. L. 113-66 substituted “responsible for managing all aspects” for “responsible for managing all aspects”.

2011—Subsec. (b)(2). Pub. L. 112-81, §3113(1), substituted “all aspects of the River Protection Project, Richland, Washington, including Hanford Tank Farm operations and the Waste Treatment Plant” for “, consistent with the policy direction established by the Department, all aspects of the River Protection Project, Richland, Washington”.

Subsec. (d). Pub. L. 112-81, §3113(2), amended subsec. (d) generally. Prior to amendment, text read as follows: “The Assistant Secretary of Energy for Environmental Management shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives, not later than November 29, 2000, a copy of the delegation of authority required by subsection (b)(3).”

Subsecs. (e), (f). Pub. L. 112-81, §3113(3), added subsec. (e) and struck out former subsecs. (e) and (f), which, respectively, required the Secretary to submit a progress report not later than 2 years after the commencement of Office operations and provided for termination of the Office.

2003—Subsec. (d). Pub. L. 108-136, §3141(g)(17)(D), substituted “November 29, 2000,” for “30 days after the date of the enactment of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001.”

2001—Subsec. (f). Pub. L. 107-107 amended heading and text of subsec. (f) generally. Prior to amendment, text read as follows:

“(1) The Office shall terminate 5 years after the commencement of operations under this section unless the Secretary determines that termination on that date would disrupt effective management of the Hanford Tank Farm operations.

“(2) The Secretary shall notify, in writing, the committees referred to in subsection (d) of a determination under paragraph (1).”

2000—Subsec. (b). Pub. L. 106-398, §1 [div. C, title XXXI, §3141(b)], substituted “managing, consistent with the policy direction established by the Department, all aspects of the River Protection Project, Rich-

land, Washington” for “managing all aspects of the Tank Waste Remediation System (also referred to as the Hanford Tank Farm operations), including those portions under privatization contracts, of the Department of Energy at Hanford” in par. (2) and added par. (3).

Subsec. (c). Pub. L. 106-398, §1 [div. C, title XXXI, §3141(c)], substituted “head” for “manager” and “to carry out the responsibilities specified in subsection (b)(2)” for “to manage the tank waste privatization program at Hanford in an efficient and streamlined manner”.

Subsec. (d). Pub. L. 106-398, §1 [div. C, title XXXI, §3141(d)], amended heading and text of subsec. (d) generally. Prior to amendment, text read as follows: “Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Armed Services of the Senate and the Committees on Commerce and on National Security of the House of Representatives an integrated management plan for all aspects of the Hanford Tank Farm operations, including the roles, responsibilities, and reporting relationships of the Office.”

§ 2623. River Protection Project

The tank waste remediation system environmental project, Richland, Washington, including all programs relating to the retrieval and treatment of tank waste at the site at Hanford, Washington, under the management of the Office of River Protection, shall be known and designated as the “River Protection Project”. Any reference to that project in any law, regulation, map, document, record, or other paper of the United States shall be considered to be a reference to the River Protection Project.

(Pub. L. 107-314, div. D, title XLIV, §4443, formerly Pub. L. 106-398, §1 [div. C, title XXXI, §3141(a)], Oct. 30, 2000, 114 Stat. 1654, 1654A-462; renumbered Pub. L. 107-314, div. D, title XLIV, §4443, and amended Pub. L. 108-136, div. C, title XXXI, §3141(g)(18), Nov. 24, 2003, 117 Stat. 1768.)

AMENDMENTS

2003—Pub. L. 108-136, §3141(g)(18)(C), inserted section catchline and struck out former subsec. heading.

§ 2624. Funding for termination costs of River Protection Project, Richland, Washington

The Secretary of Energy may not use appropriated funds to establish a reserve for the payment of any costs of termination of any contract relating to the River Protection Project, Richland, Washington (as designated by section 2623 of this title), that is terminated after October 30, 2000. Such costs may be paid from—

- (1) appropriations originally available for the performance of the contract concerned;
- (2) appropriations currently available for privatization initiatives in carrying out defense environmental cleanup activities necessary for national security programs, and not otherwise obligated; or
- (3) funds appropriated specifically for the payment of such costs.

(Pub. L. 107-314, div. D, title XLIV, §4444, formerly Pub. L. 106-398, §1 [div. C, title XXXI, §3131], Oct. 30, 2000, 114 Stat. 1654, 1654A-454; renumbered Pub. L. 107-314, div. D, title XLIV, §4444, and amended Pub. L. 108-136, div. C, title XXXI, §3141(g)(19), Nov. 24, 2003, 117 Stat. 1768; Pub. L. 113-66, div. C, title XXXI, §3146(e)(14), Dec. 26, 2013, 127 Stat. 1078.)

AMENDMENTS

2013—Par. (2). Pub. L. 113-66 substituted “defense environmental cleanup” for “environmental restoration and waste management”.

2003—Pub. L. 108-136, §3141(g)(19)(D), in introductory provisions, substituted “section 2623 of this title” for “section 3141” and “October 30, 2000” for “the date of the enactment of this Act”.

§ 2625. Plan for tank farm waste at Hanford Nuclear Reservation

(a) Plan

Not later than June 1, 2014, the Secretary of Energy shall submit to the congressional defense committees a plan for the initial activities (as defined in subsection (d)) for the Waste Treatment and Immobilization Plant and any related, required infrastructure facilities.

(b) Matters included

The plan under subsection (a) shall include the following:

- (1) A list of significant requirements needed for the initial activities.
- (2) A schedule of significant activities needed to carry out the initial activities.
- (3) Actions required to accelerate, to the extent possible, the treatment of lower risk, low-activity waste while continuing efforts to resolve the technical challenges associated with higher risk, high-activity waste.
- (4) A description of how the Secretary will—
 - (A) provide adequate protection to workers and the public under the plan; and
 - (B) incorporate into the plan any significant new science and technical information that was not available before the development of the plan.

(c) Determinations

(1) For each significant requirement identified by the Secretary under subsection (b)(1), the Secretary shall include in the plan submitted under subsection (a) a determination regarding whether such requirement is finalized and will be used to inform the initial activities.

(2) For each significant requirement that the Secretary cannot make a finalized determination for under paragraph (1) by the date on which the plan under subsection (a) is submitted to the congressional defense committees, the Secretary shall—

- (A) include in the plan—
 - (i) a description of the requirement;
 - (ii) a list of significant activities required to finalize the requirement; and
 - (iii) the date on which the Secretary anticipates making such determination; and
- (B) once the Secretary makes a determination that such a significant requirement is finalized, submit to such committees notification that the requirement is finalized and will be used to inform the initial activities.

(3)(A) Notwithstanding any determination made under paragraph (1) with respect to a significant requirement identified by the Secretary under subsection (b)(1)—

- (i) the Secretary shall change a requirement if necessary to provide adequate protection to workers and the public; and
- (ii) the Secretary may change a requirement if the Secretary determines such change is necessary.