



YUCCA MOUNTAIN NUCLEAR WASTE REPOSITORY PROGRAM

RADIOACTIVE WASTE TRANSPORTATION STATE LAWS

Updated November 2008



CLARK COUNTY
Department of Comprehensive Planning
Nuclear Waste Division
www.accessclarkcounty.com



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1. Executive Summary

The Radioactive Waste Transportation State Laws Updated November 2008 is intended to provide interested individuals and entities a collection of current state regulatory authority that governs various subject matters relevant to the transportation of high-level radioactive waste and spent nuclear fuel by truck and/or rail. The areas researched and included in this year's product include: 1) Permits; 2) Fees; 3) Routes; 4) Inspection; 5) Penalties for Violations; 6) Notification; 7) Safety; and 8) truck and rail. Those states that incorporate the federal guidelines are also identified. In addition, a discussion of federal preemption of state regulation is provided.

Permits and permit fees are the most common and uniform component of the spent fuel transportation process. The permits serve as a data collection tool because they require biographical data of the driver, information pertaining to the carrier and proposed routes with identified cargo. In addition, the quantity and duration of the travel is often requested in the permit applications. The fees accompanying the permit applications serve as a revenue source for purposes defined by each state.

Similarly, routes and inspection are necessary components to state regulation because they allow the relevant oversight agency sufficient notice of the approximate location of the cargo while traversing state lands thereby fostering at-will or pre-notified inspection. For instance, California and Illinois permit at-will inspection of the cargo. Having a general idea of the location of the cargo as well as pre-existing statutory authority to search enables such inspection. States such as Kentucky and Louisiana, however, require reasonable notice to be provided. Knowing the approximate location permits these states to satisfy the "reasonableness" portion of the notice requirement.

2. Introduction

President Bush designated Yucca Mountain, Nevada as a suitable site for the nation's high-level nuclear waste repository in 2002. Since the President's designation, states have pursued creating and amending administrative regulations governing the transportation of high-level nuclear waste into or across their respective lands. The result is a rapidly evolving body of state regulations that attempts to maximize security, control and safety.

In conjunction with the selection of the Yucca Mountain site, the increasing price of gasoline made the impending energy crisis felt by the general public. That the general populous is experiencing impacts of the energy shortage means that nuclear power is a topic of increasing importance in the domestic political discussion. Thus, the energy crisis is leading the public to reexamine nuclear power and construction of new nuclear power plants as a potential solution to an international energy crisis. As governmental discussion regarding Yucca Mountain progresses, state interest in oversight has been evolving and increasing.

The following material summarizes the ongoing charged debate over Yucca Mountain as it pertains to formal proceedings. In addition, discussion regarding states' various methods of maintaining a role in regulating the transportation of high-level nuclear waste is provided. Consideration of state regulation requires a thorough analysis of the roots, reach and current status of federal preemption as it pertains to transportation of high-level nuclear waste through states. The areas of state regulation discussed include: permits, fees, routes, inspection, penalties, notification, safety and a query of the division in charge of the regulatory oversight.

2.0 The Application Process

The current state of affairs in the forum of storage and transportation of high-level nuclear waste is best described as contentious. On June 3, 2008, the United States Department of Energy submitted its application to the Nuclear Regulatory Commission (NRC) for its proposed repository at Yucca Mountain. Concurrent with the NRC review is the Department of Transportation's Surface Transportation Board (STB) review of the DOE's application for construction of the Caliente Rail line—the preferred route for rail transport of high-level nuclear waste to the proposed facility. Without both applications being granted, the repository will not become functional.

The application processes allow for opposition in the form of contentions (NRC), comments (STB), and conditions (NRC and STB). Those parties with a material interest including affected states, local governments and tribes made their initial formal opposition known during the summer months of 2008, and will have an opportunity to exhaust all available legal and procedural avenues of challenge over the next several years. A summary of those processes follows.

2.1 Nuclear Regulatory Commission Review

In September 2008, the NRC docketed the DOE's application for review. For purposes of evaluation, this docketing is the opening of the formal debate that will likely result in extensive litigation. The NRC published a Notice of Hearing in October 2008, setting in motion the NRC's independent safety review and the timetable for parties to petition for intervention and submittal of contentions.

2.2 Surface Transportation Board

The STB procedures are primarily governed by 49 CFR 1105.10. Within this portion of the Code of Federal Regulations, the purpose of the STB and its scope of review is defined. On April 11, 2008, the STB published a notice of application filed by the DOE for the construction of the Caliente Rail Corridor, the central transit route through Nevada by which the high-level nuclear waste would be transported. In its April 11, 2008 notice, the STB also provided a presumptive schedule by which all participating parties were to conform. The schedule provided that all Comments in support or opposition to the application be submitted by July 15, 2008, and required DOE's Response to be filed by August 29, 2008. Comments in support and opposition were presented to the STB, as was the Response by the DOE. In October 2008, the DOE issued a Record of Decision selecting the Caliente Rail Corridor as its preferred route.

During adjudication, the STB will consider the environmental documentation, such as the EIS within the application, the Comments and the DOE's Response. If the STB finds that conditions should be attached to the acceptance of the application, it may do so.¹ The STB will ultimately decide if withholding a decision, staying a decision or imposition of conditions is the appropriate action after recognizing that an environmental concern exists.²

2.3 State Legislation and Preemption

While the national processes continue to move forward, albeit with strong opposition, state legislatures actively pursue legislation to increase protective

¹ 49 C.F.R. § 1105.10 (f)

² *Id.*

measures for its citizens. Those measures are discussed in Chapters 2 and 3 of the report. The legislation passed by states must be carefully crafted so as not to violate federal preemption standards.

2.4 Preemption

Preemption's birthplace is the United States Supreme Court decision in *Gibbons v. Ogden*, 22 U.S. 1, 6 L.Ed. 23 (1824) and the Supremacy Clause of the United States Constitution. In *Gibbons*, the Court declared that federal law supersedes that of the states. Thereafter, a series of cases reinforced the principle that federal law preempts any state regulation in a forum in which Congress has either expressly or impliedly usurped exclusive authority.³

Express preemption may be accomplished through statutory language or by virtue of legislative history.⁴ Courts also recognize preemption in situations in which a state statute creates conflict such that harmony of the two is linguistically and behaviorally unattainable.⁵ If a state law impedes upon a Congressional legislative purpose or objective, the state law is deemed to have been preempted by the federal legislative initiative.⁶

In the absence of either express preemption of a subject matter or fundamental impediment by virtue of federal and state conflicting laws, implied preemption may still subsist. That is, federal occupation of a subject matter may be "so pervasive as to make reasonable the inference that Congress left no room to supplement it...."⁷ Thus,

³ See West's Federal Administrative Practice s 5390, s 5390. Rules of Practice--Procedures for Implementation of Environmental Laws (2008) (citing *Rice v. Sante Fe Elevator Corp.*, 331 US 218, 236, 67 S.Ct. 1146, 1155, 91 L. Ed. 1447 (1947)).

⁴ See *Jones v. Rath Packing Co.*, 430 U.S. 519, 525, 97 S.Ct. 1305, 1309, 51 L.Ed.2d 604 (1977).

⁵ See *Florida Lime & Avocado Growers Inc. v. Paul*, 373 U.S. 132, 142-43, 83 S.Ct. 1210, 1217-18, 10 L.Ed. 2d 248 (1963).

⁶ *Hines v. Davidowitz*, 312 U.S. 52, 67, 61 S.Ct. 399, 404, 85 L.Ed. 581 (1941)

⁷ See *Fidelity Federal Savings & Loan Assn v. De la Cuesta*, 456 U.S. 141, 153, 102 S.Ct. 3014, 3022, 73 L.Ed.2d 664 (1982)

when states pursue legislation addressing the transportation of high-level nuclear waste, they must be weary of express, conflict-based and implied preemption.

2.5 State Legislation

The baseline around which state's must legislate is the Hazardous Materials Transportation Act (HMTA).⁸ Many states, such as Alaska⁹, Delaware¹⁰, the District of Columbia¹¹, Hawaii¹², Idaho¹³, Indiana¹⁴, Maryland¹⁵, Oklahoma¹⁶, and South Dakota¹⁷, wholly incorporate the relevant federal regulations from the HMTA. In so doing, they rely entirely on the HMTA's procedural and substantive safeguards as they pertain to high-level nuclear waste transportation. Others, however, promulgate their own regulations. The following briefly touches on the various areas regulated and identifies some themes among the various states' enactments.

⁸ 49 C.F.R. Part 107.221

⁹ AAC 18-62-3 (2008)

¹⁰ CDR 40-700-018 (2008)

¹¹ CDCR 22-6706 (2008)

¹² WCHR 11-45 (2005)

¹³ IDAPA 59.01.05.007 (2007)

¹⁴ 329 IAC 3.1-8-1

¹⁵ COMAR 26.13.04.01 (2008)

¹⁶ O.A.C. § 252.410-10-71 (2007)

¹⁷ SD ADC 74:28:24:01 (2008)

2.6 Permits

Those not mentioned above appear to thematically address permit regulation. The use of general and specific licenses is common place as is direct prohibition on any conduct which is not in compliance with the pertinent federal regulation (likely to distance the regulations from any conflict-based preemption argument). Those states also assign registration numbers from the governing state agency and access fees.

State permit regulation presumably emphasizes security concerns as reflected by nearly uniform, thorough identification procedures, personal record checks, and proof of insurance. Permit regulation almost universally requires presentation of standard information such as dates, times, routes and contents of the waste to be transported.

2.7 Fees

Because of potential emergency management costs, risks to citizens and oversight costs are substantial in this area, fees are in place by every state (be it by default reference to the federal regulations or by state-promulgated regulations). Some states, such as Nevada¹⁸, instilled a lengthy and complex system of fee arrangements that focuses on volume, content, shipment numbers and period of transport in calculating costs. Others, such as North Dakota, employ broad discretionary language in the area of fees.¹⁹ Some, however, apply flat fees on per-shipment basis. The usurpation of surety bonds is a popular requisite for permit obtainment. That is, bonds in an amount stipulated by the governing agency must be obtained as prerequisite to permit issuance.²⁰

¹⁸ Nev. Admin. Code 459.8231 (2007)

¹⁹ N.D. Admin. Code 33-24-04-08 (*stating* "The [relevant] department may assess and collect reasonable fees for the issuance of registration certificates and transporter permits.")

²⁰ See e.g. Alabama. ADEM 335-1-6 (*requiring* a surety bond in which the applicant is the principal obligor and the department is the principal obligee).

2.8 Routes

The United States Department of Transportation (USDOT) provided guidelines in its 2004 Spent Fuel Transportation publication provided at the National Conference of State Legislatures. These guidelines discuss suggested routes, carrier safety methods and scheduling prerequisites. Note that the federal government's active participation and evaluation of preferred routes may preempt any prohibitive state legislation.

For instance, in *Jersey Cent. Power & Light Co. v. Lacey Tp.*, 772 F. 2d 1103 (3rd Cir. 1985), the Township of Lacey attempted to ban any and all shipments of nuclear waste from entering. The Third Circuit Court of Appeals held that conformance with federal regulations was rendered impossible or, at the very least, the statute was in direct conflict with the HMTA. Relying on a string of precedent, the Court stated:

[T]his case is not materially distinguishable from cases in the other Circuits which have held that state laws prohibiting the importation and storage of nuclear waste violated the Supremacy Clause.²¹

The Court then expanded the scope of the federal purview by finding that existing legislation occupied the “safety aspects of Nuclear energy power” and concluded that such areas are solely to be governed by the NRC.²²

²¹ *Jersey Cent. Power & Light Co. v. Lacey Tp.*, 772 F. 2d 1103 (3rd Cir. 1985) (citing *People of the State of Illinois v. General Electric Co.*, 683 F.2d 206 (7th Cir. 1982); *Hartigan v. General Electric Co.*, 461 U.S. 913, 103 S.Ct. 1891, 77 L.Ed.2d 282 (1983); *Washington State Building and Construction Trades Council v. Spellman*, 684 F.2d 627 (9th Cir. 1982), cert. denied, 461 U.S. 913, 103 S.Ct. 1891, 77 L.Ed.2d 282 (1983).

²² *Id.* (citing *County of Suffolk v. Long Island Lighting Co.*, 728 F.2d 52, 59-60 (2d Cir. 1984)).

2.9 Inspection

Unsurprisingly, many states permit at-will inspection.²³ Other states require a quasi-legal standard of “reasonable cause” to believe that the vehicle is transporting hazardous wastes.²⁴ Kentucky and Louisiana, however, liberally require that “reasonable notice” be provided to the carrier prior to inspection.²⁵ Finally, other states impute the responsibility of safety regulation to the licensee.²⁶ A recent method employed by Illinois involved the creation of the Illinois Nuclear Safety Preparedness Program. One goal of the program is to create a task force whose aim is to develop and implement a plan for inspection and escort of all high-level radioactive waste vehicles through the state.

3. Penalties for Violations

Despite the existence of safety and investigatory regulations, accidents are still possible. The combination of the nature of the cargo, as well as the density of major cities’ populations, makes serious damages to property and person a substantial risk. An accident causing the release of high-level radioactive waste could result in enormous damages and costs. Thus, states may want to consider creating exculpatory laws that limit state governmental liability. States that have legislated in the forum of liability typically place damage liability on to the carrier, and thereby circumvent liability for in-state accidents.

²³ *E.g.* California (22 CCR 66263.32(2008)); Illinois (92 Ill. Adm. Code 107 (2008));

²⁴ *E.g.* Kansas (K.A.R. § 28-35-500 (2008)).

²⁵ *See* Kentucky, 401 KY ADC 40:020 (2008); Louisiana, LAC 33:XV.1501 (2008)

²⁶ *E.g.* Nebraska, *Nebraska Admin. Code Title 180 Ch. 13* (2008) (*stating* “The licensee must perform inspection and maintenance checks.

States must decide what type of liability to impose upon a carrier. Civil and criminal liability exists in many states, with the level of culpability depending upon the nature of the wrong. States may levy mandated fines for each violation or create a range of potential civil or criminal penalties. Also, the process by which liability is determined varies from state to state.

Pennsylvania applies a purely civil penalty, whereas West Virginia imposes both criminal and civil penalties.²⁷ Similar to West Virginia, Maine also possesses both criminal and civil sanctions at its disposal. Most states appear to fine per day, cap fines and limit the potential time incarcerated to two years.

3.0 Notification

The USDOT Research and Special Programs Administration states that notification requirements created by state and local entities for the transportation of hazardous waste are typically preempted by federal rules.²⁸ Yet, states are permitted to regulate pre-notification involving the transportation of radioactive materials. The requirements may apply prior to transportation of the material or in the event of an accident. NRC mandates that pre-notification of transport be provided to the Governor (or the Governor's designee) prior to the date of departure.²⁹

²⁷ Pennsylvania, 25 Pa. Code Part I, Subpt D, Art. VIII, Ch 263a20; West Virginia, W. Va. CSR § 22-18-16 (2008) (*proscribing* criminal penalties, including felony-level, with fifty thousand dollar per day fines and potential prison ranging one to two years; 22-18-17 (2008) (*imposing* \$7,500.00 maximum per-day fines not to exceed \$22,500.00).

²⁸*Index to Preemption, Fee Requirements*, Office of Chief Counsel.

²⁹10 C.F.R. 71, 73.

Depending upon the volume of material being transported, NRC and the state must be notified at least seven days prior to departure.³⁰ The NRC regulations addressing notification serve as a baseline for notification laws. That is, states may legislate within the forum, but may not impose standards that are less stringent than those put forth by NRC. The result is a plethora of regulatory methods being employed by state and local entities.

The most common approach, however, mirrors that of the NRC by requiring: name, address, telephone number, names of the shipper and receiver, as well as a description of the waste to be provided by the carrier prior to shipment. Pennsylvania law focuses upon the notification process in the event of an accident by demanding that a designated public agency be contacted at the time of an accident in addition to the NRC requirements mandating Governor Notification. For those states that have not directly regulated pre-notification, the NRC standards apply. Approximately 33 states rely upon requirements akin to those stipulated by the NRC.³¹

3.1 Safety

Emergency response and preparedness currently remains the responsibility of the state or other governmental entity in which an accident occurs. Following the terrorist attacks of 2001, security threat analysis has become an integral part of transportation review. The risk of an accident or attack creates huge budgetary and personnel concerns in the transportation debate. Federal agency personnel or funds presumably will be provided when/if transport to

³⁰ *Id.*

³¹ See National Conference of State Legislatures, *Spent Fuel Transportation*, 27 (2004).

Yucca Mountain initiates. The DOE license application, however, does not elaborate on the specific agency personnel numbers or Cap A the nature of the federally funded training for local municipalities. Instead, DOE references its proposed compliance program under 180 (c) of the Nuclear Waste Policy Act.

State and local entities possess wide latitude for enforcement within the arena of emergency preparedness and response. Accidents that involve radioactive waste shipment are the responsibility of local emergency response personnel. However, when accidents involving radioactive material involve defense-related activities, the federal government is the responsible body. Note, however, that state/local agencies and the federal government may work together in some instances. For example, a local entity may request federal or state funding to assist with emergency response procedures. A state, though, may not prohibit radioactive material shipments based on inadequate emergency response capabilities.

3.1.1 Tables of State Regulation

ALABAMA

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
LAND DIVISION - HAZARDOUS WASTE PROGRAM
CHAPTER 335-14-4: STANDARDS APPLICABLE TO TRANSPORTERS OF HAZARDOUS WASTE

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| PERMITS | EPA identification number and Alabama Hazardous Waste Transport Permit. A transporter must not transport hazardous wastes without having received an EPA identification number from the Administrator or the authorized State in which the base of operations is located. If the transporter's base of operations is located within the State of Alabama, such application shall be submitted to the Department of Environmental Management. |
| FEES | Specified in Chapter 335-1-6 of the ADEM. A surety bond in which the applicant is the principal obligor and the Department is the obligee . |
| ROUTES | |
| INSPECTION | |
| PENALTIES FOR VIOLATIONS | |
| NOTIFICATION | Annual Submission of ADEM Form 8700-12, Notification of Regulated Waste Activity and Certifications of Waste Management. In the event of a discharge of hazardous waste during transportation, the transporter must take appropriate immediate action to protect human health and the environment. |
| SAFETY | The Department may establish conditions and restrictions upon the transportation of a particular shipment of hazardous waste as the Department deems necessary to protect human health or the environment. |
| TRANSPORTATION | Department of Environmental Management |

ALASKA

ALASKA ADMINISTRATIVE CODE
TITLE 18. ENVIRONMENTAL CONSERVATION
CHAPTER 62. HAZARDOUS WASTE
ARTICLE 3. STANDARDS APPLICABLE TO A TRANSPORTER

Regulations of the federal government applicable to a transporter of hazardous waste, including standards for universal waste management, promulgated and published as 40 C.F.R. Part 263 and 40 C.F.R. 273.50 -- 273.56, as revised as of July 1, 2002, are adopted by reference.

ARIZONA

ARIZONA ADMINISTRATIVE CODE
TITLE 12. NATURAL RESOURCES
CHAPTER 1. RADIATION REGULATORY AGENCY
ARTICLE 15. TRANSPORTATION

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| PERMITS | A person shall not transport radioactive material or deliver radioactive material to a carrier for transport unless the person is authorized in a general or specific license issued by the Radiation Regulatory Agency. |
| FEES | The fee for a Type D17 radioactive waste transfer-for-disposal license is \$2.50 per cubic foot of waste transferred, including packaging |
| ROUTES | |
| INSPECTION | |
| PENALTIES FOR VIOLATIONS | |
| NOTIFICATION | When radioactive materials are stored for longer than 48 hours during transit, the carrier shall notify the local fire department. The licensee or carrier shall immediately notify the Department of Public Safety of an accident involving radioactive material. Advance notification must contain: 1) name, address, and telephone number of the shipper, carrier, and receiver of the shipment; 2) description of nuclear waste to be shipped; 3) point of origin and 7-day period during which departure of shipment will occur; 4) 7-day period during which arrival of shipment at state boundaries will occur; 5) destination of shipment; 6) point of contact with telephone number. |
| SAFETY | Complies with the packaging, monitoring, manifesting, marking, and labeling requirements, applicable to the mode of transport, of the U.S. Department of Transportation, 49 CFR 171 through 180. A licensee that transports radioactive material in the course of business or delivers radioactive material to a carrier for transport in a package for which a license, certificate of compliance, or other approval has been issued by the Nuclear Regulatory Commission, or meets the applicable criteria specified in 10 CFR 71. Each licensee shall establish, maintain, and execute a quality assurance program to verify by procedures such as checking, auditing, and inspection that deficiencies, deviations, and defective material are promptly identified and corrected. |
| TRANSPORTATION | Radiation Regulatory Agency, U.S. Department of Transportation, Nuclear Regulatory Commission |

ARKANSAS

CODE OF ARKANSAS RULES AND REGULATIONS
 007 DEPARTMENT OF HEALTH
 14 RADIATION CONTROL AND EMERGENCY MANAGEMENT
 007 14 CARR 001 (2008)

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| PERMITS | A transporter must not transport hazardous wastes in or through Arkansas without having received an EPA identification number. A transporter who has not received an EPA identification number may obtain one by applying to the Director (for Arkansas companies) using EPA Form 8700-12. Any person who transports hazardous waste in, from, or through the State of Arkansas shall comply with the permitting and other requirements of the Arkansas Highway and Transportation Department and the Arkansas Motor Carrier Act. General/Specific license. |
| FEES | |
| ROUTES | |
| INSPECTION | |
| PENALTIES FOR VIOLATIONS | |
| NOTIFICATION | Prior to the transport of any nuclear waste outside of the confines of the licensee's facility or other place of use or storage, or prior to the delivery of any nuclear waste to a carrier for transport, each licensee shall provide advance notification of such transport to the Governor (or Governor's designee) of each State through which the waste will be transported. Advance notification must contain: 1) name, address, and telephone number of the shipper, carrier, and receiver of the shipment; 2) description of nuclear waste to be shipped; 3) point of origin and 7-day period during which departure of shipment will occur; 4) 7-day period during which arrival of shipment at state boundaries will occur; 5) destination of shipment; 6) point of contact with telephone number. |
| SAFETY | In the event of a discharge of hazardous waste during transportation, the transporter must take appropriate immediate action to protect human health and the environment (e.g., notify local authorities, dike the discharge area). Give immediate notice to the Arkansas State Police and to the principal office or designated contact for the transporter. Precautions per U.S. Department of Transportation. The licensee may not transport licensed material unless the material is packaged, and the package is labeled, marked, and accompanied with appropriate shipping papers in accordance with regulations set out in SECTION 4. TRANSPORTATION OF RADIOACTIVE |

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| | MATERIALS. Prior to each shipment of licensed material, the licensee shall ensure that the package with its contents satisfies the applicable requirements of Section RH-3401 and the license. Each licensee shall establish, maintain, and execute a quality assurance program to verify by procedures such as checking, auditing, and inspection that deficiencies, deviations, and defective material are promptly identified and corrected. |
| TRANSPORTATION | Arkansas Highway and Transportation Department and the Arkansas Motor Carrier Act. The packaging and transport of licensed material are also subject to the regulations of other agencies (e.g., the U.S. Department of Transportation, the U.S. Nuclear Regulatory Commission, and the U.S. Postal Service) having jurisdiction over means of transport. |

CALIFORNIA

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS
TITLE 22. SOCIAL SECURITY
DIVISION 4.5. ENVIRONMENTAL HEALTH STANDARDS FOR THE MANAGEMENT OF HAZARDOUS WASTE
CHAPTER 13. STANDARDS APPLICABLE TO TRANSPORTERS OF HAZARDOUS WASTE
ARTICLE 3. HAZARDOUS WASTE DISCHARGES

22 CCR 66263.32 (2008)

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| PERMITS | Identification Number and a registration certificate from the Department. A transporter shall not transport hazardous waste under the provisions of this article without being registered with the Department. |
| FEES | The Department shall determine the fee for each motor carrier by dividing the motor carriers' allocation of the total fees to be collected by the number of motor carrier companies subject to the fee |
| ROUTES | |
| INSPECTION | Department of California Highway Patrol. The Director or any duly authorized representative of the Department may stop and inspect any vehicle reasonably suspected of transporting hazardous wastes when accompanied by a uniformed police officer in a clearly marked vehicle |
| PENALTIES FOR VIOLATIONS | The Enforcement Agency shall determine an initial penalty for each violation, considering potential harm and the extent of deviation from hazardous waste management requirements. The Enforcement Agency shall use the matrix set forth in Subsection 66272.62(d) to determine the initial penalty for each violation. Administrative penalties assessed in administrative enforcement orders issued pursuant to Health and Safety Code Section 25187 shall be assessed following the procedures set forth in this article. The penalty assessed for any violation in accordance with this article shall not exceed the maximum penalty specified in statute. |
| NOTIFICATION | In the event of a discharge of hazardous waste during transportation, the transporter shall take appropriate immediate action to protect human health and the environment (e.g., notify local authorities, dike the discharge area). Give notice, if required by Title 49 CFR section 171.15. |

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| SAFETY | Transporter of a hazardous waste shall comply with requirements of this division and with applicable provisions of hazardous materials regulations adopted by the Department of California Highway Patrol governing containers, packing, labels, marking, vehicle placards, shipping papers, loading, shipping certificates and incident reporting |
| TRANSPORTATION | The hazardous waste shall be transported in accordance with the regulations of the Department of California Highway Patrol (Title 13, California Code of Regulations, article 3, commencing with section 1160, subchapter 6, chapter 2), the regulations of the U. S. Department of Transportation (DOT) (Code of Federal Regulations, Title 49, Parts 172, commencing with section 172.1, and 173, commencing with section 173.1), and the regulations of the EPA (Code of Federal Regulations, Title 40, Part 263, commencing with section 263.10). |

COLORADO

COLORADO CODE OF REGULATIONS
DEPARTMENT OF TRANSPORTATION
DIVISION OF TRANSPORTATION DEVELOPMENT

2 CCR 603-4 (2008)

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| PERMITS | No person shall transport radioactive material or deliver radioactive material to a carrier for transport except as authorized in a general or specific license issued by the Department, an Agreement State, a Licensing State, or NRC, or as exempted |
| FEES | \$500 per permit + \$200 per shipment + \$1,000 fine for non-permit transportation |
| ROUTES | Department of Transportation Division of Transportation Development |
| INSPECTION | |
| PENALTIES FOR VIOLATIONS | |
| NOTIFICATION | Prior to the transport of any nuclear waste outside of the confines of the licensee's facility or other place of use or storage, or prior to the delivery of any nuclear waste to a carrier for transport, each licensee shall provide advance notification of such transport to the governor, or governor's designee, of each state through which the waste will be transported. Advance notification must contain: 1) name, address, and telephone number of the shipper, carrier, and receiver of the shipment; 2) description of nuclear waste to be shipped; 3) point of origin and 7-day period during which departure of shipment will occur; 4) 7-day period during which arrival of shipment at state boundaries will occur; 5) destination of shipment; 6) point of contact with telephone number. |
| SAFETY | Comply with the applicable requirements, appropriate to the mode of transport, of the regulations of the DOT. Each licensee is responsible for complying with each quality assurance provision which applies to the licensee's use of a packaging for the shipment of licensed material subject to the requirements of 10 CFR 71. |

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| TRANSPORTATION | Department of Transportation Division of Transportation Development |
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CONNECTICUT

REGULATIONS OF CONNECTICUT STATE AGENCIES
TITLE 19 HEALTH AND SAFETY
DEPARTMENT OF TRANSPORTATION
TRANSPORT OF RADIOACTIVE MATERIAL

Regs., Conn. State Agencies § 19-409d-51 (2008)

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| PERMITS | All applications for a permit to transport radioactive material shall be made to the Connecticut Department of Transportation. Name of the shipper. Name and mail address of the carrier, type of major isotopes, quantity (in curies) and type of label, date and time of shipment, origin, scheduled route and destination. (All routing will be via limited access highways and the shortest practicable route to and from them, year, make, color, State of registration and plate number of both the tractor and trailer, and driver(s) and name(s). The person, firm, or corporation to whom the permit is granted shall pay a fee of \$25.00, payable in advance, for each single trip permit. |
| FEES | The person, firm, or corporation to whom the permit is granted shall pay a fee of \$25.00, payable in advance, for each single trip permit. |
| ROUTES | Connecticut Department of Transportation |
| INSPECTION | At-will |
| PENALTIES FOR VIOLATIONS | Any permittee who fails to comply with the provisions of any permit to transport radioactive material shall be deemed to have no permit and is subject to the penalties cited in Section 19-409d of the General Statutes of Connecticut, as revised. (PA 76-321). |
| NOTIFICATION | |
| SAFETY | A written statement from the Shipper certifying that the articles described in the shipping papers are properly classified, described, packaged, marked and labeled, and that the articles are in proper condition for transportation, according to the applicable regulations of the Nuclear Regulatory Commission and the Federal Department of Transportation |
| TRANSPORTATION | Connecticut Department of Transportation, nothing shall be construed to be in conflict with any federal regulations concerning the transport of hazardous material |

DELAWARE

WEIL'S CODE OF DELAWARE REGULATIONS
AGENCY 40. DEPARTMENT OF HEALTH AND SOCIAL SERVICES
SUB-AGENCY 700. DIVISION OF PUBLIC HEALTH
CHAPTER 018. RADIATION CONTROL REGULATIONS

CDR 40-700-018 (2008)

PART T

TRANSPORTATION OF RADIOACTIVE MATERIAL

Persons who transport NARM (radioactive material) in Delaware are required to comply with U.S. Department of Transportation Regulations in 49 CFR Parts 100-189 and Parts 390 -397 or the U.S. Postal Service as applicable.

DISTRICT OF COLUMBIA

CODE OF D.C. MUNICIPAL REGULATIONS
TITLE 22. PUBLIC HEALTH AND MEDICINE
CHAPTER 67. RADIATION: ADMINISTRATION AND ENFORCEMENT

CDCR 22-6706 (2008)

Each licensee shall transport materials with all requirements appropriate to the mode of transportation, relating to the packaging of the radioactive material and to the marking and labeling of the package and transporting vehicle, of the rules and regulations published by the U.S. Department of Transportation (46 CFR § 148.04-1, 49 CFR §§ 173-179, and 14 CFR § 103) to the same extent as if the transportation were subject to the rules and regulations of that agency.

FLORIDA

FLORIDA ADMINISTRATIVE CODE
TITLE 64 DEPARTMENT OF HEALTH
64E DIVISION OF ENVIRONMENTAL HEALTH
CHAPTER 64E-5 CONTROL OF RADIATION HAZARDS
PART XV TRANSPORTATION OF RADIOACTIVE MATERIAL

64E-5.1501, F.A.C.

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| PERMITS | No person shall deliver radioactive material to a carrier for transport or transport radioactive material except as authorized in a general license or specific license issued by the Department of Health or as exempted. |
| FEES | Authorized to charge and collect reasonable fees |
| ROUTES | The Department of Health may designate routes within the State of Florida for all shipments requiring advanced notification. In lieu of the Department's designation of routes, the interstate highway system and limited access roadways are preferred for transportation of radioactive waste requiring advanced notification. |
| INSPECTION | A department representative is authorized to enter upon and inspect the premises and transport vehicles of any person engaged in the transportation of radioactive material for the purpose of determining compliance with or violation of the provisions. |
| PENALTIES FOR VIOLATIONS | Modify, deny, suspend, or revoke a license or registration or impose an administrative fine not to exceed \$1,000 per day/Class 3 felony |
| NOTIFICATION | Advance notification in writing to the Governor, or Governor's designee, of each state through which waste will be transported. Advance notification must contain: 1) name, address, and telephone number of the shipper, carrier, and receiver of the shipment; 2) description of nuclear waste to be shipped; 3) point of origin and 7-day period during which departure of shipment will occur; 4) 7-day period during which arrival of shipment at state boundaries will occur; 5) destination of shipment; 6) point of contact with telephone number. In addition to the reporting requirements of the U.S. Department of Transportation, any carrier transporting radioactive material in the State shall notify the Department immediately in the event the carrier suspects or knows of a breach in the containment of the radioactive material being transported. |
| SAFETY | U.S. Department of Transportation and NRC regulations |
| TRANSPORTATION | Department of Health and the packaging and transportation of radioactive material are also subject to the requirements of other agencies such as the U.S. Department of Transportation, the U.S. Nuclear Regulatory Commission and the U.S. Postal Service. |

GEORGIA

RULES AND REGULATIONS OF THE STATE OF GEORGIA
TITLE 391: GEORGIA DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION
CHAPTER 391-3-17 RADIOACTIVE MATERIALS

Ga. Comp. R. & Regs. r. 391-3-17-.06 (2008)

391-3-17-.06 Transportation of Radioactive Material

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| PERMITS | General or specific license issued by the Department or as exempted. |
| FEES | The commissioner may charge a fee for the issuance of permits. The fee for the issuance of annual trip permits shall be \$100.00. The fee for the issuance of single-trip permits shall be established by rules and regulations promulgated by the commissioner. |
| ROUTES | Commissioner |
| INSPECTION | Commissioner delegates Department of Motor Vehicles employees |
| PENALTIES FOR VIOLATIONS | In addition to any other liability imposed by law, any person who violates any provision of this chapter shall be guilty of a misdemeanor. Commissioner may impose civil monetary penalties in an amount not to exceed \$25,000.00 for each violation |
| NOTIFICATION | Prior to transport licensee shall provide advance notification of such transport to the Governor, or Governor's designee, of each state within or through which the waste will be transported |
| SAFETY | DOT Regulations |
| TRANSPORTATION | Commissioner delegates Department of Public Safety employees |

HAWAII

WEIL'S CODE OF HAWAII RULES
TITLE 11. DEPARTMENT OF HEALTH
CHAPTER 45. RADIATION CONTROL

WCHR 11-45 (2005)
SUBCHAPTER 12 TRANSPORTATION OF RADIOACTIVE MATERIAL

Comply with the regulations of the U.S. Department of Transportation.

IDAHO

IDAHO ADMINISTRATIVE CODE
IDAPA 58: DEPARTMENT OF ENVIRONMENTAL QUALITY
TITLE 01
CHAPTER 05: RULES AND STANDARDS FOR HAZARDOUS WASTE

IDAPA 58.01.05.007 (2007)

007. STANDARDS APPLICABLE TO TRANSPORTERS OF HAZARDOUS WASTE.

40 CFR Part 263 and all Subparts are herein incorporated by reference as provided in 40 CFR, revised as of July 1, 2006. For purposes of 40 CFR 263.20(g), 263.20(g)(1), 263.20(g)(4), 263.21(a)(4), and 263.22(d), "United States" shall be defined as the United States.

ILLINOIS

ILLINOIS ADMINISTRATIVE CODE
TITLE 92. TRANSPORTATION
CHAPTER I. DEPARTMENT OF TRANSPORTATION
SUBCHAPTER c. HAZARDOUS MATERIALS TRANSPORTATION REGULATIONS
PART 107. PROCEDURES

92 Ill. Adm. Code 107 (2008)

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| PERMITS | As Part 173 of the Illinois Hazardous Materials Transportation Regulations, the Department incorporates 49 CFR 173 by reference, as that part of the federal hazardous materials transportation regulations was in effect on October 1, 2004, as amended at 69 FR 70902 , December 8, 2004, and as amended at 69 FR 75208 , December 15, 2004 subject only to the exceptions in subsection (b) of this Section |
| FEES | |
| ROUTES | |
| INSPECTION | Any representative of the State acting under delegation of authority in Section 107.301, upon presenting appropriate credentials, may enter without delay, inspect and examine the records and properties of any person to the extent such records and properties relate to the transportation or shipment of hazardous materials on the highways of this State. All such inspections and examinations shall be conducted during regular working hours and in a reasonable manner. The State Police shall stop any vehicle when the State Police has reason to believe that an imminent hazard exists. "Imminent hazard," as used in this section, exists if there is a likelihood that death, serious illness, or personal injury will occur prior to the completion of a formal proceeding initiated to abate the risk of such harm. |
| PENALTIES FOR VIOLATIONS | When the Department has reason to believe that a person has knowingly committed an act which is a violation of any provision of these regulations it may conduct proceedings to assess and, if appropriate, compromise a civil penalty. A person who knowingly commits an act that is a violation of any of these regulations is liable for a civil penalty of not more than \$10,000 for each violation. When the violation is a continuing one, each day of the violation constitutes a separate offense. Payment of a civil penalty should be made by certified check or money order payable to the Treasurer of the State of Illinois and sent to the Director. Section 12 of the Act provides a criminal penalty of a fine of not more than \$25,000 for any person who willfully violates a provision of the Act or a regulation issued under the Act. |
| NOTIFICATION | |
| SAFETY | As Part 173 of the Illinois Hazardous Materials Transportation Regulations, the Department incorporates 49 CFR 173 by reference, as that part of the federal hazardous materials transportation regulations was in effect on October 1, 2004, as amended at 69 FR 70902 , December 8, 2004, and as amended at 69 FR 75208 , December 15, 2004 subject only to the exceptions |

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| | <p>in subsection (b) of this Section. No person may accept for transportation, transport, or deliver a hazardous waste for which a manifest is required unless that person:</p> <p>1) has marked each motor vehicle used to transport hazardous waste in accordance with 49 CFR 390.21 or 49 CFR 1058.2 even though placards may not be required;</p> <p>2) complies with the requirements for manifests set forth in 49 CFR 172.205</p> |
| TRANSPORTATION | <p>The Department of Transportation;</p> <p>b) The Department of State Police; and</p> <p>c) Any other department or agency of State government which has jurisdiction with respect to the transportation of hazardous materials, with which the Secretary concludes an interagency agreement</p> |

INDIANA

329 IAC 3.1-8-1 Adoption of federal standards applicable to transporters of hazardous waste. 40 CFR 263 is hereby incorporated by reference.

IOWA

IOWA ADMINISTRATIVE CODE
ENVIRONMENTAL PROTECTION COMMISSION
TITLE X: HAZARDOUS WASTE

CHAPTER 149: FEES FOR TRANSPORTATION, TREATMENT AND DISPOSAL OF HAZARDOUS WASTE

567 IAC 149.1(455B) (2008)

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| PERMITS | No person shall receive, possess, use, transfer, own, or acquire radioactive material except as authorized in a specific or general license issued pursuant to this chapter or as otherwise provided in these rules. |
| FEES | The department has authority to collect fees for the transportation, treatment, and disposal of a hazardous waste. Moneys collected or received by the department shall be transmitted to the treasurer of the state for deposit in the hazardous waste remedial fund. A fee of ten dollars (\$ 10) for each ton of hazardous waste transported offsite of generation. Must file a completed Form 179 "Hazardous Waste Program--Transportation, Treatment and Disposal Fees" which is provided by the department. |
| ROUTES | |
| INSPECTION | |
| PENALTIES FOR VIOLATIONS | If the director finds that a person has failed to pay the fees assessed by this chapter, the director shall enforce the collection of the delinquent fees. A penalty of fifteen percent (15%) of the fee due in addition to the fee due shall be collected. |
| NOTIFICATION | |
| SAFETY | All persons who transport radioactive material or deliver radioactive material to a carrier for transport must comply with the applicable provisions contained in 10 CFR Part 71 and 49 CFR Parts 170 through 189. |
| TRANSPORTATION | Attention is directed to the fact that regulation by the state of source material, by-product material, and special nuclear material in quantities not sufficient to form a critical mass is subject to the provisions of the agreement between the state and the U.S. Nuclear Regulatory Commission and to 10 CFR Part 150 of the Commission's regulations. |

KANSAS

KANSAS ADMINISTRATIVE REGULATIONS
AGENCY 28 DEPARTMENT OF HEALTH AND ENVIRONMENT
ARTICLE 35. RADIATION
PART 15.--PACKAGING AND TRANSPORTATION OF RADIOACTIVE MATERIAL

K.A.R. § 28-35-500 (2008)

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| PERMITS | Transporters of hazardous waste shall comply with the requirements of 40 CFR Part 263, except 263.10(a) and 263.20(h). General license. |
| FEES | |
| ROUTES | Each transporter of hazardous waste shall ensure that any vehicle containing hazardous waste is operated over routes that minimize risk to public health and safety. The transporter shall consider available information on accident rates, transit time, population density and activities, time of day, and day of week during which transportation will occur to select a preferred route. |
| INSPECTION | the secretary or any duly appointed representative can stop and inspect any vehicle, if there is reasonable cause to believe that the vehicle is transporting hazardous wastes |
| PENALTIES FOR VIOLATIONS | |
| NOTIFICATION | Each person transporting hazardous waste or used oil within, into, out of, or through Kansas shall register with the secretary. The licensee shall provide this advance notification before transporting, or delivering to a carrier for transport, any licensed or registered material outside the confines of the licensee's facility or other place of use or storage. Advance notification must contain: 1) name, address, and telephone number of the shipper, carrier, and receiver of the shipment; 2) description of nuclear waste to be shipped; 3) point of origin and 7-day period during which departure of shipment will occur; 4) 7-day period during which arrival of shipment at state boundaries will occur; 5) destination of shipment; 6) point of contact with telephone number. |
| SAFETY | |
| TRANSPORTATION | Department of Health and Environment |

KENTUCKY

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| PERMITS | No person shall transport radioactive material or deliver radioactive material to a carrier for transport except as authorized in a general or specific license issued by the department or as exempted. |
| FEES | |
| ROUTES | |
| INSPECTION | The licensee shall make available to the department for inspection, upon reasonable notice, all records. |
| PENALTIES FOR VIOLATIONS | |
| NOTIFICATION | Prior to the transport of any nuclear waste outside of the confines of the licensee's facility or other place of use or storage, or prior to the delivery of any nuclear waste to a carrier for transport, each licensee shall provide advance notification of such transport to the Governor, or Governor's designee, of each state through which the waste will be transported. Advance notification must contain: 1) name, address, and telephone number of the shipper, carrier, and receiver of the shipment; 2) description of nuclear waste to be shipped; 3) point of origin and 7-day period during which departure of shipment will occur; 4) 7-day period during which arrival of shipment at state boundaries will occur; 5) destination of shipment; 6) point of contact with telephone number. |
| SAFETY | comply with the applicable requirements, appropriate to the mode of transport, of DOT in 49 CFR Parts 170-189 |
| TRANSPORTATION | Each licensee who transports licensed material outside the site of usage, as specified in the department license, or where transport is on public highways, or who delivers licensed material to a carrier for transport, shall comply with the regulations in this Chapter and the applicable requirements of the U.S. DOT regulations appropriate to the mode of transport of U.S. DOT in 49 CFR Parts 170-189. |

LOUISIANA

LOUISIANA ADMINISTRATIVE CODE
TITLE 33 ENVIRONMENTAL QUALITY
PART XV RADIATION PROTECTION
CHAPTER 15 TRANSPORTATION OF RADIOACTIVE MATERIAL

LAC 33:XV.1501 (2008)

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| PERMITS | No person shall transport radioactive material or deliver radioactive material to a carrier for transport except as authorized in a general or specific license issued by the department or as exempted |
| FEES | |
| ROUTES | |
| INSPECTION | The licensee shall make available to the department for inspection, upon reasonable notice, all records required by this Chapter. |
| PENALTIES FOR VIOLATIONS | Any person who willfully or knowingly discharges, emits, or disposes of any substance in contravention of any provision of this Chapter or any regulations or of any permit or license terms and conditions adopted in pursuance thereof, or any person who otherwise knowingly violates any provision of this Chapter, shall, upon conviction be subject to a fine of not more than one hundred thousand dollars per day of violation and costs of prosecution, or imprisonment at hard labor for not more than ten years, or both. Any person who knowingly transports, treats, stores, disposes of, or exports any substance in contravention of any provisions of this Chapter or the regulations or of any permit or license terms and conditions adopted in pursuance thereof, or any person who otherwise knowingly violates any provisions of this Chapter, in such manner that he knows, or should have known, at that time that he thereby places another person in imminent danger of death or serious bodily injury, shall, upon conviction, be subject to a fine of not more than two hundred fifty thousand dollars per day of violation and costs of prosecution, or imprisonment at hard labor for not more than fifteen years, or both |
| NOTIFICATION | Prior to the transport of any nuclear waste outside of the confines of the licensee's facility or other place of use or storage, or prior to the delivery of any nuclear waste to a carrier for transport, each licensee shall provide advance notification of such transport to the Governor, or Governor's designee, of each state through which the waste will be transported. Each advance notification shall contain the following information: 1. the name, address, and telephone number of the shipper, carrier, and receiver of the shipment; 2. a description of the nuclear waste contained in the shipment as required by the regulations of the U.S. Department of Transportation, 49 CFR 172.202 and 172.203(d); 3. the point of origin of the shipment and the 7-day period during which departure of the shipment is estimated to occur; 4. the 7-day period during which arrival of the shipment at state boundaries is estimated to occur; 5. The destination of the shipment, and the 7-day period during which arrival of the shipment is estimated to occur; and 6. a point of contact with a telephone number for |

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| | current shipment information |
| SAFETY | Comply with the regulations in this Chapter and the applicable requirements of the U.S. DOT regulations appropriate to the mode of transport of U.S. DOT in 49 CFR Parts 170-189 |
| TRANSPORTATION | Department of Environmental Quality, Nuclear Energy Division. The Department of Public Safety is authorized and directed to promulgate regulations and oversee compliance therewith governing the transportation of hazardous wastes by any means of commercial or private transport. The Department of Environmental Quality shall advise and cooperate in the promulgation of regulations. |

MAINE

CODE OF MAINE RULES
AGENCY 10. DEPARTMENT OF HEALTH AND HUMAN SERVICES
SUB-AGENCY 144. GENERAL
CHAPTER 220. RULES RELATING TO RADIATION PROTECTION

CMR 10-144-220 (2008)

The requirements for persons transporting sources of radiation as specified in 10 CFR Part 71, "Relating to Packaging and Transportation of Radioactive Material," are incorporated by reference. The requirements of this section are in addition to, and not in substitution for, the requirements of Parts A, B, C, D, and J of these regulations

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| PERMITS | |
| FEES | |
| ROUTES | |
| INSPECTION | |
| PENALTIES FOR VIOLATIONS | <p>Criminal penalties. Except as otherwise specifically provided, a person who intentionally, knowingly, recklessly or with criminal negligence violates a law administered by the department, including, without limitation, a violation of the terms or conditions of an order, rule, license, permit, approval or decision of the board or commissioner, or who disposes of more than 500 pounds or more than 100 cubic feet of litter for a commercial purpose, in violation of Title 17, section 2264-A, commits a Class E crime. Notwithstanding Title 17-A, section 1301, the fine for a violation of this subsection may not be less than \$2,500 and not more than \$25,000 for each day of the violation, except that the minimum amount for knowing violations is \$5,000 for each day of violation.</p> <p>Civil penalties. Except as otherwise specifically provided, a person who violates a law administered by the department, including, without limitation, a violation of the terms or conditions of an order, rule, license, permit, approval or decision of the board or commissioner, or who disposes of more than 500 pounds or more than 100 cubic feet of litter for a commercial purpose, in violation of Title 17, section 2265-A, is subject to a civil penalty, payable to the State, of not less than \$100 and not more than \$10,000 for each day of that violation or, if the violation relates to hazardous waste, of not more than \$25,000 for each day of the violation. This penalty is recoverable in a civil action.</p> |
| NOTIFICATION | |
| SAFETY | Packaged and labeled in accordance with the regulations of the U.S. Department of Transportation |
| TRANSPORTATION | The Advisory Commission on Radioactive Waste and Decommissioning |

MARYLAND

CODE OF MARYLAND REGULATIONS
TITLE 26. DEPARTMENT OF THE ENVIRONMENT
SUBTITLE 13. DISPOSAL OF CONTROLLED HAZARDOUS SUBSTANCES
CHAPTER 04. STANDARDS APPLICABLE TO TRANSPORTERS OF HAZARDOUS WASTE

COMAR 26.13.04.01 (2008)

49 CFR 397 is incorporated with no amendments or exemptions

MASSACHUSETTS

CODE OF MASSACHUSETTS REGULATIONS
TITLE 105: DEPARTMENT OF PUBLIC HEALTH
CHAPTER 120.000: MASSACHUSETTS REGULATIONS FOR THE CONTROL OF RADIATION (MRCR)
120.770: TRANSPORTATION OF RADIOACTIVE MATERIAL

105 CMR 120.771 (2008)

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| PERMITS | No person shall transport radioactive material or deliver radioactive material to a carrier for transport except as authorized in a general or specific license issued by the Agency or as exempted in 105 CMR 120.774 |
| FEES | |
| ROUTES | |
| INSPECTION | |
| PENALTIES FOR VIOLATIONS | |
| NOTIFICATION | Notification of an incident shall be filed with, or made to, the Agency as prescribed in 49 CFR, regardless of, and in addition to, notification made to U.S. Department of Transportation or other agencies. Prior to the transport of any nuclear waste outside of the confines of the licensee's facility or other place of use or storage, or prior to the delivery of any nuclear waste to a carrier for transport, each licensee shall provide advance notification of such transport to the Governor, or Governor's designee, of each state within or through which the waste will be transported. Advance notification must contain: 1) name, address, and telephone number of the shipper, carrier, and receiver of the shipment; 2) description of nuclear waste to be shipped; 3) point of origin and 7-day period during which departure of shipment will occur; 4) 7-day period during which arrival of shipment at state boundaries will occur; 5) destination of shipment; 6) point of contact with telephone number. |
| SAFETY | Comply with the applicable requirements, appropriate to the mode of transport, of the regulations of the U.S. Department of Transportation; particularly the regulations of the U.S. Department of Transportation. The licensee shall ascertain that there are no defects which could significantly reduce the effectiveness of the packaging. |
| TRANSPORTATION | Department of Public Health and comply with the applicable requirements, appropriate to the mode of transport, of the regulations of the U.S. Department of Transportation; particularly the regulations of the U.S. Department of Transportation |

MICHIGAN

MICHIGAN ADMINISTRATIVE CODE
DEPARTMENT OF ENVIRONMENTAL QUALITY
WASTE AND HAZARDOUS MATERIALS DIVISION
HAZARDOUS WASTE MANAGEMENT
PART 4. TRANSPORTERS OF HAZARDOUS WASTE

MICH. ADMIN. CODE R 299.9401 (2008)

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| PERMITS | A transporter shall not transport hazardous wastes without having received a site identification number. A person shall not engage in the transportation of hazardous wastes by highway within, into, or through this state without being registered and permitted in accordance with Act 138 |
| FEES | |
| ROUTES | |
| INSPECTION | By director. The department may inspect all in-state stationary facilities in which the transporter owns or holds an interest and at which routine operations associated with the transport of hazardous wastes are performed. The department may inspect a vehicle to determine compliance. |
| PENALTIES FOR VIOLATIONS | |
| NOTIFICATION | For new activity, prior to the activity beginning, provide notification to the department. Within 30 days of changes to information included in the notification a subsequent notification is required. The notification shall include all of the following information: (i) The transporter name and site identification number. (ii) The transporter mailing address. (iii) The transporter telephone number. (iv) The owner of the transfer facility. (v) The location and telephone number of all of the transfer facilities. (vi) A description of the transfer activity performed at each transfer facility location |
| SAFETY | |
| TRANSPORTATION | Department of Environmental Quality |

MINNESOTA

MINNESOTA ADMINISTRATIVE CODE
DEPARTMENT OF HEALTH
CHAPTER 4731 RADIATION SAFETY

Minn. R. 4731.0402 (2007)

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| PERMITS | A licensee who transports licensed material outside of the site of usage, as specified in a license issued by the NRC or an agreement state, or where transport is on public highways or a licensee who delivers licensed material to a carrier for transport must comply with the applicable DOT regulations in Code of Federal Regulations, Title 49, parts 170-189, appropriate to the mode of transport. |
| FEES | |
| ROUTES | |
| INSPECTION | |
| PENALTIES FOR VIOLATIONS | |
| NOTIFICATION | A licensee must provide advance notification to the commissioner, the Governor of the state or the Governor's designee, and the NRC of a shipment of licensed material through or across the boundary of the state before the transport, or delivery to a carrier for transport, of licensed material outside the confines of the licensee's plant or other place of use or storage. An advance notification of shipment of irradiated reactor fuel or nuclear waste must contain the following information: A. the name, address, and telephone number of the shipper, carrier, and receiver of the irradiated reactor fuel or nuclear waste shipment; B. a description of the irradiated reactor fuel or nuclear waste contained in the shipment according to DOT regulations in Code of Federal Regulations, Title 49, sections 172.202 and 172.203, paragraph (d); C. the point of origin of the shipment and the seven-day period during which departure of the shipment is estimated to occur; D. the seven-day period during which arrival of the shipment at state boundaries is estimated to occur; E. the destination of the shipment and the seven-day period during which arrival of the shipment is estimated to occur; and F. a point of contact, with a telephone number, for current shipment information. |
| SAFETY | A licensee must particularly note DOT regulations. A licensee must establish, maintain, and execute a quality assurance program satisfying each of the applicable criteria of this part and part 4731.0421 and Code of Federal Regulations, Title 10, part 71, subpart H, and satisfying any specific provisions that are applicable to the licensee's activities, including procurement of packaging. Before each shipment of licensed material, a licensee must ensure that the package with its contents satisfies the applicable requirements of the license and parts 4731.0400 to 4731.0424. |
| TRANSPORTATION | Department of Health |

MISSISSIPPI

WEIL'S CODE OF MISSISSIPPI RULES
AGENCY 15. DEPARTMENT OF HEALTH
SUB-AGENCY 378. OFFICE OF HEALTH PROTECTION; DIVISION OF RADIOLOGICAL HEALTH
CHAPTER 001. CONTROL OF RADIATION
Section 1300 Transportation of Radioactive Materials

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| PERMITS | No person shall transport radioactive material or deliver radioactive material to a carrier for transport except as authorized in a general or specific license issued by the Agency or as exempted in 1300.04. |
| FEES | |
| ROUTES | |
| INSPECTION | |
| PENALTIES FOR VIOLATIONS | |
| NOTIFICATION | Prior to the transport of any nuclear waste outside of the confines of the licensee's facility or other place of use or storage, or prior to the delivery of any nuclear waste to a carrier for transport, each licensee shall provide advance notification of such transport to the Governor, or Governor's designee, of each state within or through which the waste will be transported. Notification of an incident shall be filed with, or made to, the Agency as prescribed in 49 CFR, regardless of and in addition to notification made to the U.S. Department of Transportation or other agencies |
| SAFETY | Comply with the applicable requirements, appropriate to the mode of transport, of the regulations of the U.S. Department of Transportation; particularly the regulations of the U.S. Department of Transportation |
| TRANSPORTATION | Department of Health |

MISSOURI

49 CFR 397 is incorporated with no amendments or exemptions

MONTANA

ADMINISTRATIVE RULES OF MONTANA
TITLE 17: DEPARTMENT OF ENVIRONMENTAL QUALITY
CHAPTER 53: HAZARDOUS WASTE
SUB-CHAPTER 7: STANDARDS APPLICABLE TO TRANSPORTERS OF HAZARDOUS WASTE

MONT. ADMIN. R. 17.53.703 (2008)

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| PERMITS | In addition to the requirements of ARM 17.53.111 and 40 CFR 263.11 for obtaining an EPA identification number, transporters that maintain offices, terminals, depots, or transfer facilities within Montana related to their hazardous waste transportation activities shall register with the Department of Environmental Quality. General license or its equivalent, or a specific license or equivalent licensing document, issued by the department, the US Nuclear Regulatory Commission, any agreement state or any licensing state, or to any person otherwise authorized to receive such material by the federal government or any agency thereof, the department, any agreement state or any licensing state. |
| FEES | Transporter registration is not subject to any fee |
| ROUTES | |
| INSPECTION | |
| PENALTIES FOR VIOLATIONS | |
| NOTIFICATION | In addition to the notices and reports required by 40 CFR 263.30 in the event of discharges of hazardous waste during transportation, the transporter shall also notify the department by immediately contacting the Montana Hazardous Materials Emergency Response System. |
| SAFETY | Preparation for shipment and transport of radioactive material shall be in accordance with the provisions of ARM 37.14.552. Applicable requirements of the regulations, appropriate to the mode of transport, of the US Department of Transportation insofar as such regulations relate to the packaging of radioactive material, and to the monitoring, marking and labeling of those packages. |
| TRANSPORTATION | Department of Environmental Quality |

NEBRASKA

NEBRASKA STATE RULES & REGULATIONS
TITLE 180. CONTROL OF RADIATION (DEPARTMENT OF HEALTH AND HUMAN SERVICES)

Nebraska Admin. Code Title 180, Ch. 13 (2008)

CHAPTER 13. TRANSPORTATION OF RADIOACTIVE MATERIAL

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| PERMITS | General and Specific license. Each licensee who transports licensed material outside of the site of usage, as specified in the Agency license, or where transport is on public highways, or who delivers licensed material to a carrier for transport, must: 1. Comply with the applicable requirements, appropriate to the mode of transport, of the regulations of the DOT, particularly regulations of the DOT |
| FEES | |
| ROUTES | |
| INSPECTION | The licensee must perform inspection and maintenance checks. |
| PENALTIES FOR VIOLATIONS | Any person who violates any provision of the Radiation Control Act, or any rule, regulation, or order issued pursuant to such Act, or any term, condition, or limitation of any license, registration, or certificate issued pursuant to such Act or has engaged in deliberate misconduct shall be subject to: Revocation, is denial, suspension, modification, condition or limitation; The imposition of a civil penalty; or The terms of an appropriate order issued by the Agency. Civil Penalties: May impose a civil penalty in an amount not to exceed ten thousand dollars (\$10,000) for each violation a day. If any violation is a continuing one, each day a violation continues may be considered a separate violation for purposes of penalty assessment. |
| NOTIFICATION | Notification of incidents must be filed with, or made to, the Agency as prescribed in 49 CFR, regardless of and in addition to notification made to DOT or other agencies. Prior to the transport of any nuclear waste outside of the confines of the licensee's facility or other place of use or storage, or prior to the delivery of any nuclear waste to a carrier for transport, each licensee must provide advance notification of such transport to the Governor, or Governor's designee, of each state within or through which the waste will be transported. Each advance notification required by 180 NAC 13-020.01 must contain the following information: 1. The name, address, and telephone number of the shipper, carrier, and receiver of the shipment; 2. A description of the nuclear waste contained in the shipment as required by 49 CFR 172.202 and 172.203(d); 3. The point of origin of the shipment and the seven-day period during which departure of the shipment is estimated to occur; 4. The seven-day period during which arrival of the shipment at state boundaries is estimated to occur; 5. The destination of the shipment, and the seven-day period during which arrival of the shipment is estimated to occur; and 6. A point of contact with a telephone number for current |

Nebraska Continued

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| | shipment information |
| SAFETY | <p>Each licensee who transports licensed material outside of the site of usage, as specified in the Agency license, or where transport is on public highways, or who delivers licensed material to a carrier for transport, must:</p> <p>1. Comply with the applicable requirements, appropriate to the mode of transport, of the regulations of the DOT, particularly regulations of the DOT. Each licensee must establish, maintain, and execute a quality assurance program to verify by procedures such as checking, auditing, and inspection that deficiencies, deviations, and defective material and equipment relating to the shipment of packages containing radioactive material are promptly identified and corrected.</p> |
| TRANSPORTATION | Department of Health and Human Services |

NEVADA

NEVADA STATE RULES & REGULATIONS
CHAPTER 459. HAZARDOUS MATERIALS
DISPOSAL OF RADIOACTIVE MATERIAL
Transportation of Radioactive Waste

Nev. Admin. Code 459.8231 (2007)

The provisions of 49 C.F.R. Parts 40, 100 to 180, inclusive, and 325 to 399, inclusive, are hereby adopted by reference as they existed on October 1, 2003. Each motor vehicle used for the transportation of hazardous materials in this State must, and each driver of such a vehicle shall, comply with those provisions.

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| PERMITS | Except as otherwise provided in Nev. Admin. Code 459.980 and 459.984, any person who transports hazardous materials in a vehicle upon a public highway in this State shall register with and obtain a uniform permit. A person seeking to obtain a uniform permit from the Division, or to renew a uniform permit issued by the Division, must submit to the Permit Section. |
| FEES | <p>A general processing fee of \$125;</p> <p>(c) The apportioned registration fee:</p> <p>(1) For this State, as prescribed by subsection 2; and</p> <p>(2) For each participating state in which the person transports hazardous material;</p> <p>(d) A permit review fee of \$500 to be paid once every 3 years; and</p> <p>(e) A reasonable fee to cover the administrative expenses of any costs incurred pursuant to NAC 459.98055</p> <p>The apportioned registration fee for this State is the amount obtained by multiplying \$125 by the product of:</p> <p>(a) The total number of power units used by the applicant for the transportation of all his shipments during the preceding year;</p> <p>(b) The applicant's total mileage for the transportation of all his shipments in this State during the preceding year divided by the applicant's total mileage for the transportation of all his shipments in all states and countries during the preceding year; and</p> <p>(c) If the applicant's shipments of hazardous material are by:</p> <p>(1) Full loads only, the total number of his shipments of hazardous material in this State during the preceding year divided by the total number of all his shipments in this State during the preceding year;</p> <p>(2) Partial loads only, the total weight of his shipments containing hazardous material in this State during the preceding year divided by the total weight of all his shipments in this State during the preceding year, calculated exactly or to the number midway between the two deciles closest to the person's estimate of that amount; or</p> <p>(3) Both full and partial loads, the sum obtained by adding:</p> <p>(1) The percentage of his total shipments of hazardous material in this State during the preceding year which were by full loads times the number obtained by performing the calculation set forth</p> |

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| | <p>in subparagraph (1) as if all his shipments of hazardous material in this State during the preceding year were by full loads; and (II) The percentage of his total shipments of hazardous material in this State during the preceding year which were by partial loads times the number obtained by performing the calculation set forth in subparagraph (2) as if all his shipments of hazardous material in this State during the preceding year were by partial loads, calculated exactly or to the number midway between the two deciles closest to the person's estimate of that amount</p> |
| ROUTES | |
| INSPECTION | <p>Any such inspection will be conducted by employees of the Division, in conformity with the national uniform inspection procedure and vehicle and driver out-of-service standards adopted by the Commercial Vehicle Safety Alliance and by the Division</p> |
| PENALTIES FOR VIOLATIONS | <p>If, within any period of 12 consecutive months, the holder of a uniform permit issued by the Division accrues the designated number of violations which are grounds for disciplinary action, the Division will:</p> <p>(a) For three violations, mail a warning notice to the holder at his last known address.</p> <p>(b) For four violations, mail a warning notice to the holder as provided in paragraph (a) and review the status of the uniform permit with the holder in person or by telephone.</p> <p>(c) For five violations, suspend the uniform permit for not less than 30 days.</p> <p>(d) For six violations, suspend the uniform permit for not less than 90 days.</p> <p>(e) For seven or more violations, suspend the uniform permit for not less than 12 months.</p> <p>In any case it deems appropriate, the Division may impose a sanction greater than that otherwise prescribed by this subsection</p> |
| NOTIFICATION | <p>A person who transports radioactive waste shall notify the Division not less than 4 hours nor more than 48 hours before he begins to transport the waste in this State. As used in this section, "radioactive waste" includes low-level waste as defined in NRS 459.007. Any accident or incident involving hazardous materials must be reported to the Division in the manner provided by NRS 459.718</p> |
| SAFETY | <p>The regulations of the Secretary of Transportation concerning the transportation of hazardous materials, in 49 C.F.R. Parts 171 to 177, inclusive, revised as of October 1, 1987. The Board hereby incorporates those regulations by reference. Those regulations are contained in one volume of the Code of Federal Regulations and may be obtained from the Government Printing Office, Washington, D.C. 20402, at a price of \$25.</p> <p>(b) The regulations of the Nuclear Regulatory Commission concerning the packaging and transport of radioactive material in 10 C.F.R. Part 71 revised as of March 31, 1987. The State Board of Health hereby incorporates those regulations by reference. Those regulations may be obtained from the Government Printing Office, Washington, D.C. 20402, at a price of \$1.44</p> |
| TRANSPORTATION | <p>Radiological Health Section, Health Division</p> |

NEW HAMPSHIRE

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES
DEPARTMENT OF SAFETY
CHAPTER Saf-C 6600. TRANSPORTATION OF HIGH-LEVEL RADIOACTIVE WASTE
PART Saf-C 6601 PURPOSE AND SCOPE

N.H. Admin. Rules, Saf-C 6601.01 (2008)

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| PERMITS | Pursuant to RSA 107-D:3, I, no person shall transport high-level radioactive waste through the state until a permit has been issued in accordance with these rules |
| FEES | |
| ROUTES | Upon request, any state or federal agency, or on its own initiative, the department, shall consider whether to designate a high-level radioactive waste shipment route within the state of New Hampshire as set forth below. Such designation shall be consistent with all applicable federal laws and regulations. |
| INSPECTION | All carriers transporting irradiated reactor fuel or high-level radioactive waste shall be subject to inspection upon entering the state by personnel authorized by the commissioner. |
| PENALTIES FOR VIOLATIONS | Pursuant to RSA 541-A:30,III, if an applicant whose permit was granted is in violation of any applicable federal and state laws, rules or regulations, the department shall immediately suspend the permit. |
| NOTIFICATION | <p>Any application submitted pursuant to Saf-C 6604.01, shall include the following:</p> <ol style="list-style-type: none">(1) Applicant's name;(2) Name of the applicant's primary contact person;(3) Route starting and ending points within the state, including:<ol style="list-style-type: none">a. Road name and/or route number of all roads to be used for primary transportation;b. Road name and/or route number of all roads to be used as alternate routes; andc. Names of all municipalities and counties that the route traverses. <p>The department, consistent with federal law as required by RSA 107-D:3, II(c), shall conduct a public hearing on each proposed shipment route prior to issuing any permit for that route.</p> <p>(b) Within 60 days of receiving a request for a high-level radioactive waste shipment route designation as set forth in Saf-C 6604.02, the department shall notify the following:</p> <ol style="list-style-type: none">(1) The department's Homeland Security and Emergency Management Division;(2) NH Department of Transportation;(3) NH Department of Health and Human Services; and(4) Other state agencies and political subdivisions that request such notification. <p>(c) Within 60 days of receiving an initial request for a high-level radioactive waste shipment route designation as set forth in Saf-C 6604.02, the department shall:</p> <ol style="list-style-type: none">(1) Schedule a public hearing;(2) Publish notice in a newspaper of statewide circulation including the date, time and location of the hearing as well as the |

New Hampshire Continued

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| | <p>route which is being reviewed; and</p> <p>(3) Provide specific notice to all towns, cities, municipalities and counties that the route traverses.</p> <p>(d) Any subsequent request for the same high-level radioactive waste shipment route designation shall not require the scheduling of an additional public hearing.</p> |
| SAFETY | <p>All high-level radioactive waste shall be packaged, marked, labeled and transported in a manner as required by:</p> <p>(1) 10 CFR 71 and 49 CFR 107, 171 through 180, and 390 through 397;</p> <p>(2) Saf-C 600; and</p> <p>(3) All other applicable state and federal laws.</p> <p>All high-level radioactive waste shall be handled, loaded and unloaded in the manner as required by:</p> <p>(1) 49 CFR 107, 171 through 180, and 390 through 397;</p> <p>(2) Saf-C 600; and</p> <p>(3) All other applicable state and federal laws.</p> |
| TRANSPORTATION | Department of Health |

NEW JERSEY

NEW JERSEY ADMINISTRATIVE CODE
TITLE 16. DEPARTMENT OF TRANSPORTATION
CHAPTER 49. TRANSPORTATION OF HAZARDOUS MATERIALS

N.J.A.C. 16:49 (2008)

The New Jersey Department of Transportation, pursuant to N.J.S.A. 39:5B-25 et seq., hereby adopts and incorporates by reference the following portions of Title 49 Transportation, Code of Federal Regulations, revised as of October 1, 2004 and any supplements and revisions thereto

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| PERMITS | |
| FEES | |
| ROUTES | Vehicles prohibited from using the Route 29 tunnel facility under the provisions of this subchapter shall utilize appropriate alternative through routing. Vehicles using alternate through routing shall conform with all applicable vehicle weight, length, width, height, operational, equipment, safety, licensing, permit, and registration requirements. |
| INSPECTION | Subject to inspection by duly authorized representatives of the Division of State Police as may be necessary to carry out the provisions of N.J.S.A. 39:5B-25 et seq., and the regulations adopted supplementary thereto. |
| PENALTIES FOR VIOLATIONS | The penalty for a violation of these provisions including the Federal regulations adopted and incorporated by reference in N.J.A.C. 16:49-2 and herein shall be as specified under N.J.S.A. 39:5B-25 et seq., as amended. (b) Each violation shall be treated separately. When the violation is a continuing one, each day of the violation constitutes a separate offense. |
| NOTIFICATION | |
| SAFETY | |
| TRANSPORTATION | Department of Transportation |

NEW MEXICO

NEW MEXICO ADMINISTRATIVE CODE
TITLE 20. ENVIRONMENTAL PROTECTION
CHAPTER 3. RADIATION PROTECTION
PART 3. LICENSING OF RADIOACTIVE MATERIAL

20.3.3.306 NMAC (2008)

§ 20.3.3.306. GENERAL LICENSE -- INTRASTATE TRANSPORTATION OF RADIOACTIVE MATERIAL

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| PERMITS | General and Specific |
| FEES | |
| ROUTES | The secretary, in approving routes for the transport of nuclear waste in accordance with these regulations, shall consult with affected local political subdivisions and the state transportation department. Use routes that minimize travel time; avoid: (a) traveling through or near heavily populated areas where bypasses are available; (b) tunnels, narrow streets, and alleys; (c) areas where large numbers of people would be close to the vehicle; (d) stops in populated areas; and (e) hazardous road conditions due to climatic or structural conditions. |
| INSPECTION | |
| PENALTIES FOR VIOLATIONS | |
| NOTIFICATION | Prior to the transport of any nuclear waste, as defined in 20.3.3.328 NMAC, outside of the confines of the licensee's plant or other place of use or storage, or prior to the delivery of any nuclear waste to a carrier for transport, each licensee shall comply with the procedures in 20.3.3.327 NMAC for advance notification to the Governor of a state or the Governor's designee for the transport of nuclear waste to. Each advance notification of shipment of nuclear waste must contain the following information: (1) the name, address, and telephone number of the shipper, carrier, and receiver of the nuclear waste shipment; (2) a description of the nuclear waste contained in the shipment as required by the regulations of the U.S. Department of Transportation in 49 CFR 172.202 and 172.203 (d); (3) the point of origin of the shipment and the seven-day period during which departure of the shipment is estimated to occur; (4) the seven-day period during which arrival of the shipment at state boundaries is estimated to occur; (5) the destination of the shipment, and the seven-day period during which arrival of the shipment is estimated to occur; and (6) a point of contact with a telephone number for current shipment information. |
| SAFETY | Complies with the applicable requirements of the regulations, appropriate to the mode of transport of the U.S. Department of Transportation (49 CFR) and U.S. Nuclear Regulatory Commission 10 CFR 71B |
| TRANSPORTATION | |

NEW YORK

NEW YORK CODES, RULES AND REGULATIONS
TITLE 6. DEPARTMENT OF ENVIRONMENTAL CONSERVATION
CHAPTER IV. QUALITY SERVICES
SUBCHAPTER B. SOLID WASTES
PART 372. HAZARDOUS WASTE MANIFEST SYSTEM AND RELATED STANDARDS FOR
GENERATORS, TRANSPORTERS AND FACILITIES

6 NYCRR § 372.3 (2008)

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| PERMITS | A transporter must not transport hazardous wastes without having received an EPA identification number. |
| FEES | §364.5 |
| ROUTES | |
| INSPECTION | At –will |
| PENALTIES FOR VIOLATIONS | |
| NOTIFICATION | Obtain date of delivery, and handwritten signature of the subsequent transporter or of the owner or operator of the manifest. |
| SAFETY | Transporter must take appropriate actions to clean up any discharge that occurs during transportation or take action in accordance with Fed. Regs. and report immediately/take action to protect human health and the environment. |
| TRANSPORTATION | New York State Department of Environmental Conservation |

NORTH CAROLINA

GENERAL STATUTES OF NORTH CAROLINA
CHAPTER 104E. NORTH CAROLINA RADIATION PROTECTION ACT
N.C. Gen. Stat. § 104E-15 (2008)

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| PERMITS | Discretionary adoption of Fed Regs. |
| FEES | Discretionary adoption of Fed Regs. |
| ROUTES | |
| INSPECTION | At-will inspection of any records, people or vehicles |
| PENALTIES FOR VIOLATIONS | Upon discovery of violation constituting imminent danger to the public health property, or safety, SHALL immediately issue order requiring correction as provided in G.S. 104E-13(b) |
| NOTIFICATION | Each licensee shall provide advance notification to the Governor of a state, or the Governor's designee, of the shipment of licensed material through, or across the boundary of the state, before the transport, or delivery to a carrier, for transport of licensed material outside the confines of the licensee's plant or other place of use or storage. |
| SAFETY | In the event of a discharge of hazardous waste during transportation, the transporter must take appropriate immediate action to protect human health and the environment, e.g., notify local authorities and dike the discharge area. |
| TRANSPORTATION | Radiation Protection Commission |

NORTH DAKOTA

NORTH DAKOTA ADMINISTRATIVE CODE
TITLE 33. STATE DEPARTMENT OF HEALTH
ARTICLE 24. HAZARDOUS WASTE MANAGEMENT
CHAPTER 4. STANDARDS FOR TRANSPORTERS

N.D. Admin. Code 33-24-04-08 (2007)

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| PERMITS | A transporter may not transport hazardous wastes without having received an identification number, a transporter permit, and a registration certificate from the department. |
| FEES | The department may assess and collect reasonable fees for the issuance of registration certificates and transporter permits |
| ROUTES | |
| INSPECTION | |
| PENALTIES FOR VIOLATIONS | |
| NOTIFICATION | Each licensee shall provide advance notification to the Governor of a state, or the Governor's designee, of the shipment of licensed material through, or across the boundary of the state, before the transport, or delivery to a carrier, for transport of licensed material outside the confines of the licensee's plant or other place of use or storage. |
| SAFETY | In the event of a discharge of hazardous waste during transportation, the transporter must take appropriate immediate action to protect human health and the environment, e.g., notify local authorities and dike the discharge area. |
| TRANSPORTATION | State Department of Health |

OHIO

OHIO ADMINISTRATIVE CODE

3701:1 Radiation Control

Chapter 3701:1-50 Packaging and Transportation of Radioactive Material

OAC Ann. 3701:1-50-01 (2008)

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| PERMITS | General license or a specific license issued by the director, or as exempted |
| FEES | |
| ROUTES | |
| INSPECTION | A program for transport container inspection and maintenance limited to radiographic exposure devices, source changers, or packages transporting these devices and meeting the requirements of paragraph (B) of rule 3701:1-48-11 of the Administrative Code or equivalent United States Nuclear Regulatory Commission or Agreement State requirements, is deemed to satisfy the requirements of paragraph (B) of rule 3701:1-50-07 of the Administrative Code and paragraph (B) of this rule. |
| PENALTIES FOR VIOLATIONS | |
| NOTIFICATION | each licensee shall provide advance notification to the Governor of a state, or the Governor's designee, of the shipment of licensed material, through, or across the boundary of the state, before the transport, or delivery to a carrier, for transport, of licensed material outside the confines of the licensee's plant or other place of use or storage in compliance with section 4163.07 of the Revised Code. |
| SAFETY | Each licensee who transports licensed material outside the site of usage, as specified in the United States Nuclear Regulatory Commission or Ohio 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 C.F.R. 107, 171 to 180, and 390 to 397. |
| TRANSPORTATION | |

OKLAHOMA

Oklahoma Administrative Code
TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY
CHAPTER 410. RADIATION MANAGEMENT
SUBCHAPTER 10. RADIOACTIVE MATERIALS PROGRAM
PART 71. PACKAGING AND TRANSPORTING RADIOACTIVE MATERIAL

O.A.C. § 252:410-10-71 (2007)

49 CFR 397 is incorporated with no amendments or exemptions

OREGON

OREGON ADMINISTRATIVE RULES

CHAPTER 333 DEPARTMENT OF HUMAN SERVICES, PUBLIC HEALTH DIVISION
DIVISION 118 TRANSPORTATION OF RADIOACTIVE MATERIAL

Or. Admin. R. 333-118-0010 (2008)

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| PERMITS | No person shall transport radioactive material or deliver radioactive material to a carrier for transport except as authorized in a general or specific license issued by the Agency or as exempted in OAR 333-118-0040 |
| FEES | |
| ROUTES | |
| INSPECTION | Unless otherwise authorized by the Agency, each licensee shall establish, maintain, and execute a quality assurance program to verify by procedures such as checking, auditing, and inspection, that deficiencies, deviations, and defective material and equipment relating to the shipment of packages containing radioactive material are promptly identified and corrected. |
| PENALTIES FOR VIOLATIONS | |
| NOTIFICATION | Prior to the transport of any licensed material outside of the confines of the licensee's facility or other place of use or storage, or prior to the delivery of any licensed material to a carrier for transport, each licensee shall provide advance notification of such transport to the Governor, or Governor's designee, of each state within or through which the waste will be transported. |
| SAFETY | Comply with the applicable requirements, appropriate to the mode of transport, of the regulations of the U.S. Department of Transportation in 49 CFR 170-189. Prior to each shipment of licensed material, the licensee shall ensure that the package with its contents satisfies the applicable requirements of this division and of the license. |
| TRANSPORTATION | Department of Human Services, Public Health Division. |

PENNSYLVANIA

PENNSYLVANIA ADMINISTRATIVE CODE

TITLE 25. ENVIRONMENTAL PROTECTION
PART I. DEPARTMENT OF ENVIRONMENTAL PROTECTION
SUBPART D. ENVIRONMENTAL HEALTH AND SAFETY
ARTICLE VII. HAZARDOUS WASTE MANAGEMENT
CHAPTER 263A. TRANSPORTERS OF HAZARDOUS WASTE

25 Pa. Code Part I, Subpt D, Art VII, Ch 263a (2008)

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| PERMITS | Except as otherwise provided in subsection (b), § 263a.30, § 261a.5(c), § 266a.70(1) or § 266b.50, a person or municipality may not transport hazardous waste within this Commonwealth without first obtaining a license from the Department of Environmental Protection. Comply with 40 CFR 263.11. Collateral bond required. |
| FEES | \$500 payable to the "Commonwealth of Pennsylvania." The application for license renewal shall be accompanied by a check for \$250 payable to the "Commonwealth of Pennsylvania." A fee is assessed on hazardous waste transportation to or from a location within this Commonwealth which requires a manifest under § 263a.20, 40 CFR 263.20 and 40 CFR 263.21. Fees shall be calculated based on standard tons. |
| ROUTES | |
| INSPECTION | |
| PENALTIES FOR VIOLATIONS | Department may revoke or suspend a license in whole or in part for various reasons. Civil penalties for various reasons. |
| NOTIFICATION | In the event of a discharge or spill of hazardous waste during transportation, the transporter shall immediately notify the Department. |
| SAFETY | |
| TRANSPORTATION | Department of Environmental Protection |

RHODE ISLAND

WEIL'S CODE OF RHODE ISLAND RULES
AGENCY 14. DEPARTMENT OF HEALTH
SUB-AGENCY 120. OCCUPATIONAL AND RADIOLOGICAL HEALTH
CHAPTER 003. CONTROL OF RADIATION

CRIR 14-120-003 (2008)

Section C.7 Transportation of Radioactive Material

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| PERMITS | No person shall transport radioactive material or deliver radioactive material to a carrier for transport except as authorized in a general or specific license issued by the Agency or as exempted. |
| FEES | |
| ROUTES | |
| INSPECTION | Unless otherwise authorized by the Agency, each licensee shall establish, maintain, and execute a quality assurance program to verify by procedures such as checking, auditing, and inspection that deficiencies, deviations, and defective material and equipment relating to the shipment of packages containing radioactive material are promptly identified and corrected. |
| PENALTIES FOR VIOLATIONS | |
| NOTIFICATION | Prior to the transport of any nuclear waste outside of the confines of the licensee's facility or other place of use or storage, or prior to the delivery of any nuclear waste to a carrier for transport, each licensee shall provide advance notification of such transport to the Governor, or Governor's designee, of each state within or through which the waste will be transported. Notification of an incident shall be filed with, or made to, the Agency as prescribed in 49 CFR, regardless of and in addition to notification made to the U.S. Department of Transportation or other agencies. |
| SAFETY | Comply with the applicable requirements, appropriate to the mode of transport, of the regulations of the U.S. Department of Transportation. |
| TRANSPORTATION | Department of Health |

SOUTH CAROLINA

CODE OF LAWS OF SOUTH CAROLINA ANNOTATED
CODE OF REGULATIONS
CHAPTER 61 DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
61-63. RADIOACTIVE MATERIALS.

S.C. Code Regs. 61-63, Pt. 1 (2007)

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| PERMITS | Radioactive material transported as radioactive waste into or within South Carolina is subject to the provisions of the S.C. Department of Health and Environmental Control Regulation 61-83, Regulation for the Transportation of Radioactive Waste Into or Within South Carolina. |
| FEES | |
| ROUTES | |
| INSPECTION | |
| PENALTIES FOR VIOLATIONS | |
| NOTIFICATION | |
| SAFETY | |
| TRANSPORTATION | |

SOUTH DAKOTA

The standards for transporters of hazardous waste are those in [40 C.F.R. §§ 263.10 to 263.31](#), inclusive (July 1, 2006).

TENNESSEE

RULES OF THE TENNESSEE DEPARTMENT OF HEALTH, DEPARTMENT OF ENVIRONMENT AND
CONSERVATION, AND DEPARTMENT OF FINANCE AND ADMINISTRATION
BUREAU OF ENVIRONMENTAL HEALTH SERVICES; DIVISION OF RADIOLOGICAL HEALTH
CHAPTER 1200-2-10 LICENSING AND REGISTRATION

Tenn. Comp. R. & Regs. R. 1200-2-10-.30 (2008)

1200-2-10-.30 PACKAGING AND TRANSPORTATION OF RADIOACTIVE MATERIAL

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| PERMITS | A licensee who, under a general or specific license, transports licensed material outside its site of authorized use or on public highways, or who delivers licensed material to a carrier for transport, shall comply with the requirements of this rule and with the applicable requirements of the U.S. DOT regulations in 49 CFR parts 170 through 189 appropriate to the mode of transport. |
| FEES | |
| ROUTES | |
| INSPECTION | |
| PENALTIES FOR VIOLATIONS | |
| NOTIFICATION | The notification shall be made in writing to the office of each appropriate Governor or Governor's designee and to the Director, Division of Radiological Health. |
| SAFETY | U.S. DOT regulations in 49 CFR parts 170 through 189 |
| TRANSPORTATION | |

TEXAS

TEXAS ADMINISTRATIVE CODE
TITLE 25. HEALTH SERVICES
PART 1. DEPARTMENT OF STATE HEALTH SERVICES
CHAPTER 289. RADIATION CONTROL
SUBCHAPTER C. TEXAS REGULATIONS FOR CONTROL OF RADIATION

25 TAC § 289.101 (2008)

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| PERMITS | A transporter must not transport hazardous wastes without having received an Environmental Protection Agency (EPA) identification number. |
| FEES | |
| ROUTES | |
| INSPECTION | |
| PENALTIES FOR VIOLATIONS | |
| NOTIFICATION | |
| SAFETY | <p>No licensee shall deliver any source material, byproduct material, or other licensed radioactive material to a carrier for transport, unless:</p> <p>(1) the licensee complies with the applicable requirements of the rules, appropriate to the mode of transport, of the United States Department of Transportation insofar as those rules relate to the packing of radioactive material and to the monitoring, marking, and labeling of those packages or containers;</p> <p>(2) the licensee establishes procedures for opening and closing packages and containers in which radioactive material is transported to provide safety and to assure that, prior to the delivery to a carrier for transport, each package or container is properly closed for transport; and</p> <p>(3) the licensee assures that any special instructions needed to safely open the package or container are sent to or have been made available to the consignee prior to delivery of a package or container to a carrier for transport.</p> |
| TRANSPORTATION | Texas Department of Health. The commission has the powers under this chapter necessary or convenient to carry out its responsibilities concerning the regulation of the management of hazardous waste components of radioactive waste under the jurisdiction of the Texas Department of Health. |

UTAH

R313-19. REQUIREMENTS OF GENERAL APPLICABILITY TO LICENSING OF RADIOACTIVE MATERIAL.

U.A.C. R313-19-100 (2008)

R313-19-100. Transportation

Safety Regulations for Motor Carriers Transporting Hazardous Materials and/or Hazardous Wastes, 49 CFR, Sub-Chapter C, Parts 100 through 180, of the January 7, 2008 (Volume 73, Number 4) edition of the Federal Register, are incorporated by reference. These changes apply to all private, common, and contract carriers by highway in commerce.

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| PERMITS | Each licensee who transports licensed material outside the site of usage, as specified in the license issued by the Executive Secretary, the U.S. Nuclear Regulatory Commission or an Agreement State, 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 U.S. Department of Transportation regulations in 49 CFR parts 107, 171 through 180, and 390 through 397 (2006), appropriate to the mode of transport. |
| FEES | |
| ROUTES | |
| INSPECTION | Licensee |
| PENALTIES FOR VIOLATIONS | |
| NOTIFICATION | |
| SAFETY | Department of Transportation |
| TRANSPORTATION | Environmental Quality |

VERMONT

CODE OF VERMONT RULES
AGENCY 13. AGENCY OF HUMAN SERVICES
SUB-AGENCY 140. DEPARTMENT OF HEALTH
CHAPTER 030. RADIOLOGICAL HEALTH

CVR 13-140-030 (2008)
Section 5-311. Transportation

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| PERMITS | Transporters of hazardous waste by highway, railroad or waterway shall apply for and obtain a vehicle permit from the Agency of Transportation, Department of Motor Vehicles. Transporters shall apply for the permit on the form prescribed by the Commissioner of Motor Vehicles for that purpose. The application shall be accompanied by the permit fee. |
| FEES | The annual permit fee shall be set by statute. |
| ROUTES | |
| INSPECTION | |
| PENALTIES FOR VIOLATIONS | Penalties for violations shall be as provided in 5 VSA 2001 or 23 VSA § 2302 as is appropriate. The Commissioner of Motor Vehicles may revoke the permit during the effective period if the transporter is found to be in violation of the Agency of Transportation rules for transportation of hazardous waste. |
| NOTIFICATION | Each Motor Carrier who transports hazardous materials and is required to return notices, reports, and information on a periodic or incident basis under the regulations, shall likewise notify the Agency of Transportation in the same manner as is required for Federal Agencies. |
| SAFETY | |
| TRANSPORTATION | Any law enforcement officer of the state of Vermont and its municipalities including but not limited to Motor Vehicle Inspectors, State Police Officers, Sheriffs, Chiefs of Police and Municipal Police Officers, shall have the authority to enforce the rules and regulations pertaining to the Transportation of Hazardous Materials adopted by the Secretary of the Agency of Transportation. |

VIRGINIA

VIRGINIA ADMINISTRATIVE CODE
TITLE 12. HEALTH
AGENCY NO. 5. DEPARTMENT OF HEALTH
RADIATION CONTROL
CHAPTER 481. VIRGINIA RADIATION PROTECTION REGULATIONS
PART XIII. TRANSPORTATION OF RADIOACTIVE MATERIAL
ARTICLE 1. PURPOSE AND SCOPE

12 VAC 5-481-2950. (2008)

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| PERMITS | No person shall transport radioactive material or deliver radioactive material to a carrier for transport except as authorized in a general or specific license issued by the agency or as exempted in 12 VAC 5-481-2970. |
| FEES | |
| ROUTES | Department of Health |
| INSPECTION | |
| PENALTIES FOR VIOLATIONS | |
| NOTIFICATION | Prior to the transport of any nuclear waste outside of the confines of the licensee's facility or other place of use or storage, or prior to the delivery of any nuclear waste to a carrier for transport, each licensee shall provide advance notification of such transport to the Governor, or Governor's designee, and the agency. Each advance notification shall contain the following information: 1. The name, address, and telephone number of the shipper, carrier, and receiver of the shipment; 2. A description of the nuclear waste contained in the shipment as required by 49 CFR 172.202 and 172.203(d); 3. The point of origin of the shipment and the seven-day period during which departure of the shipment is estimated to occur; 4. The 7 day period during which arrival of the shipment at state boundaries is estimated to occur; 5. The destination of the shipment, and the 7 day period during which arrival of the shipment is estimated to occur; and 6. A point of contact with a telephone number for current shipment information. |
| SAFETY | Comply with the applicable requirements, appropriate to the mode of transport, of the regulations of the DOT. Prior to the first use of any packaging for the shipment of radioactive material the licensee shall ascertain that there are no cracks, pinholes, uncontrolled voids, or other defects which could significantly reduce the effectiveness of the packaging. |
| TRANSPORTATION | Department of Health |

WASHINGTON

Washington Administrative Code
TITLE 246. HEALTH, DEPARTMENT OF
CHAPTER 231. PACKAGING AND TRANSPORTATION OF RADIOACTIVE MATERIAL
APPENDIX A--DETERMINATION OF A1 AND A2

WAC § 246-231-005 (2008)

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| PERMITS | No person shall deliver radioactive material to a carrier for transport or transport radioactive material except as authorized in a general or specific license issued by the department, or as exempted |
| FEES | |
| ROUTES | |
| INSPECTION | |
| PENALTIES FOR VIOLATIONS | |
| NOTIFICATION | Each licensee shall provide advance notification to the Governor of a state, or the Governor's designee, of the shipment of licensed material, through, or across the boundary of the state, before the transport, or delivery to a carrier, for transport, of licensed material outside the confines of the licensee's plant or other place of use or storage. Each advance notification of shipment of irradiated reactor fuel or nuclear waste must contain the following information: (a) The name, address, and telephone number of the shipper, carrier, and receiver of the irradiated reactor fuel or nuclear waste shipment; (b) A description of the irradiated reactor fuel or nuclear waste contained in the shipment, as specified in the regulations of DOT in 49 CFR 172.202 and 172.203(d) ; (c) The point of origin of the shipment and the seven-day period during which departure of the shipment is estimated to occur; (d) The 7 day period during which arrival of the shipment at state boundaries is estimated to occur; (e) The destination of the shipment, and the 7 day period during which arrival of the shipment is estimated to occur; and (f) A point of contact, with a telephone number, for current shipment information. |
| SAFETY | Each licensee who transports licensed material outside the site of usage, as specified in the license issued by the department, 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 170 through 189 appropriate to the mode of transport. Before each shipment of licensed material, the licensee shall ensure that the package with its contents satisfies the applicable requirements of this section and of the license. |
| TRANSPORTATION | Department of Health |

WEST VIRGINIA

TITLE 64. LEGISLATIVE RULE
WEST VIRGINIA DIVISION OF HEALTH
SERIES 23. RADIOLOGICAL HEALTH RULES

W. Va. CSR § 64-23-14 (2008)

§ 64-23-14 Transportation of Radioactive Material

The provisions of 40 CFR part 263 are hereby adopted and incorporated by reference insofar as those regulations relate to the transportation of hazardous waste by air and water

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| PERMITS | |
| FEES | |
| ROUTES | |
| INSPECTION | <p>The director or any authorized representative, employee or agent of the division, upon the presentation of proper credentials and at reasonable times, may enter any building, property, premises, place, vehicle or permitted facility where hazardous wastes are or have been generated, treated, stored, transported or disposed of for the purpose of making an investigation with reasonable promptness to ascertain the compliance by any person with the provisions of this article or the rules promulgated by the director or permits issued by the director hereunder. Nothing contained in this section eliminates any obligation to follow any process that may be required by law.</p> |
| PENALTIES FOR VIOLATIONS | <p>§ 22-18-16. Criminal penalties.</p> <p>(a) Any person who knowingly (1) transports any hazardous waste identified or listed under this article to a facility which does not have a permit required by this article, section 3005 of the Federal Solid Waste Disposal Act, as amended, the laws of any other state which has an authorized hazardous waste program pursuant to section 3006 of the federal Solid Waste Disposal Act, as amended, or Title I of the federal Marine Protection, Research and Sanctuaries Act; (2) treats, stores or disposes of any such hazardous waste either (A) without having obtained a permit required by this article, or by Title I of the federal Marine Protection, Research and Sanctuaries Act, or by section 3005 or 3006 of the federal Solid Waste Disposal Act, as amended, or (B) in knowing violation of a material condition or requirement of such permit, is guilty of a felony, and, upon conviction thereof, shall be fined not to exceed fifty thousand dollars for each day of violation or confined in the penitentiary not less than one nor more than two years, or both such fine and imprisonment or, in the discretion of the court, be confined in jail not more than one year in addition to the above fine.</p> <p>§ 22-18-17. Civil penalties and injunctive relief.</p> <p>(a) (1) Any person who violates any provision of this article, any permit or any rule or order issued pursuant to this article is subject to a civil administrative penalty, to be levied by the</p> |

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| | <p>director, of not more than seventy-five hundred dollars for each day of such violation, not to exceed a maximum of twenty-two thousand five hundred dollars. In assessing any such penalty, the director shall take into account the seriousness of the violation and any good faith efforts to comply with applicable requirements as well as any other appropriate factors as may be established by the director by rules promulgated pursuant to this article and article three [§§ 29A-3-1 et seq.], Chapter twenty-nine-a of this code. No assessment shall be levied pursuant to this subsection until after the alleged violator has been notified by certified mail or personal service. The notice shall include a reference to the section of the statute, rule, order or statement of permit conditions that was allegedly violated, a concise statement of the facts alleged to constitute the violation, a statement of the amount of the administrative penalty to be imposed and a statement of the alleged violator's right to an informal hearing. The alleged violator has twenty calendar days from receipt of the notice within which to deliver to the director a written request for an informal hearing. If no hearing is requested, the notice becomes a final order after the expiration of the twenty-day period. If a hearing is requested, the director shall inform the alleged violator of the time and place of the hearing. The director may appoint an assessment officer to conduct the informal hearing and then make a written recommendation to the director concerning the assessment of a civil administrative penalty. Within thirty days following the informal hearing, the director shall issue and furnish to the violator a written decision, and the reasons therefore, concerning the assessment of a civil administrative penalty. Within thirty days after notification of the director's decision, the alleged violator may request a formal hearing before the environmental quality board in accordance with the provisions of article one [§§ 22B-1-1 et seq.], Chapter twenty-two-b of this code. The authority to levy an administrative penalty is in addition to all other enforcement provisions of this article and the payment of any assessment does not affect the availability of any other enforcement provision in connection with the violation for which the assessment is levied: Provided, That no combination of assessments against a violator under this section shall exceed twenty-five thousand dollars per day of each such violation: Provided, however, That any violation for which the violator has paid a civil administrative penalty assessed under this section shall not be the subject of a separate civil penalty action under this article to the extent of the amount of the civil administrative penalty paid. All administrative penalties shall be levied in accordance with rules issued pursuant to subsection (a) of section six [§ 22-18-6(a)] of this article. The net proceeds of assessments collected pursuant to this subsection shall be deposited in the hazardous waste emergency response fund established pursuant to section three [§ 22-19-3], article nineteen of this chapter</p> |
| NOTIFICATION | |
| SAFETY | |
| TRANSPORTATION | <p>Division of Environmental Protection. The commissioner of the division of highways, in consultation with the director, and avoiding inconsistencies with and avoiding duplication to the</p> |

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| | <p>maximum extent practicable with legislative rules required to be promulgated pursuant to this article by the director or any other rule-making authority, and in accordance with the provisions of chapter twenty-nine-a [§§ 29A-1-1 et seq.] of this code, shall promulgate, as necessary, legislative rules governing the transportation of hazardous wastes by vehicle upon the roads and highways of this state. Such legislative rules shall be consistent with applicable rules issued by the federal Department of Transportation and consistent with this article: Provided, That such legislative rules apply to the interstate transportation of hazardous waste within the boundaries of this state, as well as the intrastate transportation of such waste</p> |
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WISCONSIN

WISCONSIN ADMINISTRATIVE CODE
DEPARTMENT OF HEALTH AND FAMILY SERVICES
CHAPTER HFS 157. RADIATION PROTECTION
SUBCHAPTER XIII -- TRANSPORTATION

Wis. Adm. Code HFS 157.92 (2008)

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| PERMITS | No person may transport radioactive material or deliver radioactive material to a carrier for transport except as authorized in a general or specific license issued by the department under s. 254.365, Stats. |
| FEES | |
| ROUTES | |
| INSPECTION | |
| PENALTIES FOR VIOLATIONS | |
| NOTIFICATION | Prior to the transport each licensee shall provide advance notification of the transport to the Governor, or Governor's designee, and to the department of Division of Emergency Management. Each advance notification shall contain all the following information: 1. The name, address and telephone number of the shipper, carrier and receiver of the shipment. 2. A description of the nuclear waste contained in the shipment as required under 49 CFR 172.202 and 172.203. 3. The point of origin of the shipment and the 7-day period during which departure of the shipment is estimated to occur. 4. The 7-day period during which arrival of the shipment at state boundaries is estimated to occur. 5. The destination of the shipment and the 7-day period during which arrival of the shipment is estimated to occur. 6. A point of contact with a telephone number for current shipment information. |
| SAFETY | Prior to each shipment of licensed material, a licensee shall determine its safety by complying with the requirements, appropriate to the mode of transport, of the regulations of the U.S. department of transportation. A licensee shall establish, maintain and execute a quality assurance program to verify that deficiencies, deviations and defective material and equipment relating to the shipment of packages containing radioactive material are promptly identified and corrected. |

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| TRANSPORTATION | Department of Health and Family Services |
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WYOMING

CODE OF WYOMING RULES
 AGENCY 045. DEPARTMENT OF TRANSPORTATION
 SUB-AGENCY 040. MOTOR CARRIER
 CHAPTER 002. RADIOACTIVE WASTE TRANSPORTATION BY MOTOR CARRIER

WCWR 045-040-002 (2008)

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| PERMITS | Any person representing and wishing to transport radioactive waste within or through Wyoming shall have a permit issued by the Wyoming Department of Transportation (WYDOT) or its duly designated agent. |
| FEES | There is no application fee for a permit. The emergency response fee of \$200 per package of radioactive waste shall be paid to the Wyoming Department of Transportation. |
| ROUTES | Transporter |
| INSPECTION | |
| PENALTIES FOR VIOLATIONS | A permit may be denied or revoked. |
| NOTIFICATION | Each permit holder shall notify the Department within 10 days if any of the following occur: (i) The permit holder loses its carrier operating authority. (ii) The permit holder ceases to transport radioactive waste as defined in this chapter and therefore wishes voluntarily to relinquish the permit. (iii) The permit holder has been cited for violating safety rules or regulations applicable to radioactive waste transportation (reporting this information is voluntary except in the case of an accident resulting in the release of radioactivity). |
| SAFETY | |
| TRANSPORTATION | Wyoming Department of Transportation |



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