

## Procedure For Certification of 11e.(2) Material

Pursuant to License Condition 9.6(c), License No. SMC1559, Envirocare shall obtain certification from the generator or owner of the waste that the waste is 11e.(2) byproduct material. Envirocare shall perform independent verification as to the accuracy of the information contained in the certification. The purpose of this certification, and independent verification, is to preclude from disposal in the NRC licensed disposal site all wastes other than 11e.(2) byproduct material. Envirocare shall evaluate the information supplied in the certification and the information obtained through independent verification to determine whether the waste material to be disposed is only 11e.(2) material.

Envirocare shall comply with the following procedure:

1. The owner or generator of the waste will execute a certification substantially in the following form:

[Generator or Owner] hereby certifies that the waste material identified below is 11e.(2) byproduct material, as defined by the Atomic Energy Act, as amended. Specifically, [Generator or Owner] hereby certifies that the waste materials are "...tailings or wastes produced by the extraction or concentration of uranium or thorium from any ore processed primarily for its source material content." This certification is based upon [Generator or Owner]'s documentation of the source or origin of the waste.

[Generator or Owner] hereby certifies that the waste material does not contain any other radioactive waste or hazardous waste.

[Generator or Owner] hereby certifies that all of the waste material was produced by the extraction or concentration of uranium or thorium from ore processed primarily for its source material content under the following licenses and does not contain any other radioactive wastes:

License:

Licensee:

License Date:

Agency:

Type License:

Tailings Volume:

Exhibit "A" to this certification identifies all radiological and non-radiological constituents in the waste, and the maximum and average concentrations of such constituents in the waste. [Generator or Owner]

certifies that the waste characterization set forth in Exhibit "A" was performed by the methods stated in Exhibit "A" and such methods are either EPA approved or standard in the industry and are reasonably designed to identify the hazardous constituents contained in the waste.

This certification is made by a responsible company authority.

**Description Of Waste:**

Dated this \_\_\_\_ day of \_\_\_\_, 199\_\_.

[Generator or Owner]

\_\_\_\_\_  
Name

Title

2. Envirocare will obtain the certification required by paragraph 1, above, prior to acceptance of the subject waste from the owner or generator for disposal.
3. Envirocare will use 11e.(2) RSR forms (Figures 16.1 and 16.2 of the License Application) which require certification that each shipment of waste is only 11e.(2) byproduct material, is the same as that described in the original certification by the generator or owner, and does not contain other radiological waste or hazardous waste.
4. Envirocare will review the certification made by the owner or generator of the waste material and verify through independent means that the representations made by the certification are accurate. Independent verification may include a review of agency or public records to determine that the information regarding the source of the waste material is accurate. Envirocare may also rely upon other information to determine that waste material is 11e.(2) waste including, but not limited to, final determinations made by a court or agency that the material is 11e.(2) waste material.
5. Envirocare will perform independent chemical and radiological analyses of the wastes to verify that the wastes are as certified by the owner generator. The independent chemical and radiological analyses shall be performed by an independent certified third party laboratory and shall be analyzed by methods that are EPA approved or standard in the industry and are reasonably designed to identify the hazardous constituents contained in the waste. Envirocare shall

obtain a sample for analysis from the first shipment received by Envirocare. Envirocare shall obtain at least one sample for analysis for each 50,000 tons Envirocare receives of the subject waste material. Sampling shall be performed in accordance with Section 16.1 of the License Application. The sampling described by this procedure is in addition to the sampling set forth in Section 16.1 of the License Application.

6. Pursuant to License Condition 10.2, Envirocare will identify as a new hazardous constituent any hazardous constituent identified by the certification or Envirocare's independent analysis that is not listed in License Condition 11.1, provided that the concentration of the hazardous constituent is confirmed to be in excess of 50% of the hazardous waste concentration standards set forth in 40 CFR Part 261.
7. Envirocare will reconcile with the owner or generator any significant differences between the owner or generators certification and Envirocare's independent verification. Significant differences include, but are not limited to, differences concerning the origins of the material, differences in radiological composition, or differences in hazardous constituents. Envirocare will not accept for disposal the subject waste material until after the representations in the initial certification have been verified. In the event that Envirocare's ongoing sampling verification program as set forth in paragraph 5, above, indicates that the composition of the waste may not be 11e.(2) waste, or that the hazardous constituents may not be consistent with 11e.(2) waste, then Envirocare will suspend disposal operations for the subject waste until the matter has been resolved and/or the waste material is verified to be only 11e.(2) waste.

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# LINER COMPATIBILITY REPORT

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ENVIROCARE OF UTAH  
11e.(2) BYPRODUCT MATERIAL DISPOSAL SITE  
SOUTH CLIVE, UTAH

MARCH 1994

