

10A NCAC 15 .0346 PREPARATION OF RADIOACTIVE MATERIAL FOR TRANSPORT

(a) No licensee shall deliver any radioactive material to a carrier for transport, unless:

- (1) The licensee complies with the applicable requirements of the regulations, appropriate to the mode of transport, of the U.S. Department of Transportation insofar as such regulations relate to the packing of radioactive material, and to the monitoring, marking and labeling of those packages;
- (2) The licensee has established procedures for opening and closing packages in which radioactive material is transported to provide safety and to assure that, prior to the delivery to a carrier for transport, each package is properly closed for transport; and
- (3) Prior to delivery of a package to a carrier for transport, the licensee shall assure that any special instructions needed to safely open the package are sent to, or have been available to the consignee.

(b) For the purpose of this Rule, a licensee who transports his own licensed material as a private carrier is considered to have delivered the material to a carrier for transport.

(c) In addition to the requirements of Paragraphs (a) and (b) of this Rule, prior to the transport of any nuclear waste, as defined in Part (d)(2)(A) of Rule .0316 of this Section, outside the confines of the licensee's facility or other place of use or storage, or prior to the delivery of any nuclear waste to a carrier for transport, each licensee shall provide advance notification of such transport to the governor's designee of each state through which the waste will be transported.

(d) Each advance notification required by Paragraph (c) of this Rule shall contain the following information:

- (1) the name, address, and telephone number of the shipper, carrier and receiver of the shipment;
- (2) a description of the nuclear waste contained in the shipment as required by the regulations of the U.S. Department of Transportation in 49 CFR 172.202 and 172.203(d);
- (3) the point of origin of the shipment and the seven-day period during which departure of the shipment is estimated to occur;
- (4) the seven-day period during which arrival of the shipment at state boundaries is estimated to occur;
- (5) the destination of the shipment, and the seven-day period during which arrival of the shipment is estimated to occur; and
- (6) a point of contact with a telephone number for current shipment information.

(e) The notification required by Paragraph (c) of this Rule shall be made in writing to the office of each appropriate governor or governor's designee. A notification delivered by mail must be postmarked at least seven days before the beginning of the seven-day period during which departure of the shipment is estimated to occur. A notification delivered by messenger must reach the office of the governor or governor's designee at least four days before the beginning of the seven-day period during which departure of the shipment is estimated to occur. A copy of the notification shall be retained by the licensee for one year.

(f) The licensee shall notify each appropriate governor or governor's designee of any changes to schedule information provided pursuant to Paragraph (c) of this Rule. Such notification shall be by telephone to a responsible individual in the office of the governor or governor's designee of the appropriate state or states. The licensee shall maintain for one year a record of the name of the individual contacted.

(g) Each licensee who cancels a nuclear waste shipment for which advance notification has been sent shall send a cancellation notice to the governor or governor's designee of the appropriate state or states. A copy of the notice shall be retained by the licensee for one year.

(h) A list of governors or governors' designees for other states is available from the agency by contacting the North Carolina Division of Radiation Protection, P.O. Box 27687, Raleigh, North Carolina 27611-7687, Phone No. 919/571-4141 or facsimile number 919/571-4148. For the notification required in Paragraphs (c) through (g) of this Rule in North Carolina:

- (1) governor's designee is the North Carolina Highway Patrol, Operations Office;
- (2) mailing address: P. O. Box 27687, Raleigh, North Carolina 27611-7687;
- (3) telephone 919/733-4030 from 8 a.m. to 5 p.m. workdays, and 919/733-3861 all other times.

*History Note: Authority G.S. 104E-7; 104E-10(b); 104E-15(a);
Eff. February 1, 1980;
Amended Eff. May 1, 1993; November 1, 1989; October 1, 1982;
Transferred and Recodified from 15A NCAC 11 .0346 Eff. February 1, 2015.*