

§ 192.22

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

where only minor quantities of residual radioactive materials are involved. Examples are residual radioactive materials under hard surface public roads and sidewalks, around public sewer lines, or in fence post foundations. Supplemental standards should not be applied at such sites, however, if individuals are likely to be exposed for long periods of time to radiation from such materials at levels above those that would prevail under §192.12(a).

(d) The cost of a remedial action for cleanup of a building under §192.12(b) is clearly unreasonably high relative to the benefits. Factors that should be included in this judgment are the anticipated period of occupancy, the incremental radiation level that would be affected by the remedial action, the residual useful lifetime of the building, the potential for future construction at the site, and the applicability of less costly remedial methods than removal of residual radioactive materials.

(e) There is no known remedial action.

(f) The restoration of groundwater quality at any designated processing site under §192.12(c) is technically impracticable from an engineering perspective.

(g) The groundwater meets the criteria of §192.11(e).

(h) Radionuclides other than radium-226 and its decay products are present in sufficient quantity and concentration to constitute a significant radiation hazard from residual radioactive materials.

[48 FR 602, Jan. 5, 1983, as amended at 60 FR 2868, Jan. 11, 1995]

§ 192.22 Supplemental standards.

Federal agencies implementing subparts A and B may in lieu thereof proceed pursuant to this section with respect to generic or individual situations meeting the eligibility requirements of §192.21.

(a) When one or more of the criteria of §192.21(a) through (g) applies, the Secretary shall select and perform that alternative remedial action that comes as close to meeting the otherwise applicable standard under §192.02(c)(3) as is reasonably achievable.

(b) When §192.21(h) applies, remedial actions shall reduce other residual ra-

dioactivity to levels that are as low as is reasonably achievable and conform to the standards of subparts A and B to the maximum extent practicable.

(c) The implementing agencies may make general determinations concerning remedial actions under this section that will apply to all locations with specified characteristics, or they may make a determination for a specific location. When remedial actions are proposed under this section for a specific location, the Department of Energy shall inform any private owners and occupants of the affected location and solicit their comments. The Department of Energy shall provide any such comments to the other implementing agencies. The Department of Energy shall also periodically inform the Environmental Protection Agency of both general and individual determinations under the provisions of this section.

(d) When §192.21(b), (f), or (g) apply, implementing agencies shall apply any remedial actions for the restoration of contamination of groundwater by residual radioactive materials that is required to assure, at a minimum, protection of human health and the environment. In addition, when §192.21(g) applies, supplemental standards shall ensure that current and reasonably projected uses of the affected groundwater are preserved.

[48 FR 602, Jan. 5, 1983, as amended at 60 FR 2868, Jan. 11, 1995]

§ 192.23 Effective date.

Subparts A, B, and C shall be effective March 7, 1983.

Subpart D—Standards for Management of Uranium Byproduct Materials Pursuant to Section 84 of the Atomic Energy Act of 1954, as Amended

SOURCE: 48 FR 45946, Oct. 7, 1983, unless otherwise noted.

§ 192.30 Applicability.

This subpart applies to the management of uranium byproduct materials under section 84 of the Atomic Energy Act of 1954 (henceforth designated “the