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## United States Senate

COMMITTEE ON  
ENERGY AND NATURAL RESOURCES  
WASHINGTON, DC 20510-6150

NOV 13 1989

Chairman Lando W. Zech, Jr.  
U.S. Nuclear Regulatory  
Commission  
Washington, DC 20555

Dear Chairman Zech:

The Senate Committee on Energy and Natural Resources is herewith transmitting S. 1304 for your study and report. Please send your report, along with 50 copies, to the Committee on Energy and Natural Resources, SD-364, Dirksen Senate Office Building, Washington, DC 20510, Attention: Mia' Miranda. Hand delivered copies should be taken to SD-317.

Submit your report within 30 days. If you cannot do so, let us know as soon as possible.

Sincerely,



J. Bennett Johnston  
Chairman

Enclosure

Referred also to: *QMB*

101ST CONGRESS  
1ST SESSION

# S. 1304

To enhance nuclear safety at Department of Energy nuclear facilities, to modify certain functions of the Defense Nuclear Facilities Safety Board, to apply the provisions of OSHA to certain Department of Energy nuclear facilities, to clarify the jurisdiction and powers of Government agencies dealing with nuclear wastes, to ensure independent research on the effects of radiation on human beings, to encourage a process of environmental compliance and cleanup at these facilities, to protect communities that contain these facilities, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JULY 12 (legislative day, JANUARY 8), 1989

Mr. GLENN (for himself, Mr. ADAMS, Mr. DASCHLE, Mr. DeCONCINI, Mr. KOHL, Mr. LIEBERMAN, Mr. METZENBAUM, Ms. MIKULSKI, Mr. PRYOR, and Mr. STEVENS) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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## A BILL

To enhance nuclear safety at Department of Energy nuclear facilities, to modify certain functions of the Defense Nuclear Facilities Safety Board, to apply the provisions of OSHA to certain Department of Energy nuclear facilities, to clarify the jurisdiction and powers of Government agencies dealing with nuclear wastes, to ensure independent research on the effects of radiation on human beings, to encourage a process of environmental compliance and cleanup at these facilities, to protect communities that contain these facilities, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "DOE Nuclear Safety and  
5 Environment Act".

6 **SEC. 2. FINDINGS.**

7 The Congress finds that—

8 (1) the operation of the Department of Energy nu-  
9 clear weapons facilities suffers from many significant  
10 problems, including an overall emphasis on production  
11 at the expense of safety and the environment;

12 (2) there is a significant need to upgrade the em-  
13 phasis on safe operation at these facilities; and

14 (3) there is an overriding need to bring these fa-  
15 cilities into compliance with environmental law, and to  
16 clean up hazardous wastes, including toxic and radioac-  
17 tive wastes at these facilities.

18 **TITLE I—OVERSIGHT OF DE-**  
19 **FENSE NUCLEAR FACILITIES**  
20 **SAFETY BOARD**

21 **SEC. 101. DEPARTMENT OF ENERGY DEFENSE NUCLEAR**  
22 **FACILITY.**

23 Section 318 of chapter 21 of the Atomic Energy Act of  
24 1954 is amended by—

25 (1) amending paragraph (1) to read as follows:



1           “(1) A production facility or utilization facility (as  
2 defined in section 11 of this Act) that is under the con-  
3 trol or jurisdiction of the Secretary of Energy and that  
4 is operated for national security purposes (such term  
5 includes the tritium loading facility at Savannah River,  
6 South Carolina, the 236 H facility at Savannah River,  
7 South Carolina, and the Mound Laboratory, Ohio), but  
8 the term does not include—

9           “(A) any facility or activity covered by Ex-  
10 ecutive Order No. 12344, dated February 1,  
11 1982, pertaining to the Naval nuclear propulsion  
12 program;

13           “(B) any facility or activity involved with the  
14 transportation of nuclear explosives or nuclear  
15 material; or

16           “(C) any facility that does not conduct  
17 atomic energy defense activities.”; and

18           (2) adding at the end thereof the following:

19           “(3) A testing and assembly facility that is under  
20 the control or jurisdiction of the Secretary of Energy  
21 and that is operated for national security purposes, in-  
22 cluding the test site facility in Nevada, the Pinnellas  
23 Plant, Florida, and the Pantex facility, Texas.”.

1 **SEC. 102. PROTECTION OF MEMBERS OF BOARD.**

2 Section 311(b) of chapter 21 of the Atomic Energy Act  
3 of 1954 is amended by adding at the end thereof the follow-  
4 ing:

5 “(5) Any member of the Board may be removed  
6 by the President only for inefficiency, neglect of duty,  
7 or malfeasance in office.”.

8 **SEC. 103. REPORT OF ABNORMAL OCCURRENCES BY THE SEC-**  
9 **RETARY OF ENERGY.**

10 The Secretary of Energy shall immediately notify the  
11 Defense Nuclear Facilities Safety Board and the Congress in  
12 the case of any abnormal occurrence at a Department of  
13 Energy defense nuclear facility (as defined in section 318 of  
14 the Atomic Energy Act of 1954) which could result in an  
15 unplanned release of a quantity of radioactive products in  
16 excess of the allowable limits for normal operation.

17 **TITLE II—APPLICATION OF OSHA**  
18 **AND NIOSH TO DOE NUCLEAR**  
19 **FACILITIES**

20 **SEC. 201. FINDINGS AND PURPOSE.**

21 (a) **FINDINGS.**—Congress finds that—

22 (1) worker health and safety at Department of  
23 Energy nuclear facilities could be made substantially  
24 safer by applying the standards developed by experts in  
25 the field of occupational health and safety;



1 (2) the Secretary of Labor has a longstanding re-  
2 sponsibility for the health and safety of workers (in-  
3 cluding the enforcement of occupational health and  
4 safety standards and other protective labor standard  
5 programs) and could provide substantial assistance in  
6 developing, improving, and enforcing the standards at  
7 Department of Energy nuclear facilities; and

8 (3) the Secretary of Health and Human Services  
9 has a continuing responsibility for evaluating health  
10 and safety needs related to radiation and toxic sub-  
11 stances standards and could provide substantial assist-  
12 ance in improving and enforcing the standards at De-  
13 partment of Energy nuclear facilities.

14 (b) PURPOSE.—The purpose of this title is to improve  
15 and enforce standards for employee health and safety at De-  
16 partment of Energy nuclear facilities.

17 **SEC. 202. APPLICATION OF OSHA TO DOE NUCLEAR FACILI-**  
18 **TIES.**

19 (a) GENERAL RULE.—Section 4(b)(1) of the Occupa-  
20 tional Safety and Health Act of 1970 (29 U.S.C. 653(b)(1)) is  
21 amended—

22 (1) by striking out “Nothing” and inserting in lieu  
23 thereof “(A) Except as provided in subparagraph (B),  
24 nothing”; and

1 (2) by adding at the end thereof the following new  
2 subparagraph:

3 "(B)(i) Notwithstanding any other provision of this Act,  
4 this Act shall apply with respect to employment performed  
5 in—

6 "(I) a Department of Energy defense nuclear fa-  
7 cility (as defined in section 318 of the Atomic Energy  
8 Act of 1954) and a production facility or utilization fa-  
9 cility (as defined in section 11 of the Atomic Energy  
10 Act of 1954) under the control or jurisdiction of the  
11 Secretary of Energy;

12 "(II) a facility subject to such Act (42 U.S.C.  
13 2011 et seq.) under the control or jurisdiction of the  
14 Secretary of Energy; and

15 "(III) a waste storage or disposal facility under  
16 the control of or jurisdiction of the Secretary of  
17 Energy.

18 "(ii) This subparagraph shall not apply to a facility or  
19 activity covered under Executive Order 12344 (42 U.S.C.  
20 7158 note)."

21 (b) REGULATIONS AND STANDARDS.—

22 (1) CURRENT REGULATIONS AND STANDARDS.—

23 All regulations and standards relating to occupational  
24 health and safety applicable to Department of Energy  
25 nuclear facilities described in section 4(b)(1)(B)(i) of the

1 Occupational Safety and Health Act of 1970 (as  
2 amended by subsection (a)) that are in effect on the  
3 date of enactment of this Act shall remain in effect  
4 until superseded by regulations and standards promul-  
5 gated by the Secretary of Labor in accordance with  
6 paragraph (2).

7 (2) REVISED REGULATIONS AND STANDARDS.—

8 The Secretary of Labor shall promulgate specific regu-  
9 lations to govern the application of such Act to such  
10 Department of Energy nuclear facilities. The regula-  
11 tions shall include—

12 (A) the occupational health and safety stand-  
13 ards to be applied to such facilities; and

14 (B) the manner and process for enforcement  
15 of the standards, which shall include provisions  
16 for—

17 (i) the safeguarding of information, con-  
18 sistent with the needs of employees of the  
19 Occupational Safety and Health Administra-  
20 tion;

21 (ii) mechanisms and processes for en-  
22 forcement, including the right of entry for  
23 unannounced inspections without probable  
24 cause;



1 (iii) receipt of complaints from individ-  
2 uals and protection of the individuals from  
3 retribution for making the complaints;

4 (iv) procedures for inspection at such fa-  
5 cilities not less than once each year; and

6 (v) such other regulations as are neces-  
7 sary to carry out this title and the amend-  
8 ments made by this title.

9 **SEC. 203. PERFORMANCE OF NIOSH FUNCTIONS AT DOE NU-**  
10 **CLEAR FACILITIES.**

11 Section 22 of the Occupational Safety and Health Act  
12 of 1970 (29 U.S.C. 671) is amended by adding at the end  
13 thereof the following new subsection:

14 “(g)(1) Notwithstanding any other provision of this Act,  
15 the Director and the Institute shall perform functions author-  
16 ized by this Act at Department of Energy nuclear facilities  
17 described in section 4(b)(1)(B)(i).

18 “(2) The Institute shall conduct hazard evaluations at  
19 such facilities, including ionizing radiation evaluations.”.

20 **SEC. 204. COOPERATION WITH INSPECTIONS AND INVESTIGA-**  
21 **TIONS.**

22 Section 8 of the Occupational Safety and Health Act of  
23 1970 (29 U.S.C. 657) is amended by adding at the end there-  
24 of the following new subsection:

1       “(h)(1) Except as provided in paragraph (2), the Secre-  
2 tary of Energy and each contractor operating a nuclear facili-  
3 ty described in section 4(b)(1) shall—

4           “(A) cooperate with the Secretary of Labor and  
5 the Secretary of Health and Human Services in the  
6 conduct of an inspection or investigation under this Act  
7 at such facility;

8           “(B) grant access to such facility to enable the  
9 conduct of such inspection or investigation; and

10          “(C) provide all information that is necessary to  
11 conduct such inspection or investigation.

12       “(2) To protect the confidentiality of information, the  
13 Secretary of Energy may deny access to any person who—

14           “(A) has not been granted a security clearance or  
15 access authorization by the Secretary; or

16           “(B) does not require such access in connection  
17 with the duties of such person to enforce this Act.”.

18       **TITLE III—MIXED HAZARDOUS**  
19                               **WASTE**

20       **SEC. 301. SHORT TITLE.**

21       This title may be cited as the “Mixed Hazardous Waste  
22 Amendment Act of 1989”.

23       **SEC. 302. FINDINGS.**

24       The Congress finds that—

1 (1) the generation, transportation, treatment, stor-  
2 age, and disposal of solid waste mixed with radioactive  
3 material poses potential hazards to public health,  
4 safety, and environment unless carefully planned and  
5 managed;

6 (2) the Department of Energy's facilities are  
7 actual or potential producers of such solid waste mixed  
8 with radioactive material; and

9 (3) the authority of the Environmental Protection  
10 Agency and authorized States to regulate the disposal  
11 of solid waste mixed with radioactive material at the  
12 Department of Energy's facilities should be clarified.

13 **SEC. 303. PURPOSE.**

14 The purpose of this title is to clarify the intent of Con-  
15 gress that the generation, transportation, treatment, storage,  
16 and disposal of solid waste mixed with radioactive material at  
17 the Department of Energy facilities, including facilities not  
18 licensed for the disposal of radioactive materials is subject to  
19 the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.), in  
20 addition to existing authority under the Atomic Energy Act  
21 of 1954 (42 U.S.C. 2011 et seq.).

22 **SEC. 304. CLARIFYING AMENDMENT TO DEFINITION OF SOLID**  
23 **WASTE.**

24 Section 1004(27) (42 U.S.C. 6903(27)) of the Solid  
25 Waste Disposal Act is amended—



1 (1) by inserting "(A)" after "(27)";

2 (2) by striking out ", or source, special nuclear, or  
3 by-product material as defined by the Atomic Energy  
4 Act of 1954, as amended (68 Stat. 923)"; and

5 (3) by adding at the end thereof the following new  
6 subparagraph:

7 "(B) The term 'solid waste' does not include—

8 "(i) source, special nuclear, or by-product  
9 materials as defined in section 11 of the Atomic  
10 Energy Act of 1954 (42 U.S.C. 2014), unless  
11 such materials are a part of any mixture or com-  
12 bination, if the other constituent part of such mix-  
13 ture or combination is a solid waste, within the  
14 meaning of subparagraph (A); or

15 "(ii) wastes at the time they are emplaced at  
16 a repository, as defined in section 2(18) of the  
17 Nuclear Waste Policy Act of 1982 (42 U.S.C.  
18 10101(18))."

19 **SEC. 305. APPLICABILITY OF AMENDMENTS.**

20 This title and the amendments made thereby—

21 (1) are clarifying in nature with respect to the  
22 purpose stated in section 303; and

23 (2) shall not be construed as—

24 (A) altering existing Department of Energy  
25 authority to regulate source, special nuclear, or

1 by-product materials when in a mixture or combi-  
2 nation with a solid waste; or

3 (B) affecting, modifying, or amending the  
4 Uranium Mill Tailings Radiation Control Act of  
5 1978.

6 **TITLE IV—THE RADIATION**  
7 **RESEARCH BOARD**

8 **SEC. 401. SHORT TITLE.**

9 This title may be cited as the "Radiation Research  
10 Board Act".

11 **SEC. 402. FINDINGS.**

12 The Congress makes the following findings:

13 (1) After many years of study there remain unre-  
14 solved questions about the health effects of radiation  
15 exposure from many sources, including nuclear weap-  
16 ons manufacturing and testing, nuclear reactors,  
17 radioactive wastes, and the medical uses of nuclear  
18 materials.

19 (2) Radiation-caused injury and disease, including  
20 cancer, birth defects, and genetic damage, must be fur-  
21 ther examined and better understood.

22 (3) Public health authorities must be able to direct  
23 research efforts on the health effects of radiation so  
24 that effective means of protecting the public against

1 dangerous exposure to radiation can be developed and  
2 achieved.

3 (4) The Secretary of Energy is primarily responsi-  
4 ble for the production of nuclear materials and nuclear  
5 weapons. In addition, the Secretary is required to  
6 study the health impact of activities of the Department  
7 of Energy. These dual responsibilities have the poten-  
8 tial to create public concern as to the integrity and  
9 value of the health studies conducted by the Secretary  
10 of Energy.

11 (5) The Department of Energy is in possession of  
12 extensive information and data pertaining to the health  
13 effects of radioactive and other hazardous materials  
14 which should be made more widely available to well-  
15 qualified researchers.

16 **SEC. 403. ADVISORY BOARD.**

17 (a) **IN GENERAL.—**

18 (1) **ESTABLISHMENT.—**To advise and assist the  
19 Secretary of Energy in conducting studies of the effects  
20 of radiation under section 103 of the Energy Reorgani-  
21 zation Act of 1974 (42 U.S.C. 5813), and any other  
22 law, the Secretary of Health and Human Services shall  
23 establish an advisory board known as the Radiation  
24 Research Board (hereafter in this title referred to as  
25 the "Board").



## 1 (2) MEMBERSHIPS.—

2 (A) APPOINTMENT.—The Board shall con-  
3 sist of 8 members appointed by the Secretary of  
4 Health and Human Services, 1 member appointed  
5 by the Secretary of Energy, and 2 members ap-  
6 pointed by the Secretary of Labor. The Secretary  
7 of Health and Human Services shall make ap-  
8 pointments to the Board so that the membership  
9 of the Board includes individuals who are expert  
10 in the health effects of radiation, epidemiology, or  
11 toxicology, and public health officials who are  
12 concerned with such health effects.

13 (B) CONSULTATION.—The Secretary of  
14 Health and Human Services shall consult with  
15 the Director of the Centers for Disease Control,  
16 the Director for the National Institute for Occupa-  
17 tional Safety and Health, the Director of the Na-  
18 tional Cancer Institute, the Director of the Center  
19 for Devices and Radiological Health, the Director  
20 of the National Institute of Environmental Health  
21 Sciences, and others in formulating the member-  
22 ship of the Board.

23 (b) LIMIT ON EXPENDITURES BY SECRETARY OF  
24 ENERGY.—

1           (1) SUBMISSIONS TO BOARD.—Prior to any au-  
2           thorization or expenditure of funds in an amount great-  
3           er than \$50,000 by the Secretary of Energy for studies  
4           of the health effects of radiation, the Secretary of  
5           Energy shall provide the Board with all proposals con-  
6           cerning such studies.

7           (2) REVIEW BY BOARD.—The Board shall review  
8           the proposals provided under paragraph (1) and make  
9           appropriate recommendations to the Secretary of  
10          Energy in writing if the Board believes the proposal  
11          should be modified or not funded.

12          (3) ANNUAL REPORTS BY SECRETARY.—The  
13          Secretary of Energy shall annually report to the Con-  
14          gress concerning the implementation of the recommen-  
15          dations of the Board. Such reports shall include specific  
16          reasons for each decision by the Secretary not to im-  
17          plement a recommendation made by the Board.

18          (4) ANNUAL REVIEW BY BOARD.—The Board  
19          shall annually review the studies conducted pursuant to  
20          this title, and advise the Secretary of Energy as to the  
21          suggested scope and direction of future studies needed.

22          (5) REQUIREMENT OF PEER REVIEW.—The Sec-  
23          retary of Energy, with the assistance of the Board,  
24          shall—

1 (A) insure that all studies undertaken under  
2 this title shall be subject to peer review; and

3 (B) promulgate guidelines for the provision of  
4 data from such studies to qualified researchers  
5 who are not associated with the Department of  
6 Energy in order to implement subparagraph (A).

7 (c) FUNDING AND STAFFING.—The Secretary of Health  
8 and Human Services shall provide such funds, facilities, and  
9 staff as are necessary for the Board.

10 **SEC. 404. PUBLIC ACCESS TO FEDERAL DATA PERTAINING TO**  
11 **THE HEALTH EFFECTS OF RADIOACTIVE AND**  
12 **OTHER HAZARDOUS MATERIALS IN THE POS-**  
13 **SESSION OF THE DEPARTMENT OF ENERGY.**

14 (a) IN GENERAL.—The Secretary of Energy shall make  
15 any data pertaining to the health effects of radioactive and  
16 other hazardous materials in the possession of the Depart-  
17 ment of Energy or its contractors available to qualified re-  
18 searchers.

19 (b) STANDARDS.—The Radiation Research Board, in  
20 consultation with the Secretary of Energy, shall establish  
21 procedures to expedite the release of data pursuant to this  
22 section.



1 **TITLE V—OFFICE OF ENVIRON-**  
2 **MENT, SAFETY, AND HEALTH**  
3 **WITHIN THE DEPARTMENT OF**  
4 **ENERGY**

5 **SEC. 501. OFFICE OF ENVIRONMENT, SAFETY, AND HEALTH.**

6 There shall be within the Department of Energy an  
7 Office for Environment, Safety, and Health which shall be  
8 headed by an Assistant Secretary who shall be one of the  
9 Assistant Secretaries appointed as provided in section 203 of  
10 the Department of Energy Organization Act (42 U.S.C.  
11 7133). In addition to such other functions as may be assigned  
12 by the Secretary of Energy to the Assistant Secretary for  
13 Environment, Safety, and Health under section 203 of such  
14 Act, the Assistant Secretary shall have the following specific  
15 authorities and responsibilities:

16 (1) To—

17 (A) annually review conformance of the De-  
18 partment's activities with all applicable environ-  
19 mental laws and regulations so as to protect the  
20 health and safety of workers and the public; and

21 (B) annually report to the Secretary on the  
22 status of conformance and the status of Depart-  
23 ment's efforts to ensure that—

1 (i) national environmental protection  
2 goals are incorporated into the formulation  
3 and implementation of energy programs;

4 (ii) environmental and safety concerns  
5 are identified, prioritized and addressed  
6 through corrective and remedial actions; and

7 (iii) areas of environmental and safety  
8 risk are reduced.

9 (2) To provide liaison with other Federal agen-  
10 cies, including the Environmental Protection Agency,  
11 concerning regulatory efforts and specific actions of  
12 those agencies that may have an effect upon the De-  
13 partment operations.

14 (3) To act as an advocate and spokesman for the  
15 Department's positions on environmental, safety, and  
16 quality assurance issues.

17 (4) To represent the Department on interagency,  
18 national and international environmental and safety  
19 committees, and working groups.

20 (5) To exercise independent review and approval  
21 of environmental impact statements prepared by the  
22 Department pursuant to the National Environmental  
23 Policy Act.

24 (6) To exercise concurrence authority with respect  
25 to the safety related aspects of the construction and

1 initial operating authorizations for reactors, high  
2 hazard, and selected moderate hazard nuclear facilities.

3 (7) To monitor compliance so as to reduce areas  
4 of environmental, safety, and health risks.

5 (8) To require the immediate shutdown of any De-  
6 partment of Energy facility that poses an unreasonable  
7 environmental, safety, or health risk.

8 (9) To undertake any other responsibilities at the  
9 direction or delegation of the Secretary.

10 **TITLE VI—DEFENSE NUCLEAR FA-**  
11 **CILITY CLEANUP COMPLIANCE**  
12 **AGREEMENTS**

13 **SEC. 601. DEFENSE NUCLEAR FACILITY CLEANUP COMPLI-**  
14 **ANCE AGREEMENTS**

15 (a) **IN GENERAL.**—(1) Not later than 18 months after  
16 the date of enactment of this Act—

17 (A) the Administrator of the Environmental Protec-  
18 tion Agency;

19 (B) the Secretary of Energy; and

20 (C) each State containing a Department of  
21 Energy defense nuclear facility (as defined by section  
22 318 of the Atomic Energy Act of 1954),

23 shall negotiate a defense nuclear facility cleanup agreement  
24 as provided in subsection (b).



1 (2) Nothing in this section shall be construed as affecting  
2 or requiring the modification of any agreement entered into  
3 before the date of enactment of this Act.

4 (b) CONTENT OF AGREEMENT.—The compliance  
5 agreement referred to in subsection (a) shall, with respect to  
6 each Department of Energy defense nuclear facility, con-  
7 tain—

8 (1) the best possible inventory of past and current  
9 environmental problems at the facility that require  
10 cleanup and abatement;

11 (2) a schedule for remediation with milestones,  
12 deadlines, and budget quality data; and

13 (3) an agreement as to the type of notice which  
14 shall be given if there are any releases at the facility  
15 which violate the agreement or environmental law.

16 (c) NOTICE TO CONGRESS UPON FAILURE TO REACH  
17 AGREEMENT.—If an agreement cannot be reached as pro-  
18 vided in subsections (a) and (b) 18 months after the date of  
19 enactment of this Act, the Secretary of Energy shall—

20 (i) immediately notify the Congress of the failure  
21 to reach agreement; and

22 (ii) include in such notice an explanation of why  
23 the negotiations failed by the Secretary and any State  
24 involved in the negotiations for such agreement (if such

1 State notifies the Secretary that the State wants to in-  
2 clude such an explanation).

3 (d) AGREEMENTS ENFORCED AS CONSENT DE-  
4 CREES.—Any agreement entered into under this section shall  
5 be entered and enforced as a consent decree.

6 **TITLE VII—REPEAL OF PROHIBI-**  
7 **TION ON THE USE OF FUNDS**  
8 **TO PAY PENALTIES UNDER EN-**  
9 **VIRONMENTAL LAWS**

10 **SEC. 701. REPEAL OF PROHIBITION.**

11 Section 3132 of Public Law 99-661 is repealed.

12 **TITLE VIII—DEPARTMENT OF EN-**  
13 **ERGY FACILITY CLOSING RE-**  
14 **STRICTIONS**

15 **SEC. 801. DEPARTMENT OF ENERGY FACILITY CLOSING RE-**  
16 **STRICTIONS.**

17 Upon closing any Department of Energy defense nucle-  
18 ar facility (as defined by section 318 of the Atomic Energy  
19 Act of 1954), the Secretary must provide—

20 (1) a complete survey of environmental problems  
21 at the facility;

22 (2) budget quality data indicating the cost of re-  
23 turning the facility to an environmentally safe multi-  
24 use condition; and

1           (3) a report to the Congress on the cost and pro-  
2           posed schedule of the facility's cleanup, and how the  
3           Department of Energy intends to initiate and complete  
4           the cleanup.

○