

§ 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 Repealed.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

(2) environmental restoration of inactive defense waste disposal sites.

(b) Definitions

As used in this section:

(1) The term “defense waste” means waste, including radioactive waste, resulting primarily from atomic energy defense activities of the Department of Energy.

(2) The term “inactive defense waste disposal site” means any site (including any facility) under the control or jurisdiction of the Secretary of Energy which is used for the disposal of defense waste and is closed to the disposal of additional defense waste, including any site that is subject to decontamination and decommissioning.

(Pub. L. 107-314, div. D, title XLIV, §4406, formerly Pub. L. 101-189, div. C, title XXXI, §3141, Nov. 29, 1989, 103 Stat. 1679; Pub. L. 105-85, div. C, title XXXI, §3152(g), Nov. 18, 1997, 111 Stat. 2042; renumbered Pub. L. 107-314, div. D, title XLIV, §4406, and amended Pub. L. 108-136, div. C, title XXXI, §3141(g)(7), Nov. 24, 2003, 117 Stat. 1765; Pub. L. 113-66, div. C, title XXXI, §3146(e)(7), Dec. 26, 2013, 127 Stat. 1077; Pub. L. 113-291, div. C, title XXXI, §3142(g), Dec. 19, 2014, 128 Stat. 3900.)

CODIFICATION

Section was formerly classified to section 7274a of Title 42, The Public Health and Welfare, prior to renumbering by Pub. L. 108-136.

AMENDMENTS

2014—Subsec. (a). Pub. L. 113-291 substituted “useful for—” for “useful for” before par. (1) designation and “; and” for “, and” at end of par. (1) and realigned margins of pars. (1) and (2).

2013—Pub. L. 113-66, §3146(e)(7)(A), substituted “environmental” for “waste” in section catchline.

Subsecs. (b), (c). Pub. L. 113-66, §3146(e)(7)(B), (C), which directed amendment of section by striking subsecs. (b) and (c) and redesignating subsec. (d) as (b), was executed by striking subsec. (b), which related to coordination of research activities, and redesignating subsec. (c) as (b) to reflect the probable intent of Congress and the amendment by Pub. L. 105-85, §3152(g), which redesignated former subsec. (d) as (c). See 1997 Amendment note below.

2003—Pub. L. 108-136, §3141(g)(7)(D), made technical amendment to section catchline.

1997—Subsecs. (c), (d). Pub. L. 105-85 redesignated subsec. (d) as (c) and struck out former subsec. (c) which required Secretary of Energy to submit to Congress not later than Apr. 1 each year a report on research activities of Department of Energy for development of technologies referred to in subsec. (a).

§ 2587. Report on defense environmental cleanup expenditures

Each year, at the same time the President submits to Congress the budget for a fiscal year (pursuant to section 1105 of title 31), the Secretary of Energy shall submit to Congress a report on how the defense environmental cleanup funds of the Department of Energy were expended during the fiscal year preceding the fiscal year during which the budget is submitted. The report shall include details on expenditures by operations office, installation, budget category, and activity. The report also shall include any schedule changes or modifications to

planned activities for the fiscal year in which the budget is submitted.

(Pub. L. 107-314, div. D, title XLIV, §4407, formerly Pub. L. 101-510, div. C, title XXXI, §3134, Nov. 5, 1990, 104 Stat. 1833; renumbered Pub. L. 107-314, div. D, title XLIV, §4407, and amended Pub. L. 108-136, div. C, title XXXI, §3141(g)(8), Nov. 24, 2003, 117 Stat. 1765; Pub. L. 113-66, div. C, title XXXI, §3146(e)(8), Dec. 26, 2013, 127 Stat. 1077.)

CODIFICATION

Section was formerly classified to section 7274c of Title 42, The Public Health and Welfare, prior to renumbering by Pub. L. 108-136.

AMENDMENTS

2013—Pub. L. 113-66 substituted “defense environmental cleanup” for “environmental restoration” in section catchline and “defense environmental cleanup funds” for “environmental restoration and waste management funds for defense activities” in text.

2003—Pub. L. 108-136, §3141(g)(8)(D), made technical amendment to section catchline.

§ 2588. Public participation in planning for defense environmental cleanup

The Secretary of Energy shall consult with the Administrator of the Environmental Protection Agency, the Attorney General, Governors and attorneys general of affected States, appropriate representatives of affected Indian tribes, and interested members of the public in any planning conducted by the Secretary for defense environmental cleanup activities at Department of Energy defense nuclear facilities.

(Pub. L. 107-314, div. D, title XLIV, §4408, formerly Pub. L. 103-337, div. C, title XXXI, §3160(e), Oct. 5, 1994, 108 Stat. 3095; renumbered Pub. L. 107-314, div. D, title XLIV, §4408, and amended Pub. L. 108-136, div. C, title XXXI, §3141(g)(9), Nov. 24, 2003, 117 Stat. 1765; Pub. L. 113-66, div. C, title XXXI, §3146(e)(9), Dec. 26, 2013, 127 Stat. 1077.)

CODIFICATION

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

AMENDMENTS

2013—Pub. L. 113-66 substituted “defense environmental cleanup” for “environmental restoration and waste management at defense nuclear facilities” in section catchline and substituted “attorneys general” for “Attorneys General” and “defense environmental cleanup activities” for “environmental restoration and waste management” in text.

2003—Pub. L. 108-136, §3141(g)(9)(C), substituted “Public participation in planning for environmental restoration and waste management at defense nuclear facilities” for “Public participation in planning” in section catchline.

§ 2589. Policy of Department of Energy regarding future defense environmental management matters

(a) Policy required

(1) Commencing not later than October 1, 2005, the Secretary of Energy shall have in effect a policy for carrying out future defense environmental management matters of the Department