develop a future use plan under this section and for which no citizen advisory board has been established, the Secretary shall establish a citizen advisory board.

(2) The Secretary may authorize the manager of a defense nuclear facility for which a future use plan is developed under this section (or, if there is no such manager, an appropriate official of the Department of Energy designated by the Secretary) to pay routine administrative expenses of a citizen advisory board established for that facility. Such payments shall be made from funds available to the Secretary for defense environmental cleanup activities necessary for national security programs.

(d) Requirement to consult with citizen advisory board

In developing a future use plan under this section with respect to a defense nuclear facility, the Secretary of Energy shall consult with a citizen advisory board established pursuant to subsection (c) or a similar advisory board already in existence as of September 23, 1996, for such facility, affected local governments (including any local future use redevelopment authorities), and other appropriate State agencies.

(e) 50-year planning period

A future use plan developed under this section shall cover a period of at least 50 years.

(f) Report

Not later than 60 days after completing development of a final plan for a site listed in subsection (b), the Secretary of Energy shall submit to Congress a report on the plan. The report shall describe the plan and contain such findings and recommendations with respect to the site as the Secretary considers appropriate.

(g) Savings provisions

(1) Nothing in this section, or in a future use plan developed under this section with respect to a defense nuclear facility, shall be construed as requiring any modification to a future use plan with respect to a defense nuclear facility that was developed before September 23, 1996.

(2) Nothing in this section may be construed to affect statutory requirements for a 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, 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.)

Editorial Notes

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.

(D) For any milestone that has been missed, renegotiated, or postponed, a statement of the current milestone, the original milestone, and any interim milestones.

(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; Pub. L. 116–283, div. C, title XXXI, § 3122, Jan. 1, 2021, 134 Stat. 4381.)

Editorial Notes

AMENDMENTS

2021—Subsec. (b)(3)(D). Pub. L. 116–283 added subpar. (D).

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. Repealed. Pub. L. 117–263, div. C, title XXXI, § 3132(a)(1)(B)(i), Dec. 23, 2022, 136 Stat. 3060

Section, 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, related to the integrated fissile materials management plan.

§ 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 disposition projects for a site at a Department of Energy defense nuclear facility if the Secretary determines that such an accelerated schedule will accelerate the recapitalization, modernization, or replacement of National Nuclear Security Administration facilities supporting the nuclear weapons stockpile, achieve meaningful, long-term cost savings to the Federal Government, or could substantially accelerate the release of land for local reuse without undermining national security objectives.

(b) Consideration of factors

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

(1) The extent to which accelerated cleanup schedules can contribute to a more rapid modernization of National Nuclear Security Administration facilities.

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

(3) The potential for reuse of the site.

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

(5) 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; Pub. L. 118–159, div. C, title XXXI, § 3111(c)(6), Dec. 23, 2024, 138 Stat. 2295.)

Editorial Notes

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.