a substantial increase in the overall protection of the public health and safety, and it is associated with shortterm and relatively minor costs that are justified in view of this increased protection. This effort is associated with ongoing costs, but the new limit is considered to be a justified safety requirement, to limit the consequences of a severe transportation accident involving LSA material.

List of Subjects in 10 CFR Part 71

Criminal penalties, Hazardous materials transportation, Nuclear materials, Packaging and containers, Reporting and recordkeeping requirements.

For the reasons set out in the preamble and under the authority of the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974, as amended, and 5 U.S.C. 552 and 553, 10 CFR part 71 is revised to read as follows:

PART 71—PACKAGING AND TRANSPORTATION OF RADIOACTIVE MATERIAL

Subpart A—General Provisions

Sec.

- 71.0 Purpose and scope.
- 71.1 Communications and records.
- 71.2 Interpretations.
- 71.3 Requirement for license.
- 71.4 Definitions.
- 71.5 Transportation of licensed material.

Subpart B—Exemptions

- 71.6 Information collection requirements: OMB approval.
- 71.7 Completeness and accuracy of information.
- 71.8 Specific exemptions.
- 71.9 Exemption of physicians.
- 71.10 Exemption for low-level materials.
- 71.11 [Reserved]

Subpart C—General Licenses

- 71.12 General license: NRC-approved package.
- 71.13 Previously approved package.
- 71.14 General license: DOT specification container.
- 71.16 General license: Use of foreign approved package.
- 71.18 General license: Fissile material, limited quantity per package.
- 71.20 General license: Fissile material, limited moderator per package.
- 71.22 General license: Fissile material, limited quantity, controlled shipment.
- 71.24 General license: Fissile material, limited moderator, controlled shipment.

Subpart D—Application for Package Approval

- 71.31 Contents of application.
- 71.33 Package description.
- 71.35 Package evaluation.
- 71.37 Quality assurance.

- 71.38 Renewal of a certificate of compliance or quality assurance program approval.
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Subpart E—Package Approval Standards

- 71.41 Demonstration of compliance.
- 71.43 General standards for all packages.
- 71.45 Lifting and tie-down standards for all packages.
- 71.47 External radiation standards for all packages.
- 71.51 Additional requirements for Type B packages.
- 71.52 Exemption for low-specific-activity (LSA) packages.
- 71.53 Fissile material exemptions.
- 71.55 General requirements for fissile material packages.
- 71.57 [Reserved]
- 71.59 Standards for arrays of fissile material packages.
- 71.61 Special requirement for irradiated nuclear fuel shipments.
- 71.63 Special requirements for plutonium shipments.
- 71.64 Special requirements for plutonium air shipments.
- 71.65 Additional requirements.

Subpart F—Package, Special Form, and LSA–III Tests

- 71.71 Normal conditions of transport.
- 71.73 Hypothetical accident conditions.
- 71.74 Accident conditions for air transport of plutonium.
- 71.75 Qualification of special form radioactive material.
- 71.77 Qualification of LSA-III Material

Subpart G—Operating Controls and Procedures

- 71.81 Applicability of operating controls and procedures.
- 71.83 Assumptions as to unknown properties.
- 71.85 Preliminary determinations.
- 71.87 Routine determinations.
- 71.88 Air transport of plutonium.
- 71.89 Opening instructions.
- 71.91 Records.
- 71.93 Inspection and tests.
- 71.95 Reports.
- 71.97 Advance notification of shipment of irradiated reactor fuel and nuclear waste.71.99 Violations.
- 71.100 Criminal penalties.

Subpart H—Quality Assurance

- 71.101 Quality assurance requirements.
- 71.103 Quality assurance organization.
- 71.105 Quality assurance program.
- 71.107 Package design control.
- 71.109 Procurement document control.
- 71.111 Instructions, procedures, and
- drawings.
- 71.113 Document control.
- 71.115 Control of purchased material, equipment, and services.
- 71.117 Identification and control of materials, parts, and components.
- 71.119 Control of special processes.
- 71.121 Internal inspection.
- 71.123 Test control.
- 71.125 Control of measuring and test equipment.

- 71.127 Handling, storage, and shipping control.
- 71.129 Inspection, test, and operating status.
- 71.131 Nonconforming materials, parts, or components.
- 71.133 Corrective action.
- 71.135 Quality assurance records.
- 71.137 Audits.

Appendix A to Part 71—Determination of A_1 and A_2

Authority: Secs. 53, 57, 62, 63, 81, 161, 182, 183, 68 Stat. 930, 932, 933, 935, 948, 953, 954, as amended, sec. 1701, 106 Stat. 2951, 2952, 2953 (42 U.S.C. 2073, 2077, 2092, 2093, 2111, 2201, 2232, 2233, 2297f); secs. 201, as amended, 202, 206, 88 Stat. 1242, as amended, 1244, 1246 (42 U.S.C. 5841, 5842, 5846).

Section 71.97 also issued under sec. 301, Pub. L. 96–295, 94 Stat. 789–790.

Subpart A—General Provisions

§71.0 Purpose and scope.

- (a) This part establishes—
- (1) Requirements for packaging,
- preparation for shipment, and transportation of licensed material; and

(2) Procedures and standards for NRC approval of packaging and shipping procedures for fissile material and for a quantity of other licensed material in excess of a Type A quantity.

(b) The packaging and transport of

other parts of this chapter (e.g., 10 CFR

parts 20, 21, 30, 40, 70, and 73) and to

the regulations of other agencies (e.g.,

the U.S. Department of Transportation

transport. The requirements of this part

(c) The regulations in this part apply

to any licensee authorized by specific or

Commission to receive, possess, use, or

outside the site of usage as specified in

(d) Exemptions from the requirement

delivers that material to a carrier for

transport, transports the material

the NRC license, or transports that

material on public highways. No

provision of this part authorizes

possession of licensed material.

for license in §71.3 are specified in

§71.10. General licenses for which no

NRC package approval is required are

issued in §§ 71.14 through 71.24. The

general license in $\S71.12$ requires that

other package approval be issued for the

¹Postal Service Manual (Domestic Mail Manual),

section 124.3, which is incorporated by reference at

an NRC certificate of compliance or

package to be used under the general

license. Application for package

39 CFR 111.1.

transfer licensed material, if the licensee

(DOT) and the U.S. Postal Service 1)

substitution for, other requirements.

having jurisdiction over means of

are in addition to, and not in

general license issued by the

licensed material are also subject to