

PART He-P 4023 WASTE DISPOSAL

Statutory Authority RSA 125-F:5,V

**Readopt with amendment He-P 4023.01 and He-P 4023.02, effective 5/23/2014 (Document #10604), to read as follows:**

He-P 4023.01 Disposal Requirements.

(a) A licensee shall dispose of radioactive material only:

- (1) By transfer to an authorized recipient as provided in He-P 4023.06 or in He-P 4030 or to the U.S. Department of Energy;
- (2) By decay in storage;
- (3) By release in effluents within the limits in He-P 4020.4413; or
- (4) As authorized pursuant to He-P 4023.02, He-P 4023.03, He-P 4023.04, He-P 4023.05, or He-P 4023.08.

(b) A person shall have a specific license to receive waste containing licensed material from other persons for:

- (1) Treatment prior to disposal;
- (2) Treatment or disposal by incineration;
- (3) Decay in storage;
- (4) Disposal at a land disposal facility licensed pursuant to He-P 4062; or
- (5) Storage until transferred to a storage or disposal facility authorized to receive the waste.

He-P 4023.02 Method for Obtaining Approval of Proposed Disposal Procedures.

(a) A licensee or applicant for a license ~~may~~ shall apply to the [department of health and human services radiological health section \(DHHS/RHS\)](#) in accordance with He-P 4030 for approval of proposed procedures to dispose of licensed material generated in the licensee's operations.

(b) Each application shall include:

- (1) A description of the waste containing licensed material to be disposed of, including the physical and chemical properties that have an impact ~~on~~ to risk evaluation, and the proposed manner and conditions of waste disposal;
- (2) An analysis and evaluation of pertinent information on the nature of the environment;
- (3) The nature and location of other potentially affected licensed and unlicensed facilities; and
- (4) Analyses and procedures to ensure that doses are maintained [as low as reasonably achievable](#) ALARA and within the dose limits in He-P 4020.

**Readopt He-P 4023.03, effective 4/20/2022 (Document #13371), to read as follows:**

He-P 4023.03 Disposal by Release into Sanitary Sewerage.

(a) A licensee may discharge licensed material into sanitary sewerage if each of the following conditions is satisfied:

- (1) The material is readily soluble, or is readily dispersible biological material, in water;
- (2) The quantity of licensed or other radioactive material that the licensee releases into the sewer in one month divided by the average monthly volume of water released into the sewer by the licensee does not exceed the concentration listed in Table 4090.1, Table III of He-P 4090 or the equivalent tables in 10 CFR 20 Appendix B;
- (3) If more than one radionuclide is released:
  - a. The licensee shall determine the fraction of the limit in Table 4090.1, Table III of He-P 4090 or the equivalent tables in 10 CFR 20 Appendix B represented by discharges into sanitary sewerage by dividing the actual monthly average concentration of each radionuclide released by the licensee into the sewer by the concentration of that radionuclide listed in Table 4090.1, Table III of He-P 4090 or the equivalent tables in 10 CFR 20 Appendix B; and
  - b. The sum of the fractions for each radionuclide required by He-P 4023.03(a)(3)a. shall not exceed unity; and
- (4) The total quantity of licensed and other radioactive material that the licensee releases into the sanitary sewerage in a year does not exceed 185 GBq (5 Ci) of hydrogen-3, 37 GBq (1 Ci) of carbon-14, and 37 GBq (1 Ci) of all other radioactive materials combined.

(b) Excreta from individuals undergoing medical diagnosis or therapy with radioactive material shall not be subject to the limitations contained in He-P 4023.03(a).

**Readopt with amendment He-P 4023.04 through He-P 4023.08, effective 5/23/2014 (Document #10604), to read as follows:**

He-P 4023.04 Treatment or Disposal by Incineration. A licensee may treat or dispose of licensed material by incineration only in the form and concentration specified in He-P 4023.05 or as specifically approved by ~~the~~ DHHS/RHS pursuant to He-P 4023.02.

He-P 4023.05 Disposal of Specific Wastes.

(a) A licensee shall dispose of the following licensed material, 1.85 kBq (0.05  $\mu$ Ci), or less, of hydrogen-3 or carbon-14 per gram of medium used for liquid scintillation counting and 1.85 kBq (0.05  $\mu$ Ci), or less, of hydrogen-3 or carbon-14 per gram of animal tissue, averaged over the weight of the entire animal, as if it were not radioactive.:

- ~~(1) 1.85 kBq (0.05  $\mu$ Ci), or less, of hydrogen-3 or carbon-14 per gram of medium used for liquid scintillation counting; and~~
- ~~(2) 1.85 kBq (0.05  $\mu$ Ci), or less, of hydrogen-3 or carbon-14 per gram of animal tissue, averaged over the weight of the entire animal.~~

(b) A licensee shall not dispose of tissue having been treated with radioactive material pursuant to He-P 4023.05(a)(2) in a manner that would permit its use either as food for humans or as animal feed.

(c) The licensee shall maintain records in accordance with He-P 4021.09.

He-P 4023.06 Transfer for Disposal and Manifests.

(a) This section shall:

(1) Control transfers of low-level radioactive waste by any waste generator, waste collector, or waste processor licensee who ships low-level waste either directly, or indirectly through a waste collector or waste processor, to a licensed low-level waste land disposal facility as defined in He-P 4003;

(2) Establish a manifest tracking system; and

(3) Supplement existing requirements concerning transfers and recordkeeping for those wastes.

(b) Any licensee shipping radioactive waste intended for ultimate disposal at a licensed land disposal facility shall document the information required on [the Nuclear Regulatory Commission's \(NRC\)'s Uniform Low-Level Radioactive Waste Manifest](#) and transfer this recorded manifest information to the intended consignee in accordance with Appendix G to 10 CFR 20.

(c) Each shipment manifest shall include a certification by the waste generator as specified in Appendix G to 10 CFR 20, as appropriate.

(d) Each person involved in the transfer of waste for disposal or in the disposal of waste, including the waste generator, waste collector, waste processor, and disposal facility operator, shall comply with the requirements specified in Appendix G to 10 CFR 20, as appropriate.

(e) Any licensee shipping byproduct material, as defined in He-P 4003.01(v)(3), (4), and (5), intended for ultimate disposal at a land disposal facility under 10 CFR 61 shall document the information required on the NRC's Uniform Low-Level Radioactive Waste Manifest and transfer this recorded manifest information to the intended consignee in accordance with [He-P 4023.06 Appendix G to 10 CFR 20](#).

He-P 4023.07 Compliance with Environmental and Health Protection Regulations. Nothing in He-P 4023.01, He-P 4023.02, He-P 4023.03, He-P 4023.04, He-P 4023.05, He-P 4023.06 or He-P 4023.08 shall relieve the licensee from complying with other applicable federal, state, and local regulations or rules governing any other toxic or hazardous properties of materials that may be disposed of under He-P 4023.01, He-P 4023.02, He-P 4023.03, He-P 4023.04, He-P 4023.05, He-P 4023.06 or He-P 4023.08.

He-P 4023.08 Disposal of Certain Byproduct Material.

(a) Licensed material, as defined in He-P 4003.01(v)(3), (4), and (5), may be disposed of in accordance with 10 CFR 61, even though it is not defined as low-level radioactive waste. Therefore, any licensed byproduct material being disposed of at a facility, or transferred for ultimate disposal at a facility licensed under 10 CFR 61, shall meet the requirements of He-P 4023.06.

(b) A licensee may dispose of byproduct material, as defined in He-P 4003.01(v)(3), (4) and (5), at a disposal facility authorized to dispose of such material in accordance with any applicable federal, state, or local rules and regulations or hazardous waste law, including the Solid Waste Disposal Act, as authorized under the Energy Policy Act of 2005.

**APPENDIX**

<b>Rule</b>	<b>State or Federal Statute or Federal Regulation Implemented</b>
He-P 4023.01	10 CFR 20.2001
He-P 4023.02	10 CFR 20.2002
He-P 4023.03	10 CFR 20.2003
He-P 4023.04	10 CFR 20.2004
He-P 4023.05	10 CFR 20.2005
He-P 4023.06	10 CFR 20.2006
He-P 4023.07	10 CFR 20.2007
He-P 4023.08	10 CFR 20.2008