Public Law 95-236
95th Congress

An Act

Feb. 21, 1978
[S. 266]

To authorize appropriations for financial assistance to limit radiation exposure to the public from uranium mill tailings used for construction, and for other purposes.

Radiation exposure.
Remedial action.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

APPROPRIATIONS AUTHORIZATION

SECTION 1. In addition to amounts otherwise authorized to be appropriated and appropriated, there is authorized to be appropriated, for the fiscal year 1979, $1,500,000 to carry out the provisions of title II of the Act of June 16, 1972 (Public Law 92-314; 86 Stat. 226).

AMENDMENTS TO PROGRAM PROVIDING REMEDIAL ACTION REGARDING URANIUM MILL TAILINGS

Federal-State cooperation.

SEC. 2. (a) Section 202 of the Act of June 16, 1972, is amended—

(1) in subsection (b), by striking out "four years" and inserting in lieu thereof "eight years"; and

(2) by striking out "and" at the end of subsection (f), by striking out the colon at the end of subsection (g) and inserting a semicolon in lieu thereof, and by inserting after subsection (g) the following new subsections:

"(h) that, notwithstanding any requirement under subsection (b) or (c) of this section, payment for any remedial action commenced before the date of the enactment of this subsection may be made by the State to the property owner of record at the time such action was undertaken, but only if application therefor is filed by such owner with the State of Colorado within one year after such date of enactment and if the Secretary determines that such remedial action was undertaken in accordance with otherwise applicable provisions of this title and regulations thereunder; and

Waiver.

"(i) that the provision of subsection (c) of this section requiring any remedial action undertaken under this title be performed by the State of Colorado or its authorized contractor may be waived in writing by the State, with the approval of the Secretary, but only if application therefor is filed with the State by the property owner of record requesting such waiver and such waiver is granted before the commencement of such remedial action:".

Report to congressional committees.

(b) Title II of such Act is amended by adding at the end thereof the following new section:

"SEC. 205. Not later than one year after the date of the enactment of this section, the Secretary of Energy shall prepare and submit a detailed report to the Committees on Interstate and Foreign Commerce and on the Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the Senate with respect to actions taken or to be taken under this title, including data on payments made to the State and owners of record and a time table of those actions yet to be taken.".

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(c) Section 202 of such Act is further amended— 86 Stat. 226.

(1) by striking out "Atomic Energy Commission" each place it appears and inserting "Secretary of Energy" in lieu thereof;

(2) by striking out "Commission" each place it appears and inserting "Secretary" in lieu thereof; and

(3) by striking out "the Joint Committee on Atomic Energy" each place it appears and inserting "both Houses of Congress" in lieu thereof.

(d) Section 203 of such Act is amended— 86 Stat. 226.

(1) by striking out "Atomic Energy Commission" and inserting "Secretary of Energy" in lieu thereof; and

(2) by striking out "as it deems necessary" and inserting "as he deems necessary" in lieu thereof.

(e) Authority to make payments under title II of such Act under amendments made by this Act shall be available only to such extent or in such amounts as are provided in advance in appropriation Acts. Payment authority.

Approved February 21, 1978.

LEGISLATIVE HISTORY:

HOUSE REPORTS: No. 95-649, pt. 1 (Comm. on Interstate and Foreign Commerce) and No. 95-649, pt. 2 (Comm. on Interior and Insular Affairs).
SENATE REPORT No. 95-72 (Comm. on Energy and Natural Resources).
CONGRESSIONAL RECORD:
Vol. 123 (1977): Apr. 4, considered and passed Senate.
Vol. 124 (1978): Jan. 24, considered and passed House, amended.
Feb. 7, Senate concurred in House amendments.