

THE ROCKY MOUNTAIN LOW-LEVEL RADIOACTIVE WASTE BOARD

POLICY

**EXPORT OF EQUIPMENT CONTAINING
INCIDENTAL AMOUNTS OF OIL AND GAS NORM
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, oil and gas NORM is one type of LLRW that is subject to the Board’s jurisdiction under the Compact; and

WHEREAS, persons want to export from the Compact Region equipment containing oil and gas NORM so that the equipment may be decontaminated and the equipment repaired or reused; and

WHEREAS, the export of such oil and gas NORM waste within the equipment is subject to Compact jurisdiction and it is difficult to determine the exact volume of such waste prior to export; 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

WHEREAS, for the purpose of this policy, the term “equipment” shall mean articles, implements, or physical resources used in an operation or activity. Equipment shall not include: drums, boxes, bins, pipes, tanks, or other containers that may be used to store or transport items, materials, or wastes.

The Board hereby finds and determines as follows:

Section 1.0 **Policy Date**

1.1 Before any LLRW, including equipment containing oil and gas NORM waste, is exported from the Compact Region, an export permit must be issued in accordance with Board Rule 6.

1.2. Export permits for oil and gas NORM waste contained in equipment shall contain a good faith estimate of the volume (in cubic feet) of the NORM waste contained in the equipment.

1.3 If at the time the waste is removed from the equipment the volume of oil and gas NORM waste that was exported in the equipment is found to be greater than the amount authorized in the export application, the permittee shall notify the Board in writing of the actual volume (in cubic feet) within five working days of removing the waste from the equipment. The permittee shall pay to the Board the additional fees due for the increased volume of oil and gas NORM waste pursuant to Board Rules 6.3.2 and 6.8 within fourteen working days of removing the waste from the equipment.

Section 2.0 **Effective Date.** This Policy shall become effective upon adoption by the Board.

Upon a motion duly made and seconded, this Declaratory Order was adopted by a vote of three to zero on the twelfth day of June, 2012.