

Mitchell, Williams, Selig, Gates & Woodyard, P.L.L.C.

Solid Waste Landfills and Radioactive Material Survey: Association of State and Territorial Solid Waste Management Officials Report

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The Association of State and Territorial Solid Waste Management Officials (“ASTSWMO”) published a January 2026 report titled:

Solid Waste Landfills and Radioactive Material Survey Report (“Report”).

The Report was prepared by the Radiation Task Force of ASTSWMO’s Materials Management Subcommittee. The Report states that the Radiation Task Force works with the Materials Management Subcommittee to:

- Identify national level radiation issues.
- Coordinate State and Territorial input.
- Encourage improved partnership between State and federal agencies.
- Produce issue papers and other products as necessary to promote State interests on national radiation issues.

The Report states that in February 2025 it was determined that:

... the current landscape of radioactive materials as it relates to solid waste landfills in the U.S. is an important and complex topic for States.

In terms of radioactive materials regulation:

- U.S. Nuclear Regulatory Commission (“NRC”) is a regulatory authority.
- Some, but not all, of the States have an agreement with the NRC to take on some of the responsibilities of the NRC.
- Of the remaining radioactive materials, some are regulated in certain States, with different regulations in each, while some are not regulated.

Because some radioactive materials may trigger alarms at landfills state radiation control authorities are stated to be frequently tasked with determining whether the material is being properly dispositioned. The Report subsequently notes that once identified, if the radioactive material is rejected by a landfill and must be returned, it is required to follow U.S. Department of Transportation regulations while being transported.

The Radiation Task Force surveyed state radiation control programs in April 2025 with a questionnaire addressing:

- Requirements to inspect radioactive material surveys at landfills.
- Requirements about radioactive materials not regulated by the NRC.
- Experience with DOT SP-11406.

Besides the introduction, the Report's components include:

- State Requirements.
- Practices Beyond Legislative Requirements.
- DOT Permits.
- Best Practices – Response.
- Immediate Response Protocol.
- Characterization and Identification of the Source.
- Waste Disposition and Management.
- Best Practices – Equipment.
- Resources.

ASTSWMO describes itself as representing the 50 States, 5 Territories and the District of Columbia whose mission is to enhance and promote effective State and Territorial programs and to affect relevant national policies for waste and materials management, environmentally sustainable practices, and environmental restoration.

A copy of the Report can be found [here](#).