

§ 192.00

40 CFR Ch. I (7-1-03 Edition)

- 192.41 Provisions.
- 192.42 Substitute provisions.
- 192.43 Effective date.

APPENDIX I TO PART 192—LISTED CONSTITUENTS

AUTHORITY: Sec. 275 of the Atomic Energy Act of 1954, 42 U.S.C. 2022, as added by the Uranium Mill Tailings Radiation Control Act of 1978, Pub. L. 95-604, as amended.

SOURCE: 48 FR 602, Jan. 5, 1983, unless otherwise noted.

Subpart A—Standards for the Control of Residual Radioactive Materials from Inactive Uranium Processing Sites

§ 192.00 Applicability.

This subpart applies to the control of residual radioactive material at designated processing or depository sites under section 108 of the Uranium Mill Tailings Radiation Control Act of 1978 (henceforth designated “the Act”), and to restoration of such sites following any use of subsurface minerals under section 104(h) of the Act.

§ 192.01 Definitions.

(a) *Residual radioactive material* means:

(1) Waste (which the Secretary determines to be radioactive) in the form of tailings resulting from the processing of ores for the extraction of uranium and other valuable constituents of the ores; and

(2) Other wastes (which the Secretary determines to be radioactive) at a processing site which relate to such processing, including any residual stock of unprocessed ores or low-grade materials.

(b) *Remedial action* means any action performed under section 108 of the Act.

(c) *Control* means any remedial action intended to stabilize, inhibit future misuse of, or reduce emissions or effluents from residual radioactive materials.

(d) *Disposal site* means the region within the smallest perimeter of residual radioactive material (excluding cover materials) following completion of control activities.

(e) *Depository site* means a site (other than a processing site) selected under Section 104(b) or 105(b) of the Act.

(f) *Curie (Ci)* means the amount of radioactive material that produces 37 billion nuclear transformation per second. One picocurie (pCi) = 10^{-12} Ci.

(g) *Act* means the Uranium Mill Tailings Radiation Control Act of 1978, as amended.

(h) *Administrator* means the Administrator of the Environmental Protection Agency.

(i) *Secretary* means the Secretary of Energy.

(j) *Commission* means the Nuclear Regulatory Commission.

(k) *Indian tribe* means any tribe, band, clan, group, pueblo, or community of Indians recognized as eligible for services provided by the Secretary of the Interior to Indians.

(l) *Processing site* means:

(1) Any site, including the mill, designated by the Secretary under Section 102(a)(1) of the Act; and

(2) Any other real property or improvement thereon which is in the vicinity of such site, and is determined by the Secretary, in consultation with the Commission, to be contaminated with residual radioactive materials derived from such site.

(m) *Tailings* means the remaining portion of a metal-bearing ore after some or all of such metal, such as uranium, has been extracted.

(n) *Disposal period* means the period of time beginning March 7, 1983 and ending with the completion of all subpart A requirements specified under a plan for remedial action except those specified in § 192.03 and § 192.04.

(o) *Plan for remedial action* means a written plan (or plans) for disposal and cleanup of residual radioactive materials associated with a processing site that incorporates the results of site characterization studies, environmental assessments or impact statements, and engineering assessments so as to satisfy the requirements of subparts A and B of this part. The plan(s) shall be developed in accordance with the provisions of Section 108(a) of the Act with the concurrence of the Commission and in consultation, as appropriate, with the Indian Tribe and the Secretary of Interior.

(p) *Post-disposal period* means the period of time beginning immediately after the disposal period and ending at