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NRC IMPOSES NEW REQUIREMENTS ON EXPORTS
AND IMPORTS OF RADIOACTIVE WASTES

The Nuclear Regulatory Commission is amending its regulations to require that a specific license be issued before radioactive wastes are exported from or imported into the United States. Previously, such shipments could be made under the terms of two general licenses which do not require an application to be filed with the NRC or that licensing documents be issued to a specific person.

The amended regulations conform the policies of the United States to the International Atomic Energy Agency (IAEA) Code of Practice on the International Transboundary Movement of Radioactive Waste.

A basic principle of this code is that international movements of radioactive wastes should take place only with the prior notification and consent of the sending, receiving and transit countries. It also provides that no receiving country should permit the receipt of radioactive waste for management or disposal unless it has the administrative and technical capacity and regulatory structure to do so in a manner consistent with international safety standards.

This code was approved in September 1990 with strong support from the United States government. Until now, however, the Commission's regulations were not consistent with the code's principles, particularly with regard to the possible transfer of low-level radioactive wastes.

To the Commission's knowledge, there is no appreciable export or import traffic in radioactive wastes in the United States with the possible exception of depleted, sealed radioactive sources being returned to a manufacturer for recycle or disposal. This practice is generally encouraged by government authorities to help ensure that these sources are handled in a responsible manner at the end of their useful life. Accordingly, such shipments are being excluded from the requirement for a specific license and may be exported or imported under the existing general licenses.

Also excluded are:

- Shipments of so-called "attendant radioactive waste", that is radioactive material that is contained in or is a contaminant of any non-hazardous, non-radioactive materials that are being exported or imported for recycling or recovery of the non-radioactive material.

- Shipments of equipment, contaminated with radioactive material, that is used in nuclear facilities, if the equipment is being shipped for use in another nuclear facility and not for management or disposal.

- The return of military and other U. S. government radioactive waste to the United States when it is destined for a federal or military facility authorized to possess it.

- Radioactive waste generated in support of any U. S. government research and development testing program being conducted under international arrangements.

The amended regulations require the Commission to publish a notice in the Federal Register of receipt of any application for a specific license for the export or import of radioactive waste. The Commission then will seek the views of appropriate federal and state agencies on import license applications. The Department of State, as lead Executive Branch agency for nuclear exports, has agreed to notify other federal agencies of the receipt of an application for a specific export license.

Since the states and low-level radioactive waste compacts have responsibilities for the safe management and disposal of low-level radioactive wastes, the Commission will take reasonable steps to inform them of applications for specific import and export licenses.

The amendments to Part 110 of the Commission's regulations will become effective on August 21.

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