

**TITLE 42 - THE PUBLIC HEALTH AND WELFARE**  
**CHAPTER 23 - DEVELOPMENT AND CONTROL OF ATOMIC ENERGY**  
**Division A - Atomic Energy**  
**SUBCHAPTER I - GENERAL PROVISIONS**

**§ 2021j. Radioactive waste below regulatory concern**

(a) Not later than 6 months after January 15, 1986, the Commission shall establish standards and procedures, pursuant to existing authority, and develop the technical capability for considering and acting upon petitions to exempt specific radioactive waste streams from regulation by the Commission due to the presence of radionuclides in such waste streams in sufficiently low concentrations or quantities as to be below regulatory concern.

(b) The standards and procedures established by the Commission pursuant to subsection (a) of this section shall set forth all information required to be submitted to the Commission by licensees in support of such petitions, including, but not limited to—

- (1) a detailed description of the waste materials, including their origin, chemical composition, physical state, volume, and mass; and
- (2) the concentration or contamination levels, half-lives, and identities of the radionuclides present.

Such standards and procedures shall provide that, upon receipt of a petition to exempt a specific radioactive waste stream from regulation by the Commission, the Commission shall determine in an expeditious manner whether the concentration or quantity of radionuclides present in such waste stream requires regulation by the Commission in order to protect the public health and safety. Where the Commission determines that regulation of a radioactive waste stream is not necessary to protect the public health and safety, the Commission shall take such steps as may be necessary, in an expeditious manner, to exempt the disposal of such radioactive waste from regulation by the Commission.

(Pub. L. 96–573, § 10, as added Pub. L. 99–240, title I, § 102, Jan. 15, 1986, 99 Stat. 1859.)

**Codification**

Section was enacted as part of the Low-Level Radioactive Waste Policy Act, and not as part of the Atomic Energy Act of 1954 which comprises this chapter.