

Public Law 104-259  
104th Congress

An Act

To extend the authorization of the Uranium Mill Tailings Radiation Control Act of 1978, and for other purposes.

Oct. 9, 1996

[H.R. 2967]

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

**SECTION 1. REFERENCE.**

Whenever in this Act (other than in section 3) an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Uranium Mill Tailings Radiation Control Act of 1978.

**SEC. 2. TERMINATION; AUTHORIZATION.**

Section 112(a) (42 U.S.C. 7922(a)) is amended to read as follows:

“(a)(1) The authority of the Secretary to perform remedial action under this title shall terminate on September 30, 1998, except that—

“(A) the authority of the Secretary to perform groundwater restoration activities under this title is without limitation, and

“(B) the Secretary may continue operation of the disposal site in Mesa County, Colorado (known as the Cheney disposal cell) for receiving and disposing of residual radioactive material from processing sites and of byproduct material from property in the vicinity of the uranium milling site located in Monticello, Utah, until the Cheney disposal cell has been filled to the capacity for which it was designed, or September 30, 2023, whichever comes first.

“(2) For purposes of this subsection, the term ‘byproduct material’ has the meaning given that term in section 11e.(2) of the Atomic Energy Act of 1954 (42 U.S.C. 2014(e)(2)).”.

**SEC. 3. REMEDIAL ACTION AT ACTIVE PROCESSING SITES.**

(a) SECTION 1001.—Section 1001 of the Energy Policy Act of 1992 (42 U.S.C. 2296a) is amended—

(1) in subsection (b)(2)(A), by striking “\$5.50” and inserting “\$6.25”;

(2) in subsection (b)(2)(B), by striking “\$270,000,000” and inserting “\$350,000,000”;

(3) in subsection (b)(2)(C), by striking “\$40,000,000” and inserting “\$65,000,000”;

(4) in subsection (b)(2)(E)(i), by striking “\$5.50” and inserting “\$6.25”; and

(5) in subsection (b)(2)(E)(ii), by striking “\$5.50” and inserting “\$6.25”.

(b) SECTION 1003.—Section 1003 of such Act (42 U.S.C. 2296a-2) is amended by striking “\$310,000,000” and inserting “\$415,000,000”.

**SEC. 4. REMEDIAL ACTION FOR THE DISPOSAL OF RADIOACTIVE MATERIALS.**

42 USC 7914.

(a) SECTION 104.—Section 104(d) (42 U.S.C. 4914(d)) is amended by adding at the end the following: “For purposes of this subsection, the term ‘site’ does not include any property described in section 101(6)(B) which is in a State which the Secretary has certified has a program which would achieve the purposes of this subsection.”

(b) SECTION 108.—Section 108(a)(1) (42 U.S.C. 7918(a)(1)) is amended by adding at the end the following: “Residual radioactive material from a processing site designated under this title may be disposed of at a facility licensed under title II under the administrative and technical requirements of such title. Disposal of such material at such a site in accordance with such requirements shall be considered to have been done in accordance with the administrative and technical requirements of this title.”

(c) SECTION 115.—Section 115(a) (42 U.S.C. 7925(a)) is amended by adding at the end the following: “This subsection does not prohibit the disposal of residual radioactive material from a processing site under this title at a site licensed under title II or the expenditure of funds under this title for such disposal.”

Approved October 9, 1996.

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**LEGISLATIVE HISTORY—H.R. 2967:**

HOUSE REPORTS: No. 104-536 (Comm. on Commerce).

SENATE REPORTS: No. 104-301 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 142 (1996):

May 14, considered and passed House.

Sept. 28, considered and passed Senate.