

TITLE 32: ENERGY  
CHAPTER II: ILLINOIS EMERGENCY MANAGEMENT AGENCY  
SUBCHAPTER d: LOW LEVEL RADIOACTIVE WASTE/TRANSPORTATION

PART 620  
REGISTRATION OF LOW-LEVEL RADIOACTIVE WASTE GENERATORS

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**AUTHORITY:** Implementing and authorized by Sections 4, 13 and 17 of the Illinois Low-Level Radioactive Waste Management Act [420 ILCS 20/4, 13 and 17].

**SOURCE:** Emergency rule at 8 Ill. Reg. 18519, effective September 20, 1984, for a maximum of 150 days; adopted at 9 Ill. Reg. 2287, effective January 31, 1985; Emergency amendment at 9 Ill. Reg. 17433, effective October 25, 1985, for a maximum of 150 days; amended at 10 Ill. Reg. 7818, effective April 29, 1986; Emergency amendment at 10 Ill. Reg. 21956, effective December 26, 1986, for a maximum of 150 days; adopted at 11 Ill. Reg. 7646, effective April 9, 1987; recodified from the Department of Nuclear Safety to the Illinois Emergency Management Agency at 27 Ill. Reg. 13641; amended at 37 Ill. Reg. 12438, effective July 19, 2013.

**Section 620.10 Definitions**

As used in this Part, the following definitions shall apply:

"Act" means the Illinois Low-Level Radioactive Waste Management Act [420 ILCS 20].

"Agency" means the Illinois Emergency Management Agency.

"Broker" means any person who takes possession of low-level radioactive waste solely for purposes of consolidation and shipment.

*"Disposal" means the isolation of waste from the biosphere in a permanent facility designed for that purpose.*

*"Generator" means any person who produces or possesses low-level radioactive waste in the course of or incident to manufacturing, power generation, processing, medical diagnosis and treatment, research, education or other activity.*

*"Low-Level Radioactive Waste" or "Waste" means radioactive waste not classified as high-level radioactive waste, transuranic waste, spent nuclear fuel or byproduct material as defined in section 11e(2) of the Atomic Energy Act of 1954 (42 USC 2014).*

*"Person" means an individual, corporation, business enterprise or other legal entity either public or private and any legal successor, representative, agent or agency of that individual, corporation, business enterprise, or legal entity.*

*"Storage" means the holding of waste for treatment or disposal for a period of 24 hours or more.*

*"Treatment" means any method, technique or process, including storage for radioactive decay, designed to change the physical, chemical or biological characteristics or composition of any waste in order to render the waste safer for transport, storage or disposal, amenable to recovery, convertible to another usable material or reduced in volume. (Section 3 of the Act)*

(Source: Amended at 37 Ill. Reg. 12438, effective July 19, 2013)

### **Section 620.20 Generator Registration**

*All generators shall register with the Agency within 60 days after commencement of producing or possessing any quantity of low-level radioactive waste in Illinois. Registration shall be on a form developed by the Agency and shall include:*

- a) *name, address, officers and contact information for the generator;*
- b) *radioactive materials license numbers and issuing agency;*
- c) *the types and amounts of wastes produced or possessed and to be produced or possessed; and (Section 4(a) of the Act)*
- d) *a description of the activities that produce low-level radioactive waste.*

(Source: Amended at 37 Ill. Reg. 12438, effective July 19, 2013)

### **Section 620.25 Broker Registration**

*All brokers shall register within 60 days after taking possession of any low-level radioactive waste. Registration shall be on a form developed by the Agency and shall include:*

- a) *the name, address, officers and contact information for the broker;*
- b) *the radioactive materials license numbers and issuing agency;*
- c) *the types and amounts of waste possessed or to be possessed by the broker; and (Section 4(a) of the Act)*
- d) a description of activities conducted by the broker.

(Source: Amended at 37 Ill. Reg. 12438, effective July 19, 2013)

### **Section 620.30 Filing Of Annual Report by Generators**

Each generator who has generated any low level waste during a given calendar year shall file an annual report with the Agency. The annual report shall be submitted by February 1. This report shall be on a form developed by the Agency and shall include:

- a) the name, address and contact information for the generator;
- b) the types and amounts of waste produced or possessed during the prior calendar year;
- c) the types and amounts of waste expected to be produced or possessed in the future;
- d) waste stored during the prior calendar year, including types and amounts;
- e) waste shipped during the prior calendar year, including types, amounts and destination;
- f) methods used to manage these wastes;
- g) technological feasibility, economic reasonableness and environmental soundness of alternative treatment, storage and disposal methods.

(Source: Amended at 37 Ill. Reg. 12438, effective July 19, 2013)

### **Section 620.35 Filing of Annual Reports by Brokers**

Each broker who has taken possession of any low-level radioactive waste generated in Illinois during a given calendar year shall file an annual report with the Agency. The annual report shall be submitted by February 1. This report shall be on a form developed by the Agency or by electronic means that are compatible with the Agency's computer capabilities. The report shall include:

- a) the name, address and contact information for the broker.
- b) for waste shipped to disposal sites outside Illinois during the prior year, the disposal manifest information kept pursuant to 32 Ill. Adm. Code 340.1180. The original generator name and address and waste volume for each generator must be given for each shipment.
- c) for waste permanently disposed of in Illinois during the prior year, in addition to the manifest information described in subsection (b), the types, amounts, dates disposed of and disposal methods.
- d) for each shipment of waste received, the name and address of the generator from whom the waste was received and the volume and type of waste received.
- e) for waste shipped for storage or treatment, the name and address of the entity to whom the waste is shipped and the volume and type of waste shipped.

(Source: Amended at 37 Ill. Reg. 12438, effective July 19, 2013)

### **Section 620.40 Payment of Fees for Waste Storage**

- a) Generators that have stored any quantity of waste for shipment at a later date shall pay a fee to the Agency annually. The fee shall be in the amount of \$3 per cubic foot of all waste stored for shipment.
- b) The fee shall be calculated and invoiced by the Agency based on the Annual Survey submitted by the generator that identifies the types and amounts of waste stored during that period. Generators shall be responsible for reporting and paying all fees due and owing in accordance with this Section, except as provided in Sections 620.60 and 620.70.

(Source: Amended at 37 Ill. Reg. 12438, effective July 19, 2013)

**Section 620.50 Payment of Fees for Waste Shipped**

- a) Generators that have shipped any quantity of waste for storage, disposal or treatment shall pay a fee to the Agency annually. The fee shall be in the amount of \$3 per cubic foot for waste that has been shipped, except that no fee shall be assessed if a fee has already been paid to the Agency for storage of that waste in accordance with Section 620.40.
- b) The fee shall be calculated and invoiced by the Agency based on the Annual Survey submitted by the generator that identifies the types and amount of waste shipped during that period. Generators shall be responsible for reporting and paying all fees due and owing in accordance with this Section, except as provided in Sections 620.60 and 620.70.

(Source: Amended at 37 Ill. Reg. 12438, effective July 19, 2013)

**Section 620.60 Payment of Fees – Small Generators**

Any generator of low-level radioactive waste that was not subject to fees in the amount of at least \$50 for waste stored and shipped during a given calendar year in accordance with Sections 620.40 and 620.50 shall pay a fee in the amount of \$50 for that calendar year to the Agency. The fee shall be payable when invoiced by the Agency.

(Source: Amended at 37 Ill. Reg. 12438, effective July 19, 2013)

**Section 620.70 Payment of Fees – Nuclear Power Reactors**

In lieu of the fees specified in Sections 620.40, 620.50 and 620.60, the owner of any nuclear power reactor in Illinois for which an operating license has been issued by the Nuclear Regulatory Commission shall be required to pay an annual fee of \$30,000 per operating reactor for the treatment, storage and disposal of low-level radioactive waste. Such fees shall be due and payable on July 1 of each year.

(Source: Amended at 37 Ill. Reg. 12438, effective July 19, 2013)

**Section 620.80 Non-Compliance with Registration and Filing of Reports**

If any person fails or refuses to register with the Agency, to file required reports with the Agency, or to pay the required fees, the Agency shall notify the person by registered mail that he or she has (30) days to respond, after which the Agency may refer the case to the Attorney General. *Any person failing to pay the fees shall be liable to a civil penalty not to exceed four times the amount of the fees not paid.* (Section 17(b) of the Act)

(Source: Amended at 37 Ill. Reg. 12438, effective July 19, 2013)

**Section 620.90 Deposit of Fees (Repealed)**

(Source: Repealed at 37 Ill. Reg. 12438, effective July 19, 2013)