

Uranium Mill Tailings Radiation Control Act of 1978

42 U.S.C. §§7901-7942

Remedial action program

The Secretary of Energy shall designate processing sites that require **remedial action**, establish priorities among them, and notify the governor of each affected state. [42 U.S.C. §7912(a), (b), (c)]

The Secretary is authorized to enter into **cooperative agreements** with states to perform remedial actions at the designated processing sites within each state. The statute establishes certain requirements of such agreements. [42 U.S.C. §7913]

Each cooperative agreement shall require the state (where determined appropriate by the Nuclear Regulatory Commission) to acquire any designated processing site. [42 U.S.C. §7914(a)]

A cooperative agreement may require the state to acquire land to be used as a disposal site for residual radioactive materials (including uranium mill tailings) removed from a processing site. [42 U.S.C. §7914(b)]

Subsequent purchasers of designated processing sites shall be notified of the prior presence of radioactive materials on the site. [42 U.S.C. §7914(d)]

The statute provides for the means by which a state, following remedial action, may use or dispose of the lands acquired. Lands used for the disposal of residual radioactive materials shall be transferred to the Secretary. [42 U.S.C. §7914(e), (f)]

The statute provides for **federal-state cost sharing** for remedial actions pursuant to cooperative agreements. [42 U.S.C. §7917(a)]

The Secretary shall **select and perform remedial actions** at processing and disposal sites with the concurrence of the Commission and in accordance with the general health and environmental standards for uranium mill tailings promulgated by the Administrator of EPA pursuant to the Atomic Energy Act of 1954. The state shall participate in a remedial action for which it pays part of the cost. [42 U.S.C. §7918(a)]

The statute establishes **civil penalties** for violations of the statute, cooperative agreements, or rules promulgated pursuant to the statute. [42 U.S.C. §7920(a)]

The authority of the Secretary to perform remedial action under this statute shall terminate on September 30, 1996. However, the Secretary may continue to perform groundwater restoration activities without limitation. [42 U.S.C. §7922(a)]

No amount may be spent for remedial action at any licensed, active facility for production of uranium products from ores. [42 U.S.C. §7925(a)]

The Attorney General may take action under any provision of law in effect when uranium was produced at a designated site to require payment by the previous owner or operator of the site of the costs of the remedial action. [42 U.S.C. §7925(b)]

Note: Certain sections of the AEA of 1954 pertaining to the regulation of byproduct material (including uranium mill tailings) were enacted by the same law that included the text of the Uranium Mill Tailings Radiation Control Act of 1978. Pub. L. 95-604, 92 Stat. 3021 (1978).