

## **211.862 Definitions for KRS 211.861 to 211.869.**

As used in KRS 211.861 to 211.869, unless the compact requires otherwise:

- (1) "Commission" means the Central Midwest Interstate Low-Level Radioactive Waste Commission;
- (2) "Cabinet" means the Cabinet for Health and Family Services;
- (3) "Compact" means the Central Midwest Interstate Low-Level Radioactive Waste Compact;
- (4) "Disposal" means the isolation of waste from the biosphere in a permanent facility designed for that purpose;
- (5) "Facility" means a parcel of land or site, together with the structures, equipment, and improvements on, or appurtenant to, the land or site, that is used or is being developed for the treatment, storage, or disposal of low-level radioactive waste;
- (6) "Low-level radioactive waste" or "waste" means radioactive waste not classified as high-level radioactive waste, transuranic waste, spent nuclear fuel, or by-product material as defined in Section 11e(2) of the Federal Atomic Energy Act. This definition shall apply regardless of any declaration by the federal government or any state that any radioactive material is exempt from any regulatory control;
- (7) "Management plan" means the plan adopted by the commission for the storage, transportation, treatment, and disposal of waste within the region;
- (8) "Naturally occurring radioactive material" (NORM) means any of the primordial radionuclides or radioactivity present in soils, rocks, and materials, that are not concentrated or disturbed as a result of human activities;
- (9) "Person" means any individual, corporation, business enterprise, or other legal entity, public or private, and any legal successor, representative, agent or agency of that individual, corporation, business enterprise, or legal entity;
- (10) "Region" means the geographical area of the state of Illinois and the Commonwealth of Kentucky;
- (11) "Regional facility" means any facility as defined in this section that is located in Kentucky, and established by Kentucky pursuant to designation of Kentucky as a host state by the commission;
- (12) "Storage" means the temporary holding of radioactive material for treatment or disposal;
- (13) "Technologically enhanced naturally occurring radioactive material" or "TENORM" means:
  - (a) Naturally occurring radioactive material with a radionuclide concentration that has been increased by human activities above levels encountered in the natural state; or
  - (b) Naturally occurring radioactive material made more accessible by human activity.

"TENORM" does not include the natural radioactivity of rocks or soils or source material, byproduct material, or special nuclear material as defined in 42 U.S.C. secs. 2011 et seq. and relevant federal regulations implemented by the

Nuclear Regulatory Commission; and

- (14) "Treatment" means any method, technique, or process, including storage for radioactive decay, designed to change the physical, chemical, or biological characteristics of the radioactive material in order to render the radioactive material safe for transport or management, amenable to recovery, convertible to another usable material, or reduced in volume.

**Effective:** June 29, 2017

**History:** Amended 2017 Ky. Acts ch. 116, sec. 1, effective June 29, 2017. -- Amended 2005 Ky. Acts ch. 99, sec. 385, effective June 20, 2005. -- Created 1998 Ky. Acts ch. 46, sec. 2, effective July 15, 1998.