US Army Corps of Engineers

# FACT SHEET

# How Are Facilities Chosen for Disposal of Formerly Utilized Sites Remedial Action Program Waste?

**FUSRAP**
**Formerly Utilized Sites Remedial Action Program**

***"Public Health and Safety are the U.S. Army Corps of Engineers' Highest Priorities"***

The U.S. Army Corps of Engineers (Corps) complies with the Comprehensive Environmental Response, Compensation and Liability Act, as implemented in 40 CFR 300, to study and clean up Formerly Utilized Sites Remedial Action Program (FUSRAP) sites. The goal is to provide safe, cost-effective disposal that is protective of human health and the environment while complying with all regulatory requirements.

The Corps considers several factors in selecting a FUSRAP disposal location. An evaluation is done to decide whether disposal should be on-site or off-site and to identify the requirements that must be met for the disposal. Other factors taken into consideration include the cost of the disposal and concerns expressed by the public and the state both at the formerly utilized sites and disposal location regarding the action.

The vast majority of FUSRAP waste is contaminated soil and debris. Prior to determining disposal options, the waste must first be evaluated. Characterizing the waste is important because, depending upon its type, there are several regulatory agencies that may oversee its disposal. The Nuclear Regulatory Commission, the U.S. Environmental Protection Agency (EPA), the Department of Transportation, Occupational Safety and Health Administration, and state hazardous waste and/or radiation protection agencies may all have varying degrees of involvement depending upon the waste type. Interstate low-level radioactive waste compacts may also be involved with a portion of the waste.

Waste typically falls into one or more of the following categories:

- **Residuals.** This is the most common type of waste at FUSRAP sites. These are radioactive residuals resulting from the extraction or processing of ores primarily for uranium or thorium (i.e. source material) content.
- **Source material.** This is material, which contains greater than 0.05 percent uranium and/or thorium by weight and is not ore processing residual material.
- **Special nuclear material.** In general terms, this is material that is capable of being split by a low-energy neutron and is useful for the production of nuclear energy. This is not common at FUSRAP sites, but may be present in small amounts in the soil at some locations.
- **Low-level radioactive waste.** This is radioactive material that is NOT high-level radioactive waste, spent nuclear fuel, or byproduct material (as defined in section 11e. (2) of the Atomic Energy Act of 1954) but is regulated under the Atomic Energy Act.
- **Hazardous waste.** These are wastes regulated by the EPA under the Resource Conservation and Recovery Act (RCRA) such as metals, lead and pesticides that may be mixed with radioactive wastes. When hazardous waste is mixed with low-level radioactive waste, it is referred to as mixed waste.

**Restoring the Environment is the U.S. Army Corps of Engineers' Ultimate Goal.**

Once the type of waste has been properly identified, determining the proper disposal requirements and subsequent disposal options involves:

*Heavy equipment prepare a staging area for processing.*

- **Identifying disposal requirements.** The waste type also determines disposal requirements. Certain radioactive wastes, such as source material, must be disposed at Nuclear Regulatory Commission or state licensed radioactive waste disposal facilities. Hazardous waste must be disposed at RCRA permitted hazardous waste disposal facilities or facilities permitted under the Toxic Substances Control Act. Certain mixed wastes must be disposed at facilities licensed and permitted for both radioactive and hazardous waste. Other low-risk wastes may be accepted for disposal at other types of landfills.

- **Acceptance criteria of the disposal facility.** Radioactive and other materials in the waste, as well as the physical and chemical form of the waste are evaluated to ensure they meet the acceptance standards of the receiving facility's license and/or permit. If it does not, another disposal location must be used.

- **Accessibility of the disposal facility.** Some disposal facilities lack onsite rail lines, which require hauling the material exclusively by truck or transferring rail shipments to trucks at a rail yard near the facility. Some facilities can accept waste all year and others have seasonal limitations. These factors are also important in evaluating whether material can be cost effectively shipped to a disposal facility.

- **Compliance status of the disposal facility.** Before selecting a facility for disposal of FUSRAP wastes, Corps officials check with the EPA to determine whether there are any known relevant violations at the facility. Facilities with such violations are not used for disposal of this program's waste.

- **Regulator Notification.** It is the policy of the Corps, for the disposal of FUSRAP waste, to ensure that the regulator(s) of the disposal facility are notified as to the type of waste to be disposed and asked to respond as to whether the permit or license allows the planned disposal.

The Corps considers each of these factors in selecting an appropriate disposal location. The goal is to provide safe, cost effective disposal that is protective of human health and the environment and that complies with all regulatory requirements.