

### § 60.3

### 10 CFR Ch. I (1–1–25 Edition)

*Saturated zone* means that part of the earth's crust beneath the regional water table in which all voids, large and small, are ideally filled with water under pressure greater than atmospheric.

*Site* means the location of the preclosure controlled area, or of the postclosure controlled area, or both.

*Site characterization* means the program of exploration and research, both in the laboratory and in the field, undertaken to establish the geologic conditions and the ranges of those parameters of a particular site relevant to the procedures under this part. Site characterization includes borings, surface excavations, excavation of exploratory shafts, limited subsurface lateral excavations and borings, and in situ testing at depth needed to determine the suitability of the site for a geologic repository, but does not include preliminary borings and geophysical testing needed to decide whether site characterization should be undertaken.

*Unanticipated processes and events* means those processes and events affecting the geologic setting that are judged not to be reasonably likely to occur during the period the intended performance objective must be achieved, but which are nevertheless sufficiently credible to warrant consideration. Unanticipated processes and events may be either natural processes or events or processes and events initiated by human activities other than those activities licensed under this part. Processes and events initiated by human activities may only be found to be sufficiently credible to warrant consideration if it is assumed that: (1) The monuments provided for by this part are sufficiently permanent to serve their intended purpose; (2) the value to future generations of potential resources within the site can be assessed adequately under the applicable provisions of this part; (3) an understanding of the nature of radioactivity, and an appreciation of its hazards, have been retained in some functioning institutions; (4) institutions are able to assess risk and to take remedial action at a level of social organization and technological competence equivalent to, or superior to, that which was applied in initiating the processes or events con-

cerned; and (5) relevant records are preserved, and remain accessible, for several hundred years after permanent closure.

*Underground facility* means the underground structure, including openings and backfill materials, but excluding shafts, boreholes, and their seals.

*Unrestricted area* means an area, access to which is neither limited nor controlled by the licensee.

*Unsaturated zone* means the zone between the land surface and the regional water table. Generally, fluid pressure in this zone is less than atmospheric pressure, and some of the voids may contain air or other gases at atmospheric pressure. Beneath flooded areas or in perched water bodies the fluid pressure locally may be greater than atmospheric.

*Waste form* means the radioactive waste materials and any encapsulating or stabilizing matrix.

*Waste package* means the waste form and any containers, shielding, packing and other absorbent materials immediately surrounding an individual waste container.

*Water table* means that surface in a groundwater body at which the water pressure is atmospheric.

[48 FR 28217, June 21, 1983, as amended at 50 FR 29647, July 22, 1985; 51 FR 27162, July 30, 1986; 53 FR 43421, Oct. 27, 1988; 61 FR 64267, Dec. 4, 1996; 64 FR 48953, Sept. 9, 1999; 69 FR 76601, Dec. 22, 2004; 76 FR 72086, Nov. 22, 2011]

#### § 60.3 License required.

(a) DOE shall not receive or possess source, special nuclear, or byproduct material at a geologic repository operations area except as authorized by a license issued by the Commission pursuant to this part.

(b) DOE shall not commence construction of a geologic repository operations area unless it has filed an application with the Commission and has obtained construction authorization as provided in this part. Failure to comply with this requirement shall be grounds for denial of a license.

#### § 60.4 Communications and records.

(a) Except where otherwise specified, all communications and reports concerning the regulations in this part and applications filed under them should be