

10A NCAC 15 .1202 DEFINITIONS

As used in this Section, the following definitions shall apply.

- (1) "Active maintenance" means any significant remedial activity needed during the period of institutional control to maintain a reasonable assurance that the performance objectives in Rules .1223 and .1224 of this Section are met. Such active maintenance includes ongoing activities such as the pumping and treatment of water from a disposal unit or one-time measures such as replacement of a disposal unit cover. Active maintenance does not include custodial activities such as repair of fencing, repair or replacement of monitoring equipment, revegetation, minor additions to soil cover, minor repair of disposal unit covers, and general disposal site upkeep such as mowing grass.
- (2) "Buffer zone" is a portion of the disposal site that is controlled by the licensee and that lies under the disposal units and between the disposal units and the boundary of the site.
- (3) "Chelating agent" means amine polycarboxylic acids (e.g., EDTA, DTPA), hydroxy-carboxylic acids, and polycarboxylic acids (e.g., citric acid, carboic acid, and gluconic acid).
- (4) "Commencement of construction" means clearing of land, excavation, or other substantial action that would adversely affect the environment of a land disposal facility. The term does not mean disposal site exploration, necessary roads for disposal site exploration, borings to determine foundation conditions, or other preconstruction monitoring or testing to establish background information related to the suitability of the disposal site or the protection of environmental values.
- (5) "Custodial agency" means the North Carolina Low-Level Radioactive Waste Management Authority.
- (6) "Disposal" means the isolation of waste from the biosphere inhabited by man and his food chains by emplacement in a land disposal facility.
- (7) "Disposal site" means that portion of a land disposal facility which is used for disposal of waste. It consists of disposal units and a buffer zone.
- (8) "Disposal system" means the components relied on to ensure that the land disposal facility meets the performance objectives and other requirements of this Section. These components include the site and its characteristics, the facility and disposal unit design, and engineered barriers therein, the waste, facility operations and closure, intruder barriers and institutional control.
- (9) "Disposal unit" means a discrete portion of the disposal site into which waste is placed for disposal. For near-surface disposal, the disposal unit is usually a trench.
- (10) "Engineered barrier" means engineered barrier as defined in G.S. 104E-5(7a).
- (11) "Explosive material" means any chemical compound, mixture, or device, which produces a substantial instantaneous release of gas and heat spontaneously or by contact with sparks or flame.
- (12) "Government agency" means any executive department, commission, independent establishment, or corporation, wholly or partly owned by the United States of America or the State of North Carolina and which is an instrumentality of the United States or the State of North Carolina; or any board, bureau, department, division, service, office, officer, authority, administration, or other establishment in the executive branch of the government.
- (13) "Hazardous waste" means those wastes designated as hazardous by U.S. Environmental Protection Agency regulations in 40 CFR Part 261.
- (14) "Hydrogeologic unit" means any soil or rock unit or zone which by virtue of its porosity or permeability, or lack thereof, has a distinct influence on the storage or movement of groundwater.
- (15) "Inadvertent intruder" means a person who might occupy the disposal site after closure and engage in normal activities, such as agriculture, dwelling construction, or other pursuits in which the person might be unknowingly exposed to radiation from the waste.
- (16) "Intruder barrier" means a sufficient depth of cover over the waste that inhibits contact with waste and helps to ensure that radiation exposures to an inadvertent intruder will meet the performance objectives set forth in this Section, or engineered structures that provide equivalent protection to the inadvertent intruder.
- (17) "Institutional control" means control of the site after the site is closed and stabilized and responsibility for all disposed waste and site maintenance is assumed by the custodial agency.
- (18) "Land disposal facility" means low-level radioactive waste disposal facility as defined in G.S. 104E-5(9c).
- (19) "Low-level radioactive waste" means low-level radioactive waste as defined in G.S. 104E-5(9a) and includes naturally occurring and accelerator produced radioactive material which is not subject to regulation by the U.S. Nuclear Regulatory Commission under the Atomic Energy Act of 1954, as amended, and is suitable for land disposal under the provisions in this Section.

- (20) "Mixed waste" means waste that satisfies the definition of low-level radioactive waste in Item (19) of this Rule and contains hazardous waste that either:
 - (a) is listed as a hazardous waste in Subpart D of 40 CFR Part 261 or
 - (b) causes the low-level radioactive waste to exhibit any of the hazardous waste characteristics identified in Subpart C of 40 CFR Part 261.
- (21) "Monitoring" means observing and making measurements to provide data to evaluate the performance and characteristics of the disposal site.
- (22) "Near-surface disposal facility" means a land disposal facility in which waste is disposed of within approximately the upper 30 meters of the earth's surface.
- (23) "Reconnaissance level information" is any information or analysis that can be retrieved or generated without the performance of new comprehensive site-specific investigations. Reconnaissance level information includes but is not limited to drilling records required by state agencies, other Divisions of this Department, and other relevant published scientific literature.
- (24) "Retrieval" means a remedial action for removal of Class B and C waste from a disposal unit.
- (25) "Shallow land burial" means shallow land burial as defined in G.S. 104E-5(14a).
- (26) "Site closure and stabilization" means those actions that are taken upon completion of operations that prepare the disposal site for custodial care and that assure that the disposal site will remain stable and will not need ongoing active maintenance.
- (27) "State" means the State of North Carolina.
- (28) "Surveillance" means monitoring and observation of the disposal site for purposes of visual detection of need for maintenance, custodial care, evidence of intrusion, and compliance with other license and regulatory requirements.
- (29) "Waste" means low-level radioactive waste that is acceptable for disposal in a land disposal facility. For the purpose of this Section, the words "waste" and "low-level radioactive waste" have the same meaning.

*History Note: Authority G.S. 104E-5; 104E-7; 104E-10; 104E-25;
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