

Sec.	
2709.	Investment control process for environmental technologies.
2710.	Inventory of unexploded ordnance, discarded military munitions, and munitions constituents at defense sites (other than operational ranges).
2711.	Annual report on defense environmental programs.
2712.	Reporting on usage and spills of aqueous film-forming foam.
2713.	Native American lands environmental mitigation program.

AMENDMENTS

2021—Pub. L. 116-283, div. A, title III, §§318(b), 319(b), Jan. 1, 2021, 134 Stat. 3519, 3521, added items 2712 and 2713.

2011—Pub. L. 112-81, div. A, title III, §317(b), title X, §1061(22)(B), Dec. 31, 2011, 125 Stat. 1360, 1584, struck out item 2706 “Annual reports to Congress” and added item 2711.

2002—Pub. L. 107-314, div. A, title III, §313(d)(1), Dec. 2, 2002, 116 Stat. 2508, added items 2700 and 2707 and struck out former item 2707 “Definitions”.

2001—Pub. L. 107-107, div. A, title III, §311(a)(2), Dec. 28, 2001, 115 Stat. 1051, added item 2710.

1999—Pub. L. 106-65, div. A, title III, §323(b)(2), Oct. 5, 1999, 113 Stat. 563, added item 2709.

1996—Pub. L. 104-201, div. A, title III, §322(a)(2), Sept. 23, 1996, 110 Stat. 2478, substituted “accounts” for “transfer account” in item 2703.

1991—Pub. L. 102-190, div. A, title III, §331(a)(2), Dec. 5, 1991, 105 Stat. 1340, added item 2708.

Pub. L. 102-25, title VII, §701(e)(6), Apr. 6, 1991, 105 Stat. 114, substituted “Annual reports to Congress” for “Annual report to Congress” in item 2706.

1989—Pub. L. 101-189, div. A, title III, §357(a)(2)(B), Nov. 29, 1989, 103 Stat. 1427, which directed amendment of the item relating to section 2706 in the table of sections at the beginning of chapter 106 to read “Annual reports to Congress”, could not be executed because item 2706 is in this chapter and not in chapter 106.

§ 2700. Definitions

In this chapter:

(1) The term “CERCLA” means the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.).

(2) The term¹ “environment”, “facility”, “hazardous substance”, “person”, “pollutant or contaminant”, “release”, “removal”, “response”, “disposal”, and “hazardous waste” have the meanings given those terms in section 101 of CERCLA (42 U.S.C. 9601).

(3) The term “Administrator” means the Administrator of the Environmental Protection Agency.

(Added Pub. L. 99-499, title II, §211(a)(1)(B), Oct. 17, 1986, 100 Stat. 1725, §2707; renumbered §2700 and amended Pub. L. 107-314, div. A, title III, §313(a)(1), (c)(1), Dec. 2, 2002, 116 Stat. 2507; Pub. L. 111-383, div. A, title X, §1075(b)(46)(A), Jan. 7, 2011, 124 Stat. 4371; Pub. L. 116-92, div. A, title III, §316(b), Dec. 20, 2019, 133 Stat. 1304; Pub. L. 116-283, div. A, title III, §314(b), Jan. 1, 2021, 134 Stat. 3514.)

REFERENCES IN TEXT

The Comprehensive Environmental Response, Compensation, and Liability Act of 1980, referred to in par. (1), is Pub. L. 96-510, Dec. 11, 1980, 94 Stat. 2767, as

¹ So in original. Probably should be “terms”.

amended, which is classified principally to chapter 103 (§9601 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 9601 of Title 42 and Tables.

AMENDMENTS

2021—Par. (2). Pub. L. 116-283, §314(b), which directed amendment of par. (1) by substituting “The term” for “(A) The terms” and striking subpar. (B), was executed by making the amendment in par. (2) to reflect the probable intent of Congress. Prior to amendment, subpar. (B) of par. (2) read as follows: “The term ‘facility’ includes real property that is owned by, leased to, or otherwise possessed by the United States at locations at which military activities are conducted under this title or title 32 (including real property owned or leased by the Federal Government that is licensed to and operated by a State for training for the National Guard).”

2019—Par. (2). Pub. L. 116-92 designated existing provisions as subpar. (A) and added subpar. (B).

2011—Par. (2). Pub. L. 111-383 inserted “‘pollutant or contaminant’,” after “‘person’,”.

2002—Pub. L. 107-314, §313(c)(1), added par. (1) and redesignated former pars. (1) and (2) as (2) and (3), respectively.

Pub. L. 107-314, §313(a)(1), renumbered section 2707 of this title as this section.

SAVINGS CLAUSE

Pub. L. 116-92, div. A, title III, §316(d), Dec. 20, 2019, 133 Stat. 1304, provided that: “Nothing in this section [amending this section and sections 2701 and 2707 of this title], or the amendments made by this section, shall affect any requirement or authority under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.).”

§ 2701. Environmental restoration program

(a) ENVIRONMENTAL RESTORATION PROGRAM.—

(1) IN GENERAL.—The Secretary of Defense shall carry out a program of environmental restoration at facilities under the jurisdiction of the Secretary. The program shall be known as the “Defense Environmental Restoration Program”.

(2) APPLICATION OF SECTION 120 OF CERCLA.—Activities of the program described in subsection (b)(1) shall be carried out subject to, and in a manner consistent with, section 120 (relating to Federal facilities) of CERCLA (42 U.S.C. 9620).

(3) CONSULTATION WITH EPA.—The program shall be carried out in consultation with the Administrator of the Environmental Protection Agency.

(4) ADMINISTRATIVE OFFICE WITHIN OSD.—The Secretary shall identify an office within the Office of the Secretary which shall have responsibility for carrying out the program.

(b) PROGRAM GOALS.—Goals of the program shall include the following:

(1) The identification, investigation, research and development, and cleanup of contamination from a hazardous substance or pollutant or contaminant.

(2) Correction of other environmental damage (such as detection and disposal of unexploded ordnance) which creates an imminent and substantial endangerment to the public health or welfare or to the environment.

(3) Demolition and removal of unsafe buildings and structures, including buildings and