

§810.13

for which specific authorization is required.

(e) Each person, within 30 calendar days after beginning any generally authorized activity under §810.6, shall provide to DOE:

(1) The name, address, and citizenship of the person submitting the report;

(2) The name, address, and citizenship of the person for whom or which the activity is being performed;

(3) A description of the activity, the date it began, its location, status, and anticipated date of completion; and

(4) A written assurance that the applicant has an agreement with the recipient ensuring that any subsequent transfer of materials, equipment, or technology transferred under general authorization under circumstances in which the conditions in §810.6 would not be met will take place only if the applicant obtains DOE's prior written approval.

(f) Individuals engaging in generally authorized activities as employees of persons required to report are not themselves required to submit the reports described in paragraph (e) of this section.

(g) Persons engaging in generally authorized activities under §810.6(b) are required to notify DOE that a citizen or national of a country not listed in the Appendix to this part has been granted access to information subject to §810.2 in accordance with Nuclear Regulatory Commission access requirements. The report should contain the information required in §810.11(b).

(h) All reports should be sent to: U.S. Department of Energy, National Nuclear Security Administration, Washington, DC 20585, Attention: Senior Policy Advisor, Office of Nonproliferation and Arms Control (NPAC).

§810.13 Additional information.

DOE may at any time require a person engaging in any generally or specifically authorized activity to submit additional information.

§810.14 Special provisions regarding Ukraine.

(a) *Pre-activity notification requirements.* Any person beginning any generally authorized activity involving

10 CFR Ch. III (1–19 Edition)

Ukraine shall provide to DOE at least ten days prior to beginning that activity a report containing the following information:

(1) The name, address, and citizenship of the person submitting the notification;

(2) The name, address, and citizenship of the person for which the activity is to be performed;

(3) A description of the activity, the date it is proposed to begin, its location, status, and anticipated date of completion; and

(4) A written assurance that the person that is to perform the activity has an agreement with the recipient that any subsequent transfer of technology or information transferred under general authorization will not be transferred to a country that is not listed in the Appendix to this part without the prior written approval of DOE.

(b) *Post-activity reporting requirements.* Every person completing a generally authorized activity in Ukraine shall provide to DOE within ten days following the original transfer of technology or information written confirmation that such transfer was completed in accordance with the description of the activity provided as required by paragraph (a) of this section.

§810.15 Violations.

(a) The Atomic Energy Act provides that:

(1) In accordance with section 232 of the AEA, permanent or temporary injunctions, restraining or other orders may be granted to prevent a violation of any provision of the Atomic Energy Act or any regulation or order issued thereunder.

(2) In accordance with section 222 of the AEA, whoever willfully violates, attempts to violate, or conspires to violate any provision of section 57 of the Atomic Energy Act may be fined up to \$10,000 or imprisoned up to 10 years, or both. If the offense is committed with intent to injure the United States or to aid any foreign nation, the penalty could be up to life imprisonment or a \$20,000 fine, or both.

(b) In accordance with Title 18 of the United States Code, section 1001, whoever knowingly and willfully falsifies, conceals, or covers up a material fact

or makes or uses false, fictitious or fraudulent statements or representations shall be fined under that title or imprisoned up to five or eight years depending on the crime, or both.

§ 810.16 Effective date and savings clause.

(a) The regulations in this part are effective March 25, 2015.

(b) Except for actions that may be taken by DOE pursuant to § 810.10, the regulations in this part do not affect the validity or terms of any specific authorizations granted under regulations in effect before March 25, 2015 or generally authorized activities under those regulations for which the contracts, purchase orders, or licensing arrangements were already in effect. Persons engaging in activities that were generally authorized under regulations in effect before March 25, 2015, but that require specific authorization under the regulations in this part, must request specific authorization by August 24, 2015 and may continue their activities until DOE acts on the request.

APPENDIX A TO PART 810—GENERALLY AUTHORIZED DESTINATIONS

| | |
|----------------------|-----------------------|
| Argentina | Latvia |
| Australia | Lithuania |
| Austria | Luxembourg |
| Belgium | Malta |
| Brazil | Mexico (For all |
| Bulgaria | activities related |
| Canada | to INFCIRC/203 |
| Chile (For all | Parts 1 and 2 and |
| activities related | INFCIRC/825 only) |
| to INFCIRC/834 | Morocco |
| only) | Netherlands |
| Colombia | Norway |
| Croatia | Poland |
| Cyprus | Portugal |
| Czech Republic | Romania |
| Denmark | Slovakia |
| Egypt | Slovenia |
| Estonia | South Africa |
| Finland | Spain |
| France | Sweden |
| Germany | Switzerland |
| Greece | Taiwan |
| Hungary | Turkey |
| Indonesia | Ukraine (Refer to |
| International Atomic | § 810.14 for specific |
| Energy Agency | information and |
| Ireland | requirements) |
| Italy | United Arab |
| Japan | Emirates |
| Kazakhstan | United Kingdom |
| Korea, Republic of | Vietnam |

PART 820—PROCEDURAL RULES FOR DOE NUCLEAR ACTIVITIES

Subpart A—General

- Sec.
- 820.1 Purpose and scope.
- 820.2 Definitions.
- 820.3 Separation of functions.
- 820.4 Conflict of interest.
- 820.5 Service.
- 820.6 Computation and extension of time.
- 820.7 Questions of policy or law.
- 820.8 Evidentiary matters.
- 820.9 Special assistant.
- 820.10 Office of the docketing clerk.
- 820.11 Information requirements.
- 820.12 Classified, confidential, and controlled information.
- 820.13 Direction to NNSA contractors.
- 820.14 Whistleblower protection.

Subpart B—Enforcement Process

- 820.20 Purpose and scope.
- 820.21 Investigations.
- 820.22 Informal conference.
- 820.23 Consent order.
- 820.24 Preliminary notice of violation.
- 820.25 Final notice of violation.
- 820.26 Enforcement adjudication.
- 820.27 Answer.
- 820.28 Prehearing actions.
- 820.29 Hearing.
- 820.30 Post-hearing filings.
- 820.31 Initial decision.
- 820.32 Final order.
- 820.33 Default order.
- 820.34 Accelerated decision.
- 820.35 *Ex parte* discussions.
- 820.36 Filing, form, and service of documents.
- 820.37 Participation in an adjudication.
- 820.38 Consolidation and severance.
- 820.39 Motions.

Subpart C—Compliance Orders

- 820.40 Purpose and scope.
- 820.41 Compliance order.
- 820.42 Final order.
- 820.43 Appeal.

Subpart D—Interpretations

- 820.50 Purpose and scope.
- 820.51 General Counsel.
- 820.52 Procedures.

Subpart E—Exemption Relief

- 820.60 Purpose and scope.
- 820.61 Secretarial officer.
- 820.62 Criteria.
- 820.63 Procedures.
- 820.64 Terms and conditions.
- 820.65 Implementation plan.