



Ohio Administrative Code

Rule 3701:1-44-03 Coverage of inactive tailings sites.

Effective: [May 23, 2022](#)

(A) Prior to the completion of the remedial action, the United States nuclear regulatory commission will not require a license pursuant to 10 CFR chapter I for possession of residual radioactive materials as defined in rule 3701:1-44-01 of the Administrative Code that are located at a site where milling operations are no longer active, if the site is covered by the remedial action program of title I of the "Uranium Mill Tailings Radiation Control Act of 1978" (Pub.L. 95-604, 92 Stat. 3021, 42 U.S.C. 7911 to 7925), as amended. The United States nuclear regulatory commission will exert its regulatory role in remedial actions primarily through concurrence and consultation in the execution of the remedial action pursuant to title I of the "Uranium Mill Tailings Radiation Control Act of 1978" (Pub.L. 95-604, 92 Stat. 3021, 42 U.S.C. 7911 to 7925), as amended. After remedial actions are completed, the United States nuclear regulatory commission will license the long-term care of sites, where residual radioactive materials are disposed, under the requirements set out in 10 C.F.R. 40.27 (as in effect on the effective date of this rule).

(B) The United States nuclear regulatory commission will regulate byproduct material as defined in this part that is located at a site where milling operations are no longer active, if such site is not covered by the remedial action program of title I of the "Uranium Mill Tailings Radiation Control Act of 1978" (Pub.L. 95-604, 92 Stat. 3021, 42 U.S.C. 7911 to 7925), as amended. The criteria in appendix A of 10 C.F.R. 40 (as in effect on the effective date of this rule) will be applied to such sites.
