

modify or otherwise affect applicable statutory or regulatory defense environmental cleanup requirements, including substantive standards intended to protect public health and the environment, nor shall anything in this section be construed to preempt or impair any local land use planning or zoning authority or State authority.

(Pub. L. 107-314, div. D, title XLIV, § 4402, formerly Pub. L. 104-201, div. C, title XXXI, § 3153, Sept. 23, 1996, 110 Stat. 2839; renumbered Pub. L. 107-314, div. D, title XLIV, § 4402, and amended Pub. L. 108-136, div. C, title XXXI, § 3141(g)(3), Nov. 24, 2003, 117 Stat. 1764; Pub. L. 113-66, div. C, title XXXI, § 3146(e)(2), Dec. 26, 2013, 127 Stat. 1076.)

#### CODIFICATION

Section was formerly set out as a note under section 7274k of Title 42, The Public Health and Welfare, prior to renumbering by Pub. L. 108-136.

#### AMENDMENTS

2013—Pub. L. 113-66, § 3146(e)(2)(A), substituted “defense environmental cleanup” for “environmental management program” in section catchline.

Subsec. (a). Pub. L. 113-66, § 3146(e)(2)(B), substituted “defense environmental cleanup” for “environmental restoration and waste management”.

Subsec. (b)(2) to (4). Pub. L. 113-66, § 3146(e)(2)(C), redesignated pars. (3) and (4) as (2) and (3), respectively, and struck out former par. (2) which read as follows: “Rocky Flats Plant, Golden, Colorado.”

Subsec. (c)(2). Pub. L. 113-66, § 3146(e)(2)(D), substituted “for defense environmental cleanup” for “for program direction in carrying out environmental restoration and waste management”.

Subsec. (f). Pub. L. 113-66, § 3146(e)(2)(E), (F), redesignated subsec. (g) as (f) and struck out former subsec. (f). Prior to amendment, text read as follows: “For each facility listed in subsection (b), the Secretary of Energy shall develop a draft future use plan by October 1, 1997, and a final future use plan by March 15, 1998.”

Subsec. (g). Pub. L. 113-66, § 3146(e)(2)(F), redesignated subsec. (h) as (g). Former subsec. (g) redesignated (f).

Subsec. (g)(2). Pub. L. 113-66, § 3146(e)(2)(G), substituted “a defense environmental cleanup” for “an environmental restoration or waste management” and “defense environmental cleanup” for “environmental restoration and waste management”.

Subsec. (h). Pub. L. 113-66, § 3146(e)(2)(F), redesignated subsec. (h) as (g).

2003—Subsec. (d). Pub. L. 108-136, § 3141(g)(3)(D)(i), substituted “September 23, 1996,” for “the date of the enactment of this Act”.

Subsec. (h)(1). Pub. L. 108-136, § 3141(g)(3)(D)(ii), substituted “September 23, 1996” for “the date of the enactment of this Act”.

### § 2582a. Future-years defense environmental cleanup plan

#### (a) In general

The Secretary of Energy shall submit to Congress each year, at or about the same time that the President’s budget is submitted to Congress for a fiscal year under section 1105(a) of title 31, a future-years defense environmental cleanup plan that—

(1) reflects the estimated expenditures and proposed appropriations included in that budget for the Department of Energy for defense environmental cleanup; and

(2) covers a period that includes the fiscal year for which that budget is submitted and not less than the four succeeding fiscal years.

#### (b) Elements

Each future-years defense environmental cleanup plan required by subsection (a) shall contain the following:

(1) A detailed description of the projects and activities relating to defense environmental cleanup to be carried out during the period covered by the plan at the sites specified in subsection (c) and with respect to the activities specified in subsection (d).

(2) A statement of proposed budget authority, estimated expenditures, and proposed appropriations necessary to support such projects and activities.

(3) With respect to each site specified in subsection (c), the following:

(A) A statement of each milestone included in an enforceable agreement governing cleanup and waste remediation for that site for each fiscal year covered by the plan.

(B) For each such milestone, a statement with respect to whether each such milestone will be met in each such fiscal year.

(C) For any milestone that will not be met, an explanation of why the milestone will not be met and the date by which the milestone is expected to be met.

#### (c) Sites specified

The sites specified in this subsection are the following:

(1) The Idaho National Laboratory, Idaho.

(2) The Waste Isolation Pilot Plant, Carlsbad, New Mexico.

(3) The Savannah River Site, Aiken, South Carolina.

(4) The Oak Ridge National Laboratory, Oak Ridge, Tennessee.

(5) The Hanford Site, Richland, Washington.

(6) Any defense closure site of the Department of Energy.

(7) Any site of the National Nuclear Security Administration.

#### (d) Activities specified

The activities specified in this subsection are the following:

(1) Program support.

(2) Program direction.

(3) Safeguards and security.

(4) Technology development and deployment.

(5) Federal contributions to the Uranium Enrichment Decontamination and Decommissioning Fund established under section 2297g of title 42.

(Pub. L. 107-314, div. D, title XLIV, § 4402A, as added Pub. L. 111-383, div. C, title XXXI, § 3116(a), Jan. 7, 2011, 124 Stat. 4512; amended Pub. L. 113-66, div. C, title XXXI, § 3146(e)(3), Dec. 26, 2013, 127 Stat. 1076.)

#### AMENDMENTS

2013—Pub. L. 113-66, § 3146(e)(3)(A), substituted “cleanup” for “management” in section catchline.

Subsec. (a). Pub. L. 113-66, § 3146(e)(3)(B)(i), substituted “cleanup” for “management” in introductory provisions.

Subsec. (a)(1). Pub. L. 113-66, § 3146(e)(3)(B)(ii), substituted “defense environmental cleanup” for “environmental management”.

Subsec. (b). Pub. L. 113-66, § 3146(e)(3)(C), substituted “cleanup” for “management” in introductory provisions and par. (1).

**§ 2583. Integrated fissile materials management plan**

**(a) Plan**

The Secretary of Energy shall develop a long-term plan for the integrated management of fissile materials by the Department of Energy. The plan shall—

(1) identify means of coordinating or integrating the responsibilities of the Office of Environmental Management, the Office of Nuclear Energy, and the Administration for the treatment, storage, and disposition of fissile materials, and for the waste streams containing fissile materials, in order to achieve budgetary and other efficiencies in the discharge of those responsibilities; and

(2) identify any expenditures necessary at the sites that are anticipated to have an enduring mission for plutonium management in order to achieve the integrated management of fissile materials by the Department.

**(b) Submittal to Congress**

The Secretary shall submit the plan required by subsection (a) to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives not later than March 31, 2014.

(Pub. L. 107-314, div. D, title XLIV, §4403, formerly Pub. L. 106-65, div. C, title XXXI, §3172, Oct. 5, 1999, 113 Stat. 948; renumbered Pub. L. 107-314, div. D, title XLIV, §4403, by Pub. L. 108-136, div. C, title XXXI, §3141(g)(4), Nov. 24, 2003, 117 Stat. 1764; Pub. L. 113-66, div. C, title XXXI, §3146(e)(4), Dec. 26, 2013, 127 Stat. 1076.)

AMENDMENTS

2013—Subsec. (a)(1). Pub. L. 113-66, §3146(e)(4)(A), substituted “the Office of Nuclear Energy, and the Administration” for “the Office of Fissile Materials Disposition, the Office of Nuclear Energy, and the Office of Defense Programs” and “storage,” for “storage”.

Subsec. (b). Pub. L. 113-66, §3146(e)(4)(B), substituted “March 31, 2014” for “March 31, 2000”.

**§ 2584. Repealed. Pub. L. 113-66, div. C, title XXXI, §3146(e)(5), Dec. 26, 2013, 127 Stat. 1076**

Section, Pub. L. 107-314, div. D, title XLIV, §4404, formerly Pub. L. 103-160, div. C, title XXXI, §3153, Nov. 30, 1993, 107 Stat. 1950; Pub. L. 103-337, div. C, title XXXI, §3160(b)-(d), Oct. 5, 1994, 108 Stat. 3094; Pub. L. 104-201, div. C, title XXXI, §3152, Sept. 23, 1996, 110 Stat. 2839; Pub. L. 105-85, div. C, title XXXI, §3160, Nov. 18, 1997, 111 Stat. 2048; renumbered Pub. L. 107-314, div. D, title XLIV, §4404, by Pub. L. 108-136, div. C, title XXXI, §3141(g)(5), Nov. 24, 2003, 117 Stat. 1765, related to baseline environmental management reports.

**§ 2585. Accelerated schedule for defense environmental cleanup activities**

**(a) Accelerated cleanup**

The Secretary of Energy shall accelerate the schedule for defense environmental cleanup activities and projects for a site at a Department of Energy defense nuclear facility if the Secretary determines that such an accelerated schedule will achieve meaningful, long-term cost savings to the Federal Government and could substantially accelerate the release of land for local reuse.

**(b) Consideration of factors**

In making a determination under subsection (a), the Secretary shall consider the following:

(1) The cost savings achievable by the Federal Government.

(2) The potential for reuse of the site.

(3) The risks that the site poses to local health and safety.

(4) The proximity of the site to populated areas.

**(c) Savings provision**

Nothing in this section may be construed to affect a specific statutory requirement for a specific defense environmental cleanup activity or project or to modify or otherwise affect applicable statutory or regulatory defense environmental cleanup requirements, including substantive standards intended to protect public health and the environment.

(Pub. L. 107-314, div. D, title XLIV, §4405, formerly Pub. L. 104-106, div. C, title XXXI, §3156, Feb. 10, 1996, 110 Stat. 625; renumbered Pub. L. 107-314, div. D, title XLIV, §4405, and amended Pub. L. 108-136, div. C, title XXXI, §3141(g)(6), Nov. 24, 2003, 117 Stat. 1765; Pub. L. 113-66, div. C, title XXXI, §3146(e)(6), Dec. 26, 2013, 127 Stat. 1076.)

CODIFICATION

Section was formerly set out as a note under section 7274k of Title 42, The Public Health and Welfare, prior to renumbering by Pub. L. 108-136.

AMENDMENTS

2013—Pub. L. 113-66, §3146(e)(6)(A), substituted “defense environmental cleanup” for “environmental restoration and waste management” in section catchline.

Subsec. (a). Pub. L. 113-66, §3146(e)(6)(B), substituted “defense environmental cleanup” for “environmental restoration and waste management”.

Subsec. (b)(2) to (5). Pub. L. 113-66, §3146(e)(6)(C), redesignated pars. (3) to (5) as (2) to (4), respectively, and struck out former par. (2), which read as follows: “The amount of time for completion of environmental restoration and waste management activities and projects at the site that can be reduced from the time specified for completion of such activities and projects in the baseline environmental management report required to be submitted for 1995 under section 3153 of the National Defense Authorization Act for Fiscal Year 1994 (42 U.S.C. 7274k), the predecessor provision to section 2584 of this title.”

Subsecs. (c), (d). Pub. L. 113-66, §3146(e)(6)(D)-(F), redesignated subsec. (d) as (c), substituted “specific defense environmental cleanup” for “specific environmental restoration or waste management” and “regulatory defense environmental cleanup” for “regulatory environmental restoration and waste management”, and struck out former subsec. (c) which required Secretary to report on each site for which schedule for environmental restoration and waste management activities had been accelerated.

2003—Subsec. (b)(2). Pub. L. 108-136, §3141(g)(6)(D), inserted “, the predecessor provision to section 2584 of this title” before period at end.

**§ 2586. Defense environmental cleanup technology program**

**(a) Establishment of program**

The Secretary of Energy shall establish and carry out a program of research for the development of technologies useful for—

(1) the reduction of environmental hazards and contamination resulting from defense waste; and