§ 29-0101. Definitions.

For the purposes of this article:

1. "Low-level radioactive waste" means radioactive material that:

a. is not high-level radioactive waste, transuranic waste, spent nuclear fuel, or the tailings or wastes produced by the extraction or concentration of uranium or thorium from any ore processed primarily for its source material content; and

b. the United States nuclear regulatory commission, consistent with federal law and in accordance with paragraph a of this subdivision, classifies as low-level radioactive waste.

2. "Low-level radioactive waste management facilities" means facilities authorized pursuant to section eighteen hundred fifty-four-c of the public authorities law for permanent disposal of low-level radioactive waste and any associated facilities for treatment and handling of such waste, including, but not limited, to facilities for purposes of stabilization, volume reduction, or protection of health and safety of workers or members of the public from potential exposure to hazards.

3. "Permanent disposal facilities" means low-level radioactive waste management facilities for permanent disposal of low-level radioactive waste generated within the state of New York, other than such waste which is a federal responsibility pursuant to the provisions of federal law pertaining to state and federal responsibilities for disposal of low-level radioactive waste.

4. "Shallow land burial" means emplacement of low-level radioactive waste in or within the upper thirty meters of the surface of the earth in trenches, holes, or other excavations in which only soil provides structural integrity, a barrier to migration of low-level radioactive waste from or subsurface water into such excavation, or a barrier to entry of surface water to such excavation or in a manner that fails to

allow during the institutional control period for monitoring and control of releases of radioactivity.

5. "State agency" means any office, department, board, commission, bureau, division, council, authority, corporation, agency, or instrumentality of the state.

6. "Commission" means the commission for siting low-level radioactive waste disposal facilities created pursuant to section 29-0301 of this article.