

Subsec. (c)(9). Pub. L. 116–260, § 2007(a)(3)(D), substituted “2040” for “2020”.

Subsec. (c)(12)(B). Pub. L. 116–260, § 2007(a)(3)(E), inserted “or the Suspension Agreement” after “the Russian HEU Agreement”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2024 AMENDMENT

Pub. L. 118–62, § 2(b)(2), May 13, 2024, 138 Stat. 1024, provided that: “The amendment to section 3112A(c)(2)(A)(xi) of the USEC Privatization Act (42 U.S.C. 2297h–10a(c)(2)(A)(xi)) made by paragraph (1)(A) of this subsection shall take effect on the date that is 90 days after the date of the enactment of this Act [May 13, 2024].”

APPLICABILITY

Pub. L. 116–260, div. Z, title II, § 2007(b), Dec. 27, 2020, 134 Stat. 2474, provided that: “The amendments made by subsection (a) [amending this section] apply with respect to uranium imported from the Russian Federation on or after January 1, 2021.”

§ 2297h–10b. Secretarial determinations; congressional notification

(a) Secretarial determinations

In this fiscal year, and in each subsequent fiscal year, any determination (including a determination made prior to December 16, 2014) by the Secretary of Energy under section 2297h–10(d)(2)(B) of this title shall be valid for not more than 2 calendar years subsequent to such determination.

(b) Congressional notification

In this fiscal year, and in each subsequent fiscal year, not less than 30 days prior to the provision of uranium in any form the Secretary of Energy shall notify the Committees on Appropriations of the House of Representatives and the Senate of the following—

- (1) the provisions of law (including regulations) authorizing the provision of uranium;
- (2) the amount of uranium to be provided;
- (3) an estimate by the Secretary of Energy of the gross fair market value of the uranium on the expected date of the provision of the uranium;
- (4) the expected date of the provision of the uranium;
- (5) the recipient of the uranium;
- (6) the value the Secretary of Energy expects to receive in exchange for the uranium, including any adjustments to the gross fair market value of the uranium; and
- (7) whether the uranium to be provided is encumbered by any restriction on use under an international agreement or otherwise.

(Pub. L. 113–235, div. D, title III, § 306, Dec. 16, 2014, 128 Stat. 2324.)

Editorial Notes

CODIFICATION

Section was enacted as part of the Energy and Water Development and Related Agencies Appropriations Act, 2015, and also as part of the Consolidated and Further Continuing Appropriations Act, 2015, and not as part of the Atomic Energy Act of 1954 which comprises this chapter.

§ 2297h–11. Low-level waste

(a) Responsibility of DOE

(1) The Secretary, at the request of the generator, shall accept for disposal low-level radioactive waste, including depleted uranium if it were ultimately determined to be low-level radioactive waste, generated by—

(A) the Corporation as a result of the operations of the gaseous diffusion plants or as a result of the treatment of such wastes at a location other than the gaseous diffusion plants, or

(B) any person licensed by the Nuclear Regulatory Commission to operate a uranium enrichment facility under sections 2073, 2093, and 2243 of this title.

(2) Except as provided in paragraph (3), the generator shall reimburse the Secretary for the disposal of low-level radioactive waste pursuant to paragraph (1) in an amount equal to the Secretary’s costs, including a pro rata share of any capital costs, but in no event more than an amount equal to that which would be charged by commercial, State, regional, or interstate compact entities for disposal of such waste.

(3) In the event depleted uranium were ultimately determined to be low-level radioactive waste, the generator shall reimburse the Secretary for the disposal of depleted uranium pursuant to paragraph (1) in an amount equal to the Secretary’s costs, including a pro rata share of any capital costs.

(4) In the event that a licensee requests the Secretary to accept for disposal depleted uranium pursuant to this subsection, the Secretary shall be required to take title to and possession of such depleted uranium at an existing DUF6 storage facility.

(b) Agreements with other persons

The generator may also enter into agreements for the disposal of low-level radioactive waste subject to subsection (a) with any person other than the Secretary that is authorized by applicable laws and regulations to dispose of such wastes.

(c) State or interstate compacts

Notwithstanding any other provision of law, no State or interstate compact shall be liable for the treatment, storage, or disposal of any low-level radioactive waste (including mixed waste) attributable to the operation, decontamination, and decommissioning of any uranium enrichment facility.

(Pub. L. 104–134, title III, § 3113, Apr. 26, 1996, 110 Stat. 1321–347; Pub. L. 108–447, div. C, title III, § 311, Dec. 8, 2004, 118 Stat. 2959.)

Editorial Notes

CODIFICATION

Section was enacted as part of the USEC Privatization Act and also as part of the Omnibus Consolidated Rescissions and Appropriations Act of 1996, and not as part of the Atomic Energy Act of 1954 which comprises this chapter.

AMENDMENTS

2004—Subsec. (a)(4). Pub. L. 108–447, § 311, which directed the addition of par. (4) to subsec. (a) of section