

DIVISION 110

RADIATION SAFETY REQUIREMENTS FOR RADIOACTIVE TAILINGS AND PONDS

333-110-0001 [SCOPE]

The rules in this Division establish requirements for radioactive tailings and ponds containing radioactive material from industrial processes. The provisions of this Division are in addition to, and not in substitution for, other applicable provisions of these rules and any specific license issued pursuant to OAR [333-102-0300](#).¹ The rules in this Division do not apply to activities regulated by the [Uranium Mill Tailings Radiation Control Act of 1978](#).

333-110-0005 [DEFINITIONS]

As used in this Division, these terms have the definitions as set forth below:

(1) *Radioactive* means:

- (a) Concentrations of radioactive material in excess of those concentrations listed in 10 CFR 30.70, [Schedule A](#); or
- (b) Concentrations of naturally occurring radioactive material or other radioactive material not listed in 10 CFR 30.70, [Schedule A](#), which the Agency has determined to present a biological hazard to the occupational or public health and safety.

(2) *Tailings* means any material produced, other than the primary product, in any industrial activity including mining, milling, processing and production.

333-110-0010 [SPECIFIC REQUIREMENTS FOR TAILINGS AND PONDS]

Unless specifically provided otherwise by the Agency, the following requirements for tailings and pond areas shall be fulfilled:

- (1) Access to such areas shall be controlled and posted as specified by the Agency.
- (2) These areas shall be maintained in such a manner that excessive erosion of, or environmental hazards from, radioactive material does not occur:
 - (a) Pile edges adjacent to a river, creek or other water course shall be stabilized to prevent erosion;
 - (b) Drainage ditches sufficient to prevent erosion from surface runoff water shall be provided.
- (3) Prior written approval from the Agency shall be obtained before the surface area of the land shall be put to use.
- (4) With the exception of reprocessing at the site, approval by the Agency must be obtained prior to removal of any material from these areas.

¹ Issuance of specific licenses

333-110-0015 [SALE OR TRANSFER OF THE SITE]

The Agency shall be given written notice 30 days in advance of any contemplated transfer of right, title or interest in the site by deed, lease or other conveyance. The written notice shall contain the name and address of the proposed purchaser or transferee.

333-110-0020 [ABANDONMENT OF THE SITE]

Prior to abandonment of the site, the requirements of this rule shall be fulfilled:

- (1) Piles shall be stabilized against wind and water erosion and contoured in a manner which will prevent collection of water.
- (2) In addition to the above requirements, any material which has been removed from the pile by natural forces shall be returned to the pile.
- (3) Ponds shall be drained and covered with materials that prevent blowing of dust. Water drained from the ponds shall be disposed of in a manner approved by the Agency.
- (4) Detailed plans for compliance with § [0020\(1\)-\(3\)](#) shall be submitted to the Agency for review and approval.

333-110-0025 [WAIVER]

Upon application to the Agency, certain requirements of this Division may be waived or modified if it can be shown that the requirements are unnecessary or impractical in specific cases.