

## Nuclear Regulatory Commission

## § 62.2

of, attempted violation of, or conspiracy to violate, any regulation issued under sections 161b, 161i, or 161o of the Act. For purposes of section 223, all the regulations in part 61 are issued under one or more of sections 161b, 161i, or 161o, except for the sections listed in paragraph (b) of this section.

(b) The regulations in part 61 that are not issued under sections 161b, 161i, or 161o for the purposes of Section 223 are as follows: §§ 61.1, 61.2, 61.4, 61.5, 61.6, 61.7, 61.8, 61.10, 61.11, 61.12, 61.13, 61.14, 61.15, 61.16, 61.20, 61.21, 61.22, 61.23, 61.26, 61.30, 61.31, 61.50, 61.51, 61.54, 61.55, 61.58, 61.59, 61.61, 61.63, 61.70, 61.71, 61.72, 61.73, 61.83, and 61.84.

[57 FR 55077, Nov. 24, 1992]

### PART 62—CRITERIA AND PROCEDURES FOR EMERGENCY ACCESS TO NON-FEDERAL AND REGIONAL LOW-LEVEL WASTE DISPOSAL FACILITIES

#### Subpart A—General Provisions

- Sec.
- 62.1 Purpose and scope.
  - 62.2 Definitions.
  - 62.3 Communications.
  - 62.4 Interpretations.
  - 62.5 Specific exemptions.
  - 62.8 Information collection requirements: OMB approval.

#### Subpart B—Request for a Commission Determination

- 62.11 Filing and distribution of a determination request.
- 62.12 Contents of a request for emergency access: General information.
- 62.13 Contents of a request for emergency access: Alternatives.
- 62.14 Contents of a request for an extension of emergency access.
- 62.15 Additional information.
- 62.16 Withdrawal of a determination request.
- 62.17 Elimination of repetition.
- 62.18 Denial of request.

#### Subpart C—Issuance of a Commission Determination

- 62.21 Determination for granting emergency access.
- 62.22 Notice of issuance of a determination.
- 62.23 Determination for granting temporary emergency access.
- 62.24 Extension of emergency access.

62.25 Criteria for a Commission determination.

62.26 Criteria for designating a disposal facility.

#### Subpart D—Termination of Emergency Access

62.31 Termination of emergency access.

**AUTHORITY:** Secs. 81, 161, as amended, 68 Stat. 935, 948, 949, 950, 951, as amended. (42 U.S.C. 2111, 2201); secs. 201, 209, as amended, 88 Stat. 1242, 1248, as amended (42 U.S.C. 5841, 5849); secs. 3, 4, 5, 6, 99 Stat. 1843, 1844, 1845, 1846, 1847, 1848, 1849, 1850, 1851, 1852, 1853, 1854, 1855, 1856, 1857. (42 U.S.C. 2021c, 2021d, 2021e, 2021f).

**SOURCE:** 54 FR 5420, Feb. 3, 1989, unless otherwise noted.

#### Subpart A—General Provisions

##### § 62.1 Purpose and scope.

(a) The regulations in this part establish for specific low-level radioactive waste:

(1) Criteria and procedures for granting emergency access under section 6 of the Low-Level Radioactive Waste Policy Amendments Act of 1985 (42 U.S.C. 2021) to any non-Federal or regional low-level radioactive waste (LLW) disposal facility or to any non-Federal disposal facility within a State that is not a member of a Compact, and

(2) The terms and conditions upon which the Commission will grant this emergency access.

(b) The regulations in this part apply to all persons as defined by this regulation, who have been denied access to existing regional or non-Federal low-level radioactive waste disposal facilities and who submit a request to the Commission for a determination pursuant to this part.

(c) The regulations in this part apply only to the LLW that the States have the responsibility to dispose of pursuant to section 3(1)(a) of the Act.

##### § 62.2 Definitions.

As used in this part:

*Act* means the Low-Level Radioactive Waste Policy Amendments Act of 1985 (Pub. L. 99-240).

*Agreement State* means a State that—