

**3745-266-315      Conditions for the conditional exemptions.**

- (A) What are the conditions you must meet for your waste to qualify for and maintain the transportation and disposal conditional exemption? You must meet the following conditions for your eligible waste to qualify for and maintain the exemption:
- (1) The eligible waste must meet or be treated to meet LDR treatment standards as described in paragraph (B) of this rule.
  - (2) If you are not already subject to NRC, or NRC agreement state equivalent manifest and transportation regulations for the shipment of your waste, you must manifest and transport your waste according to NRC regulations as described in paragraph (C) of this rule.
  - (3) The exempted waste must be in containers when it is disposed of in the LLW disposal facility as described in paragraphs (F) to (F)(3) of this rule.
  - (4) The exempted waste must be disposed of at a designated LLW disposal facility as described in paragraph (E) of this rule.
- (B) What treatment standards must your eligible waste meet? Your LLMW or eligible NARM waste must meet LDR treatment standards specified in rules 3745-270-40 to 3745-270-49 of the Administrative Code.
- (C) Are you subject to the manifest and transportation condition in paragraph (A)(2) of this rule? If you are not already subject to NRC, or NRC agreement state equivalent manifest and transportation regulations for the shipment of your waste, you must meet the manifest requirements under 10 CFR 20.2006 (or NRC agreement state equivalent regulations), and the transportation requirements under 10 CFR 1.5 (or NRC agreement state equivalent regulations) to ship the exempted waste.
- (D) When does the transportation and disposal exemption take effect? The exemption becomes effective once all the following have occurred:
- (1) Your eligible waste meets the applicable treatment standards in Chapter 3745-270 of the Administrative Code.
  - (2) You have received return receipts that you have notified us and the LLW disposal facility as described in rule 3745-266-345 of the Administrative Code.
  - (3) You have completed the packaging and preparation for shipment requirements for your waste according to NRC packaging and transportation regulations found under 10 CFR part 71 (or NRC agreement state equivalent regulations); and you have prepared a manifest for your waste according to NRC manifest regulations found under 10 CFR part 20 (or NRC agreement state equivalent regulations), and

- (4) You have placed your waste on a transportation vehicle destined for a LLW disposal facility licensed by NRC or an NRC agreement state.
- (E) Where must your exempted waste be disposed of? Your exempted waste must be disposed of in a LLW disposal facility that is regulated and licensed by NRC under 10 CFR part 61 or by an NRC agreement state under equivalent state regulations, including state NARM licensing regulations for eligible NARM.
- (F) What type of container must be used for disposal of exempted waste? Your exempted waste must be placed in containers before it is disposed. The container must be:
  - (1) A carbon steel drum; or
  - (2) An alternative container with equivalent containment performance in the disposal environment as a carbon steel drum; or
  - (3) A high integrity container as defined by NRC.

[Comment: For dates of non-regulatory government publications, publications of recognized organizations and associations, federal rules, and federal statutory provisions referenced in this rule, see rule 3745-50-11 of the Administrative Code titled "Incorporated by reference."]

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