AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

consideration, requests must be received at least 90 days before the requested effective date.

[Amdt. 173–244, 60 FR 50307, Sept. 28, 1995, as amended at 66 FR 45379, Aug. 28, 2001; 67 FR 61014, Sept. 27, 2002; 69 FR 3693, Jan. 26, 2004; 70 FR 56099, Sept. 23, 2005; 72 FR 55693, Oct. 1, 2007]

§ 173.472 Requirements for exporting DOT Specification Type B and fissile packages.

(a) Any offeror who exports a DOT Specification Type B or fissile material package authorized by §173.416 or §173.417 shall comply with paragraphs (b) through (f) of this section.

(b) The shipment must be made in accordance with the conditions of the U.S. Certificate of Competent Authority.

(c) The outside of each package must be durably and legibly marked with the package identification marking indicated in the U.S. Competent Authority Certificate.

(d) Each shipping paper related to the shipment of the package must bear the package identification marking indicated in the U.S. Competent Authority Certificate.

(e) Before export of the package, the offeror shall obtain a U.S. Competent Authority Certificate for that package design, or if one has already been issued, the offeror shall register in writing (including a description of the quality assurance program required by 10 CFR part 71, subpart H, or 49 CFR 173.474 and 173.475) with the U.S. Competent Authority as a user of the certificate. Upon registration, the offeror will be furnished with a copy of the certificate. The offeror shall then submit a copy of the U.S. Competent Authority Certificate applying to that package design to the national competent authority of each country into or through which the package will be transported, unless the offeror has documentary evidence that a copy has already been furnished.

(f) Each request for a U.S. Competent Authority Certificate as required by the IAEA regulations must be submitted in writing to the Associate Administrator. The request must be in triplicate and must include a description of the quality assurance program required by 10 CFR part 71, subpart H, or 49 CFR 173.474 and 173.475, and a reproducible 22 cm × 30 cm (8.5″×11″) drawing showing the make-up of the package. A copy of the USNRC quality assurance program approval will satisfy the requirement for describing the quality assurance program. The request and accompanying documentation may be sent by mail or other delivery service. Alternatively, the request with any attached supporting documentation submitted in an appropriate format may be sent by facsimile (fax) to (202) 366–3753 or (202) 366–3650, or by electronic mail (e-mail) to ''*ramcert@dot.gov*.'' Each request is considered in the order in which it is received. To allow sufficient time for consideration, requests must be received at least 90 days before the requested effective date.

[Amdt. 173–244, 60 FR 50307, Sept. 28, 1995, as amended at 66 FR 45379, Aug. 28, 2001; 67 FR 61014, Sept. 27, 2002]

§ 173.473 Requirements for foreign-made packages.

In addition to other applicable requirements of this subchapter, each offeror of a foreign-made Type B(U), Type B(M), Type C, Type CF, Type H(U), Type H(M), or fissile material package for which a Competent Authority Certificate is required by IAEA's ''Regulations for the Safe Transport of Radioactive Material, No. TS-R-1, '' (IBR, see §171.7 of this subchapter) shall also comply with the following requirements:

(a) Prior to the shipment of such a package of Class 7 (radioactive) materials into or from the U.S., the offeror shall—

(1) Have the foreign competent authority certificate revalidated by the U.S. Competent Authority, unless this has been done previously. Each request for revalidation must be submitted to the Associate Administrator. The request must be in triplicate, contain all the information required by Section VII of the IAEA regulations in Safety Series No. 6, and include a copy in English of the foreign competent authority certificate. Alternatively, the request with any attached supporting documentation submitted in an appropriate format may be sent by facsimile

(fax) to (202) 366–3753 or (202) 366–3650, or by electronic mail to ''*ramcert@dot.gov*.'' Each request is considered in the order in which it is received.

To allow sufficient time for consideration, requests must be received at least 90 days before the requested effective date;

(2) Register in writing with the U.S. Competent Authority as a user of the package covered by the foreign competent authority certificate and its U.S. revalidation. Alternatively, the registration request with any attached supporting documentation submitted in an appropriate format may be sent by facsimile (fax) to (202) 366–3753 or (202) 366–3650, or by electronic mail (e-mail) to ''*ramcert@dot.gov*.'' If the offeror is requesting the revalidation, registration is automatic; and

(3) Supply to the carrier, upon request, the applicable competent authority certificates. However, the competent authority certificates are not required to accompany the packages to which they apply.

(b) The outside of each package must be durably and legibly marked with the competent authority identification marking indicated on the Competent Authority Certificate and revalidation.

(c) Each shipping paper for a shipment of Class 7 (radioactive) materials must bear a notation of the package identification marking indicated on the competent authority certificate or revalidation.

(d) All requirements of the foreign competent authority certificate and the U.S. Competent Authority revalidation must be fulfilled.

[Amdt. 173–244, 60 FR 50307, Sept. 28, 1995, as amended at 66 FR 45379, Aug. 28, 2001; 67 FR 16015, Sept. 27, 2002; 68 FR 75742, 75747, Dec. 31, 2003; 69 FR 3693, Jan. 26, 2004]

§ 173.474 Quality control for construction of packaging.

Prior to the first use of any packaging for the shipment of Class 7 (radioactive) material, the offeror shall determine that—

(a) The packaging meets the quality of design and construction requirements as specified in this subchapter; and

(b) The effectiveness of the shielding, containment and, when required, the heat transfer characteristics of the package, are within the limits specified for the package design.

§ 173.475 Quality control requirements prior to each shipment of Class 7 (radioactive) materials.

Before each shipment of any Class 7 (radioactive) materials package, the offeror must ensure, by examination or appropriate tests, that—

(a) The packaging is proper for the contents to be shipped;

(b) The packaging is in unimpaired physical condition, except for superficial marks;

(c) Each closure device of the packaging, including any required gasket, is properly installed, secured, and free of defects;

(d) For fissile material, each moderator and neutron absorber, if required, is present and in proper condition;

(e) Each special instruction for filling, closing, and preparation of the packaging for shipment has been followed;

(f) Each closure, valve, or other opening of the containment system through which the radioactive content might escape is properly closed and sealed;

(g) Each packaging containing liquid in excess of an A_2 quantity and intended for air shipment has been tested to show that it will not leak under an ambient atmospheric pressure of not more than 25 kPa, absolute (3.6 psia). The test must be conducted on the entire containment system, or on any receptacle or vessel within the containment system, to determine compliance with this requirement;

(h) The internal pressure of the containment system will not exceed the design pressure during transportation; and

(i) External radiation and contamination levels are within the allowable limits specified in this subchapter.

§ 173.476 Approval of special form Class 7 (radioactive) materials.

(a) Each offeror of special form Class 7 (radioactive) materials must maintain on file for at least one year after the latest shipment, and provide to the Associate Administrator on request, a