

THE ROCKY MOUNTAIN LOW-LEVEL RADIOACTIVE WASTE BOARD

POLICY

**EXPORT OF CYCLOTRONS CONTAINING LOW-
LEVEL RADIOACTIVE WASTE FROM THE
ROCKY MOUNTAIN COMPACT REGION**

WHEREAS, Article VII(b) of the Rocky Mountain Low-level Radioactive Waste Compact (“Compact”) makes it unlawful for any person to export any low-level radioactive waste (“LLRW”) generated within the Compact Region from the Compact Region unless authorized to do so by the Compact Board (“Board”); and

WHEREAS, Compact Rule 6 prohibits any person from exporting waste generated within the Compact Region unless an export permit has been issued pursuant to Rule 6; and

WHEREAS, persons want to export from the Compact Region cyclotrons for purposes of repairing and reusing (“repurposing”) them; and

WHEREAS, in certain cases, a cyclotron may be repurposed in its entirety such that no LLRW results from the repurposing process; and

WHEREAS, in certain cases, a cyclotron may not be repurposed in its entirety but may result in LLRW that is subject to Compact jurisdiction, which LLRW will have been exported from the Compact Region without a permit; and

WHEREAS, the person who wants to export the cyclotron may not be able to determine, prior to export, the volume of LLRW that may result from the repurposing of the cyclotron; and

WHEREAS, the terms used in this policy shall have the same meaning as those terms are defined in the Rules of the Board, unless the terms are defined herein; and

The Board hereby finds and determines as follows:

Section 1.0. **Definitions.**

- 1.1 **Cyclotron.** For purposes of this policy, the term “cyclotron” shall mean a particle accelerator and its constituent parts and ancillary support equipment, including, without limitation, cyclotron vaults, target vaults, hot cells, and fume hoods.
- 1.2 **Repurposing.** “Repurposing” shall mean repairing and reusing.

Section 2.0. **Policy.**

- 2.1 **Notice to Director.** Before exporting a cyclotron or any portion thereof, the person seeking to export the cyclotron or portion thereof shall notify the Board of the planned export by filing a notice in such form as is prescribed by the Executive Director.
- 2.2 **Export Permit for Known LLRW.** Before a cyclotron is exported from the Compact Region, the person planning to export the cyclotron shall determine what portion, if any, of the shipment is suitable for repurposing. If the person determines that the cyclotron or any portion thereof will be disposed of as LLRW, the person shall, prior to export, obtain an Export Permit issued in accordance with Board Rule 6 for the cyclotron or portion thereof that will be disposed of as LLRW.
- 2.3 **Export of Undetermined LLRW.** If, prior to export, the person cannot determine whether the cyclotron or any portion thereof will be disposed of as LLRW, then the person may export the cyclotron without obtaining an Export Permit subject to compliance with the provisions of this Policy.
- 2.4 **Export permit for Resulting LLRW.** If after exporting the cyclotron or any portion thereof LLRW results (which is not already the subject of an export permit), the person shall, within five (5) working days of knowledge of the existence of LLRW, apply for an Export Permit in accordance with Board Rule 6 for the actual volume (in cubic feet) of such LLRW and pay all fees required in connection therewith.

Section 3.0. **Effective Date.** This Policy shall become effective upon adoption by the Board.

Cyclotron Equipment Policy
June 19, 2014
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Upon a motion duly made and seconded, this Declaratory Order was adopted by a vote of three (3) to zero (0) on the nineteenth (19th) day of June, 2014.