Environmental Protection Agency

Radiation Protection Division

Waste Management and Standards Branch

Information Collection Request Reporting and Recordkeeping Requirements for EPA ICR Number 1100.16, OMB Control Number 2060-0191

January 2026

Reporting Requirements

This ICR renewal covers the National Emission Standards for Hazardous Air Pollutants (NESHAPs) for radionuclide emissions from several source categories, codified at 40 CFR part 61. The categories include Underground Uranium Mines (Subpart B), Elemental Phosphorous Plants (Subpart K), Phosphogypsum Stacks (Subpart R), and Uranium Mill Tailings (Subpart W). This renewal is under EPA ICR Number 1100.16, OMB Control Number 2060-0191. Descriptions of the reporting requirements are listed separately below for each Subpart.

Subpart B to 40 CFR Part 61: Underground Uranium Mines

Subpart B requires mines that are being actively ventilated to perform annual radon emissions measurements and public dose calculations using Appendix B, Method 115 of 40 CFR part 61 and the EPA computer program COMPLY-R, and to report the results to the EPA. The specific reporting requirements are found in Section 61.24(a):

“The mine owner or operator shall annually calculate and report the results of the compliance calculations and the input parameters used in making the calculation. This report shall cover the emissions of a calendar year and be sent to EPA by March 31 of the following year. Each report shall also include the following information:

(1) The name and location of the mine (including latitude and longitude).

(2) The name of the person responsible for the operation of the facility and the name of the person preparing the report (if different).

(3) The results of the emissions testing conducted and the dose calculated using the procedures in Section 61.23.

(4) A list of the stacks or vents or other points where radioactive materials are released to the atmosphere, including their location, diameter, flow rate, effluent temperature and release height.

(5) A description of the effluent controls that are used on each stack, vent, or other release point and the effluent controls used inside the mine, and an estimate of the efficiency of each control method or device.

(6) Distances from the points of release to the nearest residence, school, business or office and the nearest farms producing vegetables, milk and meat.

(7) The values used for all other user-supplied input parameters for the computer model (e.g., meteorological data) and the source of these data.

(8) Each report shall be signed and dated by a corporate officer in charge of the facility and contain the following declaration immediately above the signature line: ‘I certify under penalty of law that I have personally examined and am familiar with the information submitted herein and based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment. See 18 U.S.C. 1001.’"

Subpart K to 40 CFR Part 61: Elemental Phosphorus Plants

Subpart K sets an annual emissions limit for polonium-210. Each owner or operator of an elemental phosphorus plant shall test emissions of polonium-210 from the plant annually according to the procedures in Section 61.123 and using the test methods in Section 61.125. The EPA requires that these results be reported annually. Specific compliance reporting requirements are included in Section 61.123(f):

“Each owner or operator of an elemental phosphorus plant shall furnish the EPA Administrator with a written report on the results of the emission test within 60 days of conducting the test. The report must provide the following information:

(1) The name and location of the facility (including latitude and longitude).

(2) The name of the person responsible for the operation of the facility and the name of the person preparing the report (if different).

(3) A description of the effluent controls that are used on each stack, vent or other release point and an estimate of the efficiency of each device.

(4) The results of the testing, including the results of each sampling run completed.

(5) The values used in calculating the emissions and the source of these data.

(6) Each report shall be signed and dated by a corporate officer in charge of the facility and contain the following declaration immediately above the signature line: ‘I certify under penalty of law that I have personally examined and am familiar with the information submitted herein and based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment. See, 18 U.S.C. 1001.’"

Subpart R to 40 CFR Part 61: Phosphogypsum Stacks

Subpart R sets a limit for radon emissions from inactive stacks, defined in the rule as any stack which for two years has neither had phosphogypsum added nor has been used for water management. When a stack becomes inactive, testing and reporting is required, which is described in Section 61.203:

“(a)Within sixty days of the date on which a stack becomes an inactive stack…the owners or operators of the inactive phosphogypsum stack shall test the stack for radon-222 flux in accordance with the procedures described in 40 CFR part 61, appendix B, Method 115. EPA shall be notified at least 30 days prior to each such emission test so that EPA may, at its option, observe the test. If meteorological conditions are such that test cannot be properly conducted, then the owner of operator should notify EPA and test as soon as conditions permit.

(b)(1) Within ninety days after the testing is required, the owner or operator shall provide EPA with a report detailing the actions taken and the results of the radon-222 flux testing. Each report shall also include the following information:

(i) The name and location of the facility;

(ii) A list of the stacks at the facility including the size and dimensions of the stack;

(iii) The name of the person responsible for the operation of the facility and the name of the person preparing the report (if different);

(iv) A description of the control measures taken to decrease the radon flux from the source and any actions taken to insure the long-term effectiveness of the control measures; and

(v) The results of the testing conducted, including the results of each measurement.

(2) Each report shall be signed and dated by a corporate officer in charge of the facility and contain the following declaration immediately above the signature line: 'I certify under penalty of law that I have personally examined and am familiar with the information submitted herein and based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment. See 18 U.S.C. 1001.'"

If a stack remains inactive, testing and reporting is only required once. Should the stack become active again for the purposes of phosphogypsum disposal or water management, the facility owner or operator must notify EPA, and radon flux measurement and reporting must be repeated when the stack again becomes inactive (see Section 61.203(d)).

Subpart R additionally defines certain scenarios in which removal of phosphogypsum from stacks is permitted. Within ninety days of phosphogypsum removal from an inactive stack, and at least once within each calendar year during which removal occurs, radon flux measurements and reporting must be repeated. Radon flux testing is not required for the removal of phosphogypsum from an active stack. Additionally, Section 61.207 sets forth requirements for measuring the radium-226 concentration at the location in the stack from which phosphogypsum is removed. The results of these analyses must be included in certification documents for the removed phosphogypsum required by Section 61.208(a)(1):

"The owner or operator of a stack from which phosphogypsum will be removed and distributed in commerce pursuant to Section 61.204, Section 61.205, or Section 61.206 shall prepare a certification document for each quantity of phosphogypsum distributed in commerce which includes:

(i) The name and address of the owner or operator;

(ii) The name and address of the purchaser or recipient of the phosphogypsum;

(iii) The quantity of phosphogypsum, in kilograms or pounds sold or transferred;

(iv) The date of sale or transfer;

(v) A description of the intended use for the phosphogypsum;

(vi) The average radium-226 concentration, in pCi/g (pCi/lb), of the phosphogypsum, as determined pursuant to §61.207; and

(vii) The signature of the person who prepared the certification."

Section 61.208 (b) requires a certification document with the same content to be prepared by "each distributor, retailer, or reseller who purchases or receives phosphogypsum for subsequent resale or transfer." Submission of certification documents to EPA is not a requirement, but the documents must be retained according to recordkeeping requirements as discussed below.

Subpart W to 40 CFR Part 61: Uranium Mill Tailings

Subpart W limits radon flux from operating uranium mill tailing impoundments. Conventional impoundments are used to manage the mostly solid wastes from uranium milling, and non-conventional impoundments are used to manage liquid process effluents.

Conventional impoundments

For conventional impoundments, the EPA requires reports to be submitted annually. The requirements for those reports are included in Section 61.254:

“The owners or operators of operating existing mill impoundments shall perform radon measurements and compliance calculations as required in §61.253. The input parameters and results of the calculation for each calendar year shall be sent to EPA by March 31 of the following year. Each report shall also include the following information:

(1) The name and location of the mill.

(2) The name of the person responsible for the operation of the facility and the name of the person preparing the report (if different).

(3) The results of the testing conducted, including the results of each measurement.

(4) Each report shall be signed and dated by a corporate officer in charge of the facility and contain the following declaration immediately above the signature line: ‘I certify under penalty of law that I have personally examined and am familiar with the information submitted herein and based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment. See 18 U.S.C. 1001.’"

Non-conventional impoundments

The owners or operators of operating non-conventional impoundments are required to submit digital photographs collected during compliance inspections to the Subpart W Impoundment Photographic Reporting system (SWIPR) under Section 61.255.

“The owner or operator of any uranium recovery facility must maintain records that confirm that the conventional impoundment(s), non-conventional impoundment(s) and heap leach pile(s) subject to this subpart at the facility meet the requirements in 40 CFR 192.32(a)(1). These records shall include, but not be limited to, the results of liner compatibility tests.

(b) The owner or operator of any uranium recovery facility with non-conventional impoundments must maintain written records from daily inspections and other records confirming that any sediments have remained saturated in the non-conventional impoundments at the facility. Periodic digital photographic evidence, with embedded date stamp and other identifying metadata, shall be collected no less frequently than weekly to demonstrate compliance with the requirements of § 61.252(b). Should inspection reveal that a non-conventional impoundment is not in compliance with the requirements of § 61.252(b), the owner or operator shall collect photographic evidence before and after the non-compliance is corrected.

(c) The records required in paragraphs (a) and (b) in this section must be kept at the uranium recovery facility for the operational life of the facility and must be made available for inspection by the Administrator, or his authorized representative.

(1) Digital photographs taken to demonstrate compliance with the requirements of § 61.252(c) shall be submitted electronically using the Subpart W Impoundment Photographic Reporting (SWIPR) system that is accessed through EPA's Central Data Exchange (CDX) (cdx.epa.gov) at least monthly.

(i) Owners and operators must also submit information identifying the facility and facility location, the name or other designation of each impoundment, and the date and time of each photograph.

(ii) If the reporting form specific to this subpart is not available in SWIPR, the owner or operator must retain the digital photographs at the facility and provide them to the EPA or authorized State upon request, with the supporting information required in paragraph (c)(1)(i) of this section.”