



Ohio Administrative Code

Rule 3701:1-54-02 Generator reporting and fee requirements.

Effective: May 20, 2013

(A) Except as otherwise provided in paragraph (D) of this rule, on or before the thirtieth day of April each year, each generator shall submit to the director, on forms provided by the director at least ninety days prior, an annual report containing the following information for the previous calendar year:

- (1) The name, address, and telephone number of the generator, including the name of the person responsible for low-level radioactive waste management;
- (2) The types and amounts of low-level radioactive waste generated during the previous calendar year;
- (3) The types and amounts of low-level radioactive waste first placed in storage during the previous calendar year, and the types and amounts of wastes remaining in storage from previous calendar years;
- (4) The types and amounts of low-level radioactive waste shipped during the previous calendar year, including carrier or broker, and the means of shipment;
- (5) A statement indicating whether or not additional low-level radioactive waste was stored or shipped or both and not reported to the director during the previous report period;
- (6) A description of the methods used to treat, store, and dispose of low-level radioactive waste;
- (7) A description of any actions taken or planned to be taken to reduce the low-level radioactive waste volume or production; and
- (8) The types and amounts of low-level radioactive waste expected to be generated or placed in storage during the next calendar year.



(B) Except as otherwise provided in paragraphs (C) and (D) of this rule, within thirty days after the director issues an invoice, all generators shall pay a fee as follows:

(1) At least fifty dollars if any low-level radioactive waste was generated, or three dollars and fifty cents per cubic foot of low-level radioactive waste that was generated during the previous calendar year, whichever is greater, except that for waste generated by a uranium enrichment facility, the generator shall pay seventy-five cents per cubic foot rather than three dollars and fifty cents per cubic foot for such wastes; and

(2) Three dollars and fifty cents per cubic foot of low-level radioactive waste that was stored or held in storage for more than forty-two months, except that for such waste held in storage by a uranium enrichment facility, the generator shall pay seventy-five cents rather than three dollars and fifty cents per cubic foot for such wastes; and

(3) In addition to the minimum charge and the per cubic foot charge provided in paragraphs (B)(1) and (B)(2) of this rule, a generator shall pay a per cubic foot surcharge based on the activity of the waste as classified in rule 3701:1-54-10 of the Administrative Code. There is no surcharge for class A waste. The surcharge for class B waste is an additional fifty per cent of the amount charged under paragraph (B)(1) or (B)(2) of this rule. The per cubic foot surcharge for class C waste is an additional one hundred per cent of the amount charged under paragraph (B)(1) or (B)(2) of this rule.

(C) Notwithstanding paragraph (B) of this rule, if the low-level radioactive waste is high-volume radioactive waste which contains soil, building debris, or rubble typically resulting from decommissioning or decontamination efforts, in an amount containing at least fifty cubic feet, the fee shall be one dollar per cubic yard for such wastes generated during the previous calendar year or for such wastes that have been stored for more than twelve months.

(D) Notwithstanding paragraph (B) of this rule, radioactive waste generated and disposed of in accordance with paragraphs (D) to (G) of rule 3701:1-38-19 of the Administrative Code shall be exempt from the requirements of this rule.

(E) If the low-level radioactive waste is treated by the generator, the fees specified in paragraphs (B)



and (C) of this rule shall be determined based on the volume of waste that remains after treatment. The generator shall certify on a form provided by the director the amount of waste that was sent to a processor and the amount of waste sent back to the generator or disposed of on behalf of the generator.

(F) Paragraphs (B) and (C) of this rule shall be applicable to low-level radioactive waste generated or first placed in storage on or after January 1, 1998. The director shall include a notice on each invoice that the generator may appeal the determination of the fees, provided the generator requests a hearing within thirty days of the date of the invoice.

(G) In accordance with division (H) of section 3748.04 of the Revised Code, any fee that remains unpaid on the ninety-first day after the original invoice date shall be assessed an additional amount equal to ten per cent of the original fee.

(H) The director may annually review, at the generator's location, documentation and information that the generator used to prepare the report and the certification required by paragraphs (A) and (E) of this rule. If the director determines that the documentation and information that the generator used to prepare the report is inadequate to determine the accuracy of the report, the director may issue an order pursuant to division (B)(4) of section 3748.05 of the Revised Code to require the generator to amend the report so that the report is accurate.

(I) Any generator shall, upon the request of the director, provide additional information as required.

(J) Reports generated in accordance with this rule must be maintained by the licensee for a period of five years after being submitted to the director.