authorized in § 173.451 through § 173.459 of this subchapter; and

(2) The entire shipment operation is approved by the Associate

Administrator for Hazardous Materials Safety in advance.

(f) Table III is as follows:

TABLE III.—TI LIMITS FOR FREIGHT CONTAINERS AND CONVEYANCES

	Limit on total sum of transport indexes in a single freight container or aboard a conveyance			
Type of freight container or conveyance	Not under exclusive use		Under exclusive use	
	Non-fissile material	Fissile material	Non-fissile material	Fissile material ^a
Freight container—Small Freight container—Large Vessele:	50 50		1 '	N/A. 100 ^b .
Hold, compartment or defined deck area: Packages, overpacks, small freight containers Large freight containers		50 50		100 ^ь . 100 ^ь .
2. Total vessel: Packages, etc. Large freight containers	200 ^d No limit ^d	200 ^d No limit ^d	No limit ^e	200°. No limit ^d .

Provided that transport is direct from the consignor to the consignee without any intermediate in-transit storage, where the total TI exceed 50. bIn cases in which the total TI is greater than 50, the consignment must be so handled and stowed so that it is always separated from any package, overpack, portable tank or freight container carrying Class 7 (radioactive) materials by at least 6 meters (20 feet).

For vessels the requirements given in 1 and 2 must be fulfilled.

feet).

Packages or overpacks carried in or on a transport vehicle which are offered for transport under the provisions of § 173.441(b) of this subchapter may be transported by vessel provided that they are not removed from the vehicle at anytime while on board the vessel.

34. In § 176.708, TABLE III is redesignated as TABLE IV, paragraph (a) is revised and paragraphs (b) through (f) are added to read as follows:

§ 176.708 Segregation distance table.

(a) Table IV applies to the stowage of packages of Class 7 (radioactive) materials on board a vessel with regard to transport index numbers which are shown on the labels of individual packages.

(b) KADIOACTIVE YELLOW-II or YELLOW-III labeled packages may not be stowed any closer to living accommodations, regularly occupied working spaces, spaces that may be continually occupied by any person (except those spaces exclusively reserved for couriers specifically authorized to accompany such packages), or undeveloped film than the distances specified in TABLE IV.

(c) Where only one consignment of a Class 7 (radioactive) material is to be loaded on board a vessel under exclusive use conditions, the appropriate segregation distance may be established by demonstrating that the direct measurement of the radiation level at regularly occupied working spaces and living quarters is less than 7.5 microsieverts per hour (0.75 mrem per hour).

(d) More than one consignment may be loaded on board a vessel with the appropriate segregation distance established by demonstrating that direct measurement of the radiation level at

regularly occupied working spaces and living quarters is less than 7.5 microSieverts per hour (0.75 mrem per hour), provided that:

- (1) The vessel has been chartered for the exclusive use of a competent person specialized in the carriage of Class 7 (radioactive) material; and
- (2) Stowage arrangements have been predetermined for the entire voyage, including any Class 7 (radioactive) material to be loaded at ports of call enroute.
- (e) The radiation level must be measured by a responsible person skilled in the use of monitoring instruments.

*

(f) Table IV is as follows: *

35. Section 176.715 is revised to read as follows:

§ 176.715 Contamination control.

Each hold, compartment, or deck area used for the transportation of low specific activity or surface contaminated object Class 7 (radioactive) materials under exclusive use conditions must be surveyed with appropriate radiation detection instruments after each use. Such holds, compartments, and deck areas may not be used again until the radiation dose rate at every accessible surface is less than 5 microSieverts per hour (0.5 mrem per hour), and the removable (non-fixed) radioactive surface contamination is not greater

than the limits prescribed in § 173.443 of this subchapter.

PART 177—CARRIAGE BY PUBLIC **HIGHWAY**

36. The authority citation for Part 177 continues to read as follows:

Authority: 49 U.S.C. 5101-5127; 49 CFR

37. Section 177.827 is added to subpart A to read as follows:

§177.827 Radiation protection program.

Unless otherwise excepted, a carrier shall not transport a Class 7 (radioactive) material by motor vehicle unless each of its occupationally exposed hazmat employees is under a radiation protection program that complies with the requirements of subpart I of part 172 of this subchapter.

38. Section 177.842 is revised to read as follows:

§ 177.842 Class 7 (radioactive) material.

(a) The number of packages of Class 7 (radioactive) materials in any transport vehicle or storage location must be limited so that the total transport index number does not exceed 50. The total transport index of a group of packages and overpacks is determined by adding together the transport index number on the labels on the individual packages and overpacks in the group. This provision does not apply to exclusive use shipments

Provided that the packages, overpacks, portable tanks or freight containers, as applicable, are stowed so that the total sum of the TI's in any group does not exceed 50, and that each group is handled and stowed so that the groups are separate from each other by at least 6 meters (20