

On June 8, 2005, the Rocky Mountain Low-Level Radioactive Waste Board (Board) designated the Clean Harbors Deer Trail Facility (CHDTF) as a Regional Facility for disposal of waste from the mining, milling, smelting, or similar processing of ores and mineral-bearing material primarily for radium (Radium Processing Wastes) and authorized the Executive Director to issue a permit to the CHDTF as a Regional Facility for the disposal of Radium Processing Wastes, incorporating the conditions outlined below at such time, if any, that the Executive Director receives documentation that the Colorado Department of Public Health and Environment (CDPHE) has authorized the facility to accept at least 16,000 cubic yards of Radium Processing Wastes subject to the following:

1. The designation shall be effective only if and when the CDPHE fully licenses and authorizes the proposed facility to accept at least 16,000 cubic yards of Radium Processing Wastes;
2. The CDPHE includes as a condition of the license/permit issued to the CHDTF that at least 16,000 cubic feet of capacity be set aside for Radium Processing Waste; and
3. The CDPHE includes as a condition of the license/permit issued to the CHDTF a prohibition on the receipt of any radioactive waste, as defined by the Board's Rules, from outside the Compact Region without written authorization from the Board.

#### Conditions

The Board's permit for the CHDTF will contain the following conditions.

- A. The CHDTF shall not accept any radioactive wastes, as defined by the Board's Rules, except for wastes from the mining, milling, smelting, or similar processing of ores and mineral-bearing material primarily for radium in which the total activity of natural uranium and thorium decay chain products is less than 2,000 picocuries per gram and the concentration of radium 226 is less than 400 picocuries per gram.
- B. The CHDTF shall not accept any radioactive wastes, as defined by the Board's Rules, from outside the Compact Region unless authorized to do so in writing by the Board.
- C. Clean Harbors shall provide the Board a monthly report specifying the number of tons of Radium Processing Wastes received from each source (generator). The monthly reports shall be provided to the Board within 10 days of the end of each month.
- D. Upon request by the Board, Clean Harbors shall provide the Board access to and copies of any shipping documents and/or manifests for radioactive and non-radioactive wastes received at the CHDTF.
- E. Clean Harbors shall collect the Compact Surcharge imposed by the Board on each unit of radioactive waste, as defined by the Board's Rules, that is received at the CHDTF. Clean Harbors shall pay the Compact Surcharge to the Board within 30 days of the end of each month.