

**§ 2813. Pilot program relating to use of proceeds of disposal or utilization of certain Department of Energy assets**

**(a) Purpose**

The purpose of this section is to encourage the Secretary of Energy to dispose of or otherwise utilize certain assets of the Department of Energy by making available to the Secretary the proceeds of such disposal or utilization for purposes of defraying the costs of such disposal or utilization.

**(b) Use of proceeds to defray costs**

(1) Notwithstanding section 3302 of title 31, the Secretary may retain from the proceeds of the sale, lease, or disposal of an asset under subsection (c) an amount equal to the cost of the sale, lease, or disposal of the asset. The Secretary shall utilize amounts retained under this paragraph to defray the cost of the sale, lease, or disposal.

(2) For purposes of paragraph (1), the cost of a sale, lease, or disposal shall include—

(A) the cost of administering the sale, lease, or disposal;

(B) the cost of recovering or preparing the asset concerned for the sale, lease, or disposal; and

(C) any other cost associated with the sale, lease, or disposal.

**(c) Covered transactions**

Subsection (b) applies to the following transactions:

(1) The sale of heavy water at the Savannah River Site, South Carolina, that is under the jurisdiction of the Defense Environmental Management Program.

(2) The sale of precious metals that are under the jurisdiction of the Defense Environmental Management Program.

(3) The lease of buildings and other facilities located at the Hanford Reservation, Washington, that are under the jurisdiction of the Defense Environmental Management Program.

(4) The lease of buildings and other facilities located at the Savannah River Site that are under the jurisdiction of the Defense Environmental Management Program.

(5) The disposal of equipment and other personal property located at the Rocky Flats Defense Environmental Technology Site, Colorado, that is under the jurisdiction of the Defense Environmental Management Program.

(6) The disposal of materials at the National Electronics Recycling Center, Oak Ridge, Tennessee that are under the jurisdiction of the Defense Environmental Management Program.

**(d) Applicability of disposal authority**

Nothing in this section shall be construed to limit the application of subchapter II of chapter 5 and section 549 of title 40 to the disposal of equipment and other personal property covered by this section.

(Pub. L. 107-314, div. D, title XLVIII, § 4833, formerly Pub. L. 105-85, div. C, title XXXI, § 3138, Nov. 18, 1997, 111 Stat. 2039; renumbered Pub. L. 107-314, div. D, title XLVIII, § 4833, and amended Pub. L. 108-136, div. C, title XXXI, § 3141(k)(13), Nov. 24, 2003, 117 Stat. 1786; Pub. L. 112-239, div.

C, title XXXI, § 3131(aa), Jan. 2, 2013, 126 Stat. 2185.)

**CODIFICATION**

Section was formerly set out as a note under section 7256 of Title 42, The Public Health and Welfare, prior to renumbering by Pub. L. 108-136.

**AMENDMENTS**

2013—Subsec. (e). Pub. L. 112-239 struck out subsec. (e). Prior to amendment, text read as follows: “Not later than January 31, 1999, the Secretary shall submit to the congressional defense committees a report on amounts retained by the Secretary under subsection (b) during fiscal year 1998.”

2003—Subsec. (d). Pub. L. 108-136, § 3141(k)(13)(D), substituted “subchapter II of chapter 5 and section 549 of title 40” for “sections 202 and 203(j) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 483 and 484(j))”.

**§ 2814. Department of Energy energy parks program**

**(a) In general**

The Secretary of Energy may establish a program to permit the establishment of energy parks on former defense nuclear facilities.

**(b) Objectives**

The objectives for establishing energy parks pursuant to subsection (a) are the following:

(1) To provide locations to carry out a broad range of projects relating to the development and deployment of energy technologies and related advanced manufacturing technologies.

(2) To provide locations for the implementation of pilot programs and demonstration projects for new and developing energy technologies and related advanced manufacturing technologies.

(3) To set a national example for the development and deployment of energy technologies and related advanced manufacturing technologies in a manner that will promote energy security, energy sector employment, and energy independence.

(4) To create a business environment that encourages collaboration and interaction between the public and private sectors.

**(c) Consultation**

In establishing an energy park pursuant to subsection (a), the Secretary shall consult with—

(1) the local government with jurisdiction over the land on which the energy park will be located;

(2) the local governments of adjacent areas; and

(3) any community reuse organization recognized by the Secretary at the former defense nuclear facility on which the energy park will be located.

**(d) Report required**

Not later than 120 days after January 7, 2011, the Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the implementation of the program under subsection (a). The report shall include such recommendations for additional legislative actions as the Secretary con-