

(iii) The nonfixed contamination plus the fixed contamination on the inaccessible surface averaged over 300 cm<sup>2</sup> (or the area of the surface if less than 300 cm<sup>2</sup>) does not exceed  $8 \times 10^5$  Bq/cm<sup>2</sup> (20 microcuries/cm<sup>2</sup>) for beta and gamma and low toxicity alpha emitters, or  $8 \times 10^4$  Bq/cm<sup>2</sup> (2 microcuries/cm<sup>2</sup>) for all other alpha emitters.

*Transport index (TI)* means the dimensionless number (rounded up to the next tenth) placed on the label of a package, to designate the degree of control to be exercised by the carrier during transportation. The transport index is the number determined by multiplying the maximum radiation level in millisievert (mSv) per hour at 1 meter (3.3 ft) from the external surface of the package by 100 (equivalent to the maximum radiation level in millirem per hour at 1 meter (3.3 ft)).

*Tribal official* means the highest ranking individual that represents Tribal leadership, such as the Chief, President, or Tribal Council leadership.

*Type A quantity* means a quantity of radioactive material, the aggregate radioactivity of which does not exceed A<sub>1</sub> for special form radioactive material, or A<sub>2</sub>, for normal form radioactive material, where A<sub>1</sub> and A<sub>2</sub> are given in Table A-1 of this part, or may be determined by procedures described in Appendix A of this part.

*Type B quantity* means a quantity of radioactive material greater than a Type A quantity.

*Unirradiated uranium* means uranium containing not more than  $2 \times 10^3$  Bq of plutonium per gram of uranium-235, not more than  $9 \times 10^6$  Bq of fission products per gram of uranium-235, and not more than  $5 \times 10^{-3}$  g of uranium-236 per gram of uranium-235.

*Uranium—natural, depleted, enriched.*

(1) Natural uranium means uranium (which may be chemically separated) with the naturally occurring distribution of uranium isotopes (approximately 0.711 weight percent uranium-235, and the remainder by weight essentially uranium-238).

(2) Depleted uranium means uranium containing less uranium-235 than the naturally occurring distribution of uranium isotopes.

(3) Enriched uranium means uranium containing more uranium-235 than the naturally occurring distribution of uranium isotopes.

[69 FR 3786, Jan. 26, 2004, as amended at 69 FR 58038, Sept. 29, 2004; 77 FR 34204, June 11, 2012; 80 FR 34011, June 12, 2015; 80 FR 48684, Aug. 14, 2015; 80 FR 74981, Dec. 1, 2015; 82 FR 52825, Nov. 15, 2017]

#### §71.5 Transportation of licensed material.

(a) Each licensee who transports licensed material outside the site of usage, as specified in the NRC license, or where transport is on public highways, or who delivers licensed material to a carrier for transport, shall comply with the applicable requirements of the DOT regulations in 49 CFR parts 107, 171 through 180, and 390 through 397, appropriate to the mode of transport.

(1) The licensee shall particularly note DOT regulations in the following areas:

(i) Packaging—49 CFR part 173: subparts A, B, and I.

(ii) Marking and labeling—49 CFR part 172: subpart D; and §§172.400 through 172.407 and §§172.436 through 172.441 of subpart E.

(iii) Placarding—49 CFR part 172: subpart F, especially §§172.500 through 172.519 and 172.556; and appendices B and C.

(iv) Accident reporting—49 CFR part 171: §§171.15 and 171.16.

(v) Shipping papers and emergency information—49 CFR part 172: subparts C and G.

(vi) Hazardous material employee training—49 CFR part 172: subpart H.

(vii) Security plans—49 CFR part 172: subpart I.

(viii) Hazardous material shipper/carrier registration—49 CFR part 107: subpart G.

(2) The licensee shall also note DOT regulations pertaining to the following modes of transportation:

(i) Rail—49 CFR part 174: subparts A through D and K.

(ii) Air—49 CFR part 175.

(iii) Vessel—49 CFR part 176: subparts A through F and M.

(iv) Public Highway—49 CFR part 177 and parts 390 through 397.

## Nuclear Regulatory Commission

## § 71.8

(b) If DOT regulations are not applicable to a shipment of licensed material, the licensee shall conform to the standards and requirements of the DOT specified in paragraph (a) of this section to the same extent as if the shipment or transportation were subject to DOT regulations. A request for modification, waiver, or exemption from those requirements, and any notification referred to in those requirements, must be filed with, or made to, the Director, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

[69 FR 3786, Jan. 26, 2004; 69 FR 58038, Sept. 29, 2004]

### § 71.6 Information collection requirements: OMB approval.

(a) The Nuclear Regulatory Commission has submitted the information collection requirements contained in this part to the Office of Management and Budget (OMB) for approval as required by the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*). The NRC may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. OMB has approved the information collection requirements contained in this part under control number 3150-0008.

(b) The approved information collection requirements contained in this part appear in §§ 71.5, 71.7, 71.9, 71.12, 71.17, 71.19, 71.22, 71.23, 71.31, 71.33, 71.35, 71.37, 71.38, 71.39, 71.41, 71.47, 71.85, 71.87, 71.89, 71.91, 71.93, 71.95, 71.97, 71.101, 71.103, 71.105, 71.106, 71.107, 71.109, 71.111, 71.113, 71.115, 71.117, 71.119, 71.121, 71.123, 71.125, 71.127, 71.129, 71.131, 71.133, 71.135, 71.137, and appendix A, paragraph II.

[69 FR 3786, Jan. 26, 2004, as amended at 75 FR 73945, Nov. 30, 2010; 80 FR 34012, June 12, 2015]

### § 71.7 Completeness and accuracy of information.

(a) Information provided to the Commission by a licensee, certificate holder, or an applicant for a license or CoC; or information required by statute or by the Commission's regulations, orders, license or CoC conditions, to be maintained by the licensee or certifi-

cate holder, must be complete and accurate in all material respects.

(b) Each licensee, certificate holder, or applicant for a license or CoC must notify the Commission of information identified by the licensee, certificate holder, or applicant for a license or CoC as having, for the regulated activity, a significant implication for public health and safety or common defense and security. A licensee, certificate holder, or an applicant for a license or CoC violates this paragraph only if the licensee, certificate holder, or applicant for a license or CoC fails to notify the Commission of information that the licensee, certificate holder, or applicant for a license or CoC has identified as having a significant implication for public health and safety or common defense and security. Notification must be provided to the Administrator of the appropriate Regional Office within 2 working days of identifying the information. This requirement is not applicable to information which is already required to be provided to the Commission by other reporting or updating requirements.

### § 71.8 Deliberate misconduct.

(a) This section applies to any—

- (1) Licensee;
- (2) Certificate holder;
- (3) Quality assurance program approval holder;
- (4) Applicant for a license, certificate, or quality assurance program approval;
- (5) Contractor (including a supplier or consultant) or subcontractor, to any person identified in paragraph (a)(4) of this section; or
- (6) Employees of any person identified in paragraphs (a)(1) through (a)(5) of this section.

(b) A person identified in paragraph (a) of this section who knowingly provides to any entity, listed in paragraphs (a)(1) through (a)(5) of this section, any components, materials, or other goods or services that relate to a licensee's, certificate holder's, quality assurance program approval holder's, or applicant's activities subject to this part may not:

- (1) Engage in deliberate misconduct that causes or would have caused, if not detected, a licensee, certificate