

1. Mixed Waste Status of Naturally Occurring Radioactive Materials (NORM)

Mixed wastes are wastes which contain a hazardous waste component, regulated under RCRA, and a radioactive waste component, regulated under the Atomic Energy Act (AEA) of 1954. Naturally occurring radioactive materials (NORM) are materials, usually from mineral extraction or processing activities, whose natural radioactivity has been technologically enhanced. NORM does not describe the natural radioactivity of rocks and soils or background radiation, but those materials whose naturally occurring radiation has been enhanced by some human process or activity. Are NORM wastes, which are also RCRA hazardous wastes, subject to regulation as a mixed waste?

NORM is a subset of naturally occurring or accelerator-produced radioactive materials (NARM). The definition of NARM includes both radioactive materials produced by an accelerator used in sub-atomic particle physics research, and NORM. Neither NORM nor NARM is regulated under the AEA. EPA believes that because NORM is not regulated under the AEA, a NORM waste that is also a RCRA hazardous waste does not meet the definition of a mixed waste (55 FR 22520, 22645; June 1, 1990.) Such a waste, therefore, would be regulated only as a hazardous waste under RCRA, and not a mixed waste under both RCRA and AEA.