§ 73.73 Requirement for advance notice and protection of export shipments of special nuclear material of low strategic significance.

(a) A licensee authorized to export special nuclear material of low strategic significance shall:

(1) Notify in writing the Director, Division of Security Policy, Office of Nuclear Security and Incident Response, using any appropriate method listed in § 73.4; and

(2) Assure that the notification will be received at least 10 days before transport of the shipment commences at the shipper’s facility; and

(3) Include the following information in the notification:

(i) The name(s), address(es), and telephone number(s) of the shipper, receiver, and carrier(s);

(ii) A physical description of the shipment (the elements, isotopes, form, etc.);

(iii) A listing of the mode(s) of shipment, transfer points, and routes to be used;

(iv) The estimated time and date of arrival of the shipment at the destination;

(b) A licensee who makes a road shipment or transfer with one-way transit times of one hour or less in duration between installations of the licensee is exempt from the requirements of this section for that shipment or transfer.


§ 73.74 Requirement for advance notice and protection of import shipments of nuclear material from countries that are not party to the Convention on the Physical Protection of Nuclear Material.

(a) A licensee authorized to import special nuclear material of low strategic significance from a country not a party to the Convention on the Physical Protection of Nuclear Material (i.e., not listed in appendix F of this part) shall:

(1) Notify in writing the Director, Division of Security Policy, Office of Nuclear Security and Incident Response, using any appropriate method listed in § 73.4; and

(2) Assure that the notification will be received at least 10 days before transport of the shipment commences at the shipper’s facility; and

(3) Include the following information in the notification:

(i) The name(s), address(es), and telephone number(s) of the shipper, receiver, and carrier(s);

(ii) A physical description of the shipment (the elements, isotopes, form, etc.);

(iii) A listing of the mode(s) of shipment, transfer points, and routes to be used;

(iv) The estimated time and date that shipment will commence and that each country along the route is scheduled to be entered; and

§ 73.80 Violations.

(a) The Commission may obtain an injunction or other court order to prevent a violation of the provisions of—

(1) The Atomic Energy Act of 1954, as amended;

(2) Title II of the Energy Reorganization Act of 1974, as amended; or

(3) A regulation or order issued pursuant to those Acts.

§ 73.75 Posting.

(a) This section applies to:

(1) Production or utilization facilities;

(2) High-level waste storage or disposal facilities and independent spent fuel storage installations;

(3) Uranium enrichment, uranium conversion, or nuclear fuel fabrication facilities.

(b)(1) Licensees or certificate holders operating facilities described in paragraph (a) of this section that have a protected area shall conspicuously post notices at every vehicle and pedestrian entrance to the protected area.

(2) Licensees or certificate holders operating facilities described in paragraph (a) of this section that include buildings not within a protected area that nonetheless contain special nuclear material, byproduct material, or source material shall conspicuously post notices at the personnel and vehicle entrances to each such building, except with respect to buildings for which no security plan is required under this part.

(3) The required notices must state: “The willful unauthorized introduction of any dangerous weapon, explosive, or other dangerous instrument or material likely to produce substantial injury or damage to persons or property into or upon these premises is a Federal crime. (42 U.S.C. 2278a.)”

(4) Every notice posted under this section must be easily readable day and night by both pedestrian and vehicular traffic entering the facility or installation.

(5) These notices may be combined with other notices.

(c) This section does not apply to facilities that, in addition to being regulated by the NRC under a license or certificate of compliance issued by the Commission, are also covered by U.S. Department of Energy regulations imposing criminal penalties, and associated posting requirements, under section 229 of the Atomic Energy Act with respect to unauthorized introduction of dangerous weapons, explosives, or other dangerous instruments or materials likely to produce substantial injury or damage to persons or property.

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