

Office of the Revisor of Statutes

Administrative Rules



TITLE: Adopted Permanent Rules Relating to Radioactive Materials

AGENCY: Department of Health

MINNESOTA RULES: Chapter 4731

RULE APPROVED
OFFICE OF ADMINISTRATIVE HEARINGS

July 14, 2015
DATE

Barbara Carr
ADMINISTRATIVE LAW JUDGE.



The attached rules are approved for
filing with the Secretary of State

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Senior Assistant Revisor

160269

1.1 **Department of Health**

1.2 **Adopted Permanent Rules Relating to Radioactive Materials**

1.3 **4731.0100 DEFINITIONS.**

1.4 [For text of subps 1 to 4a, see M.R.]

1.5 Subp. 4b. **Access control.** "Access control" means a system for allowing only
1.6 approved individuals to have unescorted access to the security zone and for ensuring that
1.7 all other individuals are subject to escorted access.

1.8 [For text of subps 5 to 9, see M.R.]

1.9 Subp. 9a. **Aggregated.** "Aggregated" means accessible by the breach of a single
1.10 physical barrier that would allow access to radioactive material in any form, including any
1.11 devices that contain the radioactive material, when the total activity equals or exceeds a
1.12 category 2 quantity of radioactive material.

1.13 [For text of subps 10 to 16, see M.R.]

1.14 Subp. 16a. **Approved individual.** "Approved individual" means an individual
1.15 whom the licensee has determined to be trustworthy and reliable for unescorted access
1.16 in accordance with parts 4731.8010 to 4731.8040 and who has completed the training
1.17 required by part 4731.8055, subpart 3.

1.18 [For text of subps 17 to 24, see M.R.]

1.19 Subp. 24a. **Background investigation.** "Background investigation" means the
1.20 investigation conducted by a licensee or applicant to support the determination of
1.21 trustworthiness and reliability.

1.22 [For text of subps 25 to 33, see M.R.]

1.23 Subp. 33a. **Category 1 quantity of radioactive material.** "Category 1 quantity of
1.24 radioactive material" means a quantity of radioactive material meeting or exceeding the

category 1 threshold under part 4731.8140, subpart 1. This is determined by calculating the ratio of the total activity of each radionuclide to the category 1 threshold for that radionuclide and adding the ratios together. If the sum is equal to or exceeds one, the quantity would be considered a category 1 quantity. Category 1 quantities of radioactive material do not include the radioactive material contained in any fuel assembly, subassembly, fuel rod, or fuel pellet.

Subp. 33b. **Category 2 quantity of radioactive material.** "Category 2 quantity of radioactive material" means a quantity of radioactive material meeting or exceeding the category 2 threshold but less than the category 1 threshold under part 4731.8140, subpart 1. This is determined by calculating the ratio of the total activity of each radionuclide to the category 2 threshold for that radionuclide and adding the ratios together. If the sum is equal to or exceeds one, the quantity would be considered a category 2 quantity. Category 2 quantities of radioactive material do not include the radioactive material contained in any fuel assembly, subassembly, fuel rod, or fuel pellet.

Subp. 33c. **Certificate holder.** "Certificate holder" means a person who has been issued a certificate of compliance or other package approval by the NRC.

Subp. 33d. **Certificate of compliance.** "Certificate of compliance" means the certificate issued by the NRC under Code of Federal Regulations, title 10, part 71, subpart D, which approves the design of a package for transportation of radioactive material.

[For text of subps 34 to 39, see M.R.]

Subp. 40. **Commencement of construction.** "Commencement of construction" means taking any action defined as construction or any other activity at the site of a facility subject to the regulations in this chapter that has a reasonable nexus to radiological health and safety.

[For text of subps 41 to 44, see M.R.]

3.1 Subp. 44a. **Construction.** "Construction" means the installation of foundations or
3.2 in-place assembly, erection, fabrication, or testing for any structure, system, or component
3.3 of a facility or activity subject to the regulations in this chapter that are related to
3.4 radiological safety or security. Construction does not include:

3.5 A. changes for temporary use of the land for public recreational purposes;

3.6 B. site exploration, including necessary borings to determine foundation
3.7 conditions or other preconstruction monitoring to establish background information
3.8 related to the suitability of the site, the environmental impacts of construction or operation,
3.9 or the protection of environmental values;

3.10 C. preparation of the site for construction of the facility, including clearing of
3.11 the site, grading, installation of drainage, erosion and other environmental mitigation
3.12 measures, and construction of temporary roads and borrow areas;

3.13 D. erection of fences and other access control measures that are not related to
3.14 the safe use of, or security of, radiological materials subject to this part;

3.15 E. excavation;

3.16 F. erection of support buildings, such as construction equipment storage sheds,
3.17 warehouse and shop facilities, utilities, concrete mixing plants, docking and unloading
3.18 facilities, and office buildings for use in connection with the construction of the facility;

3.19 G. building of service facilities, such as paved roads, parking lots, railroad
3.20 spurs, exterior utility and lighting systems, potable water systems, sanitary sewerage
3.21 treatment facilities, and transmission lines;

3.22 H. procurement or fabrication of components or portions of the proposed
3.23 facility occurring at other than the final, in-place location at the facility; or

3.24 I. taking any other action that has no reasonable nexus to radiological health
3.25 and safety.

4.1 Subp. 44b. **Containment system.** "Containment system" means the assembly of
4.2 components of the packaging intended to retain the radioactive material during transport.

4.3 [For text of subps 45 to 63, see M.R.]

4.4 Subp. 63a. **Diversion.** "Diversion" means the unauthorized movement of radioactive
4.5 material subject to this chapter to a location different from the material's authorized
4.6 destination inside or outside of the site at which the material is used or stored.

4.7 [For text of subps 64 to 75, see M.R.]

4.8 Subp. 75a. **Escorted access.** "Escorted access" means accompaniment while
4.9 in a security zone by an approved individual who maintains continuous direct visual
4.10 surveillance at all times over an individual who is not approved for unescorted access.

4.11 [For text of subps 76 to 83, see M.R.]

4.12 Subp. 83a. **Fingerprint orders.** "Fingerprint orders" means the orders issued
4.13 by the NRC or the legally binding requirements issued by agreement states that
4.14 require fingerprints and criminal history records checks for individuals with unescorted
4.15 access to category 1 and category 2 quantities of radioactive material or safeguards
4.16 information-modified handling.

4.17 [For text of subps 84 to 100, see M.R.]

4.18 Subp. 100a. **Indian tribe.** "Indian tribe" means an Indian or Alaska Native tribe,
4.19 band, nation, pueblo, village, or community that the Secretary of the Interior acknowledges
4.20 to exist as an Indian tribe pursuant to the Federally Recognized Indian Tribe List Act of
4.21 1994, United States Code, title 25, section 479a.

4.22 [For text of subps 101 to 118, see M.R.]

4.23 Subp. 118a. **License issuing authority.** "License issuing authority" means the
4.24 commissioner, the NRC, or the appropriate agency of an agreement state that issued
4.25 the license.

5.1 [For text of subps 119 to 121a, see M.R.]

5.2 Subp. 121b. **Local law enforcement agency or LLEA.** "Local law enforcement
5.3 agency" or "LLEA" means a public or private organization that has been approved by a
5.4 federal, state, or local government to carry firearms and make arrests, and is authorized
5.5 and has the capability to provide an armed response in the jurisdiction where the licensed
5.6 category 1 or category 2 quantity of radioactive material is used, stored, or transported.

5.7 [For text of subps 122 to 144, see M.R.]

5.8 Subp. 144a. **Mobile device.** "Mobile device" means a piece of equipment containing
5.9 licensed radioactive material that is either mounted on wheels or casters, or otherwise
5.10 equipped for moving without a need for disassembly or dismounting; or designed to be hand
5.11 carried. A mobile device does not include stationary equipment installed in a fixed location.

5.12 [For text of subps 145 and 146, see M.R.]

5.13 Subp. 146a. **Movement control center.** "Movement control center" means an
5.14 operations center that is remote from transport activity and that maintains position
5.15 information on the movement of radioactive material, receives reports of attempted attacks
5.16 or thefts, provides a means for reporting these and other problems to appropriate agencies,
5.17 and can request and coordinate appropriate aid.

5.18 [For text of subps 147 to 152, see M.R.]

5.19 Subp. 152a. **No-later-than arrival time.** "No-later-than arrival time" means the date
5.20 and time that the shipping licensee and receiving licensee have established as the time at
5.21 which an investigation will be initiated if the shipment has not arrived at the receiving
5.22 facility. The no-later-than arrival time may not be more than six hours after the estimated
5.23 arrival time for shipments of category 2 quantities of radioactive material.

5.24 [For text of subps 153 to 205, see M.R.]

6.1 Subp. 205a. **Reviewing official.** "Reviewing official" means the individual who
6.2 must make the trustworthiness and reliability determination of an individual to determine
6.3 whether the individual may have, or continue to have, unescorted access to the category 1
6.4 or category 2 quantities of radioactive materials that are possessed by the licensee.

6.5 [For text of subps 206 and 207, see M.R.]

6.6 Subp. 207a. **Sabotage.** "Sabotage" means deliberate damage, with malevolent
6.7 intent, to a category 1 or category 2 quantity of radioactive material, a device that contains
6.8 a category 1 or category 2 quantity of radioactive material, or the components of the
6.9 security system.

6.10 Subp. 207b. **Safe haven.** "Safe haven" means a readily recognizable and readily
6.11 accessible site at which security is present or from which, in the event of an emergency,
6.12 the transport crew can notify and wait for the local law enforcement authorities.

6.13 [For text of subps 208 to 210, see M.R.]

6.14 Subp. 210a. **Security zone.** "Security zone" means any temporary or permanent area
6.15 determined and established by the licensee for the physical protection of category 1 or
6.16 category 2 quantities of radioactive material.

6.17 [For text of subps 211 to 237, see M.R.]

6.18 Subp. 237a. **Telemetric position monitoring system.** "Telemetric position
6.19 monitoring system" means a data transfer system that captures information by
6.20 instrumentation and measuring devices about the location and status of a transport vehicle
6.21 or package between the departure and destination locations.

6.22 [For text of subps 238 to 247, see M.R.]

6.23 Subp. 247a. **Tribal official.** "Tribal official" means the highest ranking individual
6.24 that represents tribal leadership, such as the chief, president, or tribal council leadership.

6.25 [For text of subp 248, see M.R.]

7.1 Subp. 248a. **Trustworthiness and reliability.** "Trustworthiness and reliability"
7.2 means characteristics of an individual considered dependable in judgment, character,
7.3 and performance, such that unescorted access to category 1 or category 2 quantities of
7.4 radioactive material by that individual does not constitute an unreasonable risk to public
7.5 health and safety or security. A determination of trustworthiness and reliability for this
7.6 purpose is based upon the results from a background investigation.

7.7 [For text of subps 249 to 253, see M.R.]

7.8 Subp. 253a. **Unescorted access.** "Unescorted access" means solitary access to an
7.9 aggregated category 1 or category 2 quantity of radioactive material or the devices that
7.10 contain the material.

7.11 Subp. 253b. **Unirradiated uranium.** "Unirradiated uranium" means uranium
7.12 containing not more than 2×10^3 Bq of plutonium per gram of uranium-235, not more than
7.13 9×10^6 Bq of fission products per gram of uranium-235, and not more than 5×10^{-3} gram
7.14 of uranium-236 per gram of uranium-235.

7.15 [For text of subp 254, see M.R.]

7.16 Subp. 255. **Unrefined and unprocessed ore.** "Unrefined and unprocessed ore"
7.17 means ore in its natural form prior to any processing, such as grinding, roasting, or
7.18 beneficiating, or refining. Processing does not include sieving or encapsulation of ore or
7.19 preparation of samples for laboratory analysis.

7.20 [For text of subps 256 to 269, see M.R.]

7.21 **4731.0355 RECIPROCITY.**

7.22 Subpart 1. **Application; recognition.**

7.23 A. Subject to this chapter, a person who holds a specific license from the NRC
7.24 or an agreement state, and issued by the agency having jurisdiction where the licensee
7.25 maintains an office for directing the licensed activity and at which radiation safety records

8.1 are normally maintained, may apply for reciprocity. Once reciprocity is approved, the
8.2 out-of-state licensee is granted a general license to conduct the activities authorized in
8.3 the NRC or agreement state license within this state for a period not in excess of 180
8.4 days in a calendar year.

8.5 B. Applications for reciprocal recognition of licenses issued by the NRC
8.6 or other agreement states may be made by completing a report of proposed activity
8.7 reciprocity form prescribed by the commissioner. The form may be obtained by contacting
8.8 the Radioactive Materials Unit, Minnesota Department of Health, 625 Robert Street N,
8.9 P.O. Box 64975, St. Paul, MN 55164-0975.

8.10 C. The application must be signed and dated by the radiation safety officer or
8.11 the responsible management representative.

8.12 D. The applicant must submit a copy of the current licensing document. The
8.13 licensing document must not limit the activity authorized by the document to specified
8.14 installations or locations.

8.15 E. The applicant must pay the reciprocity fee under Minnesota Statutes, section
8.16 144.1205.

8.17 **Subp. 2. Review and inspection.**

8.18 A. The commissioner shall review applications for reciprocity for compliance
8.19 with this chapter. The commissioner may withdraw, limit, or qualify acceptance of a
8.20 specific license or equivalent licensing document issued by the NRC or an agreement state
8.21 or a product distributed under the licensing document upon determining that the action is
8.22 necessary to prevent undue hazard to public health and safety or property.

8.23 B. Inspections by the commissioner may be performed on any licensee who has
8.24 been granted a reciprocal license.

8.25 **Subp. 3. Notification.**

9.1 A. An out-of-state licensee approved for reciprocity must notify the
9.2 commissioner in writing at least three days before engaging in activities in the state. The
9.3 notification must include:

- 9.4 (1) the name of the company for whom service will be performed;
- 9.5 (2) the name and telephone number of the individual representing the
9.6 company under subitem (1);
- 9.7 (3) the location where services will be performed;
- 9.8 (4) the start date;
- 9.9 (5) the duration of the service;
- 9.10 (6) the type of service to be performed;
- 9.11 (7) the name of individuals performing the service; and
- 9.12 (8) identification of the sources of radiation to be used.

9.13 [For text of items B to D, see M.R.]

9.14 [For text of subp 4, see M.R.]

9.15 **4731.0419 ADVANCE NOTIFICATION OF SHIPMENT OF IRRADIATED**
9.16 **REACTOR FUEL AND NUCLEAR WASTE.**

9.17 Subpart 1. **Notice required.** As specified in subparts 2 to 4, a licensee must provide
9.18 advance notification to:

9.19 A. the commissioner, the governor of the state or the governor's designee, and
9.20 the NRC of a shipment of licensed material through or across the boundary of the state
9.21 before the transport, or delivery to a carrier for transport, of licensed material outside the
9.22 confines of the licensee's plant or other place of use or storage; and

9.23 B. the tribal official of participating tribes referenced in subpart 3, item B, or the
9.24 official's designee, of the shipment of licensed material, within or across the boundary of

10.1 the tribe's reservation, before the transport, or delivery to a carrier, for transport, of licensed
10.2 material outside the confines of the licensee's plant or other place of use or storage.

10.3 Subp. 2. **Shipments requiring notice.** Advance notification is required under this
10.4 part for shipments of licensed material, other than irradiated fuel, meeting the following
10.5 three conditions:

10.6 [For text of items A to C, see M.R.]

10.7 Subp. 3. **Procedures for submitting notification.**

10.8 A. The notification required under this part must:

10.9 (1) be made in writing to the commissioner, the office of each appropriate
10.10 state governor or governor's designee, the office of each appropriate tribal official or
10.11 tribal official's designee, and to the director of the Division of Security Policy, Office of
10.12 Nuclear Security and Incident Response, NRC;

10.13 (2) if delivered by mail, be postmarked at least seven days before the
10.14 beginning of the seven-day period during which departure of the shipment is estimated
10.15 to occur; and

10.16 (3) if delivered by any other means than mail, reach the office of the
10.17 commissioner and the governor or governor's designee or the tribal official or tribal
10.18 official's designee at least four days before the beginning of the seven-day period during
10.19 which departure of the shipment is estimated to occur.

10.20 B. A list of the names and mailing addresses of the governors' designees
10.21 and tribal officials' designees of participating tribes receiving advance notification of
10.22 transportation of nuclear waste is published annually in the Federal Register on or about
10.23 June 30 to reflect changes in information. The list is available on request from the
10.24 Director, Office of Federal and State Materials and Environmental Programs, United
10.25 States Nuclear Regulatory Commission, Washington, DC 20555-0001.

11.1 C. The licensee must retain a copy of the notification as a record for three years.

11.2 Subp. 4. **Information to be furnished in advance notification of shipment.** An
11.3 advance notification of shipment of irradiated reactor fuel or nuclear waste must contain
11.4 the following information:

11.5 [For text of items A to C, see M.R.]

11.6 D. the seven-day period during which arrival of the shipment at state boundaries
11.7 or tribal reservation boundaries is estimated to occur;

11.8 [For text of items E and F, see M.R.]

11.9 Subp. 5. **Revision notice.** A licensee who finds that schedule information, previously
11.10 furnished under this part to the commissioner and a governor or governor's designee or a
11.11 tribal official or tribal official's designee, will not be met must telephone a responsible
11.12 individual in the commissioner's office and the governor or governor's designee or the
11.13 tribal official or the tribal official's designee and inform the individual of the extent of the
11.14 delay beyond the schedule originally reported.

11.15 [For text of subp 5a, see M.R.]

11.16 Subp. 6. **Cancellation notice.**

11.17 A. A licensee who cancels an irradiated reactor fuel or nuclear waste shipment
11.18 for which advance notification has been sent must send a cancellation notice to the
11.19 commissioner, the governor of each state or the governor's designee previously notified,
11.20 each tribal official or the tribal official's designee previously notified, and the director of
11.21 the Division of Security Policy, Office of Nuclear Security and Incident Response, NRC.

11.22 [For text of items B and C, see M.R.]

11.23 **4731.0422 A₁ AND A₂ VALUES FOR RADIONUCLIDES.**

11.24 Subpart 1. [Repealed, 32 SR 831]

12.1 Subp. 1a. A_1 and A_2 values.

12.2 Element and atomic
12.3 number and symbol
12.4 of radionuclide

12.5		A_1 (TBq)	A_1 (Ci) ^b	A_2 (TBq)	A_2 (Ci) ^b
12.6	Actinium (89)				
12.7	Ac-225 ^a	8.0×10^{-1}	2.2×10^1	6.0×10^{-3}	1.6×10^{-1}
12.8	Ac-227 ^a	9.0×10^{-1}	2.4×10^1	9.0×10^{-5}	2.4×10^{-3}
12.9	Ac-228	6.0×10^{-1}	1.6×10^1	5.0×10^{-1}	1.4×10^1
12.10	Silver (47)				
12.11	Ag-105	2.0	5.4×10^1	2.0	5.4×10^1
12.12	Ag-108m ^a	7.0×10^{-1}	1.9×10^1	7.0×10^{-1}	1.9×10^1
12.13	Ag-110m ^a	4.0×10^{-1}	1.1×10^1	4.0×10^{-1}	1.1×10^1
12.14	Ag-111	2.0	5.4×10^1	6.0×10^{-1}	1.6×10^1
12.15	Aluminum (13)				
12.16	Al-26	1.0×10^{-1}	2.7	1.0×10^{-1}	2.7
12.17	Americium (95)				
12.18	Am-241	1.0×10^1	2.7×10^2	1.0×10^{-3}	2.7×10^{-2}
12.19	Am-242m ^a	1.0×10^1	2.7×10^2	1.0×10^{-3}	2.7×10^{-2}
12.20	Am-243 ^a	5.0	1.4×10^2	1.0×10^{-3}	2.7×10^{-2}
12.21	Argon (18)				
12.22	Ar-37	4.0×10^1	1.1×10^3	4.0×10^1	1.1×10^3
12.23	Ar-39	4.0×10^1	1.1×10^3	2.0×10^1	5.4×10^2
12.24	Ar-41	3.0×10^{-1}	8.1	3.0×10^{-1}	8.1
12.25	Arsenic (33)				
12.26	As-72	3.0×10^{-1}	8.1	3.0×10^{-1}	8.1
12.27	As-73	4.0×10^1	1.1×10^3	4.0×10^1	1.1×10^3
12.28	As-74	1.0	2.7×10^1	9.0×10^{-1}	2.4×10^1
12.29	As-76	3.0×10^{-1}	8.1	3.0×10^{-1}	8.1

13.1	As-77	2.0×10^1	5.4×10^2	7.0×10^{-1}	1.9×10^1
13.2	Astatine (85)				
13.3	At-211 ^a	2.0×10^1	5.4×10^2	5.0×10^{-1}	1.4×10^1
13.4	Gold (79)				
13.5	Au-193	7.0	1.9×10^2	2.0	5.4×10^1
13.6	Au-194	1.0	2.7×10^1	1.0	2.7×10^1
13.7	Au-195	1.0×10^1	2.7×10^2	6.0	1.6×10^2
13.8	Au-198	1.0	2.7×10^1	6.0×10^{-1}	1.6×10^1
13.9	Au-199	1.0×10^1	2.7×10^2	6.0×10^{-1}	1.6×10^1
13.10	Barium (56)				
13.11	Ba-131 ^a	2.0	5.4×10^1	2.0	5.4×10^1
13.12	Ba-133	3.0	8.1×10^1	3.0	8.1×10^1
13.13	Ba-133m	2.0×10^1	5.4×10^2	6.0×10^{-1}	1.6×10^1
13.14	Ba-140 ^a	5.0×10^{-1}	1.4×10^1	3.0×10^{-1}	8.1
13.15	Beryllium (4)				
13.16	Be-7	2.0×10^1	5.4×10^2	2.0×10^1	5.4×10^2
13.17	Be-10	4.0×10^1	1.1×10^3	6.0×10^{-1}	1.6×10^1
13.18	Bismuth (83)				
13.19	Bi-205	7.0×10^{-1}	1.9×10^1	7.0×10^{-1}	1.9×10^1
13.20	Bi-206	3.0×10^{-1}	8.1	3.0×10^{-1}	8.1
13.21	Bi-207	7.0×10^{-1}	1.9×10^1	7.0×10^{-1}	1.9×10^1
13.22	Bi-210	1.0	2.7×10^1	6.0×10^{-1}	1.6×10^1
13.23	Bi-210m ^a	6.0×10^{-1}	1.6×10^1	2.0×10^{-2}	5.4×10^{-1}
13.24	Bi-212 ^a	7.0×10^{-1}	1.9×10^1	6.0×10^{-1}	1.6×10^1
13.25	Berkelium (97)				
13.26	Bk-247	8.0	2.2×10^2	8.0×10^{-4}	2.2×10^{-2}
13.27	Bk-249 ^a	4.0×10^1	1.1×10^3	3.0×10^{-1}	8.1

14.1	Bromine (35)				
14.2	Br-76	4.0×10^{-1}	1.1×10^1	4.0×10^{-1}	1.1×10^1
14.3	Br-77	3.0	8.1×10^1	3.0	8.1×10^1
14.4	Br-82	4.0×10^{-1}	1.1×10^1	4.0×10^{-1}	1.1×10^1
14.5	Carbon (6)				
14.6	C-11	1.0	2.7×10^1	6.0×10^{-1}	1.6×10^1
14.7	C-14	4.0×10^1	1.1×10^3	3.0	8.1×10^1
14.8	Calcium (20)				
14.9	Ca-41	Unlimited	Unlimited	Unlimited	Unlimited
14.10	Ca-45	4.0×10^1	1.1×10^3	1.0	2.7×10^1
14.11	Ca-47 ^a	3.0	8.1×10^1	3.0×10^{-1}	8.1
14.12	Cadmium (48)				
14.13	Cd-109	3.0×10^1	8.1×10^2	2.0	5.4×10^1
14.14	Cd-113m	4.0×10^1	1.1×10^3	5.0×10^{-1}	1.4×10^1
14.15	Cd-115 ^a	3.0	8.1×10^1	4.0×10^{-1}	1.1×10^1
14.16	Cd-115m	5.0×10^{-1}	1.4×10^1	5.0×10^{-1}	1.4×10^1
14.17	Cerium (58)				
14.18	Ce-139	7.0	1.9×10^2	2.0	5.4×10^1
14.19	Ce-141	2.0×10^1	5.4×10^2	6.0×10^{-1}	1.6×10^1
14.20	Ce-143	9.0×10^{-1}	2.4×10^1	6.0×10^{-1}	1.6×10^1
14.21	Ce-144 ^a	2.0×10^{-1}	5.4	2.0×10^{-1}	5.4
14.22	Californium (98)				
14.23	Cf-248	4.0×10^1	1.1×10^3	6.0×10^{-3}	1.6×10^{-1}
14.24	Cf-249	3.0	8.1×10^1	8.0×10^{-4}	2.2×10^{-2}
14.25	Cf-250	2.0×10^1	5.4×10^2	2.0×10^{-3}	5.4×10^{-2}
14.26	Cf-251	7.0	1.9×10^2	7.0×10^{-4}	1.9×10^{-2}
14.27	Cf-252 ^h	5.0×10^{-2}	1.4	3.0×10^{-3}	8.1×10^{-2}
14.28	Cf-253 ^a	4.0×10^1	1.1×10^3	4.0×10^{-2}	1.1

15.1	Cf-254	1.0×10^{-3}	2.7×10^{-2}	1.0×10^{-3}	2.7×10^{-2}
15.2	Chlorine (17)				
15.3	Cl-36	1.0×10^1	2.7×10^2	6.0×10^{-1}	1.6×10^1
15.4	Cl-38	2.0×10^{-1}	5.4	2.0×10^{-1}	5.4
15.5	Curium (96)				
15.6	Cm-240	4.0×10^1	1.1×10^3	2.0×10^{-2}	5.4×10^{-1}
15.7	Cm-241	2.0	5.4×10^1	1.0	2.7×10^1
15.8	Cm-242	4.0×10^1	1.1×10^3	1.0×10^{-2}	2.7×10^{-1}
15.9	Cm-243	9.0	2.4×10^2	1.0×10^{-3}	2.7×10^{-2}
15.10	Cm-244	2.0×10^1	5.4×10^2	2.0×10^{-3}	5.4×10^{-2}
15.11	Cm-245	9.0	2.4×10^2	9.0×10^{-4}	2.4×10^{-2}
15.12	Cm-246	9.0	2.4×10^2	9.0×10^{-4}	2.4×10^{-2}
15.13	Cm-247 ^a	3.0	8.1×10^1	1.0×10^{-3}	2.7×10^{-2}
15.14	Cm-248	2.0×10^{-2}	5.4×10^{-1}	3.0×10^{-4}	8.1×10^{-3}
15.15	Cobalt (27)				
15.16	Co-55	5.0×10^{-1}	1.4×10^1	5.0×10^{-1}	1.4×10^1
15.17	Co-56	3.0×10^{-1}	8.1	3.0×10^{-1}	8.1
15.18	Co-57	1.0×10^1	2.7×10^2	1.0×10^1	2.7×10^2
15.19	Co-58	1.0	2.7×10^1	1.0	2.7×10^1
15.20	Co-58m	4.0×10^1	1.1×10^3	4.0×10^1	1.1×10^3
15.21	Co-60	4.0×10^{-1}	1.1×10^1	4.0×10^{-1}	1.1×10^1
15.22	Chromium (24)				
15.23	Cr-51	3.0×10^1	8.1×10^2	3.0×10^1	8.1×10^2
15.24	Cesium (55)				
15.25	Cs-129	4.0	1.1×10^2	4.0	1.1×10^2
15.26	Cs-131	3.0×10^1	8.1×10^2	3.0×10^1	8.1×10^2
15.27	Cs-132	1.0	2.7×10^1	1.0	2.7×10^1
15.28	Cs-134	7.0×10^{-1}	1.9×10^1	7.0×10^{-1}	1.9×10^1

16.1	Cs-134m	4.0×10^1	1.1×10^3	6.0×10^{-1}	1.6×10^1
16.2	Cs-135	4.0×10^1	1.1×10^3	1.0	2.7×10^1
16.3	Cs-136	5.0×10^{-1}	1.4×10^1	5.0×10^{-1}	1.4×10^1
16.4	Cs-137 ^a	2.0	5.4×10^1	6.0×10^{-1}	1.6×10^1
16.5	Copper (29)				
16.6	Cu-64	6.0	1.6×10^2	1.0	2.7×10^1
16.7	Cu-67	1.0×10^1	2.7×10^2	7.0×10^{-1}	1.9×10^1
16.8	Dysprosium (66)				
16.9	Dy-159	2.0×10^1	5.4×10^2	2.0×10^1	5.4×10^2
16.10	Dy-165	9.0×10^{-1}	2.4×10^1	6.0×10^{-1}	1.6×10^1
16.11	Dy-166 ^a	9.0×10^{-1}	2.4×10^1	3.0×10^{-1}	8.1
16.12	Erbium (68)				
16.13	Er-169	4.0×10^1	1.1×10^3	1.0	2.7×10^1
16.14	Er-171	8.0×10^{-1}	2.2×10^1	5.0×10^{-1}	1.4×10^1
16.15	Europium (63)				
16.16	Eu-147	2.0	5.4×10^1	2.0	5.4×10^1
16.17	Eu-148	5.0×10^{-1}	1.4×10^1	5.0×10^{-1}	1.4×10^1
16.18	Eu-149	2.0×10^1	5.4×10^2	2.0×10^1	5.4×10^2
16.19	Eu-150				
16.20	(short-lived)	2.0	5.4×10^1	7.0×10^{-1}	1.9×10^1
16.21	Eu-150 (long-lived)	7.0×10^{-1}	1.9×10^1	7.0×10^{-1}	1.9×10^1
16.22	Eu-152	1.0	2.7×10^1	1.0	2.7×10^1
16.23	Eu-152m	8.0×10^{-1}	2.2×10^1	8.0×10^{-1}	2.2×10^1
16.24	Eu-154	9.0×10^{-1}	2.4×10^1	6.0×10^{-1}	1.6×10^1
16.25	Eu-155	2.0×10^1	5.4×10^2	3.0	8.1×10^1
16.26	Eu-156	7.0×10^{-1}	1.9×10^1	7.0×10^{-1}	1.9×10^1
16.27	Fluorine (9)				
16.28	F-18	1.0	2.7×10^1	6.0×10^{-1}	1.6×10^1

17.1	Iron (26)				
17.2	Fe-52 ^a	3.0×10^{-1}	8.1	3.0×10^{-1}	8.1
17.3	Fe-55	4.0×10^1	1.1×10^3	4.0×10^1	1.1×10^3
17.4	Fe-59	9.0×10^{-1}	2.4×10^1	9.0×10^{-1}	2.4×10^1
17.5	Fe-60 ^a	4.0×10^1	1.1×10^3	2.0×10^{-1}	5.4
17.6	Gallium (31)				
17.7	Ga-67	7.0	1.9×10^2	3.0	8.1×10^1
17.8	Ga-68	5.0×10^{-1}	1.4×10^1	5.0×10^{-1}	1.4×10^1
17.9	Ga-72	4.0×10^{-1}	1.1×10^1	4.0×10^{-1}	1.1×10^1
17.10	Gadolinium (64)				
17.11	Gd-146 ^a	5.0×10^{-1}	1.4×10^1	5.0×10^{-1}	1.4×10^1
17.12	Gd-148	2.0×10^1	5.4×10^2	2.0×10^{-3}	5.4×10^{-2}
17.13	Gd-153	1.0×10^1	2.7×10^2	9.0	2.4×10^2
17.14	Gd-159	3.0	8.1×10^1	6.0×10^{-1}	1.6×10^1
17.15	Germanium (32)				
17.16	Ge-68 ^a	5.0×10^{-1}	1.4×10^1	5.0×10^{-1}	1.4×10^1
17.17	Ge-71	4.0×10^1	1.1×10^3	4.0×10^1	1.1×10^3
17.18	Ge-77	3.0×10^{-1}	8.1	3.0×10^{-1}	8.1
17.19	Hafnium (72)				
17.20	Hf-172 ^a	6.0×10^{-1}	1.6×10^1	6.0×10^{-1}	1.6×10^1
17.21	Hf-175	3.0	8.1×10^1	3.0	8.1×10^1
17.22	Hf-181	2.0	5.4×10^1	5.0×10^{-1}	1.4×10^1
17.23	Hf-182	Unlimited	Unlimited	Unlimited	Unlimited
17.24	Mercury (80)				
17.25	Hg-194 ^a	1.0	2.7×10^1	1.0	2.7×10^1
17.26	Hg-195m ^a	3.0	8.1×10^1	7.0×10^{-1}	1.9×10^1
17.27	Hg-197	2.0×10^1	5.4×10^2	1.0×10^1	2.7×10^2
17.28	Hg-197m	1.0×10^1	2.7×10^2	4.0×10^{-1}	1.1×10^1

18.1	Hg-203	5.0	1.4×10^2	1.0	2.7×10^1
18.2	Holmium (67)				
18.3	Ho-166	4.0×10^{-1}	1.1×10^1	4.0×10^{-1}	1.1×10^1
18.4	Ho-166m	6.0×10^{-1}	1.6×10^1	5.0×10^{-1}	1.4×10^1
18.5	Iodine (53)				
18.6	I-123	6.0	1.6×10^2	3.0	8.1×10^1
18.7	I-124	1.0	2.7×10^1	1.0	2.7×10^1
18.8	I-125	2.0×10^1	5.4×10^2	3.0	8.1×10^1
18.9	I-126	2.0	5.4×10^1	1.0	2.7×10^1
18.10	I-129	Unlimited	Unlimited	Unlimited	Unlimited
18.11	I-131	3.0	8.1×10^1	7.0×10^{-1}	1.9×10^1
18.12	I-132	4.0×10^{-1}	1.1×10^1	4.0×10^{-1}	1.1×10^1
18.13	I-133	7.0×10^{-1}	1.9×10^1	6.0×10^{-1}	1.6×10^1
18.14	I-134	3.0×10^{-1}	8.1	3.0×10^{-1}	8.1
18.15	I-135 ^a	6.0×10^{-1}	1.6×10^1	6.0×10^{-1}	1.6×10^1
18.16	Indium (49)				
18.17	In-111	3.0	8.1×10^1	3.0	8.1×10^1
18.18	In-113m	4.0	1.1×10^2	2.0	5.4×10^1
18.19	In-114m ^a	1.0×10^1	2.7×10^2	5.0×10^{-1}	1.4×10^1
18.20	In-115m	7.0	1.9×10^2	1.0	2.7×10^1
18.21	Iridium (77)				
18.22	Ir-189 ^a	1.0×10^1	2.7×10^2	1.0×10^1	2.7×10^2
18.23	Ir-190	7.0×10^{-1}	1.9×10^1	7.0×10^{-1}	1.9×10^1
18.24	Ir-192 ^c	1.0	2.7×10^1	6.0×10^{-1}	1.6×10^1
18.25	Ir-194	3.0×10^{-1}	8.1	3.0×10^{-1}	8.1
18.26	Potassium (19)				
18.27	K-40	9.0×10^{-1}	2.4×10^1	9.0×10^{-1}	2.4×10^1
18.28	K-42	2.0×10^{-1}	5.4	2.0×10^{-1}	5.4

19.1	K-43	7.0×10^{-1}	1.9×10^1	6.0×10^{-1}	1.6×10^1
19.2	Krypton (36)				
19.3	Kr-81	4.0×10^1	1.1×10^3	4.0×10^1	1.1×10^3
19.4	Kr-85	1.0×10^1	2.7×10^2	1.0×10^1	2.7×10^2
19.5	Kr-85m	8.0	2.2×10^2	3.0	8.1×10^1
19.6	Kr-87	2.0×10^{-1}	5.4	2.0×10^{-1}	5.4
19.7	Lanthanum (57)				
19.8	La-137	3.0×10^1	8.1×10^2	6.0	1.6×10^2
19.9	La-140	4.0×10^{-1}	1.1×10^1	4.0×10^{-1}	1.1×10^1
19.10	Lutetium (71)				
19.11	Lu-172	6.0×10^{-1}	1.6×10^1	6.0×10^{-1}	1.6×10^1
19.12	Lu-173	8.0	2.2×10^2	8.0	2.2×10^2
19.13	Lu-174	9.0	2.4×10^2	9.0	2.4×10^2
19.14	Lu-174m	2.0×10^1	5.4×10^2	1.0×10^1	2.7×10^2
19.15	Lu-177	3.0×10^1	8.1×10^2	7.0×10^{-1}	1.9×10^1
19.16	Magnesium (12)				
19.17	Mg-28 ^a	3.0×10^{-1}	8.1	3.0×10^{-1}	8.1
19.18	Manganese (25)				
19.19	Mn-52	3.0×10^{-1}	8.1	3.0×10^{-1}	8.1
19.20	Mn-53	Unlimited	Unlimited	Unlimited	Unlimited
19.21	Mn-54	1.0	2.7×10^1	1.0	2.7×10^1
19.22	Mn-56	3.0×10^{-1}	8.1	3.0×10^{-1}	8.1
19.23	Molybdenum (42)				
19.24	Mo-93	4.0×10^1	1.1×10^3	2.0×10^1	5.4×10^2
19.25	Mo-99 ^{a,i}	1.0	2.7×10^1	6.0×10^{-1}	1.6×10^1
19.26	Nitrogen (7)				
19.27	N-13	9.0×10^{-1}	2.4×10^1	6.0×10^{-1}	1.6×10^1

20.1	Sodium (11)				
20.2	Na-22	5.0×10^{-1}	1.4×10^1	5.0×10^{-1}	1.4×10^1
20.3	Na-24	2.0×10^{-1}	5.4	2.0×10^{-1}	5.4
20.4	Niobium (41)				
20.5	Nb-93m	4.0×10^1	1.1×10^3	3.0×10^1	8.1×10^2
20.6	Nb-94	7.0×10^{-1}	1.9×10^1	7.0×10^{-1}	1.9×10^1
20.7	Nb-95	1.0	2.7×10^1	1.0	2.7×10^1
20.8	Nb-97	9.0×10^{-1}	2.4×10^1	6.0×10^{-1}	1.6×10^1
20.9	Neodymium (60)				
20.10	Nd-147	6.0	1.6×10^2	6.0×10^{-1}	1.6×10^1
20.11	Nd-149	6.0×10^{-1}	1.6×10^1	5.0×10^{-1}	1.4×10^1
20.12	Nickel (28)				
20.13	Ni-59	Unlimited	Unlimited	Unlimited	Unlimited
20.14	Ni-63	4.0×10^1	1.1×10^3	3.0×10^1	8.1×10^2
20.15	Ni-65	4.0×10^{-1}	1.1×10^1	4.0×10^{-1}	1.1×10^1
20.16	Neptunium (93)				
20.17	Np-235	4.0×10^1	1.1×10^3	4.0×10^1	1.1×10^3
20.18	Np-236				
20.19	(short-lived)	2.0×10^1	5.4×10^2	2.0	5.4×10^1
20.20	Np-236 (long-lived)	9.0×10^0	2.4×10^2	2.0×10^{-2}	5.4×10^{-1}
20.21	Np-237	2.0×10^1	5.4×10^2	2.0×10^{-3}	5.4×10^{-2}
20.22	Np-239	7.0	1.9×10^2	4.0×10^{-1}	1.1×10^1
20.23	Osmium (76)				
20.24	Os-185	1.0	2.7×10^1	1.0	2.7×10^1
20.25	Os-191	1.0×10^1	2.7×10^2	2.0	5.4×10^1
20.26	Os-191m	4.0×10^1	1.1×10^3	3.0×10^1	8.1×10^2
20.27	Os-193	2.0	5.4×10^1	6.0×10^{-1}	1.6×10^1
20.28	Os-194 ^a	3.0×10^{-1}	8.1	3.0×10^{-1}	8.1

21.1	Phosphorus (15)				
21.2	P-32	5.0×10^{-1}	1.4×10^1	5.0×10^{-1}	1.4×10^1
21.3	P-33	4.0×10^1	1.1×10^3	1.0	2.7×10^1
21.4	Protactinium (91)				
21.5	Pa-230 ^a	2.0	5.4×10^1	7.0×10^{-2}	1.9
21.6	Pa-231	4.0	1.1×10^2	4.0×10^{-4}	1.1×10^{-2}
21.7	Pa-233	5.0	1.4×10^2	7.0×10^{-1}	1.9×10^1
21.8	Lead (82)				
21.9	Pb-201	1.0	2.7×10^1	1.0	2.7×10^1
21.10	Pb-202	4.0×10^1	1.1×10^3	2.0×10^1	5.4×10^2
21.11	Pb-203	4.0	1.1×10^2	3.0	8.1×10^1
21.12	Pb-205	Unlimited	Unlimited	Unlimited	Unlimited
21.13	Pb-210 ^a	1.0	2.7×10^1	5.0×10^{-2}	1.4
21.14	Pb-212 ^a	7.0×10^{-1}	1.9×10^1	2.0×10^{-1}	5.4
21.15	Palladium (46)				
21.16	Pd-103 ^a	4.0×10^1	1.1×10^3	4.0×10^1	1.1×10^3
21.17	Pd-107	Unlimited	Unlimited	Unlimited	Unlimited
21.18	Pd-109	2.0	5.4×10^1	5.0×10^{-1}	1.4×10^1
21.19	Promethium (61)				
21.20	Pm-143	3.0	8.1×10^1	3.0	8.1×10^1
21.21	Pm-144	7.0×10^{-1}	1.9×10^1	7.0×10^{-1}	1.9×10^1
21.22	Pm-145	3.0×10^1	8.1×10^2	1.0×10^1	2.7×10^2
21.23	Pm-147	4.0×10^1	1.1×10^3	2.0	5.4×10^1
21.24	Pm-148m ^a	8.0×10^{-1}	2.2×10^1	7.0×10^{-1}	1.9×10^1
21.25	Pm-149	2.0	5.4×10^1	6.0×10^{-1}	1.6×10^1
21.26	Pm-151	2.0	5.4×10^1	6.0×10^{-1}	1.6×10^1
21.27	Polonium (84)				
21.28	Po-210	4.0×10^1	1.1×10^3	2.0×10^{-2}	5.4×10^{-1}

22.1	Praseodymium (59)				
22.2	Pr-142	4.0×10^{-1}	1.1×10^1	4.0×10^{-1}	1.1×10^1
22.3	Pr-143	3.0	8.1×10^1	6.0×10^{-1}	1.6×10^1
22.4	Platinum (78)				
22.5	Pt-188 ^a	1.0	2.7×10^1	8.0×10^{-1}	2.2×10^1
22.6	Pt-191	4.0	1.1×10^2	3.0	8.1×10^1
22.7	Pt-193	4.0×10^1	1.1×10^3	4.0×10^1	1.1×10^3
22.8	Pt-193m	4.0×10^1	1.1×10^3	5.0×10^{-1}	1.4×10^1
22.9	Pt-195m	1.0×10^1	2.7×10^2	5.0×10^{-1}	1.4×10^1
22.10	Pt-197	2.0×10^1	5.4×10^2	6.0×10^{-1}	1.6×10^1
22.11	Pt-197m	1.0×10^1	2.7×10^2	6.0×10^{-1}	1.6×10^1
22.12	Plutonium (94)				
22.13	Pu-236	3.0×10^1	8.1×10^2	3.0×10^{-3}	8.1×10^{-2}
22.14	Pu-237	2.0×10^1	5.4×10^2	2.0×10^1	5.4×10^2
22.15	Pu-238	1.0×10^1	2.7×10^2	1.0×10^{-3}	2.7×10^{-2}
22.16	Pu-239	1.0×10^1	2.7×10^2	1.0×10^{-3}	2.7×10^{-2}
22.17	Pu-240	1.0×10^1	2.7×10^2	1.0×10^{-3}	2.7×10^{-2}
22.18	Pu-241 ^a	4.0×10^1	1.1×10^3	6.0×10^{-2}	1.6
22.19	Pu-242	1.0×10^1	2.7×10^2	1.0×10^{-3}	2.7×10^{-2}
22.20	Pu-244 ^a	4.0×10^{-1}	1.1×10^1	1.0×10^{-3}	2.7×10^{-2}
22.21	Radium (88)				
22.22	Ra-223 ^a	4.0×10^{-1}	1.1×10^1	7.0×10^{-3}	1.9×10^{-1}
22.23	Ra-224 ^a	4.0×10^{-1}	1.1×10^1	2.0×10^{-2}	5.4×10^{-1}
22.24	Ra-225 ^a	2.0×10^{-1}	5.4	4.0×10^{-3}	1.1×10^{-1}
22.25	Ra-226 ^a	2.0×10^{-1}	5.4	3.0×10^{-3}	8.1×10^{-2}
22.26	Ra-228 ^a	6.0×10^{-1}	1.6×10^1	2.0×10^{-2}	5.4×10^{-1}
22.27	Rubidium (37)				
22.28	Rb-81	2.0	5.4×10^1	8.0×10^{-1}	2.2×10^1

23.1	Rb-83 ^a	2.0	5.4×10^1	2.0	5.4×10^1
23.2	Rb-84	1.0	2.7×10^1	1.0	2.7×10^1
23.3	Rb-86	5.0×10^{-1}	1.4×10^1	5.0×10^{-1}	1.4×10^1
23.4	Rb-87	Unlimited	Unlimited	Unlimited	Unlimited
23.5	Rb (nat)	Unlimited	Unlimited	Unlimited	Unlimited
23.6	Rhenium (75)				
23.7	Re-184	1.0	2.7×10^1	1.0	2.7×10^1
23.8	Re-184m	3.0	8.1×10^1	1.0	2.7×10^1
23.9	Re-186	2.0	5.4×10^1	6.0×10^{-1}	1.6×10^1
23.10	Re-187	Unlimited	Unlimited	Unlimited	Unlimited
23.11	Re-188	4.0×10^{-1}	1.1×10^1	4.0×10^{-1}	1.1×10^1
23.12	Re-189 ^a	3.0	8.1×10^1	6.0×10^{-1}	1.6×10^1
23.13	Re (nat)	Unlimited	Unlimited	Unlimited	Unlimited
23.14	Rhodium (45)				
23.15	Rh-99	2.0	5.4×10^1	2.0	5.4×10^1
23.16	Rh-101	4.0	1.1×10^2	3.0	8.1×10^1
23.17	Rh-102	5.0×10^{-1}	1.4×10^1	5.0×10^{-1}	1.4×10^1
23.18	Rh-102m	2.0	5.4×10^1	2.0	5.4×10^1
23.19	Rh-103m	4.0×10^1	1.1×10^3	4.0×10^1	1.1×10^3
23.20	Rh-105	1.0×10^1	2.7×10^2	8.0×10^{-1}	2.2×10^1
23.21	Radon (86)				
23.22	Rn-222 ^a	3.0×10^{-1}	8.1	4.0×10^{-3}	1.1×10^{-1}
23.23	Ruthenium (44)				
23.24	Ru-97	5.0	1.4×10^2	5.0	1.4×10^2
23.25	Ru-103 ^a	2.0	5.4×10^1	2.0	5.4×10^1
23.26	Ru-105	1.0	2.7×10^1	6.0×10^{-1}	1.6×10^1
23.27	Ru-106 ^a	2.0×10^{-1}	5.4	2.0×10^{-1}	5.4

24.1	Sulphur (16)				
24.2	S-35	4.0×10^{-1}	1.1×10^3	3.0	8.1×10^1
24.3	Antimony (51)				
24.4	Sb-122	4.0×10^{-1}	1.1×10^1	4.0×10^{-1}	1.1×10^1
24.5	Sb-124	6.0×10^{-1}	1.6×10^1	6.0×10^{-1}	1.6×10^1
24.6	Sb-125	2.0	5.4×10^1	1.0	2.7×10^1
24.7	Sb-126	4.0×10^{-1}	1.1×10^1	4.0×10^{-1}	1.1×10^1
24.8	Scandium (21)				
24.9	Sc-44	5.0×10^{-1}	1.4×10^1	5.0×10^{-1}	1.4×10^1
24.10	Sc-46	5.0×10^{-1}	1.4×10^1	5.0×10^{-1}	1.4×10^1
24.11	Sc-47	1.0×10^1	2.7×10^2	7.0×10^{-1}	1.9×10^1
24.12	Sc-48	3.0×10^{-1}	8.1	3.0×10^{-1}	8.1
24.13	Selenium (34)				
24.14	Se-75	3.0	8.1×10^1	3.0	8.1×10^1
24.15	Se-79	4.0×10^1	1.1×10^3	2.0	5.4×10^1
24.16	Silicon (14)				
24.17	Si-31	6.0×10^{-1}	1.6×10^1	6.0×10^{-1}	1.6×10^1
24.18	Si-32	4.0×10^1	1.1×10^3	5.0×10^{-1}	1.4×10^1
24.19	Samarium (62)				
24.20	Sm-145	1.0×10^1	2.7×10^2	1.0×10^1	2.7×10^2
24.21	Sm-147	Unlimited	Unlimited	Unlimited	Unlimited
24.22	Sm-151	4.0×10^1	1.1×10^3	1.0×10^1	2.7×10^2
24.23	Sm-153	9.0	2.4×10^2	6.0×10^{-1}	1.6×10^1
24.24	Tin (50)				
24.25	Sn-113 ^a	4.0	1.1×10^2	2.0	5.4×10^1
24.26	Sn-117m	7.0	1.9×10^2	4.0×10^{-1}	1.1×10^1
24.27	Sn-119m	4.0×10^1	1.1×10^3	3.0×10^1	8.1×10^2

25.1	Sn-121m ^a	4.0×10^1	1.1×10^3	9.0×10^{-1}	2.4×10^1
25.2	Sn-123	8.0×10^{-1}	2.2×10^1	6.0×10^{-1}	1.6×10^1
25.3	Sn-125	4.0×10^{-1}	1.1×10^1	4.0×10^{-1}	1.1×10^1
25.4	Sn-126 ^a	6.0×10^{-1}	1.6×10^1	4.0×10^{-1}	1.1×10^1
25.5	Strontium (38)				
25.6	Sr-82 ^a	2.0×10^{-1}	5.4	2.0×10^{-1}	5.4
25.7	Sr-85	2.0	5.4×10^1	2.0	5.4×10^1
25.8	Sr-85m	5.0	1.4×10^2	5.0	1.4×10^2
25.9	Sr-87m	3.0	8.1×10^1	3.0	8.1×10^1
25.10	Sr-89	6.0×10^{-1}	1.6×10^1	6.0×10^{-1}	1.6×10^1
25.11	Sr-90 ^a	3.0×10^{-1}	8.1	3.0×10^{-1}	8.1
25.12	Sr-91 ^a	3.0×10^{-1}	8.1	3.0×10^{-1}	8.1
25.13	Sr-92 ^a	1.0	2.7×10^1	3.0×10^{-1}	8.1
25.14	Tritium (1)				
25.15	T (H-3)	4.0×10^1	1.1×10^3	4.0×10^1	1.1×10^3
25.16	Tantalum (73)				
25.17	Ta-178 (long-lived)	1.0	2.7×10^1	8.0×10^{-1}	2.2×10^1
25.18	Ta-179	3.0×10^1	8.1×10^2	3.0×10^1	8.1×10^2
25.19	Ta-182	9.0×10^{-1}	2.4×10^1	5.0×10^{-1}	1.4×10^1
25.20	Terbium (65)				
25.21	Tb-157	4.0×10^1	1.1×10^3	4.0×10^1	1.1×10^3
25.22	Tb-158	1.0	2.7×10^1	1.0	2.7×10^1
25.23	Tb-160	1.0	2.7×10^1	6.0×10^{-1}	1.6×10^1
25.24	Technetium (43)				
25.25	Tc-95m ^a	2.0	5.4×10^1	2.0	5.4×10^1
25.26	Tc-96	4.0×10^{-1}	1.1×10^1	4.0×10^{-1}	1.1×10^1
25.27	Tc-96m ^a	4.0×10^{-1}	1.1×10^1	4.0×10^{-1}	1.1×10^1
25.28	Tc-97	Unlimited	Unlimited	Unlimited	Unlimited

26.1	Tc-97m	4.0×10^1	1.1×10^3	1.0	2.7×10^1
26.2	Tc-98	8.0×10^{-1}	2.2×10^1	7.0×10^{-1}	1.9×10^1
26.3	Tc-99	4.0×10^1	1.1×10^3	9.0×10^{-1}	2.4×10^1
26.4	Tc-99m	1.0×10^1	2.7×10^2	4.0	1.1×10^2
26.5	Tellurium (52)				
26.6	Te-121	2.0	5.4×10^1	2.0	5.4×10^1
26.7	Te-121m	5.0	1.4×10^2	3.0	8.1×10^1
26.8	Te-123m	8.0	2.2×10^2	1.0	2.7×10^1
26.9	Te-125m	2.0×10^1	5.4×10^2	9.0×10^{-1}	2.4×10^1
26.10	Te-127	2.0×10^1	5.4×10^2	7.0×10^{-1}	1.9×10^1
26.11	Te-127m ^a	2.0×10^1	5.4×10^2	5.0×10^{-1}	1.4×10^1
26.12	Te-129	7.0×10^{-1}	1.9×10^1	6.0×10^{-1}	1.6×10^1
26.13	Te-129m ^a	8.0×10^{-1}	2.2×10^1	4.0×10^{-1}	1.1×10^1
26.14	Te-131m ^a	7.0×10^{-1}	1.9×10^1	5.0×10^{-1}	1.4×10^1
26.15	Te-132 ^a	5.0×10^{-1}	1.4×10^1	4.0×10^{-1}	1.1×10^1
26.16	Thorium (90)				
26.17	Th-227	1.0×10^1	2.7×10^2	5.0×10^{-3}	1.4×10^{-1}
26.18	Th-228 ^a	5.0×10^{-1}	1.4×10^1	1.0×10^{-3}	2.7×10^{-2}
26.19	Th-229	5.0	1.4×10^2	5.0×10^{-4}	1.4×10^{-2}
26.20	Th-230	1.0×10^1	2.7×10^2	1.0×10^{-3}	2.7×10^{-2}
26.21	Th-231	4.0×10^1	1.1×10^3	2.0×10^{-2}	5.4×10^{-1}
26.22	Th-232	Unlimited	Unlimited	Unlimited	Unlimited
26.23	Th-234 ^a	3.0×10^{-1}	8.1	3.0×10^{-1}	8.1
26.24	Th (nat)	Unlimited	Unlimited	Unlimited	Unlimited
26.25	Titanium (22)				
26.26	Ti-44 ^a	5.0×10^{-1}	1.4×10^1	4.0×10^{-1}	1.1×10^1
26.27	Thallium (81)				
26.28	Tl-200	9.0×10^{-1}	2.4×10^1	9.0×10^{-1}	2.4×10^1

27.1	Tl-201	1.0×10^1	2.7×10^2	4.0	1.1×10^2
27.2	Tl-202	2.0	5.4×10^1	2.0	5.4×10^1
27.3	Tl-204	1.0×10^1	2.7×10^2	7.0×10^{-1}	1.9×10^1
27.4	Thulium (69)				
27.5	Tm-167	7.0	1.9×10^2	8.0×10^{-1}	2.2×10^1
27.6	Tm-170	3.0	8.1×10^1	6.0×10^{-1}	1.6×10^1
27.7	Tm-171	4.0×10^1	1.1×10^3	4.0×10^1	1.1×10^3
27.8	Uranium (92)				
27.9	U-230 (fast lung				
27.10	absorption) ^{a,d}	4.0×10^1	1.1×10^3	1.0×10^{-1}	2.7
27.11	U-230 (medium				
27.12	lung absorption) ^{a,e}	4.0×10^1	1.1×10^3	4.0×10^{-3}	1.1×10^{-1}
27.13	U-230 (slow lung				
27.14	absorption) ^{a,f}	3.0×10^1	8.1×10^2	3.0×10^{-3}	8.1×10^{-2}
27.15	U-232 (fast lung				
27.16	absorption) ^d	4.0×10^1	1.1×10^3	1.0×10^{-2}	2.7×10^{-1}
27.17	U-232 (medium				
27.18	lung absorption) ^e	4.0×10^1	1.1×10^3	7.0×10^{-3}	1.9×10^{-1}
27.19	U-232 (slow lung				
27.20	absorption) ^f	1.0×10^1	2.7×10^2	1.0×10^{-3}	2.7×10^{-2}
27.21	U-233 (fast lung				
27.22	absorption) ^d	4.0×10^1	1.1×10^3	9.0×10^{-2}	2.4
27.23	U-233 (medium				
27.24	lung absorption) ^e	4.0×10^1	1.1×10^3	2.0×10^{-2}	5.4×10^{-1}
27.25	U-233 (slow lung				
27.26	absorption) ^f	4.0×10^1	1.1×10^3	6.0×10^{-3}	1.6×10^{-1}
27.27	U-234 (fast lung				
27.28	absorption) ^d	4.0×10^1	1.1×10^3	9.0×10^{-2}	2.4
27.29	U-234 (medium				
27.30	lung absorption) ^e	4.0×10^1	1.1×10^3	2.0×10^{-2}	5.4×10^{-1}
27.31	U-234 (slow lung				
27.32	absorption) ^f	4.0×10^1	1.1×10^3	6.0×10^{-3}	1.6×10^{-1}

28.1	U-235 (all				
28.2	lung absorption				
28.3	types) ^{a,d,e,f}	Unlimited	Unlimited	Unlimited	Unlimited
28.4	U-236 (fast lung				
28.5	absorption) ^d	Unlimited	Unlimited	Unlimited	Unlimited
28.6	U-236 (medium				
28.7	lung absorption) ^e	4.0×10^1	1.1×10^3	2.0×10^{-2}	5.4×10^{-1}
28.8	U-236 (slow lung				
28.9	absorption) ^f	4.0×10^1	1.1×10^3	6.0×10^{-3}	1.6×10^{-1}
28.10	U-238 (all				
28.11	lung absorption				
28.12	types) ^{d,e,f}	Unlimited	Unlimited	Unlimited	Unlimited
28.13	U (nat)	Unlimited	Unlimited	Unlimited	Unlimited
28.14	U (enriched to 20%				
28.15	or less) ^g	Unlimited	Unlimited	Unlimited	Unlimited
28.16	U (dep)	Unlimited	Unlimited	Unlimited	Unlimited
28.17	Vanadium (23)				
28.18	V-48	4.0×10^{-1}	1.1×10^1	4.0×10^{-1}	1.1×10^1
28.19	V-49	4.0×10^1	1.1×10^3	4.0×10^1	1.1×10^3
28.20	Tungsten (74)				
28.21	W-178 ^a	9.0	2.4×10^2	5.0	1.4×10^2
28.22	W-181	3.0×10^1	8.1×10^2	3.0×10^1	8.1×10^2
28.23	W-185	4.0×10^1	1.1×10^3	8.0×10^{-1}	2.2×10^1
28.24	W-187	2.0	5.4×10^1	6.0×10^{-1}	1.6×10^1
28.25	W-188 ^a	4.0×10^{-1}	1.1×10^1	3.0×10^{-1}	8.1
28.26	Xenon (54)				
28.27	Xe-122 ^a	4.0×10^{-1}	1.1×10^1	4.0×10^{-1}	1.1×10^1
28.28	Xe-123	2.0	5.4×10^1	7.0×10^{-1}	1.9×10^1
28.29	Xe-127	4.0	1.1×10^2	2.0	5.4×10^1
28.30	Xe-131m	4.0×10^1	1.1×10^3	4.0×10^1	1.1×10^3

29.1	Xe-133	2.0×10^1	5.4×10^2	1.0×10^1	2.7×10^2
29.2	Xe-135	3.0	8.1×10^1	2.0	5.4×10^1
29.3	Yttrium (39)				
29.4	Y-87 ^a	1.0	2.7×10^1	1.0	2.7×10^1
29.5	Y-88	4.0×10^{-1}	1.1×10^1	4.0×10^{-1}	1.1×10^1
29.6	Y-90	3.0×10^{-1}	8.1	3.0×10^{-1}	8.1
29.7	Y-91	6.0×10^{-1}	1.6×10^1	6.0×10^{-1}	1.6×10^1
29.8	Y-91m	2.0	5.4×10^1	2.0	5.4×10^1
29.9	Y-92	2.0×10^{-1}	5.4	2.0×10^{-1}	5.4
29.10	Y-93	3.0×10^{-1}	8.1	3.0×10^{-1}	8.1
29.11	Ytterbium (70)				
29.12	Yb-169	4.0	1.1×10^2	1.0	2.7×10^1
29.13	Yb-175	3.0×10^1	8.1×10^2	9.0×10^{-1}	2.4×10^1
29.14	Zinc (30)				
29.15	Zn-65	2.0	5.4×10^1	2.0	5.4×10^1
29.16	Zn-69	3.0	8.1×10^1	6.0×10^{-1}	1.6×10^1
29.17	Zn-69m ^a	3.0	8.1×10^1	6.0×10^{-1}	1.6×10^1
29.18	Zirconium (40)				
29.19	Zr-88	3.0	8.1×10^1	3.0	8.1×10^1
29.20	Zr-93	Unlimited	Unlimited	Unlimited	Unlimited
29.21	Zr-95 ^a	2.0	5.4×10^1	8.0×10^{-1}	2.2×10^1
29.22	Zr-97 ^a	4.0×10^{-1}	1.1×10^1	4.0×10^{-1}	1.1×10^1

29.23 ^aA₁ and A₂ values include contributions from daughter nuclides with half-lives less than
 29.24 ten days.

29.25 ^bThe values of A₁ and A₂ in curies (Ci) are approximate and for information only; the
 29.26 regulatory standard units are Terabecquerels (TBq). See part 4731.0423, subpart 1 -

29.27 Determination of A₁ and A₂.

30.1 ^cThe quantity may be determined from a measurement of the rate of decay or a
 30.2 measurement of the radiation level at a prescribed distance from the source.

30.3 ^dThese values apply only to compounds of uranium that take the chemical form of UF_6 ,
 30.4 UO_2F_2 , and $UO_2(NO_3)_2$ in both normal and accident conditions of transport.

30.5 ^eThese values apply only to compounds of uranium that take the chemical form of UO_3 ,
 30.6 UF_4 , and UCl_4 and hexavalent compounds in both normal and accident conditions of
 30.7 transport.

30.8 ^fThese values apply to all compounds of uranium other than those specified in notes d and e.

30.9 ^gThese values apply to unirradiated uranium only.

30.10 ^h $A_1 = 0.1$ TBq (2.7 Ci) and $A_2 = 0.001$ TBq (0.027 Ci) for Cf-252 for domestic use.

30.11 ⁱ $A_2 = 0.74$ TBq (20 Ci) for Mo-99 for domestic use.

30.12 Subp. 2. **Specific activity.** This subpart specifies specific activity for individual
 30.13 radionuclides.

30.14 Element and Atomic
 30.15 Number and Symbol of
 30.16 Radionuclide

Specific Activity

30.17 (Tbq/g)

(Ci/g)

30.18 Actinium (89)

30.19 Ac-225 2.1×10^3 5.8×10^4

30.20 Ac-227 2.7 7.2×10^1

30.21 Ac-228 8.4×10^4 2.2×10^6

30.22 Silver (47)

30.23 Ag-105 1.1×10^3 3.0×10^4

30.24 Ag-108m 9.7×10^{-1} 2.6×10^1

30.25 Ag-110m 1.8×10^2 4.7×10^3

30.26 Ag-111 5.8×10^3 1.6×10^5

30.27 Aluminum (13)

30.28 Al-26 7.0×10^{-4} 1.9×10^{-2}

31.1 Americium (95)

31.2	Am-241	1.3×10^{-1}	3.4
31.3	Am-242m	3.6×10^{-1}	1.0×10^1
31.4	Am-243	7.4×10^{-3}	2.0×10^{-1}

31.5 Argon (18)

31.6	Ar-37	3.7×10^3	9.9×10^4
31.7	Ar-39	1.3	3.4×10^1
31.8	Ar-41	1.5×10^6	4.2×10^7
31.9	Ar-42	9.6	2.6×10^2

31.10 Arsenic (33)

31.11	As-72	6.2×10^4	1.7×10^6
31.12	As-73	8.2×10^2	2.2×10^4
31.13	As-74	3.7×10^3	9.9×10^4
31.14	As-76	5.8×10^4	1.6×10^6
31.15	As-77	3.9×10^4	1.0×10^6

31.16 Astatine (85)

31.17	At-211	7.6×10^4	2.1×10^6
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31.18 Gold (79)

31.19	Au-193	3.4×10^4	9.2×10^5
31.20	Au-194	1.5×10^4	4.1×10^5
31.21	Au-195	1.4×10^2	3.7×10^3
31.22	Au-196	4.0×10^3	1.1×10^5
31.23	Au-198	9.0×10^3	2.4×10^5
31.24	Au-199	7.7×10^3	2.1×10^5

31.25 Barium (56)

31.26	Ba-131	3.1×10^3	8.4×10^4
31.27	Ba-133m	2.2×10^4	6.1×10^5
31.28	Ba-133	9.4	2.6×10^2

32.1	Ba-140	2.7×10^3	7.3×10^4
32.2	Beryllium (4)		
32.3	Be-7	1.3×10^4	3.5×10^5
32.4	Be-10	8.3×10^{-4}	2.2×10^{-2}
32.5	Bismuth (83)		
32.6	Bi-205	1.5×10^3	4.2×10^4
32.7	Bi-206	3.8×10^3	1.0×10^5
32.8	Bi-207	1.9	5.2×10^1
32.9	Bi-210m	2.1×10^{-5}	5.7×10^{-4}
32.10	Bi-210	4.6×10^3	1.2×10^5
32.11	Bi-212	5.4×10^5	1.5×10^7
32.12	Berkelium (97)		
32.13	Bk-247	3.8×10^{-2}	1.0
32.14	Bk-249	6.1×10^1	1.6×10^3
32.15	Bromine (35)		
32.16	Br-76	9.4×10^4	2.5×10^6
32.17	Br-77	2.6×10^4	7.1×10^5
32.18	Br-82	4.0×10^4	1.1×10^6
32.19	Carbon (6)		
32.20	C-11	3.1×10^7	8.4×10^8
32.21	C-14	1.6×10^{-1}	4.5
32.22	Calcium (20)		
32.23	Ca-41	3.1×10^{-3}	8.5×10^{-2}
32.24	Ca-45	6.6×10^2	1.8×10^4
32.25	Ca-47	2.3×10^4	6.1×10^5
32.26	Cadmium (48)		
32.27	Cd-109	9.6×10^1	2.6×10^3

33.1	Cd-113m	8.3	2.2×10^2
33.2	Cd-115m	9.4×10^2	2.5×10^4
33.3	Cd-115	1.9×10^4	5.1×10^5
33.4	Cerium (58)		
33.5	Ce-139	2.5×10^2	6.8×10^3
33.6	Ce-141	1.1×10^3	2.8×10^4
33.7	Ce-143	2.5×10^4	6.6×10^5
33.8	Ce-144	1.2×10^2	3.2×10^3
33.9	Californium (98)		
33.10	Cf-248	5.8×10^1	1.6×10^3
33.11	Cf-249	1.5×10^{-1}	4.1
33.12	Cf-250	4.0	1.1×10^2
33.13	Cf-251	5.9×10^{-2}	1.6
33.14	Cf-252	2.0×10^1	5.4×10^2
33.15	Cf-253	1.1×10^3	2.9×10^4
33.16	Cf-254	3.1×10^2	8.5×10^3
33.17	Chlorine (17)		
33.18	Cl-36	1.2×10^{-3}	3.3×10^{-2}
33.19	Cl-38	4.9×10^6	1.3×10^8
33.20	Curium (96)		
33.21	Cm-240	7.5×10^2	2.0×10^4
33.22	Cm-241	6.1×10^2	1.7×10^4
33.23	Cm-242	1.2×10^2	3.3×10^3
33.24	Cm-243	1.9×10^{-3}	5.2×10^1
33.25	Cm-244	3.0	8.1×10^1
33.26	Cm-245	6.4×10^{-3}	1.7×10^{-1}
33.27	Cm-246	1.1×10^{-2}	3.1×10^{-1}
33.28	Cm-247	3.4×10^{-6}	9.3×10^{-5}

34.1	Cm-248	1.6×10^{-4}	4.2×10^{-3}
34.2	Cobalt (27)		
34.3	Co-55	1.1×10^5	3.1×10^6
34.4	Co-56	1.1×10^3	3.0×10^4
34.5	Co-57	3.1×10^2	8.4×10^3
34.6	Co-58m	2.2×10^5	5.9×10^6
34.7	Co-58	1.2×10^3	3.2×10^4
34.8	Co-60	4.2×10^1	1.1×10^3
34.9	Chromium (24)		
34.10	Cr-51	3.4×10^3	9.2×10^4
34.11	Cesium (55)		
34.12	Cs-129	2.8×10^4	7.6×10^5
34.13	Cs-131	3.8×10^3	1.0×10^5
34.14	Cs-132	5.7×10^3	1.5×10^5
34.15	Cs-134m	3.0×10^5	8.0×10^6
34.16	Cs-134	4.8×10^1	1.3×10^3
34.17	Cs-135	4.3×10^{-5}	1.2×10^{-3}
34.18	Cs-136	2.7×10^3	7.3×10^4
34.19	Cs-137	3.2	8.7×10^1
34.20	Copper (29)		
34.21	Cu-64	1.4×10^5	3.9×10^6
34.22	Cu-67	2.8×10^4	7.6×10^5
34.23	Dysprosium (66)		
34.24	Dy-159	2.1×10^2	5.7×10^3
34.25	Dy-165	3.0×10^5	8.2×10^6
34.26	Dy-166	8.6×10^3	2.3×10^5
34.27	Erbium (68)		
34.28	Er-169	3.1×10^3	8.3×10^4

35.1	Er-171	9.0×10^4	2.4×10^6
35.2	Einsteinium (99)		
35.3	Es-253	—	—
35.4	Es-254	—	—
35.5	Es-254m	—	—
35.6	Es-255	—	—
35.7	Europium (63)		
35.8	Eu-147	1.4×10^3	3.7×10^4
35.9	Eu-148	6.0×10^2	1.6×10^4
35.10	Eu-149	3.5×10^2	9.4×10^3
35.11	Eu-150	6.1×10^4	1.6×10^6
35.12	Eu-152m	8.2×10^4	2.2×10^6
35.13	Eu-152	6.5	1.8×10^2
35.14	Eu-154	9.8	2.6×10^2
35.15	Eu-155	1.8×10^1	4.9×10^2
35.16	Eu-156	2.0×10^3	5.5×10^4
35.17	Fluorine (9)		
35.18	F-18	3.5×10^6	9.5×10^7
35.19	Iron (26)		
35.20	Fe-52	2.7×10^5	7.3×10^6
35.21	Fe-55	8.8×10^1	2.4×10^3
35.22	Fe-59	1.8×10^3	5.0×10^4
35.23	Fe-60	7.4×10^{-4}	2.0×10^{-2}
35.24	Fermium (100)		
35.25	Fm-255	—	—
35.26	Fm-257	—	—
35.27	Gallium (31)		
35.28	Ga-67	2.2×10^4	6.0×10^5

36.1	Ga-68	1.5×10^6	4.1×10^7
36.2	Ga-72	1.1×10^5	3.1×10^6
36.3	Gadolinium (64)		
36.4	Gd-146	6.9×10^2	1.9×10^4
36.5	Gd-148	1.2	3.2×10^1
36.6	Gd-153	1.3×10^2	3.5×10^3
36.7	Gd-159	3.9×10^4	1.1×10^6
36.8	Germanium (32)		
36.9	Ge-68	2.6×10^2	7.1×10^3
36.10	Ge-71	5.8×10^3	1.6×10^5
36.11	Ge-77	1.3×10^5	3.6×10^6
36.12	Hydrogen (1)		
36.13	H-3 (T)	3.6×10^2	9.7×10^3
36.14	Hafnium (72)		
36.15	Hf-172	4.1×10^1	1.1×10^3
36.16	Hf-175	3.9×10^2	1.1×10^4
36.17	Hf-181	6.3×10^2	1.7×10^4
36.18	Hf-182	8.1×10^{-6}	2.2×10^{-4}
36.19	Mercury (80)		
36.20	Hg-194	1.3×10^{-1}	3.5
36.21	Hg-195m	1.5×10^4	4.0×10^5
36.22	Hg-197m	2.5×10^4	6.7×10^5
36.23	Hg-197	9.2×10^3	2.5×10^5
36.24	Hg-203	5.1×10^2	1.4×10^4
36.25	Holmium (67)		
36.26	Ho-163	2.7	7.6×10^1
36.27	Ho-166m	6.6×10^{-2}	1.8
36.28	Ho-166	2.6×10^4	7.0×10^5

37.1 Iodine (53)

37.2	I-123	7.1×10^4	1.9×10^6
37.3	I-124	9.3×10^3	2.5×10^5
37.4	I-125	6.4×10^2	1.7×10^4
37.5	I-126	2.9×10^3	8.0×10^4
37.6	I-129	6.5×10^{-6}	1.8×10^{-4}
37.7	I-131	4.6×10^3	1.2×10^5
37.8	I-132	3.8×10^5	1.0×10^7
37.9	I-133	4.2×10^4	1.1×10^6
37.10	I-134	9.9×10^5	2.7×10^7
37.11	I-135	1.3×10^5	3.5×10^6

37.12 Indium (49)

37.13	In-111	1.5×10^4	4.2×10^5
37.14	In-113m	6.2×10^5	1.7×10^7
37.15	In-114m	8.6×10^2	2.3×10^4
37.16	In-115m	2.2×10^5	6.1×10^6

37.17 Iridium (77)

37.18	Ir-189	1.9×10^3	5.2×10^4
37.19	Ir-190	2.3×10^3	6.2×10^4
37.20	Ir-192	3.4×10^2	9.2×10^3
37.21	Ir-193m	2.4×10^3	6.4×10^4
37.22	Ir-194	3.1×10^4	8.4×10^5

37.23 Potassium (19)

37.24	K-40	2.4×10^{-7}	6.4×10^{-6}
37.25	K-42	2.2×10^5	6.0×10^6
37.26	K-43	1.2×10^5	3.3×10^6

37.27 Krypton (36)

37.28	Kr-81	7.8×10^{-4}	2.1×10^{-2}
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38.1	Kr-85m	3.0×10^5	8.2×10^6
38.2	Kr-85	1.5×10^1	3.9×10^2
38.3	Kr-87	1.0×10^6	2.8×10^7
38.4	Lanthanum (57)		
38.5	La-137	1.6×10^{-3}	4.4×10^{-2}
38.6	La-140	2.1×10^4	5.6×10^5
38.7	Lutetium (71)		
38.8	Lu-172	4.2×10^3	1.1×10^5
38.9	Lu-173	5.6×10^1	1.5×10^3
38.10	Lu-174m	2.0×10^2	5.3×10^3
38.11	Lu-174	2.3×10^1	6.2×10^2
38.12	Lu-177	4.1×10^3	1.1×10^5
38.13	Magnesium (12)		
38.14	Mg-28	2.0×10^5	5.4×10^6
38.15	Manganese (25)		
38.16	Mn-52	1.6×10^4	4.4×10^5
38.17	Mn-53	6.8×10^{-5}	1.8×10^{-3}
38.18	Mn-54	2.9×10^2	7.7×10^3
38.19	Mn-56	8.0×10^5	2.2×10^7
38.20	Molybdenum (42)		
38.21	Mo-93	4.1×10^{-2}	1.1
38.22	Mo-99	1.8×10^4	4.8×10^5
38.23	Nitrogen (7)		
38.24	N-13	5.4×10^7	1.5×10^9
38.25	Sodium (11)		
38.26	Na-22	2.3×10^2	6.3×10^3
38.27	Na-24	3.2×10^5	8.7×10^6

39.1	Niobium (41)		
39.2	Nb-92m	5.2×10^3	1.4×10^5
39.3	Nb-93m	8.8	2.4×10^2
39.4	Nb-94	6.9×10^{-3}	1.9×10^{-1}
39.5	Nb-95	1.5×10^3	3.9×10^4
39.6	Nb-97	9.9×10^5	2.7×10^7
39.7	Neodymium (60)		
39.8	Nd-147	3.0×10^3	8.1×10^4
39.9	Nd-149	4.5×10^5	1.2×10^7
39.10	Nickel (28)		
39.11	Ni-59	3.0×10^{-3}	8.0×10^{-2}
39.12	Ni-63	2.1	5.7×10^1
39.13	Ni-65	7.1×10^5	1.9×10^7
39.14	Neptunium (93)		
39.15	Np-235	5.2×10^1	1.4×10^3
39.16	Np-236	4.7×10^{-4}	1.3×10^{-2}
39.17	Np-237	2.6×10^{-5}	7.1×10^{-4}
39.18	Np-239	8.6×10^3	2.3×10^5
39.19	Osmium (76)		
39.20	Os-185	2.8×10^2	7.5×10^3
39.21	Os-191m	4.6×10^4	1.3×10^6
39.22	Os-191	1.6×10^3	4.4×10^4
39.23	Os-193	2.0×10^4	5.3×10^5
39.24	Os-194	1.1×10^1	3.1×10^2
39.25	Phosphorus (15)		
39.26	P-32	1.1×10^4	2.9×10^5
39.27	P-33	5.8×10^3	1.6×10^5
39.28	Protactinium (91)		

40.1	Pa-230	1.2×10^3	3.3×10^4
40.2	Pa-231	1.7×10^{-3}	4.7×10^{-2}
40.3	Pa-233	7.7×10^2	2.1×10^4
40.4	Lead (82)		
40.5	Pb-201	6.2×10^4	1.7×10^6
40.6	Pb-202	1.2×10^{-4}	3.4×10^{-3}
40.7	Pb-203	1.1×10^4	3.0×10^5
40.8	Pb-205	4.5×10^{-6}	1.2×10^{-4}
40.9	Pb-210	2.8	7.6×10^1
40.10	Pb-212	5.1×10^4	1.4×10^6
40.11	Palladium (46)		
40.12	Pd-103	2.8×10^3	7.5×10^4
40.13	Pd-107	1.9×10^{-5}	5.1×10^{-4}
40.14	Pd-109	7.9×10^4	2.1×10^6
40.15	Promethium (61)		
40.16	Pm-143	1.3×10^2	3.4×10^3
40.17	Pm-144	9.2×10^1	2.5×10^3
40.18	Pm-145	5.2	1.4×10^2
40.19	Pm-147	3.4×10^1	9.3×10^2
40.20	Pm-148m	7.9×10^2	2.1×10^4
40.21	Pm-149	1.5×10^4	4.0×10^5
40.22	Pm-151	2.7×10^4	7.3×10^5
40.23	Polonium (84)		
40.24	Po-208	2.2×10^1	5.9×10^2
40.25	Po-209	6.2×10^{-1}	1.7×10^1
40.26	Po-210	1.7×10^2	4.5×10^3
40.27	Praseodymium (59)		
40.28	Pr-142	4.3×10^4	1.2×10^6

41.1	Pr-143	2.5×10^3	6.7×10^4
41.2	Platinum (78)		
41.3	Pt-188	2.5×10^3	6.8×10^4
41.4	Pt-191	8.7×10^3	2.4×10^5
41.5	Pt-193m	5.8×10^3	1.6×10^5
41.6	Pt-193	1.4	3.7×10^1
41.7	Pt-195m	6.2×10^3	1.7×10^5
41.8	Pt-197m	3.7×10^5	1.0×10^7
41.9	Pt-197	3.2×10^4	8.7×10^5
41.10	Plutonium (94)		
41.11	Pu-236	2.0×10^1	5.3×10^2
41.12	Pu-237	4.5×10^2	1.2×10^4
41.13	Pu-238	6.3×10^{-1}	1.7×10^1
41.14	Pu-239	2.3×10^{-3}	6.2×10^{-2}
41.15	Pu-240	8.4×10^{-3}	2.3×10^{-1}
41.16	Pu-241	3.8	1.0×10^2
41.17	Pu-242	1.5×10^{-4}	3.9×10^{-3}
41.18	Pu-244	6.7×10^{-7}	1.8×10^{-5}
41.19	Radium (88)		
41.20	Ra-223	1.9×10^3	5.1×10^4
41.21	Ra-224	5.9×10^3	1.6×10^5
41.22	Ra-225	1.5×10^3	3.9×10^4
41.23	Ra-226	3.7×10^{-2}	1.0
41.24	Ra-228	1.0×10^1	2.7×10^2
41.25	Rubidium (37)		
41.26	Rb-81	3.1×10^5	8.4×10^6
41.27	Rb-83	6.8×10^2	1.8×10^4
41.28	Rb-84	1.8×10^3	4.7×10^4

42.1	Rb-86	3.0×10^3	8.1×10^4
42.2	Rb-87	3.2×10^{-9}	8.6×10^{-8}
42.3	Rb (natural)	6.7×10^6	1.8×10^8
42.4	Rhenium (75)		
42.5	Re-183	3.8×10^2	1.0×10^4
42.6	Re-184m	1.6×10^2	4.3×10^3
42.7	Re-184	6.9×10^2	1.9×10^4
42.8	Re-186	6.9×10^3	1.9×10^5
42.9	Re-187	1.4×10^{-9}	3.8×10^{-8}
42.10	Re-188	3.6×10^4	9.8×10^5
42.11	Re-189	2.5×10^4	6.8×10^5
42.12	Re (natural)	—	2.4×10^{-8}
42.13	Rhodium (45)		
42.14	Rh-99	3.0×10^3	8.2×10^4
42.15	Rh-101	4.1×10^1	1.1×10^3
42.16	Rh-102m	2.3×10^2	6.2×10^3
42.17	Rh-102	4.5×10^1	1.2×10^3
42.18	Rh-103m	1.2×10^6	3.3×10^7
42.19	Rh-105	3.1×10^4	8.4×10^5
42.20	Radon (86)		
42.21	Rn-222	5.7×10^3	1.5×10^5
42.22	Ruthenium (44)		
42.23	Ru-97	1.7×10^4	4.6×10^5
42.24	Ru-103	1.2×10^3	3.2×10^4
42.25	Ru-105	2.5×10^5	6.7×10^6
42.26	Ru-106	1.2×10^2	3.3×10^3
42.27	Sulfur (16)		
42.28	S-35	1.6×10^3	4.3×10^4

43.1	Antimony (51)		
43.2	Sb-122	1.5×10^4	4.0×10^5
43.3	Sb-124	6.5×10^2	1.7×10^4
43.4	Sb-125	3.9×10^1	1.0×10^3
43.5	Sb-126	3.1×10^3	8.4×10^4
43.6	Scandium (21)		
43.7	Sc-44	6.7×10^5	1.8×10^7
43.8	Sc-46	1.3×10^3	3.4×10^4
43.9	Sc-47	3.1×10^4	8.3×10^5
43.10	Sc-48	5.5×10^4	1.5×10^6
43.11	Selenium (34)		
43.12	Se-75	5.4×10^2	1.5×10^4
43.13	Se-79	2.6×10^{-3}	7.0×10^{-2}
43.14	Silicon (14)		
43.15	Si-31	1.4×10^6	3.9×10^7
43.16	Si-32	3.9	1.1×10^2
43.17	Samarium (62)		
43.18	Sm-145	9.8×10^1	2.6×10^3
43.19	Sm-147	8.5×10^{-1}	2.3×10^{-8}
43.20	Sm-151	9.7×10^{-1}	2.6×10^1
43.21	Sm-153	1.6×10^4	4.4×10^5
43.22	Tin (50)		
43.23	Sn-113	3.7×10^2	1.0×10^4
43.24	Sn-117m	3.0×10^3	8.2×10^4
43.25	Sn-119m	1.4×10^2	3.7×10^3
43.26	Sn-121m	2.0	5.4×10^1
43.27	Sn-123	3.0×10^2	8.2×10^3
43.28	Sn-125	4.0×10^3	1.1×10^5

44.1	Sn-126	1.0×10^{-3}	2.8×10^{-2}
44.2	Strontium (38)		
44.3	Sr-82	2.3×10^3	6.2×10^4
44.4	Sr-85m	1.2×10^6	3.3×10^7
44.5	Sr-85	8.8×10^2	2.4×10^4
44.6	Sr-87m	4.8×10^5	1.3×10^7
44.7	Sr-89	1.1×10^3	2.9×10^4
44.8	Sr-90	5.1	1.4×10^2
44.9	Sr-91	1.3×10^5	3.6×10^6
44.10	Sr-92	4.7×10^5	1.3×10^7
44.11	Tritium (1)		
44.12	T (H-3)	3.6×10^2	9.7×10^3
44.13	Tantalum (73)		
44.14	Ta-178	4.2×10^6	1.1×10^8
44.15	Ta-179	4.1×10^1	1.1×10^3
44.16	Ta-182	2.3×10^2	6.2×10^3
44.17	Terbium (65)		
44.18	Tb-157	5.6×10^{-1}	1.5×10^1
44.19	Tb-158	5.6×10^{-1}	1.5×10^1
44.20	Tb-160	4.2×10^2	1.1×10^4
44.21	Technetium (43)		
44.22	Tc-95m	8.3×10^2	2.2×10^4
44.23	Tc-96m	1.4×10^6	3.8×10^7
44.24	Tc-96	1.2×10^4	3.2×10^5
44.25	Tc-97m	5.6×10^2	1.5×10^4
44.26	Tc-97	5.2×10^{-5}	1.4×10^{-3}
44.27	Tc-98	3.2×10^{-5}	8.7×10^{-4}
44.28	Tc-99m	1.9×10^5	5.3×10^6

45.1	Tc-99	6.3×10^{-4}	1.7×10^{-2}
45.2	Tellurium (52)		
45.3	Te-118	6.8×10^3	1.8×10^5
45.4	Te-121m	2.6×10^2	7.0×10^3
45.5	Te-121	2.4×10^3	6.4×10^4
45.6	Te-123m	3.3×10^2	8.9×10^3
45.7	Te-125m	6.7×10^2	1.8×10^4
45.8	Te-127m	3.5×10^2	9.4×10^3
45.9	Te-127	9.8×10^4	2.6×10^6
45.10	Te-129m	1.1×10^3	3.0×10^4
45.11	Te-129	7.7×10^5	2.1×10^7
45.12	Te-131m	3.0×10^4	8.0×10^5
45.13	Te-132	1.1×10^4	3.0×10^5
45.14	Thorium (90)		
45.15	Th-227	1.1×10^3	3.1×10^4
45.16	Th-228	3.0×10^1	8.2×10^2
45.17	Th-229	7.9×10^{-3}	2.1×10^{-1}
45.18	Th-230	7.6×10^{-4}	2.1×10^{-2}
45.19	Th-231	2.0×10^4	5.3×10^5
45.20	Th-232	4.0×10^{-9}	1.1×10^{-7}
45.21	Th-234	8.6×10^2	2.3×10^4
45.22	Th (natural)	8.1×10^{-9}	2.2×10^{-7}
45.23	Titanium (22)		
45.24	Ti-44	6.4	1.7×10^2
45.25	Thallium (81)		
45.26	Tl-200	2.2×10^4	6.0×10^5
45.27	Tl-201	7.9×10^3	2.1×10^5
45.28	Tl-202	2.0×10^3	5.3×10^4

46.1	Tl-204	1.7×10^1	4.6×10^2
46.2	Thulium (69)		
46.3	Tm-167	3.1×10^3	8.5×10^4
46.4	Tm-168	3.1×10^2	8.3×10^3
46.5	Tm-170	2.2×10^2	6.0×10^3
46.6	Tm-171	4.0×10^1	1.1×10^3
46.7	Uranium (92)		
46.8	U-230	1.0×10^3	2.7×10^4
46.9	U-232	8.3×10^{-1}	2.2×10^1
46.10	U-233	3.6×10^{-4}	9.7×10^{-3}
46.11	U-234	2.3×10^{-4}	6.2×10^{-3}
46.12	U-235	8.0×10^{-8}	2.2×10^{-6}
46.13	U-236	2.4×10^{-6}	6.5×10^{-5}
46.14	U-238	1.2×10^{-8}	3.4×10^{-7}
46.15	U (natural)	2.6×10^{-8}	7.1×10^{-7}
46.16	U (enriched 5% or less)	—	(See part 4731.0424)
46.17	U (enriched more than 5%)	—	(See part 4731.0424)
46.18	U (depleted)	—	(See part 4731.0424)
46.19	Vanadium (23)		
46.20	V-48	6.3×10^3	1.7×10^5
46.21	V-49	3.0×10^2	8.1×10^3
46.22	Tungsten (74)		
46.23	W-178	1.3×10^3	3.4×10^4
46.24	W-181	2.2×10^2	6.0×10^3
46.25	W-185	3.5×10^2	9.4×10^3
46.26	W-187	2.6×10^4	7.0×10^5
46.27	W-188	3.7×10^2	1.0×10^4
46.28	Xenon (54)		

47.1	Xe-122	4.8×10^4	1.3×10^6
47.2	Xe-123	4.4×10^5	1.2×10^7
47.3	Xe-127	1.0×10^3	2.8×10^4
47.4	Xe-131m	3.1×10^3	8.4×10^4
47.5	Xe-133	6.9×10^3	1.9×10^5
47.6	Xe-135	9.5×10^4	2.6×10^6

47.7 Yttrium (39)

47.8	Y-87	1.7×10^4	4.5×10^5
47.9	Y-88	5.2×10^2	1.4×10^4
47.10	Y-90	2.0×10^4	5.4×10^5
47.11	Y-91m	1.5×10^6	4.2×10^7
47.12	Y-91	9.1×10^2	2.5×10^4
47.13	Y-92	3.6×10^5	9.6×10^6
47.14	Y-93	1.2×10^5	3.3×10^6

47.15 Ytterbium (70)

47.16	Yb-169	8.9×10^2	2.4×10^4
47.17	Yb-175	6.6×10^3	1.8×10^5

47.18 Zinc (30)

47.19	Zn-65	3.0×10^2	8.2×10^3
47.20	Zn-69m	1.2×10^5	3.3×10^6
47.21	Zn-69	1.8×10^6	4.9×10^7

47.22 Zirconium (40)

47.23	Zr-88	6.6×10^2	1.8×10^4
47.24	Zr-93	9.3×10^{-5}	2.5×10^{-3}
47.25	Zr-95	7.9×10^2	2.1×10^4
47.26	Zr-97	7.1×10^4	1.9×10^6

47.27 [For text of subp 3, see M.R.]

48.1 **4731.0580 APPLICATION; FINANCIAL ASSURANCE AND RECORD KEEPING**
48.2 **FOR DECOMMISSIONING.**

48.3 [For text of subps 1 to 3, see M.R.]

48.4 Subp. 4. **Funding plan requirements.** Each decommissioning funding plan must
48.5 be submitted for review and approval and must contain:

48.6 A. a detailed cost estimate for decommissioning, in an amount reflecting:

48.7 (1) the cost of an independent contractor to perform all decommissioning
48.8 activities;

48.9 (2) the cost of meeting part 4731.2100, subpart 2, criteria for unrestricted
48.10 use, provided that, if the applicant or licensee can demonstrate the ability to meet the
48.11 provisions of part 4731.2100, subpart 3, the cost estimate may be based on meeting the
48.12 part 4731.2100, subpart 3, criteria;

48.13 (3) the volume of on-site subsurface material containing residual
48.14 radioactivity that will require remediation; and

48.15 (4) an adequate contingency factor;

48.16 B. identification of and justification for using the key assumptions contained in
48.17 the DCE;

48.18 C. a description of the method of assuring funds for decommissioning from
48.19 subpart 5, including the means for adjusting cost estimates and associated funding levels
48.20 periodically over the life of the facility;

48.21 D. a certification by the licensee that financial assurance for decommissioning
48.22 has been provided in the amount of the cost estimate for decommissioning; and

48.23 E. a signed original, or, if permitted, a copy, of the financial instrument obtained
48.24 to satisfy the requirements of subpart 5, unless a previously submitted and accepted
48.25 financial instrument continues to cover the cost estimate for decommissioning.

49.1 Subp. 4a. **Resubmittal of decommissioning funding plan.** At the time of license
49.2 renewal and at intervals not to exceed three years, the decommissioning funding plan must
49.3 be resubmitted with adjustments as necessary to account for changes in costs and the
49.4 extent of contamination. If the amount of financial assurance will be adjusted downward,
49.5 this cannot be done until the updated decommissioning funding plan is approved. The
49.6 decommissioning funding plan must update the information submitted with the original or
49.7 prior approved plan, and must specifically consider the effect of the following events on
49.8 decommissioning costs:

49.9 A. spills of radioactive material producing additional residual radioactivity in
49.10 on-site subsurface material;

49.11 B. waste inventory increasing above the amount previously estimated;

49.12 C. waste disposal costs increasing above the amount previously estimated;

49.13 D. facility modifications;

49.14 E. changes in authorized possession limits;

49.15 F. actual remediation costs that exceed the previous cost estimate;

49.16 G. on-site disposal; and

49.17 H. use of a settling pond.

49.18 [For text of subps 5 and 6, see M.R.]

49.19 **4731.0597 INALIENABILITY OF LICENSES.**

49.20 A. No license granted under parts 4731.0525 to 4731.0630 and no right
49.21 to possess or utilize special nuclear material granted by a license issued under parts
49.22 4731.0525 to 4731.0630 shall be transferred, assigned, or in any manner disposed of,
49.23 either voluntarily or involuntarily, directly or indirectly, through transfer of control of a

50.1 license to a person unless the commissioner, after securing full information, finds that the
50.2 transfer is in accordance with this chapter and gives consent in writing.

50.3 B. An application for transfer of license must include:

50.4 (1) the identity, technical, and financial qualifications of the proposed
50.5 transferee; and

50.6 (2) financial assurance for decommissioning information required by part
50.7 4731.0580.

50.8 **4731.0725 EXEMPTION; UNIMPORTANT QUANTITIES OF SOURCE**
50.9 **MATERIAL.**

50.10 [For text of subps 1 and 2, see M.R.]

50.11 Subp. 3. **Certain items and materials.**

50.12 A. A person is exempt from parts 4731.0700 to 4731.2950 to the extent that the
50.13 person receives, possesses, uses, or transfers:

50.14 [For text of subitem (1), see M.R.]

50.15 (2) source material contained in the following products:

50.16 (a) glazed ceramic tableware manufactured before August 27, 2013,
50.17 provided that the glaze contains not more than 20 percent by weight source material;

50.18 (b) piezoelectric ceramic containing not more than two percent by
50.19 weight source material;

50.20 (c) glassware containing not more than two percent by weight source
50.21 material or, for glassware manufactured before August 27, 2013, ten percent by weight
50.22 source material, but not including commercially manufactured glass brick, pane glass,
50.23 ceramic tile, or other glass or ceramic used in construction; or

51.1 (d) glass enamel or glass enamel frit containing not more than ten
51.2 percent by weight source material imported or ordered for importation into the United
51.3 States, or initially distributed by manufacturers in the United States, before July 25, 1983;

51.4 [For text of subitems (3) and (4), see M.R.]

51.5 (5) uranium contained in counterweights installed in aircraft, rockets,
51.6 projectiles, and missiles or stored or handled in connection with installation or removal of
51.7 such counterweights, provided that:

51.8 (a) each counterweight has been impressed with the following
51.9 legend clearly legible through any plating or other covering: "Depleted Uranium." This
51.10 subunit does not apply to counterweights manufactured before December 31, 1969, if
51.11 the counterweights were manufactured under a specific license issued by the Atomic
51.12 Energy Commission and were impressed with the legend required under Code of Federal
51.13 Regulations, title 10, section 40.13, paragraph (c), clause (5), subclause (i), in effect
51.14 June 30, 1969;

51.15 (b) each counterweight is durably and legibly labeled or marked with
51.16 the identification of the manufacturer and the statement: "Unauthorized Alterations
51.17 Prohibited." This subunit does not apply to counterweights manufactured before December
51.18 31, 1969, if the counterweights were manufactured under a specific license issued by the
51.19 Atomic Energy Commission and were impressed with the legend required under Code of
51.20 Federal Regulations, title 10, section 40.13, paragraph (c), clause (5), subclause (i), in
51.21 effect June 30, 1969; and

51.22 (c) the exemption contained in this subitem shall not be deemed to
51.23 authorize the chemical, physical, or metallurgical treatment or processing of any such
51.24 counterweights other than repair or restoration of any plating or other covering;

51.25 [For text of subitem (6), see M.R.]

52.1 (7) thorium or uranium contained in or on finished optical lenses or
52.2 mirrors, provided that each does not contain more than ten percent by weight of thorium
52.3 or uranium or for lenses manufactured before August 27, 2013, 30 percent by weight of
52.4 thorium. The exemption in this subitem shall not be deemed to authorize:

52.5 (a) the shaping, grinding, or polishing of such lens or mirror or
52.6 manufacturing processes other than the assembly of such lens or mirror into optical
52.7 systems and devices without any alteration of the lens or mirror; or

52.8 (b) the receipt, possession, use, or transfer of thorium or uranium
52.9 contained in contact lenses, spectacles, or eyepieces of binoculars or other optical
52.10 instruments; or

52.11 [For text of subitem (8), see M.R.]

52.12 [For text of item B, see M.R.]

52.13 C. No person may initially transfer for sale or distribution a product containing
52.14 source material to persons exempt under this subpart, or equivalent regulations of
52.15 the NRC or an agreement state, unless authorized by a license issued under Code of
52.16 Federal Regulations, title 10, section 40.52, to initially transfer such products for sale
52.17 or distribution.

52.18 (1) Persons initially distributing source material in products covered by
52.19 the exemptions in this subpart before August 27, 2013, without specific authorization
52.20 may continue distribution for one year beyond this date. Initial distribution may also be
52.21 continued until the NRC takes final action on a pending application for license or license
52.22 amendment to specifically authorize distribution submitted no later than one year beyond
52.23 this date.

52.24 (2) Persons authorized to manufacture, process, or produce these materials
52.25 or products containing source material by the NRC or an agreement state, and persons

53.1 who import finished products or parts, for sale or distribution must be authorized by a
53.2 license issued under Code of Federal Regulations, title 10, section 40.52, for distribution
53.3 only and are exempt from the requirements of parts 4731.0765, items B and C, and
53.4 4731.1000 to 4731.2950.

53.5 Subp. 4. [See repealer.]

53.6 **4731.0745 GENERAL LICENSE; SMALL QUANTITIES OF SOURCE**
53.7 **MATERIAL.**

53.8 Subpart 1. **General license issued.** A general license is issued authorizing
53.9 commercial and industrial firms; research, educational, and medical institutions; and
53.10 state and local government agencies to receive, possess, use, and transfer uranium and
53.11 thorium, in their natural isotopic concentrations and in the form of depleted uranium, for
53.12 research, development, educational, commercial, or operational purposes in the following
53.13 forms and quantities:

53.14 A. no more than 1.5 kg (3.3 lb) of uranium and thorium in dispersible forms,
53.15 for example gaseous, liquid, or powder, at any one time. Any material processed by the
53.16 general licensee that alters the chemical or physical form of the material containing source
53.17 material must be accounted for as a dispersible form. A person authorized to possess, use,
53.18 and transfer source material under this item may not receive more than a total of 7 kg
53.19 (15.4 lb) of uranium and thorium in any one calendar year. Persons possessing source
53.20 material in excess of these limits as of December 31, 2014, may continue to possess up
53.21 to 7 kg (15.4 lb) of uranium and thorium at any one time for one year beyond this date,
53.22 or until the commissioner takes final action on a pending application submitted on or
53.23 before December 31, 2015, for a specific license for such material and receive up to 70
53.24 kg (154 lb) of uranium or thorium in any one calendar year until December 31, 2015, or
53.25 until the commissioner takes final action on a pending application submitted on or before
53.26 December 31, 2015, for a specific license for such material; and

54.1 B. no more than a total of 7 kg (15.4 lb) of uranium and thorium at any one
54.2 time. A person authorized to possess, use, and transfer source material under this item
54.3 may not receive more than a total of 70 kg (154 lb) of uranium and thorium in any one
54.4 calendar year. A person may not alter the chemical or physical form of the source material
54.5 possessed under this item unless it is accounted for under the limits of item A; or

54.6 C. no more than 7 kg (15.4 lb) of uranium, removed during the treatment of
54.7 drinking water, at any one time. A person may not remove more than 70 kg (154 lb) of
54.8 uranium from drinking water during a calendar year under this item; or

54.9 D. no more than 7 kg (15.4 lb) of uranium and thorium at laboratories for the
54.10 purpose of determining the concentration of uranium and thorium contained within the
54.11 material being analyzed at any one time. A person authorized to possess, use, and transfer
54.12 source material under this item may not receive more than a total of 70 kg (154 lb) of
54.13 source material in any one calendar year.

54.14 Subp. 2. **Other law.** A person who receives, possesses, uses, or transfers source
54.15 material under the general license issued under subpart 1:

54.16 A. is prohibited from administering source material, or the radiation therefrom,
54.17 either externally or internally, to human beings except as authorized by the commissioner
54.18 in a specific license;

54.19 B. must not abandon the source material. Source material may be disposed
54.20 of as follows:

54.21 (1) a cumulative total of 0.5 kg (1.1 lb) of source material in a solid,
54.22 nondispersible form may be transferred each calendar year, by a person authorized to
54.23 receive, possess, use, and transfer source material under this general license to persons
54.24 receiving the material for permanent disposal. The recipient of source material transferred
54.25 under the provisions of this subitem is exempt from the requirements to obtain a license
54.26 under parts 4731.0700 to 4731.0840 to the extent the source material is permanently

55.1 disposed. This provision does not apply to any person who is in possession of source
55.2 material under a specific license issued under this chapter; or

55.3 (2) in accordance with part 4731.2400;

55.4 C. is subject to the provisions in parts 4731.0700 to 4731.0710, 4731.0785, and
55.5 4731.0810 to 4731.0840;

55.6 D. must respond to written requests from the commissioner to provide
55.7 information relating to the general license within 30 calendar days of the date of the
55.8 request, or other time specified in the request. If the person cannot provide the requested
55.9 information within the allotted time, the person must, within that same time period,
55.10 request a longer period to supply the information by providing the commissioner a written
55.11 justification for the request; and

55.12 E. must not export such source material except in accordance with Code of
55.13 Federal Regulations, title 10, section 110.

55.14 Subp. 2a. **Contamination.** Any person who receives, possesses, uses, or transfers
55.15 source material in accordance with subpart 1 must conduct activities to minimize
55.16 contamination of the facility and the environment. When activities involving source
55.17 material are permanently ceased at any site, if evidence of significant contamination is
55.18 identified, the general licensee must notify the commissioner about the contamination and
55.19 may consult with the commissioner as to the appropriateness of sampling and restoration
55.20 activities to ensure that any contamination or residual source material remaining at the
55.21 site where source material was used under this general license is not likely to result in
55.22 exposures that exceed the limits in part 4731.2100.

55.23 Subp. 3. **Exemption.** A person who receives, possesses, uses, or transfers source
55.24 material under the general license issued under subpart 1 is exempt from the provisions
55.25 of parts 4731.1000 to 4731.2950 to the extent that receipt, possession, use, and transfer
55.26 are within the terms of this general license, except that the person must comply with the

56.1 provisions of parts 4731.2100, subpart 1, and 4731.2400 to the extent necessary to meet
56.2 the provisions of subparts 2, item B, and 3. However, this exemption does not apply to
56.3 any person who also holds a specific license issued under this chapter.

56.4 Subp. 4. **Transfer authorization required.** No person may initially transfer or
56.5 distribute source material to persons generally licensed under subpart 1, item A or B, or
56.6 equivalent regulations of the NRC or an agreement state, unless authorized by a specific
56.7 license issued in accordance with part 4731.0816 or equivalent provisions of the NRC or
56.8 an agreement state. This prohibition does not apply to analytical laboratories returning
56.9 processed samples to the client who initially provided the sample. Initial distribution of
56.10 source material to persons generally licensed by subpart 1 before December 31, 2014,
56.11 without specific authorization may continue for one year beyond this date. Distribution
56.12 may also be continued until the commissioner takes final action on a pending application
56.13 for license or license amendment to specifically authorize distribution submitted on or
56.14 before December 31, 2014.

56.15 **4731.0780 FINANCIAL ASSURANCE AND RECORD KEEPING FOR**
56.16 **DECOMMISSIONING.**

56.17 [For text of subps 1 to 3, see M.R.]

56.18 Subp. 4. **Funding plan requirements.**

56.19 A. Each decommissioning funding plan must be submitted for review and
56.20 approval and must contain:

56.21 (1) a detailed cost estimate for decommissioning, in an amount reflecting:

56.22 (a) the cost of an independent contractor to perform all
56.23 decommissioning activities;

56.24 (b) the cost of meeting the criteria in part 4731.2100, subpart 2, for
56.25 unrestricted use, provided that, if the applicant or licensee can demonstrate its ability to

57.1 meet the provisions of part 4731.2100, subpart 3, the cost estimate may be based on
57.2 meeting the criteria in part 4731.2100, subpart 3;

57.3 (c) the volume of on-site subsurface material containing residual
57.4 radioactivity that will require remediation; and

57.5 (d) an adequate contingency factor;

57.6 (2) identification of and justification for using the key assumptions
57.7 contained in the DCE;

57.8 (3) a description of the method of assuring funds for decommissioning
57.9 from subpart 5, including means for adjusting cost estimates and associated funding levels
57.10 periodically over the life of the facility;

57.11 (4) a certification by the licensee that financial assurance for
57.12 decommissioning has been provided in the amount of the cost estimate for
57.13 decommissioning; and

57.14 (5) a signed original, or if permitted, a copy, of the financial instrument
57.15 obtained to satisfy the requirements of subpart 5, unless a previously submitted and
57.16 accepted financial instrument continues to cover the cost estimate for decommissioning.

57.17 B. At the time of license renewal and at intervals not to exceed three years,
57.18 the decommissioning funding plan must be resubmitted with adjustments as necessary
57.19 to account for changes in costs and the extent of contamination. If the amount of
57.20 financial assurance will be adjusted downward, this cannot be done until the updated
57.21 decommissioning funding plan is approved. The decommissioning funding plan must
57.22 update the information submitted with the original or prior approved plan, and must
57.23 specifically consider the effect of the following events on decommissioning costs:

57.24 (1) spills of radioactive material producing additional residual radioactivity
57.25 in on-site subsurface material;

- 58.1 (2) waste inventory increasing above the amount previously estimated;
- 58.2 (3) waste disposal costs increasing above the amount previously estimated;
- 58.3 (4) facility modifications;
- 58.4 (5) changes in authorized possession limits;
- 58.5 (6) actual remediation costs that exceed the previous cost estimate;
- 58.6 (7) on-site disposal; and
- 58.7 (8) use of a settling pond.

58.8 [For text of subps 5 and 6, see M.R.]

58.9 **4731.0810 INALIENABILITY OF LICENSES.**

58.10 A. No license issued or granted under parts 4731.0700 to 4731.0840 shall be
58.11 transferred, assigned, or in any manner disposed of, either voluntarily or involuntarily,
58.12 directly or indirectly, through transfer of control of a license to a person unless the
58.13 commissioner, after securing full information, finds that the transfer is in accordance with
58.14 this chapter and gives consent in writing.

58.15 B. An application for transfer of license must include:

58.16 (1) the identity, technical, and financial qualifications of the proposed
58.17 transferee; and

58.18 (2) financial assurance for decommissioning information required by part
58.19 4731.0780, as applicable.

58.20 **4731.0816 LICENSE TO TRANSFER SOURCE MATERIAL.**

58.21 An application for a specific license to initially transfer source material for use
58.22 under part 4731.0745 or equivalent regulations of the NRC or an agreement state shall
58.23 be approved if:

59.1 A. the applicant satisfies the general requirements specified in part 4731.0765;
59.2 and

59.3 B. the applicant submits adequate information on, and the commission
59.4 approves, the methods to be used for quality control, labeling, and providing safety
59.5 instructions to recipients.

59.6 **4731.0817 REQUIREMENTS FOR LABELING SOURCE MATERIAL;**
59.7 **INSTRUCTIONS.**

59.8 Subpart 1. **Label required.** Each person licensed under part 4731.0816 must label
59.9 the immediate container of each quantity of source material with the type of source
59.10 material and quantity of material and the words "radioactive material."

59.11 Subp. 2. **Transfer records.** Each person licensed under part 4731.0816 must ensure
59.12 that the quantities and concentrations of source material are as labeled and indicated
59.13 in any transfer records.

59.14 Subp. 3. **Transfer information.** A person licensed under part 4731.0816 must
59.15 provide the information specified in this subpart to each person to whom source material
59.16 is transferred for use under part 4731.0745 or equivalent regulations of the NRC or an
59.17 agreement state. This information must be transferred before the source material is
59.18 transferred for the first time in each calendar year to the particular recipient. The required
59.19 information includes:

59.20 A. a copy of parts 4731.0745 and 4731.0815 or equivalent regulations of the
59.21 NRC or an agreement state; and

59.22 B. appropriate radiation safety precautions and instructions relating to handling,
59.23 use, storage, and disposal of the material.

59.24 Subp. 4. **Transfer report.** Each person licensed under part 4731.0816 must report
59.25 transfers as follows:

60.1 A. file a report with the commissioner. The report must include the following
60.2 information:

60.3 (1) the name, address, and license number of the person who transferred
60.4 the source material;

60.5 (2) for each general licensee under part 4731.0745 or equivalent NRC or
60.6 agreement state regulations to whom greater than 50 grams (0.11 lb) of source material has
60.7 been transferred in a single calendar quarter, the name and address of the general licensee
60.8 to whom source material is distributed; a responsible agent, by name and position and
60.9 telephone number, of the general licensee to whom the material was sent; and the type,
60.10 physical form, and quantity of source material transferred; and

60.11 (3) the total quantity of each type and physical form of source material
60.12 transferred in the reporting period to all generally licensed recipients;

60.13 B. file a report with the commissioner, NRC, and each responsible agreement
60.14 state agency that identifies all persons operating under provisions equivalent to part
60.15 4731.0745 to whom greater than 50 grams (0.11 lb) of source material has been transferred
60.16 within a single calendar quarter. The report must include the following information
60.17 specific to those transfers made to the agreement state being reported to:

60.18 (1) the name, address, and license number of the person who transferred
60.19 the source material; and

60.20 (2) the name and address of the general licensee to whom source material
60.21 was distributed; a responsible agent, by name and position and telephone number, of the
60.22 general licensee to whom the material was sent; and the type, physical form, and quantity
60.23 of source material transferred; and

61.1 (3) the total quantity of each type and physical form of source material
61.2 transferred in the reporting period to all such generally licensed recipients within NRC
61.3 jurisdiction or the agreement state;

61.4 C. submit each report by January 31 of each year covering all transfers for the
61.5 previous calendar year. If no transfers were made to persons generally licensed under part
61.6 4731.0745 or equivalent NRC or agreement state regulations during the current period,
61.7 a report must be submitted to the commissioner indicating so. If no transfers have been
61.8 made to general licensees in NRC jurisdiction or a particular agreement state during the
61.9 reporting period, this information must be reported to the NRC or responsible agreement
61.10 state agency upon request of the agency.

61.11 Subp. 5. **Records retention.** Each person licensed under part 4731.0816 must
61.12 maintain all information that supports the reports required by this part concerning each
61.13 transfer to a general licensee for a period of one year after the event is included in a report
61.14 to the commissioner or to the NRC or an agreement state agency.

61.15 **4731.1010 POSTING WORKER NOTICES.**

61.16 Subpart 1. **Required postings.**

61.17 A. A licensee must post current copies of the following documents:

61.18 [For text of subitems (1) to (3), see M.R.]

61.19 (4) any correction order involving radiological working conditions,
61.20 administrative penalty order (APO), and any response from the licensee.

61.21 [For text of item B, see M.R.]

61.22 [For text of subps 2 and 3, see M.R.]

61.23 Subp. 4. **Correction order and APO.** Documents posted according to subpart 1,
61.24 item A, subitem (4), must be posted within two working days after receipt of the documents
61.25 from the commissioner. A licensee's response, if any, must be posted within two working

62.1 days after dispatch by the licensee. The documents must remain posted for a minimum of
62.2 five working days or until action correcting the violation is completed, whichever is later.

62.3 **4731.2100 RADIOLOGICAL CRITERIA FOR LICENSE TERMINATION.**

62.4 [For text of subps 1 and 2, see M.R.]

62.5 Subp. 3. **Criteria for termination under restricted conditions.** A site is considered
62.6 acceptable for license termination under restricted conditions, if the licensee:

62.7 [For text of items A and B, see M.R.]

62.8 C. has provided sufficient financial assurance to enable an independent third
62.9 party, including a governmental custodian of a site, to assume and carry out responsibilities
62.10 for any necessary control and maintenance of the site. Acceptable financial assurance
62.11 mechanisms are:

62.12 (1) funds placed into a trust segregated from the licensee's assets and
62.13 outside the licensee's administrative control, and in which the adequacy of the trust funds
62.14 is to be assessed based on an assumed annual one percent real rate of return on investment;

62.15 (2) a statement of intent, in the case of federal, state, or local government
62.16 licensees, as described under part 4731.3080, subpart 6, item E; or

62.17 (3) when a governmental entity is assuming custody and ownership of a
62.18 site, an arrangement that is deemed acceptable by the governmental entity;

62.19 [For text of items D to G, see M.R.]

62.20 Subp. 4. **Alternative criteria for license termination.**

62.21 A. The commissioner may terminate a license using alternative criteria greater
62.22 than the dose criterion of subparts 2 and 3, items B and E, subitem (1), unit (a), if the
62.23 licensee:

62.24 [For text of subitems (1) and (2), see M.R.]

63.1 (3) reduces doses to ALARA levels, taking into consideration any
63.2 detriments, such as traffic accidents, expected to potentially result from decontamination
63.3 and waste disposal;

63.4 (4) submits a decommissioning plan or license termination plan to
63.5 the commissioner indicating the licensee's intent to decommission according to part
63.6 4731.0600, subpart 2; 4731.0790, subpart 4; or 4731.3085, subpart 4, or Code of Federal
63.7 Regulations, title 10, section 50.82, paragraphs (a) and (b), or 72.54, and specifying
63.8 that the licensee proposes to decommission by use of alternate criteria. The licensee
63.9 must document in the decommissioning plan or license termination plan how the
63.10 advice of individuals and institutions in the community who may be affected by the
63.11 decommissioning has been sought and addressed, as appropriate, following analysis of
63.12 that advice. In seeking such advice, the licensee must provide for:

63.13 (a) participation by representatives of a broad cross section of
63.14 community interests who may be affected by the decommissioning;

63.15 (b) an opportunity for a comprehensive, collective discussion on the
63.16 issues by the participants represented; and

63.17 (c) a publicly available summary of the results of all such discussions,
63.18 including a description of the individual viewpoints of the participants on the issues and
63.19 the extent of agreement and disagreement among the participants on the issues; and

63.20 (5) has provided sufficient financial assurance in the form of a trust fund to
63.21 enable an independent third party, including a government custodian of a site, to assume
63.22 and carry out responsibilities for any necessary control and maintenance of the site.

63.23 [For text of item B, see M.R.]

63.24 [For text of subp 5, see M.R.]

64.1 **4731.2150 MINIMIZATION OF CONTAMINATION.**

64.2 A. Applicants for licenses, other than renewals, must describe in the application
64.3 how facility design and procedures for operation will minimize, to the extent practicable,
64.4 contamination of the facility and the environment, facilitate eventual decommissioning,
64.5 and minimize, to the extent practicable, the generation of radioactive waste.

64.6 B. Licensees must, to the extent practical, conduct operations to minimize the
64.7 introduction of residual radioactivity into the site, including the subsurface, in accordance
64.8 with the existing radiation protection requirements in part 4731.2010 and radiological
64.9 criteria for license termination in item A and part 4731.2100.

64.10 **4731.2200 SURVEYS AND MONITORING.**

64.11 Subpart 1. **Required surveys.** A licensee must make or cause to be made, surveys of
64.12 areas, including the subsurface, that:

64.13 A. may be necessary for the licensee to comply with this chapter; and

64.14 B. are reasonable under the circumstances to evaluate:

64.15 (1) the magnitude and extent of radiation levels;

64.16 (2) concentrations or quantities of residual radioactivity; and

64.17 (3) potential radiological hazards of the radiation levels and residual
64.18 radioactivity detected.

64.19 Subp. 1a. **Records.** Notwithstanding part 4731.2510, subpart 1, records from surveys
64.20 describing the location and amount of subsurface residual radioactivity identified at the site
64.21 must be kept with records important for decommissioning, and must be retained according
64.22 to part 4731.0580, subpart 6; 4731.0780, subpart 6; or 4731.3080, subpart 7, as applicable.

64.23 [For text of subps 2 and 3, see M.R.]

65.1 **4731.2620 REPORTS; RADIATION EXPOSURES, LEVELS, AND**
65.2 **CONCENTRATIONS EXCEEDING CONSTRAINTS OR LIMITS.**

65.3 [For text of subps 1 and 2, see M.R.]

65.4 **Subp. 3. Individual information.**

65.5 A. A report filed under subpart 1 must include, for each occupationally
65.6 overexposed individual:

65.7 (1) the name; and

65.8 (2) date of birth.

65.9 [For text of items B and C, see M.R.]

65.10 [For text of subp 4, see M.R.]

65.11 **4731.3020 EXEMPTION; CARRIERS.**

65.12 Common and contract carriers, freight forwarders, warehousemen, and the United States
65.13 Postal Service are exempt from parts 4731.3000 to 4731.8140 to the extent that they
65.14 transport or store radioactive material in the regular course of the carriage for another or
65.15 storage incident thereto.

65.16 **4731.3030 EXEMPTION; CERTAIN ITEMS CONTAINING RADIOACTIVE**
65.17 **MATERIAL.**

65.18 Subpart 1. **Exempt products.** Except for persons who apply radioactive material to
65.19 or incorporate radioactive material into the following products or persons who initially
65.20 transfer for sale or distribution the following products containing radioactive material, a
65.21 person is exempt from parts 4731.3000 to 4731.7280 to the extent that the person receives,
65.22 possesses, uses, transfers, owns, or acquires the following products:

65.23 [For text of item A, see M.R.]

66.1 B. (1) static elimination devices which contain, as a sealed source or sources,
66.2 by-product material consisting of a total of not more than 18.5 MBq (500 μ Ci) of
66.3 polonium-210 per device;

66.4 (2) ion-generating tubes designed for ionization of air that contain, as a
66.5 sealed source or sources, by-product material consisting of a total of not more than 18.5
66.6 MBq (500 μ Ci) of polonium-210 per device or of a total of not more than 1.85 GBq (50
66.7 mCi) of hydrogen-3 (tritium) per device; and

66.8 (3) devices authorized before December 31, 2014, for use under the
66.9 general license then provided in part 4731.3210 and equivalent regulations of the NRC or
66.10 agreement states and manufactured, tested, and labeled by the manufacturer in accordance
66.11 with the specifications contained in a specific license issued by the commissioner, the
66.12 NRC, or an agreement state.

66.13 C. balances of precision containing not more than one millicurie of tritium per
66.14 balance or not more than 0.5 millicurie of tritium per balance part manufactured before
66.15 December 17, 2007;

66.16 D. marine compasses containing not more than 750 millicuries of tritium gas
66.17 and other marine navigational instruments containing not more than 250 millicuries of
66.18 tritium gas manufactured before December 17, 2007;

66.19 E. ionization chamber smoke detectors containing not more than one microcurie
66.20 (μ Ci) of americium-241 per detector in the form of a foil and designed to protect life
66.21 and property from fires;

66.22 F. electron tubes. For purposes of this item, "electron tubes" include spark gap
66.23 tubes, power tubes, gas tubes including glow lamps, receiving tubes, microwave tubes,
66.24 indicator tubes, pickup tubes, radiation detection tubes, and any other completely sealed
66.25 tube that is designed to conduct or control electrical currents. The exemption under this
66.26 item applies only if the levels of radiation from each electron tube containing radioactive

67.1 material do not exceed one millirad per hour at one centimeter from any surface when
67.2 measured through seven milligrams per square centimeter of absorber and if each tube does
67.3 not contain more than one of the following specified quantities of radioactive materials:

67.4 (1) 150 millicuries of tritium per microwave receiver protector tube or ten
67.5 millicuries of tritium per any other electron tube;

67.6 (2) one microcurie of cobalt-60;

67.7 (3) five microcuries of nickel-63;

67.8 (4) 30 microcuries of krypton-85;

67.9 (5) five microcuries of cesium-137; or

67.10 (6) 30 microcuries of promethium-147; or

67.11 G. ionizing radiation measuring instruments containing, for purposes of internal
67.12 calibration or standardization, one or more sources of radioactive material. For purposes
67.13 of this item, an instrument's source may contain either one type or different types of
67.14 radionuclides and an individual exempt quantity may be composed of fractional parts of one
67.15 or more of the exempt quantities in part 4731.3145, provided that the sum of the fractions
67.16 does not exceed unity. For purposes of this item, 0.05 microcurie of americium-241 is an
67.17 exempt quantity under part 4731.3145. The exemption under this item applies only if:

67.18 (1) each source contains no more than one exempt quantity under part
67.19 4731.3145; and

67.20 (2) each instrument contains no more than ten exempt quantities.

67.21 [For text of subp 2, see M.R.]

67.22 **4731.3045 EXEMPTION; SELF-LUMINOUS PRODUCTS CONTAINING**
67.23 **TRITIUM, KRYPTON-85, OR PROMETHIUM-147.**

67.24 [For text of subp 1, see M.R.]

68.1 Subp. 2. **Specific license required.** A person who desires to manufacture, process,
68.2 produce, or initially transfer for sale or distribution self-luminous products containing
68.3 tritium, krypton-85, or promethium-147 for use under subpart 1 must apply for a license
68.4 according to Code of Federal Regulations, title 10, section 32.22, and for a certificate of
68.5 registration in accordance with Code of Federal Regulations, title 10, section 32.210.

68.6 [For text of subp 3, see M.R.]

68.7 **4731.3050 EXEMPTION; GAS AND AEROSOL DETECTORS CONTAINING**
68.8 **RADIOACTIVE MATERIAL.**

68.9 Subpart 1. **Specific license exemption.** Except for persons who manufacture,
68.10 process, produce, or initially transfer for sale or distribution gas and aerosol detectors
68.11 containing radioactive material, a person is exempt from parts 4731.1000 to 4731.2090
68.12 and 4731.3000 to 4731.7280 to the extent that the person receives, possesses, uses,
68.13 transfers, owns, or acquires radioactive material in gas or aerosol detectors designed to
68.14 protect health, safety, or property, and manufactured, processed, produced, or initially
68.15 transferred according to a specific license issued under Code of Federal Regulations, title
68.16 10, section 32.26, that authorizes the initial transfer of the product for use under this
68.17 part. This exemption also covers gas and aerosol detectors manufactured or distributed
68.18 before November 30, 2007, in accordance with a specific license issued by a state under
68.19 comparable provisions to Code of Federal Regulations, title 10, section 32.26, authorizing
68.20 distribution to persons exempt from regulatory requirements.

68.21 Subp. 2. **Specific license required.** A person who desires to manufacture, process,
68.22 or produce gas and aerosol detectors containing radioactive material or to initially transfer
68.23 such products for use under subpart 1 must apply for a license under Code of Federal
68.24 Regulations, title 10, section 32.26, and for a certificate of registration under Code of
68.25 Federal Regulations, title 10, section 32.210.

69.1 **4731.3056 EXEMPTION; CERTAIN INDUSTRIAL DEVICES.**

69.2 Subpart 1. **Specific license exemption.** Except for persons who manufacture,
69.3 process, produce, or initially transfer for sale or distribution industrial devices containing
69.4 radioactive material designed and manufactured for the purpose of detecting, measuring,
69.5 gauging, or controlling thickness, density, level, interface location, radiation leakage, or
69.6 qualitative or quantitative chemical composition, or for producing an ionized atmosphere,
69.7 a person is exempt from parts 4731.1000 to 4731.2090 and 4731.3000 to 4731.7280 to the
69.8 extent that the person receives, possesses, uses, transfers, owns, or acquires radioactive
69.9 material in these certain detecting, measuring, gauging, or controlling devices and certain
69.10 devices for producing and ionized atmosphere, and manufactured, processed, produced,
69.11 or initially transferred according to a specific license issued under Code of Federal
69.12 Regulations, title 10, section 32.30, that authorizes the initial transfer of the device for use
69.13 under this part. This exemption does not cover sources not incorporated into a device,
69.14 such as calibration and reference sources.

69.15 Subp. 2. **Specific license required.** A person who desires to manufacture, process,
69.16 produce, or initially transfer for sale or distribution industrial devices containing
69.17 radioactive material for use under subpart 1 must apply for a license under Code of
69.18 Federal Regulations, title 10, section 32.30, and for a certificate of registration under Code
69.19 of Federal Regulations, title 10, section 32.210.

69.20 **4731.3065 SPECIFIC LICENSES; APPLICATION.**

69.21 Subpart 1. **General requirements.**

69.22 A. Applications for specific licenses must be filed on an application for
69.23 radioactive material license form prescribed by the commissioner.

69.24 [For text of items B to G, see M.R.]

69.25 Subp. 2. **Sealed source requirements.**

70.1 A. Except as provided in items B, C, and D, an application for a specific license
70.2 to use radioactive material in the form of a sealed source or in a device that contains
70.3 the sealed source must:

70.4 (1) identify the source or device by manufacturer and model number
70.5 as registered with the NRC under Code of Federal Regulations, title 10, section
70.6 32.210, with an agreement state, or for a source or a device containing radium-226 or
70.7 accelerator-produced radioactive material with a state under provisions comparable to
70.8 Code of Federal Regulations, title 10, section 32.210; or

70.9 (2) contain the information identified in Code of Federal Regulations,
70.10 title 10, section 32.210 (c).

70.11 B. For sources or devices manufactured prior to October 23, 2012, that are not
70.12 registered with the NRC under Code of Federal Regulations, title 10, section 32.210, or
70.13 with an agreement state, and for which the applicant is unable to provide all categories
70.14 of information specified in Code of Federal Regulations, title 10, section 32.210 (c), the
70.15 applicant must provide:

70.16 (1) all available information identified in Code of Federal Regulations,
70.17 title 10, section 32.210 (c) and this chapter concerning the source, and, if applicable,
70.18 the device; and

70.19 (2) sufficient additional information to demonstrate that there is reasonable
70.20 assurance that the radiation safety properties of the source or device are adequate to
70.21 protect health and minimize danger to life and property. This information must include a
70.22 description of the source or device, a description of radiation safety features, the intended
70.23 use and associated operating experience, and the results of a recent leak test.

70.24 C. For sealed sources and devices allowed to be distributed without registration
70.25 of safety information according to Code of Federal Regulations, title 10, section 32.210

71.1 (g)(1), the applicant may supply only the manufacturer, model number, and radionuclide
71.2 and quantity.

71.3 D. If it is not feasible to identify each sealed source and device individually,
71.4 the applicant may propose constraints on the number and type of sealed sources and
71.5 devices to be used and the conditions under which they will be used, in lieu of identifying
71.6 each sealed source and device.

71.7 Subp. 3. **Decommissioning requirements.** As provided under part 4731.3080,
71.8 certain applications for specific licenses filed under parts 4731.3000 to 4731.3175 and
71.9 4731.3300 to 4731.4527 must contain a proposed decommissioning funding plan or a
71.10 certification of financial assurance for decommissioning.

71.11 [For text of subps 4 to 7, see M.R.]

71.12 **4731.3070 SPECIFIC LICENSES; APPROVAL.**

71.13 Subpart 1. **Application.** The commissioner shall approve an application for a
71.14 specific license if:

71.15 A. the application is for a purpose authorized under this chapter;

71.16 B. the applicant is qualified by training and experience to use the material for
71.17 the purpose requested in such manner as to protect health and minimize danger to life
71.18 and property;

71.19 C. the applicant's proposed equipment and facilities are adequate to protect
71.20 health and minimize danger to life and property;

71.21 D. the applicant satisfies any applicable special requirements under this chapter;
71.22 and

71.23 E. in the case of an application for a license to receive and possess radioactive
71.24 material for the conduct of any activity that the commissioner determines will significantly
71.25 affect the quality of the environment, before commencement of construction of the plant

72.1 or facility in which the activity will be conducted, the commissioner, on the basis of
72.2 information filed and evaluations made according to Code of Federal Regulations, title 10,
72.3 part 51, subpart A, has concluded, after weighing the environmental, economic, technical,
72.4 and other benefits against environmental costs and considering available alternatives,
72.5 that the action called for is the issuance of the proposed license, with any appropriate
72.6 conditions to protect environmental values. Commencement of construction prior to such
72.7 conclusion is grounds for denial of a license to receive and possess radioactive material
72.8 in such plant or facility.

72.9 Subp. 2. **License.** Upon a determination that an application meets the requirements
72.10 of this chapter, the commissioner shall issue a specific license authorizing the possession
72.11 and use of radioactive material.

72.12 **4731.3075 TERMS AND CONDITIONS OF LICENSES.**

72.13 [For text of subp 1, see M.R.]

72.14 Subp. 2. **Transfer prohibited.**

72.15 A. No license issued or granted under this chapter nor any right under a
72.16 license must be transferred, assigned, or in any manner disposed of, either voluntarily or
72.17 involuntarily, directly or indirectly, through transfer of control of a license to any person,
72.18 unless the commissioner, after securing full information, finds that the transfer is in
72.19 accordance with this chapter and gives consent in writing.

72.20 B. An application for transfer of license must include:

72.21 (1) the identity, technical, and financial qualifications of the proposed
72.22 transferee; and

72.23 (2) financial assurance for decommissioning information required by part

72.24 4731.3080.

72.25 [For text of subp 3, see M.R.]

73.1 Subp. 4. **Bankruptcy.**

73.2 A. A general licensee required to register under part 4731.3215, subpart 3a,
73.3 and a specific licensee issued a license under this chapter must notify the commissioner,
73.4 in writing, immediately following the filing of a voluntary or involuntary petition for
73.5 bankruptcy under any chapter of United States Code, title 11, by or against:

73.6 (1) the licensee;

73.7 (2) an entity, as defined under United States Code, title 11, section 101,
73.8 paragraph (15), that controls the licensee or lists the license or licensee as property; or

73.9 (3) an affiliate of the licensee, as defined under United States Code, title
73.10 11, section 101, paragraph (2).

73.11 [For text of item B, see M.R.]

73.12 [For text of subps 5 to 9, see M.R.]

73.13 **4731.3080 FINANCIAL ASSURANCE AND RECORD KEEPING FOR**
73.14 **DECOMMISSIONING.**

73.15 [For text of subps 1 to 4, see M.R.]

73.16 Subp. 5. **Funding plan requirements.**

73.17 A. Each decommissioning funding plan must be submitted for review and
73.18 approval and must contain:

73.19 (1) a detailed cost estimate for decommissioning, in an amount reflecting:

73.20 (a) the cost of an independent contractor to perform all
73.21 decommissioning activities;

73.22 (b) the cost of meeting the criteria in part 4731.2100, subpart 2, for
73.23 unrestricted use, provided that, if the applicant or licensee can demonstrate the ability to

74.1 meet the provisions of part 4731.2100, subpart 3, the cost estimate may be based on
74.2 meeting the criteria in part 4731.2100, subpart 3;

74.3 (c) the volume of on-site subsurface material containing residual
74.4 radioactivity that will require remediation to meet the criteria for license termination; and

74.5 (d) an adequate contingency factor;

74.6 (2) identification of and justification for using the key assumptions
74.7 contained in the DCE;

74.8 (3) a description of the method of assuring funds for decommissioning
74.9 under subpart 6, including the means for adjusting cost estimates and associated funding
74.10 levels periodically over the life of the facility;

74.11 (4) a certification by the licensee that financial assurance for
74.12 decommissioning has been provided in the amount of the cost estimate for
74.13 decommissioning; and

74.14 (5) a signed original of the financial instrument obtained to satisfy the
74.15 requirements of subpart 6, unless a previously submitted and accepted financial instrument
74.16 continues to cover the cost estimate for decommissioning.

74.17 B. At the time of license renewal and at intervals not to exceed three years,
74.18 the decommissioning funding plan must be resubmitted with adjustments as necessary
74.19 to account for changes in costs and the extent of contamination. If the amount of
74.20 financial assurance will be adjusted downward, this cannot be done until the updated
74.21 decommissioning funding plan is approved. The decommissioning funding plan must
74.22 update the information submitted with the original or prior approved plan, and must
74.23 specifically consider the effect of the following events on decommissioning costs:

74.24 (1) spills of radioactive material producing additional residual radioactivity
74.25 in on-site subsurface material;

- 75.1 (2) waste inventory increasing above the amount previously estimated;
- 75.2 (3) waste disposal costs increasing above the amount previously estimated;
- 75.3 (4) facility modifications;
- 75.4 (5) changes in authorized possession limits;
- 75.5 (6) actual remediation costs that exceed the previous cost estimate;
- 75.6 (7) on-site disposal; and
- 75.7 (8) use of a settling pond.

75.8 [For text of subps 6 and 7, see M.R.]

75.9 **4731.3145 EXEMPT QUANTITIES.**

75.10	Radioactive Material	Microcuries
75.11	Antimony 122 (Sb 122)	100
75.12	Antimony 124 (Sb 124)	10
75.13	Antimony 125 (Sb 125)	10
75.14	Arsenic 73 (As 73)	100
75.15	Arsenic 74 (As 74)	10
75.16	Arsenic 76 (As 76)	10
75.17	Arsenic 77 (As 77)	100
75.18	Barium 131 (Ba 131)	10
75.19	Barium 133 (Ba 133)	10
75.20	Barium 140 (Ba 140)	10
75.21	Bismuth 210 (Bi 210)	1
75.22	Bromine 82 (Br 82)	10
75.23	Cadmium 109 (Cd 109)	10
75.24	Cadmium 115m (Cd 115m)	10
75.25	Cadmium 115 (Cd 115)	100
75.26	Calcium 45 (Ca 45)	10

76.1	Calcium 47 (Ca 47)	10
76.2	Carbon 14 (C 14)	100
76.3	Cerium 141 (Ce 141)	100
76.4	Cerium 143 (Ce 143)	100
76.5	Cerium 144 (Ce 144)	1
76.6	Cesium 129 (Cs 129)	100
76.7	Cesium 131 (Cs 131)	1,000
76.8	Cesium 134m (Cs 134m)	100
76.9	Cesium 134 (Cs 134)	1
76.10	Cesium 135 (Cs 135)	10
76.11	Cesium 136 (Cs 136)	10
76.12	Cesium 137 (Cs 137)	10
76.13	Chlorine 36 (Cl 36)	10
76.14	Chlorine 38 (Cl 38)	10
76.15	Chromium 51 (Cr 51)	1,000
76.16	Cobalt 57 (Co 57)	100
76.17	Cobalt 58m (Co 58m)	10
76.18	Cobalt 58 (Co 58)	10
76.19	Cobalt 60 (Co 60)	1
76.20	Copper 64 (Cu 64)	100
76.21	Dysprosium 165 (Dy 165)	10
76.22	Dysprosium 166 (Dy 166)	100
76.23	Erbium 169 (Er 169)	100
76.24	Erbium 171 (Er 171)	100
76.25	Europium 152 9.2 h (Eu 152 9.2 h)	100
76.26	Europium 152 13 yr (Eu 152 13 yr)	1
76.27	Europium 154 (Eu 154)	1
76.28	Europium 155 (Eu 155)	10
76.29	Fluorine 18 (F 18)	1,000

77.1	Gadolinium 153 (Gd 153)	10
77.2	Gadolinium 159 (Gd 159)	100
77.3	Gallium 67 (Ga 67)	100
77.4	Gallium 72 (Ga 72)	10
77.5	Germanium 68 (Ge 68)	10
77.6	Germanium 71 (Ge 71)	100
77.7	Gold 195 (Au 195)	10
77.8	Gold 198 (Au 198)	100
77.9	Gold 199 (Au 199)	100
77.10	Hafnium 181 (Hf 181)	10
77.11	Holmium 166 (Ho 166)	100
77.12	Hydrogen 3 (H 3)	1,000
77.13	Indium 111 (In 111)	100
77.14	Indium 113m (In 113m)	100
77.15	Indium 114m (In 114m)	10
77.16	Indium 115m (In 115m)	100
77.17	Indium 115 (In 115)	10
77.18	Iodine 123 (I 123)	100
77.19	Iodine 125 (I 125)	1
77.20	Iodine 126 (I 126)	1
77.21	Iodine 129 (I 129)	0.1
77.22	Iodine 131 (I 131)	1
77.23	Iodine 132 (I 132)	10
77.24	Iodine 133 (I 133)	1
77.25	Iodine 134 (I 134)	10
77.26	Iodine 135 (I 135)	10
77.27	Iridium 192 (Ir 192)	10
77.28	Iridium 194 (Ir 194)	100
77.29	Iron 52 (Fe 52)	10

78.1	Iron 55 (Fe 55)	100
78.2	Iron 59 (Fe 59)	10
78.3	Krypton 85 (Kr 85)	100
78.4	Krypton 87 (Kr 87)	10
78.5	Lanthanum 140 (La 140)	10
78.6	Lutetium 177 (Lu 177)	100
78.7	Manganese 52 (Mn 52)	10
78.8	Manganese 54 (Mn 54)	10
78.9	Manganese 56 (Mn 56)	10
78.10	Mercury 197m (Hg 197m)	100
78.11	Mercury 197 (Hg 197)	100
78.12	Mercury 203 (Hg 203)	10
78.13	Molybdenum 99 (Mo 99)	100
78.14	Neodymium 147 (Nd 147)	100
78.15	Neodymium 149 (Nd 149)	100
78.16	Nickel 59 (Ni 59)	100
78.17	Nickel 63 (Ni 63)	10
78.18	Nickel 65 (Ni 65)	100
78.19	Niobium 93m (Nb 93m)	10
78.20	Niobium 95 (Nb 95)	10
78.21	Niobium 97 (Nb 97)	10
78.22	Osmium 185 (Os 185)	10
78.23	Osmium 191m (Os 191m)	100
78.24	Osmium 191 (Os 191)	100
78.25	Osmium 193 (Os 193)	100
78.26	Palladium 103 (Pd 103)	100
78.27	Palladium 109 (Pd 109)	100

79.1	Phosphorus 32 (P 32)	10
79.2	Platinum 191 (Pt 191)	100
79.3	Platinum 193m (Pt 193m)	100
79.4	Platinum 193 (Pt 193)	100
79.5	Platinum 197m (Pt 197m)	100
79.6	Platinum 197 (Pt 197)	100
79.7	Polonium 210 (Po 210)	0.1
79.8	Potassium 42 (K 42)	10
79.9	Potassium 43 (K 43)	10
79.10	Praseodymium 142 (Pr 142)	100
79.11	Praseodymium 143 (Pr 143)	100
79.12	Promethium 147 (Pm 147)	10
79.13	Promethium 149 (Pm 149)	10
79.14	Rhenium 186 (Re 186)	100
79.15	Rhenium 188 (Re 188)	100
79.16	Rhodium 103m (Rh 103m)	100
79.17	Rhodium 105 (Rh 105)	100
79.18	Rubidium 81 (Rb 81)	10
79.19	Rubidium 86 (Rb 86)	10
79.20	Rubidium 87 (Rb 87)	10
79.21	Ruthenium 97 (Ru 97)	100
79.22	Ruthenium 103 (Ru 103)	10
79.23	Ruthenium 105 (Ru 105)	10
79.24	Ruthenium 106 (Ru 106)	1
79.25	Samarium 151 (Sm 151)	10
79.26	Samarium 153 (Sm 153)	100
79.27	Scandium 46 (Sc 46)	10
79.28	Scandium 47 (Sc 47)	100
79.29	Scandium 48 (Sc 48)	10

80.1	Selenium 75 (Se 75)	10
80.2	Silicon 31 (Si 31)	100
80.3	Silver 105 (Ag 105)	10
80.4	Silver 110m (Ag 110m)	1
80.5	Silver 111 (Ag 111)	100
80.6	Sodium 22 (Na 22)	10
80.7	Sodium 24 (Na 24)	10
80.8	Strontium 85 (Sr 85)	10
80.9	Strontium 89 (Sr 89)	1
80.10	Strontium 90 (Sr 90)	0.1
80.11	Strontium 91 (Sr 91)	10
80.12	Strontium 92 (Sr 92)	10
80.13	Sulfur 35 (S 35)	100
80.14	Tantalum 182 (Ta 182)	10
80.15	Technetium 96 (Tc 96)	10
80.16	Technetium 97m (Tc 97m)	100
80.17	Technetium 97 (Tc 97)	100
80.18	Technetium 99m (Tc 99m)	100
80.19	Technetium 99 (Tc 99)	10
80.20	Tellurium 125m (Te 125m)	10
80.21	Tellurium 127m (Te 127m)	10
80.22	Tellurium 127 (Te 127)	100
80.23	Tellurium 129m (Te 129m)	10
80.24	Tellurium 129 (Te 129)	100
80.25	Tellurium 131m (Te 131m)	10
80.26	Tellurium 132 (Te 132)	10
80.27	Terbium 160 (Tb 160)	10
80.28	Thallium 200 (Tl 200)	100
80.29	Thallium 201 (Tl 201)	100
80.30	Thallium 202 (Tl 202)	100

81.1	Thallium 204 (Tl 204)	10
81.2	Thulium 170 (Tm 170)	10
81.3	Thulium 171 (Tm 171)	10
81.4	Tin 113 (Sn 113)	10
81.5	Tin 125 (Sn 125)	10
81.6	Tungsten 181 (W 181)	10
81.7	Tungsten 185 (W 185)	10
81.8	Tungsten 187 (W 187)	100
81.9	Vanadium 48 (V 48)	10
81.10	Xenon 131m (Xe 131m)	1,000
81.11	Xenon 133 (Xe 133)	100
81.12	Xenon 135 (Xe 135)	100
81.13	Ytterbium 175 (Yb 175)	100
81.14	Yttrium 87 (Y 87)	10
81.15	Yttrium 88 (Y 88)	10
81.16	Yttrium 90 (Y 90)	10
81.17	Yttrium 91 (Y 91)	10
81.18	Yttrium 92 (Y 92)	100
81.19	Yttrium 93 (Y 93)	100
81.20	Zinc 65 (Zn 65)	10
81.21	Zinc 69m (Zn 69m)	100
81.22	Zinc 69 (Zn 69)	1,000
81.23	Zirconium 93 (Zr 93)	10
81.24	Zirconium 95 (Zr 95)	10
81.25	Zirconium 97 (Zr 97)	10
81.26	Any radioactive material not	
81.27	listed above other than alpha-	
81.28	emitting radioactive materials	0.1

82.1 **4731.3215 GENERAL LICENSE; DETECTING, MEASURING, GAUGING,**
82.2 **CONTROLLING, AND OTHER DEVICES.**

82.3 [For text of subps 1 and 2, see M.R.]

82.4 Subp. 3. **Requirements.** A person who acquires, receives, possesses, uses, or
82.5 transfers radioactive material in a device according to the general license issued under
82.6 subpart 1 must:

82.7 [For text of items A and B, see M.R.]

82.8 C. ensure that the tests under item B and other testing, installation, servicing,
82.9 and removal from installation involving the radioactive material, its shielding, or its
82.10 containment are performed:

82.11 (1) according to the instructions provided by the labels; or

82.12 (2) by a person holding a specific license issued under parts 4731.3000
82.13 to 4731.3175 or 4731.3300 to 4731.3400 or issued by the NRC or an agreement state to
82.14 perform such activities;

82.15 [For text of items D and E, see M.R.]

82.16 F. immediately suspend operation of the device if there is a failure of or damage
82.17 to or any indication of a possible failure of or damage to the shielding of the radioactive
82.18 material or the on-off mechanism or indicator or upon the detection of 0.005 microcurie
82.19 (185 Bq) or more removable radioactive material until the device has been repaired by the
82.20 manufacturer or other person holding a specific license issued under parts 4731.3000 to
82.21 4731.3175 or 4731.3300 to 4731.3400 or issued by the NRC or an agreement state to repair
82.22 the device. The device and any radioactive material from the device may only be disposed
82.23 of by transfer to a person authorized by a specific license to receive the radioactive
82.24 material contained in the device or as otherwise approved by the commissioner;

83.1 G. within 30 days, furnish to the commissioner a report containing a brief
83.2 description of any event under item F and the remedial actions taken and, in the case of
83.3 detection of 0.005 microcurie or more of removable radioactive material or failure of or
83.4 damage to a source likely to result in contamination of the premises or environs, a plan
83.5 for ensuring that the premises and environs are acceptable for unrestricted use. Under
83.6 these circumstances, the criteria under part 4731.2100, subpart 2, may be applicable, as
83.7 determined by the commissioner on a case-by-case basis;

83.8 [For text of items H and I, see M.R.]

83.9 J. transfer or dispose of the device containing radioactive material only:

83.10 (1) by export as provided in item I;

83.11 (2) by transfer to another general licensee as authorized under item M;

83.12 (3) to a person authorized to receive the device by a specific license issued
83.13 under parts 4731.3000 to 4731.3175 or 4731.3300 to 4731.3400 or under equivalent
83.14 regulations of the NRC or an agreement state that authorizes waste collection; or

83.15 (4) as otherwise approved under item L;

83.16 [For text of items K to R, see M.R.]

83.17 Subp. 3a. **Registration of generally licensed devices.**

83.18 [For text of item A, see M.R.]

83.19 B. If in possession of a device meeting the criteria of item A, a person to whom
83.20 subpart 3 applies must register the device annually with the commissioner and pay the
83.21 fee required under Minnesota Statutes, section 144.1205.

83.22 [For text of subitems (1) and (2), see M.R.]

83.23 (3) Persons generally licensed by the NRC or an agreement state with
83.24 respect to devices meeting the criteria in item A are not subject to registration under

84.1 this item if the devices are used in areas subject to the commissioner's jurisdiction for a
84.2 period of less than 180 days in any calendar year. The commissioner shall not request
84.3 registration information from such licensees.

84.4 [For text of item C, see M.R.]

84.5 [For text of subp 4, see M.R.]

84.6 **4731.3240 GENERAL LICENSE; STRONTIUM-90 ICE DETECTION DEVICES.**

84.7 [For text of subp 1, see M.R.]

84.8 Subp. 2. **Requirements.** Persons who own, receive, acquire, possess, use, or transfer
84.9 strontium-90 contained in ice detection devices under the general license issued under
84.10 subpart 1:

84.11 A. must, upon occurrence of visually observable damage to the device, such as
84.12 a bend, crack, or discoloration from overheating:

84.13 (1) discontinue use of the device until it has been inspected, tested for
84.14 leakage, and repaired by a person holding a specific license issued under parts 4731.3000
84.15 to 4731.3175 or 4731.3300 to 4731.3400 or by the NRC or an agreement state to
84.16 manufacture or service the device; or

84.17 (2) dispose of the device according to part 4731.2400;

84.18 [For text of items B and C, see M.R.]

84.19 [For text of subp 3, see M.R.]

84.20 **4731.3250 GENERAL LICENSE; CERTAIN ITEMS AND SELF-LUMINOUS**
84.21 **PRODUCTS CONTAINING RADIUM-226.**

84.22 [For text of subp 1, see M.R.]

84.23 Subp. 2. **Exempt provisions.** Persons who acquire, receive, possess, use, or transfer
84.24 byproduct material under the general license issued in subpart 1 are exempt from the

85.1 provisions of parts 4731.1000 to 4731.2950, 4731.3110 and 4731.3115, and Code of
85.2 Federal Regulations, title 10, part 21, to the extent that the receipt, possession, use, or
85.3 transfer of byproduct material is within the terms of the general license; provided, that this
85.4 exemption is not deemed to apply to any person specifically licensed under this chapter.

85.5 [For text of subps 3 and 4, see M.R.]

85.6 **4731.3300 SPECIFIC DOMESTIC LICENSES TO MANUFACTURE OR**
85.7 **TRANSFER CERTAIN ITEMS CONTAINING RADIOACTIVE MATERIAL.**

85.8 Subpart 1. **Scope.** Parts 4731.3300 to 4731.3400 provide for:

85.9 [For text of items A to C, see M.R.]

85.10 Subp. 2. **Applicability.** Parts 4731.3300 to 4731.3400 are in addition to, and not in
85.11 substitution for, other requirements of this chapter. In particular, the provisions of parts
85.12 4731.3000 to 4731.3175 apply to applications, licenses, and certificates of registration
85.13 subject to parts 4731.3300 to 4731.3400.

85.14 **4731.3330 SPECIFIC LICENSE; CERTAIN DEVICES CONTAINING**
85.15 **RADIOACTIVE MATERIALS; MANUFACTURE OR INITIAL TRANSFER.**

85.16 Subpart 1. **Approval criteria.** An application for a specific license to manufacture or
85.17 initially transfer devices containing radioactive material to a person generally licensed
85.18 under part 4731.3215 or equivalent regulations of the NRC or an agreement state shall
85.19 be approved if:

85.20 [For text of items A to C, see M.R.]

85.21 D. each device having a separable source housing that provides the primary
85.22 shielding for the source also bears, on the source housing, a durable label containing
85.23 the device model number and serial number, the isotope and quantity, the words
85.24 "Caution-Radioactive Material," the radiation symbol described in part 4731.2300, and
85.25 the name of the manufacturer or initial distributor;

86.1 E. each device meeting the criteria of part 4731.3215, subpart 3a, bears a
86.2 permanent embossed, etched, stamped, or engraved label affixed to the source housing
86.3 if separable, or the device if the source housing is not separable, that includes the words
86.4 "Caution-Radioactive Material" and, if practicable, the radiation symbol described in
86.5 part 4731.2300; and

86.6 F. the device has been registered in the Sealed Source and Device Registry.

86.7 [For text of subps 2 to 11, see M.R.]

86.8 **4731.3345 SPECIFIC LICENSE; LUMINOUS SAFETY DEVICES;**
86.9 **MANUFACTURE, ASSEMBLE, REPAIR, OR INITIALLY TRANSFER.**

86.10 Subpart 1. **Approval criteria.** An application for a specific license to manufacture,
86.11 assemble, repair, or initially transfer luminous safety devices containing tritium or
86.12 promethium-147 for use in aircraft, for distribution to persons generally licensed under
86.13 part 4731.3225, shall be approved if:

86.14 A. the applicant satisfies the general requirements of part 4731.3070;

86.15 B. the applicant submits sufficient information regarding each device pertinent
86.16 to evaluation of the potential radiation exposure, including:

86.17 [For text of subitems (1) to (4), see M.R.]

86.18 (5) quality assurance procedures to be followed that are sufficient to ensure
86.19 compliance with subpart 4; and

86.20 (6) any additional information, including experimental studies and tests,
86.21 required by the commissioner to facilitate a determination of the safety of the device;

86.22 C. each device will contain no more than ten curies of tritium or 300 millicuries
86.23 of promethium-147. The levels of radiation from each device containing promethium-147
86.24 will not exceed 0.5 millirad per hour at ten centimeters from any surface when measured
86.25 through 50 milligrams per square centimeter of absorber;

87.1 D. the commissioner determines that:

87.2 [For text of subitems (1) to (3), see M.R.]

87.3 (4) prototypes of the device have been subjected to and have satisfactorily
87.4 passed the tests under item E;

87.5 E. the applicant must subject at least five prototypes of the device to tests as
87.6 follows:

87.7 (1) the devices are subjected to tests that adequately take into account the
87.8 individual, aggregate, and cumulative effects of environmental conditions expected in
87.9 service that could adversely affect the effective containment of tritium or promethium-147,
87.10 such as temperature, moisture, absolute pressure, water immersion, vibration, shock,
87.11 and weathering;

87.12 (2) the devices are inspected for evidence of physical damage and for loss
87.13 of tritium or promethium-147, after each stage of testing, using methods of inspection
87.14 adequate for determining compliance with the criteria in subitem (3); and

87.15 (3) device designs are rejected for which the following has been detected
87.16 for any unit:

87.17 (a) a leak resulting in a loss of 0.1 percent or more of the original
87.18 amount of tritium or promethium-147 from the device;

87.19 (b) surface contamination of tritium or promethium-147 on the device
87.20 of more than 2,200 disintegrations per minute per 100 square centimeters of surface area; or

87.21 (c) any other evidence of physical damage; and

87.22 F. the device has been registered in the Sealed Source and Device Registry.

87.23 [For text of subps 2 and 3, see M.R.]

87.24 Subp. 4. **Quality assurance; transfer prohibition.**

88.1 A. A person licensed under this part must visually inspect each device and must
88.2 reject any that has an observable physical defect that could adversely affect containment
88.3 of the tritium or promethium-147.

88.4 B. A person licensed under this part must:

88.5 (1) maintain quality assurance systems in the manufacture of the luminous
88.6 safety device in a manner sufficient to provide reasonable assurance that the safety-related
88.7 components of the distributed devices are capable of performing their intended functions;
88.8 and

88.9 (2) subject inspection lots to acceptance sampling procedures, by procedures
88.10 specified in item C and in the license issued under this part, to provide at least 95 percent
88.11 confidence that the Lot Tolerance Percent Defective of 5.0 percent will not be exceeded.

88.12 C. The licensee must subject each inspection lot to:

88.13 (1) tests that adequately take into account the individual, aggregate, and
88.14 cumulative effects of environmental conditions expected in service that could adversely
88.15 affect the effective containment of tritium or promethium-147, such as absolute pressure
88.16 and water immersion; and

88.17 (2) inspection for evidence of physical damage, containment failure, or for
88.18 loss of tritium or promethium-147 after each stage of testing, using methods of inspection
88.19 adequate for applying the following criteria for defective:

88.20 (a) a leak resulting in a loss of 0.1 percent or more of the original
88.21 amount of tritium or promethium-147 from the device;

88.22 (b) levels of radiation in excess of 0.5 millirad (5 microgray) per hour
88.23 at ten centimeters from any surface when measured through 50 milligrams per square
88.24 centimeter of absorber, if the device contains promethium-147; and

88.25 (c) any other criteria specified in the license issued under this part.

89.1 D. No person licensed under this part shall transfer to persons generally
89.2 licensed under part 4731.3225 or under an equivalent general license of the NRC or
89.3 an agreement state:

89.4 (1) any luminous safety device that has been tested and found defective
89.5 under a condition of a license issued under this part, unless the defective luminous safety
89.6 device has been repaired or reworked, retested, and determined by an independent
89.7 inspector to meet the applicable acceptance criteria; or

89.8 (2) any luminous safety device contained within any lot that has been
89.9 sampled and rejected as a result of the procedures in item B, subitem (2), unless:

89.10 (a) a procedure for defining sub-lot size, independence, and additional
89.11 testing procedures is contained in the license issued under this part; and

89.12 (b) each individual sub-lot is sampled, tested, and accepted in
89.13 accordance with items B, subitem (2), and D, subitem (2), unit (a), and any other criteria
89.14 that may be required as a condition of the license issued under this part.

89.15 Subp. 5. **Transfer reports.**

89.16 A. A person licensed under this part must file an annual report with the
89.17 commissioner that covers the year ending June 30 and is filed within 30 days thereafter. If
89.18 no transfers have been made to persons generally licensed under part 4731.3225 during
89.19 the reporting period, the report must so indicate. The report must:

89.20 (1) state the total quantity of tritium or promethium-147 transferred to
89.21 persons generally licensed under part 4731.3225;

89.22 (2) identify each general licensee by name;

89.23 (3) state the kinds and numbers of luminous devices transferred; and

89.24 (4) specify the quantity of tritium or promethium-147 in each kind of device.

90.1 B. A person licensed under this part must report annually all transfers of devices
90.2 to persons for use under a general license in the NRC's or an agreement state's regulations
90.3 that are equivalent to part 4731.3225 to the NRC or responsible agreement state agency.
90.4 If no transfers have been made to the NRC or a particular agreement state during the
90.5 reporting period, this information must be reported to the NRC or responsible agreement
90.6 state agency upon request of the agency. The report must:

- 90.7 (1) state the total quantity of tritium or promethium-147 transferred;
- 90.8 (2) identify each general licensee by name;
- 90.9 (3) state the kinds and numbers of luminous devices transferred; and
- 90.10 (4) specify the quantity of tritium or promethium-147 in each kind of device.

90.11 **4731.3365 SPECIFIC LICENSE; CALIBRATION OR REFERENCE SOURCES;**
90.12 **MANUFACTURE OR INITIAL TRANSFER.**

90.13 Subpart 1. **Approval criteria.** An application for a specific license to manufacture or
90.14 initially transfer calibration and reference sources containing americium-241 or radium-226
90.15 for distribution to persons generally licensed under part 4731.3230 shall be approved if:

90.16 [For text of items A and B, see M.R.]

90.17 C. each source will contain no more than five microcuries (185 kBq) of
90.18 americium-241 or radium-226;

90.19 D. the commissioner determines, with respect to any type of source containing
90.20 more than 0.005 microcurie (185 Bq) of americium-241 or radium-226, that:

- 90.21 (1) the method of incorporation and binding of the americium-241 or
90.22 radium-226 in the source is such that the americium-241 or radium-226 will not be
90.23 released or be removed from the source under normal conditions of use and handling
90.24 of the source; and

91.1 (2) the source has been subjected to and has satisfactorily passed
91.2 appropriate tests required by item E; and

91.3 E. the applicant subjects at least five prototypes of each source that is designed
91.4 to contain more than 0.005 microcurie (0.185 kilobecquerel) of americium-241 or
91.5 radium-226 to tests as follows:

91.6 (1) the initial quantity of radioactive material deposited on each source is
91.7 measured by direct counting of the source;

91.8 (2) the sources are subjected to tests that adequately take into account the
91.9 individual, aggregate, and cumulative effects of environmental conditions expected in
91.10 service that could adversely affect the effective containment or binding of americium-241
91.11 or radium-226, such as physical handling, moisture, and water immersion;

91.12 (3) the sources are inspected for evidence of physical damage and for loss
91.13 of americium-241 or radium-226, after each stage of testing, using methods of inspection
91.14 adequate for determining compliance with the criteria in subitem (4); and

91.15 (4) source designs are rejected for which the following has been
91.16 detected for any unit: removal of more than 0.005 microcurie (0.185 kilobecquerel) of
91.17 americium-241 or radium-226 from the source or any other evidence of physical damage.

91.18 [For text of subp 2, see M.R.]

91.19 Subp. 3. **Leak testing.**

91.20 A. A person licensed under this part must perform a dry wipe test upon each
91.21 source containing more than 0.1 microcurie (3.7 kBq) of americium-241 or radium-226
91.22 before transferring the source to a general licensee under part 4731.3230 or equivalent
91.23 regulations of the NRC or an agreement state.

91.24 B. The test must be performed by wiping the entire radioactive surface of the
91.25 source with a filter paper with the application of moderate finger pressure.

92.1 C. The radioactivity on the paper must be measured by using methods capable
92.2 of detecting 0.005 microcurie (0.185 kBq) of americium-241 or radium-226.

92.3 D. If a source has been shown to be leaking or losing more than 0.005
92.4 microcurie (0.185kBq) of americium-241 or radium-226 by the methods described in this
92.5 subpart, the source must be rejected and must not be transferred to a general licensee under
92.6 part 4731.3230, or equivalent regulations of the NRC or an agreement state.

92.7 **4731.3380 SPECIFIC LICENSE; ICE DETECTION DEVICES; MANUFACTURE**
92.8 **OR INITIAL TRANSFER.**

92.9 Subpart 1. **Approval criteria.** An application for a specific license to manufacture or
92.10 initially transfer ice detection devices containing strontium-90 for distribution to persons
92.11 generally licensed under part 4731.3240 shall be approved if:

92.12 [For text of items A to D, see M.R.]

92.13 E. the commissioner determines that:

92.14 [For text of subitems (1) to (3), see M.R.]

92.15 (4) prototypes of the device have been subjected to and have satisfactorily
92.16 passed the tests under item F; and

92.17 (5) quality control procedures have been established to satisfy the
92.18 requirements of subpart 2;

92.19 F. the applicant subjects at least five prototypes of the device to tests as follows:

92.20 (1) the devices are subjected to tests that adequately take into account
92.21 the individual, aggregate, and cumulative effects of environmental conditions expected
92.22 in service that could adversely affect the effective containment of strontium-90, such
92.23 as temperature, moisture, absolute pressure, water immersion, vibration, shock, and
92.24 weathering;

93.1 (2) the devices are inspected for evidence of physical damage and for loss
93.2 of strontium-90 after each stage of testing, using methods of inspection adequate for
93.3 determining compliance with the criteria in subitem (3); and

93.4 (3) device designs are rejected for which the following has been detected
93.5 for any unit:

93.6 (a) a leak resulting in a loss of 0.1 percent or more of the original
93.7 amount of strontium-90 from the device;

93.8 (b) surface contamination of strontium-90 on the device of more than
93.9 2,200 disintegrations per minute per 100 square centimeters of surface area; or

93.10 (c) any other evidence of physical damage; and

93.11 G. the device has been registered in the Sealed Source and Device Registry.

93.12 Subp. 2. **Quality assurance; transfer prohibition.**

93.13 [For text of items A and B, see M.R.]

93.14 C. A person licensed under this part must:

93.15 (1) maintain quality assurance systems in the manufacture of the ice
93.16 detection device containing strontium-90 in a manner sufficient to provide reasonable
93.17 assurance that the safety-related components of the distributed devices are capable of
93.18 performing their intended functions; and

93.19 (2) subject inspection lots to acceptance sampling procedures, by procedures
93.20 specified in item D and in the license issued under this part, to provide at least 95 percent
93.21 confidence that the Lot Tolerance Percent Defective of 5.0 percent will not be exceeded.

93.22 D. Each person licensed under this part must subject each inspection lot to:

93.23 (1) tests that adequately take into account the individual, aggregate, and
93.24 cumulative effects of environmental conditions expected in service that could possibly

94.1 affect the effective containment of strontium-90, such as absolute pressure and water
94.2 immersion; and

94.3 (2) inspection for evidence of physical damage, containment failure, or for
94.4 loss of strontium-90 after each stage of testing, using methods of inspection adequate to
94.5 determine compliance with the following criteria for defective: a leak resulting in a loss
94.6 of 0.1 percent or more of the original amount of strontium-90 from the device and any
94.7 other criteria specified in the license issued under this part.

94.8 E. No person licensed under this part shall transfer to persons generally licensed
94.9 under part 4731.3240, or under an equivalent general license of the NRC or an agreement
94.10 state:

94.11 (1) any ice detection device containing strontium-90 tested and found
94.12 defective under the criteria specified in a license issued under this part, unless the defective
94.13 ice detection device has been repaired or reworked, retested, and determined by an
94.14 independent inspector to meet the applicable acceptance criteria; or

94.15 (2) any ice detection device containing strontium-90 contained within any
94.16 lot that has been sampled and rejected as a result of the procedures in item C, subitem
94.17 (2), unless:

94.18 (a) a procedure for defining sub-lot size, independence, and additional
94.19 testing procedures is contained in the license issued under this part; and

94.20 (b) each individual sub-lot is sampled, tested, and accepted in
94.21 accordance with unit (a) and item C, subitem (2), and any other criteria as may be required
94.22 as a condition of the license issued under this part.

95.1 **4731.3400 SPECIFIC LICENSE; SOURCES OR DEVICES FOR MEDICAL USE;**
95.2 **MANUFACTURE AND DISTRIBUTION.**

95.3 Subpart 1. **Approval criteria.** An application for a specific license to manufacture
95.4 and distribute sources and devices containing radioactive material to persons licensed
95.5 according to parts 4731.4400 to 4731.4527 for use as a calibration, transmission, or
95.6 reference source or for the uses listed under parts 4731.4404, 4731.4450, 4731.4460, and
95.7 4731.4463 shall be approved if:

95.8 [For text of item A, see M.R.]

95.9 B. the applicant submits sufficient information regarding each type of source or
95.10 device pertinent to an evaluation of its radiation safety, including:

95.11 [For text of subitems (1) to (7), see M.R.]

95.12 (8) instructions for handling and storing the source or device from the
95.13 radiation safety standpoint. These instructions must be:

95.14 (a) included on a durable label attached to the source or device;

95.15 (b) attached to a permanent storage container for the source of device;

95.16 or

95.17 (c) summarized on the label, for instructions that are too lengthy for
95.18 the label, and printed in detail on a brochure that is referenced on the label;

95.19 C. the label affixed to the source or device, or to the permanent storage container
95.20 for the source or device, contains:

95.21 [For text of subitems (1) to (3), see M.R.]

95.22 (4) a statement that the commissioner has approved distribution of the
95.23 (name of source or device) to persons licensed to use radioactive material identified under
95.24 parts 4731.4423, 4731.4450, 4731.4460, and 4731.4463, as appropriate, and to persons
95.25 who hold equivalent licenses issued by the NRC or an agreement state; and

96.1 D. the source or device has been registered in the Sealed Source and Device
96.2 Registry.

96.3 [For text of subps 2 and 3, see M.R.]

96.4 **4731.3520 SPECIFIC LICENSE OF BROAD SCOPE; APPLICATION.**

96.5 A person must file an application for a specific license of broad scope on an
96.6 application for radioactive material license form according to part 4731.3065.

96.7 **4731.4010 SPECIFIC LICENSE; APPLICATION.**

96.8 A person must file an application for a specific license for use of sealed sources in
96.9 industrial radiography on the application for radioactive material license form according
96.10 to part 4731.3070.

96.11 **4731.4421 CALIBRATION OF SURVEY INSTRUMENTS.**

96.12 A. A licensee must calibrate the survey instruments used to show compliance
96.13 with parts 4731.2000 to 4731.2950 and 4731.4400 to 4731.4527 before first use, intervals
96.14 not to exceed 12 months, and following a repair that affects the calibration. A licensee must:

96.15 [For text of subitems (1) to (3), see M.R.]

96.16 [For text of items B and C, see M.R.]

96.17 **4731.4612 TRAINING FOR INDIVIDUALS FUNCTIONING AS A NUCLEAR**
96.18 **MEDICINE TECHNOLOGIST BEFORE JANUARY 1, 2011, WHO ARE NOT**
96.19 **ACCREDITED.**

96.20 [For text of subps 1 to 3, see M.R.]

96.21 Subp. 4. **Continuing education.** Individuals working as nuclear medicine
96.22 technologists before January 1, 2011, who are not accredited must:

96.23 A. obtain 24 hours of continuing education every 24 months;

96.24 [For text of items B and C, see M.R.]

97.1 **4731.6020 SPECIFIC LICENSE; APPROVAL.**

97.2 The commissioner shall approve an application for a specific license for the use of
97.3 licensed material in an irradiator if the applicant meets the general requirements under
97.4 parts 4731.3070, subpart 1, items A to D, and 4731.3070, subpart 2, and if the application
97.5 includes:

97.6 [For text of items A to I, see M.R.]

97.7 **4731.7020 SPECIFIC LICENSE; WELL LOGGING.**

97.8 The commissioner shall approve an application for a specific license for the use of
97.9 licensed material in well logging if the applicant:

97.10 A. satisfies the general licensing requirements under parts 4731.0575 for special
97.11 nuclear material, 4731.0765 for source material, and 4731.3070 for radioactive material,
97.12 as appropriate, and any special requirements under parts 4731.7000 to 4731.7280;

97.13 [For text of items B to G, see M.R.]

97.14 **4731.8000 ~~APPLICABILITY~~; PHYSICAL PROTECTION OF CATEGORY 1 OR**
97.15 **CATEGORY 2 QUANTITIES OF RADIOACTIVE MATERIAL.**

97.16 A. Parts 4731.8010 to 4731.8090 apply to any person who, under the regulations
97.17 in this chapter, possesses or uses at any site, an aggregated category 1 or category 2
97.18 quantity of radioactive material.

97.19 B. Parts 4731.8100 to 4731.8125 apply to any person who, under the regulations
97.20 of this chapter:

97.21 (1) transports or delivers to a carrier for transport in a single shipment, a
97.22 category 1 or category 2 quantity of radioactive material; or

97.23 (2) imports or exports a category 1 or category 2 quantity of radioactive
97.24 material; the provisions only apply to the domestic portion of the transport.

98.1 **4731.8005 EXEMPTION FOR WASTE.**

98.2 A licensee that possesses radioactive waste that contains category 1 or category 2
98.3 quantities of radioactive material is exempt from the requirements of parts 4731.8010 to
98.4 4731.8125. Except that any radioactive waste that contains discrete sources, ion-exchange
98.5 resins, or activated material that weighs less than 2,000 kg (4,409 lbs) is not exempt from
98.6 the requirements of this part. The licensee must implement the following requirements
98.7 to secure the radioactive waste:

98.8 A. use continuous physical barriers that allow access to the radioactive waste
98.9 only through established access control points;

98.10 B. use a locked door or gate with monitored alarm at the access control point;

98.11 C. assess and respond to each actual or attempted unauthorized access to
98.12 determine whether an actual or attempted theft, sabotage, or diversion occurred; and

98.13 D. immediately notify the local law enforcement agency (LLEA) and request an
98.14 armed response from the LLEA upon determination that there was an actual or attempted
98.15 theft, sabotage, or diversion of the radioactive waste that contains category 1 or category 2
98.16 quantities of radioactive material.

98.17 **4731.8010 PERSONNEL ACCESS AUTHORIZATION REQUIREMENTS FOR**
98.18 **CATEGORY 1 OR CATEGORY 2 QUANTITIES OF RADIOACTIVE MATERIAL.**

98.19 Subpart 1. **General.**

98.20 A. Each licensee that possesses an aggregated quantity of radioactive material
98.21 at or above the category 2 threshold must establish, implement, and maintain its access
98.22 authorization program in accordance with the requirements of ~~this subpart~~ parts 4731.8010
98.23 to 4731.8040.

98.24 ~~B. An applicant for a new license and each licensee that is newly subject to~~
98.25 ~~the requirements of this subpart~~ parts 4731.8010 to 4731.8040 upon application for

99.1 modification of its license must implement the requirements of parts 4731.8010 to
99.2 4731.8040, as appropriate, before taking possession of an aggregated category 1 or
99.3 category 2 quantity of radioactive material.

99.4 C. Any licensee that has not previously implemented the Security Orders or
99.5 been subject to the provisions of parts 4731.8010 to 4731.8040 must implement the
99.6 provisions of parts 4731.8010 to 4731.8040 before aggregating radioactive material to a
99.7 quantity that equals or exceeds the category 2 threshold.

99.8 Subp. 2. **General performance objective.** The licensee's access authorization
99.9 program must ensure that the individuals specified in subpart 3, item A, are trustworthy
99.10 and reliable.

99.11 Subp. 3. **Applicability.**

99.12 A. Licensees must subject the following individuals to an access authorization
99.13 program:

99.14 (1) any individual whose assigned duties require unescorted access to
99.15 category 1 or category 2 quantities of radioactive material or to any device that contains
99.16 the radioactive material; and

99.17 (2) reviewing officials.

99.18 B. Licensees need not subject the categories of individuals listed in part
99.19 4731.8030, subpart 1, items A to M, to the investigation elements of the access
99.20 authorization program.

99.21 C. Licensees must approve for unescorted access to category 1 or category
99.22 2 quantities of radioactive material only those individuals with job duties that require
99.23 unescorted access to category 1 or category 2 quantities of radioactive material.

D. Licensees may include individuals needing access to safeguards information-modified handling under Code of Federal Regulations, title 10, part 73, in the access authorization program under parts 4731.8010 to 4731.8040.

4731.8015 ACCESS AUTHORIZATION PROGRAM REQUIREMENTS.

Subpart 1. Granting unescorted access authorization.

A. Licensees must implement the requirements of parts 4731.8010 to 4731.8040 for granting initial or reinstated unescorted access authorization.

B. Individuals who have been determined to be trustworthy and reliable must also complete the security training required by part 4731.8055, subpart 3, before being allowed unescorted access to category 1 or category 2 quantities of radioactive material.

Subp. 2. Reviewing officials.

A. Reviewing officials are the only individuals authorized to make trustworthiness and reliability determinations that allow individuals to have unescorted access to category 1 or category 2 quantities of radioactive materials possessed by the licensee.

B. Each licensee must name one or more individuals to be reviewing officials. After completing the background investigation on the reviewing official, the licensee must provide, under oath or affirmation, a certification that the reviewing official is deemed trustworthy and reliable by the licensee. The fingerprints of the named reviewing official must be taken by a law enforcement agency, federal or state agency that provides fingerprinting services to the public, or commercial fingerprinting services authorized by a state to take fingerprints. The licensee must recertify that the reviewing official is deemed trustworthy and reliable every ten years in accordance with part 4731.8020, subpart 3.

C. Reviewing officials must be permitted to have unescorted access to category 1 or category 2 quantities of radioactive materials or access to safeguards information

101.1 or safeguards information-modified handling, if the licensee possesses safeguards
101.2 information or safeguards information-modified handling.

101.3 D. Reviewing officials cannot approve other individuals to act as reviewing
101.4 officials.

101.5 E. A reviewing official does not need to undergo a new background
101.6 investigation before being named by the licensee as the reviewing official if:

101.7 (1) the individual has undergone a background investigation that included
101.8 fingerprinting and an FBI criminal history records check and has been determined to be
101.9 trustworthy and reliable by the licensee; or

101.10 (2) the individual is subject to a category listed in part 4731.8030, subpart 1.

101.11 Subp. 3. **Informed consent.**

101.12 A. Licensees must not initiate a background investigation without the informed
101.13 and signed consent of the subject individual. This consent must include authorization
101.14 to share personal information with other individuals or organizations as necessary to
101.15 complete the background investigation. Before a final adverse determination, the licensee
101.16 must provide the individual with an opportunity to correct any inaccurate or incomplete
101.17 information that is developed during the background investigation. Licensees do not
101.18 need to obtain signed consent from those individuals that meet the requirements of part
101.19 4731.8020, subpart 2. A signed consent must be obtained prior to any reinvestigation.

101.20 B. The subject individual may withdraw consent at any time. Licensees must
101.21 inform the individual that:

101.22 (1) if an individual withdraws consent, the licensee may not initiate
101.23 any elements of the background investigation that were not in progress at the time the
101.24 individual withdrew consent; and

102.1 (2) the withdrawal of consent for the background investigation is sufficient
102.2 cause for denial or termination of unescorted access authorization.

102.3 Subp. 4. **Personal history disclosure.** Any individual who is applying for
102.4 unescorted access authorization must disclose the personal history information that is
102.5 required by the licensee's access authorization program for the reviewing official to make
102.6 a determination of the individual's trustworthiness and reliability. Refusal to provide,
102.7 or the falsification of, any personal history information required by parts 4731.8010 to
102.8 4731.8040 is sufficient cause for denial or termination of unescorted access.

102.9 Subp. 5. **Determination basis.**

102.10 A. The reviewing official must determine whether to permit, deny, unfavorably
102.11 terminate, maintain, or administratively withdraw an individual's unescorted access
102.12 authorization based on an evaluation of all information collected to meet the requirements
102.13 of parts 4731.8010 to 4731.8040.

102.14 B. The reviewing official must not permit any individual to have unescorted
102.15 access until the reviewing official has evaluated all of the information collected to meet
102.16 the requirements of parts 4731.8010 to 4731.8040 and determined that the individual is
102.17 trustworthy and reliable. The reviewing official has authority to deny unescorted access
102.18 to any individual based on information obtained at any time during the background
102.19 investigation.

102.20 C. The licensee must document the basis for concluding whether or not there is
102.21 reasonable assurance that an individual is trustworthy and reliable.

102.22 D. The reviewing official has authority to terminate or administratively
102.23 withdraw an individual's unescorted access authorization based on information obtained
102.24 after the background investigation has been completed and the individual granted
102.25 unescorted access authorization.

103.1 E. Licensees must maintain a list of persons currently approved for unescorted
103.2 access authorization. When a licensee determines that a person no longer requires
103.3 unescorted access or meets the access authorization requirement, the licensee must
103.4 remove the person from the approved list as soon as possible, but no later than seven
103.5 working days, and take prompt measures to ensure that the individual is unable to have
103.6 unescorted access to the material.

103.7 Subp. 6. **Procedures.** Licensees must develop, implement, and maintain written
103.8 procedures for implementing the access authorization program. The procedures must
103.9 include provisions for the notification of individuals who are denied unescorted access.
103.10 The procedures must include provisions for the review, at the request of the affected
103.11 individual, of a denial or termination of unescorted access authorization. The procedures
103.12 must contain a provision to ensure that the individual is informed of the grounds for
103.13 the denial or termination of unescorted access authorization and allow the individual an
103.14 opportunity to provide additional relevant information.

103.15 Subp. 7. **Right to correct and complete information.**

103.16 A. Prior to any final adverse determination, licensees must provide each
103.17 individual subject to ~~this subpart~~ parts 4731.8010 to 4731.8040 with the right to complete,
103.18 correct, and explain information obtained as a result of the licensee's background
103.19 investigation. Confirmation of receipt by the individual of this notification must be
103.20 maintained by the licensee for a period of one year from the date of the notification.

103.21 B. If, after reviewing a criminal history record, an individual believes that
103.22 it is incorrect or incomplete in any respect and wishes to change, correct, update, or
103.23 explain anything in the record, the individual may initiate challenge procedures. These
103.24 procedures include direct application by the individual challenging the record to the law
103.25 enforcement agency that contributed the questioned information or a direct challenge as
103.26 to the accuracy or completeness of any entry on the criminal history record and must be

104.1 sent to the Federal Bureau of Investigation, Criminal Justice Information Services (CJIS)
104.2 Division, ATTN: SCU, Mod. D-2, 1000 Custer Hollow Road, Clarksburg, WV 26306, as
104.3 specified in Code of Federal Regulations, title 28, sections 16.30 to 16.34. In the latter
104.4 case, the Federal Bureau of Investigation (FBI) will forward the challenge to the agency
104.5 that submitted the data, and will request that the agency verify or correct the challenged
104.6 entry. Upon receipt of an official communication directly from the agency that contributed
104.7 the original information, the FBI Identification Division makes any changes necessary
104.8 according to the information supplied by that agency. Licensees must provide at least ten
104.9 days for an individual to initiate action to challenge the results of an FBI criminal history
104.10 records check after the individual has reviewed the criminal history record. The licensee
104.11 shall make a final adverse determination based upon the criminal history records only after
104.12 receipt of the FBI's confirmation or correction of the record.

104.13 **Subp. 8. Records.**

104.14 A. The licensee must retain documentation regarding the trustworthiness and
104.15 reliability of individual employees for three years from the date the individual no longer
104.16 requires unescorted access to category 1 or category 2 quantities of radioactive material.

104.17 B. The licensee must retain a copy of the current access authorization program
104.18 procedures as a record for three years after the procedure is no longer needed. If any
104.19 portion of the procedure is superseded, the licensee must retain the superseded material
104.20 for three years after the record is superseded.

104.21 C. The licensee must retain the list of persons approved for unescorted access
104.22 authorization for three years after the list is superseded or replaced.

104.23 **4731.8020 BACKGROUND INVESTIGATIONS.**

104.24 **Subpart 1. Initial investigation.**

105.1 A. Before allowing an individual unescorted access to category 1 or category
105.2 2 quantities of radioactive material or to the devices that contain the material, licensees
105.3 must complete a background investigation of the individual seeking unescorted access
105.4 authorization. The scope of the investigation must encompass at least the seven years
105.5 preceding the date of the background investigation or since the individual's 18th birthday,
105.6 whichever is shorter. The background investigation must include, at a minimum:

105.7 (1) fingerprinting and an FBI identification and criminal history records
105.8 check under part 4731.8025;

105.9 (2) verification of true identity. Licensees must verify the true identity of the
105.10 individual who is applying for unescorted access authorization to ensure that the applicant
105.11 is who he or she claims to be. A licensee must review official identification documents such
105.12 as driver's license, passport, government identification, and certificate of birth issued by the
105.13 state, province, or country of birth and compare the documents to personal information data
105.14 provided by the individual to identify any discrepancy in the information. Licensees must
105.15 document the type, expiration, and identification number of the identification document, or
105.16 maintain a photocopy of identifying documents on file in accordance with part 4731.8035.
105.17 Licensees must certify in writing that the identification was properly reviewed and must
105.18 maintain the certification and all related documents for review upon inspection;

105.19 (3) employment history verification. Licensees must complete an
105.20 employment history verification, including military history. Licensees must verify the
105.21 individual's employment with each previous employer for the most recent seven years
105.22 before the date of application;

105.23 (4) verification of education. Licensees must verify that the individual
105.24 participated in the education process during the claimed period;

105.25 (5) character and reputation determination. Licensees must complete
105.26 reference checks to determine the character and reputation of the individual who has

106.1 applied for unescorted access authorization. Unless other references are not available,
106.2 reference checks may not be conducted with any person who is known to be a close
106.3 member of the individual's family including, but not limited to, the individual's spouse,
106.4 parents, siblings, or children, or any individual who resides in the individual's permanent
106.5 household. Reference checks under ~~this subpart~~ parts 4731.8010 to 4731.8040 must be
106.6 limited to whether the individual has been and continues to be trustworthy and reliable;

106.7 (6) the licensee must also, to the extent possible, obtain independent
106.8 information to corroborate that provided by the individual, such as seeking references not
106.9 supplied by the individual; and

106.10 B. If a previous employer, educational institution, or any other entity with which
106.11 the individual claims to have been engaged fails to provide information or indicates an
106.12 inability or unwillingness to provide information within a time frame deemed appropriate
106.13 by the licensee, but at least after ten business days of the request, or if the licensee is unable
106.14 to reach the entity, the licensee must document the refusal, unwillingness, or inability in
106.15 the record of investigation; and attempt to obtain the information from an alternate source.

106.16 Subp. 2. **Grandfathering.**

106.17 A. Individuals who have been determined to be trustworthy and reliable for
106.18 unescorted access to category 1 or category 2 quantities of radioactive material under a
106.19 Fingerprint Order may continue to have unescorted access to category 1 and category 2
106.20 quantities of radioactive material without further investigation. These individuals must be
106.21 subject to the reinvestigation requirement under subpart 3.

106.22 B. Individuals who have been determined to be trustworthy and reliable
106.23 under the provisions of Code of Federal Regulations, title 10, part 73, or the security
106.24 orders for access to safeguards information, safeguards information-modified handling,
106.25 or risk-significant material may have unescorted access to category 1 and category
106.26 2 quantities of radioactive material without further investigation. The licensee must

107.1 document that the individual was determined to be trustworthy and reliable under
107.2 the provisions of Code of Federal Regulations, title 10, part 73, or a security order.
107.3 Security order, in this context, refers to any order that was issued by the NRC that
107.4 required fingerprints and an FBI criminal history records check for access to safeguards
107.5 information, safeguards information-modified handling, or risk-significant material such
107.6 as special nuclear material or large quantities of uranium hexafluoride. These individuals
107.7 must be subject to the reinvestigation requirement under subpart 3.

107.8 Subp. 3. **Reinvestigations.** Licensees must conduct a reinvestigation every ten
107.9 years for any individual with unescorted access to category 1 or category 2 quantities
107.10 of radioactive material. The reinvestigation must consist of fingerprinting and an FBI
107.11 identification and criminal history records check in accordance with part 4731.8025. The
107.12 reinvestigations must be completed within ten years of the date on which these elements
107.13 were last completed.

107.14 **4731.8025 REQUIREMENTS FOR CRIMINAL HISTORY RECORDS CHECKS**
107.15 **OF INDIVIDUALS GRANTED UNESCORTED ACCESS TO CATEGORY 1 OR**
107.16 **CATEGORY 2 QUANTITIES OF RADIOACTIVE MATERIAL.**

107.17 Subpart 1. **General performance objective and requirements.**

107.18 A. Except for those individuals listed in part 4731.8030 and those individuals
107.19 grandfathered under part 4731.8020, subpart 2, each licensee subject to the provisions of
107.20 ~~this subpart~~ parts 4731.8010 to 4731.8040 must fingerprint each individual who is to be
107.21 permitted unescorted access to category 1 or category 2 quantities of radioactive material.
107.22 Licensees must transmit all collected fingerprints to the NRC for transmission to the
107.23 FBI. The licensee must use the information received from the FBI as part of the required
107.24 background investigation to determine whether to grant or deny further unescorted access
107.25 to category 1 or category 2 quantities of radioactive materials for that individual.

108.1 B. The licensee must notify each affected individual that fingerprints are used to
108.2 secure a review of the individual's criminal history record, and must inform the individual
108.3 of the procedures for revising the record or adding explanations to the record.

108.4 C. Fingerprinting is not required if a licensee is reinstating an individual's
108.5 unescorted access authorization to category 1 or category 2 quantities of radioactive
108.6 materials if:

108.7 (1) the individual returns to the same facility that granted unescorted access
108.8 authorization within 365 days of the termination of the individual's unescorted access
108.9 authorization; and

108.10 (2) the previous access was terminated under favorable conditions.

108.11 D. Fingerprints do not need to be taken if an individual who is an employee
108.12 of a licensee, contractor, manufacturer, or supplier has been granted unescorted access
108.13 to category 1 or category 2 quantities of radioactive material, access to safeguards
108.14 information, or safeguards information-modified handling by another licensee, based
108.15 upon a background investigation conducted under parts 4731.8010 to 4731.8040, the
108.16 Fingerprint Orders, or Code of Federal Regulations, title 10, part 73. An existing criminal
108.17 history records check file may be transferred to the licensee asked to grant unescorted
108.18 access in accordance with the provisions of part 4731.8035, item C.

108.19 E. Licensees must use the information obtained as part of a criminal history
108.20 records check solely for the purpose of determining an individual's suitability for
108.21 unescorted access authorization to category 1 or category 2 quantities of radioactive
108.22 materials, access to safeguards information, or safeguards information-modified handling.

108.23 Subp. 2. **Prohibitions.**

109.1 A. Licensees shall not base a final determination to deny an individual
109.2 unescorted access authorization to category 1 or category 2 quantities of radioactive
109.3 material solely on the basis of information received from the FBI involving:

109.4 (1) an arrest more than one year old for which there is no information
109.5 of the disposition of the case; or

109.6 (2) an arrest that resulted in dismissal of the charge or an acquittal.

109.7 B. Licensees shall not use information received from a criminal history records
109.8 check obtained under ~~this subpart~~ parts 4731.8010 to 4731.8040 in a manner that would
109.9 infringe upon the rights of any individual under the First Amendment to the Constitution of
109.10 the United States, nor shall licensees use the information in any way that would discriminate
109.11 among individuals on the basis of race, religion, national origin, gender, or age.

109.12 Subp. 3. **Procedures for processing of fingerprint checks.**

109.13 A. For the purpose of complying with ~~this subpart~~ parts 4731.8010 to
109.14 4731.8040, licensees must submit to the Office of Administration, Division of Facilities
109.15 and Security, Mail Stop TWB-05 B32M, U.S. Nuclear Regulatory Commission,
109.16 Washington, DC 20555-0012, one completed, legible standard fingerprint card (Form
109.17 FD-258, ORIMDNRCOOOZ), electronic fingerprint scan or, where practicable,
109.18 other fingerprint record for each individual requiring unescorted access to category
109.19 1 or category 2 quantities of radioactive material. Copies of these forms may be
109.20 obtained by writing the Office of Information Services, U.S. Nuclear Regulatory
109.21 Commission, Washington, DC 20555-0001, by calling (301) 415-7232, or by e-mail to
109.22 FORMS.Resource@nrc.gov. Guidance on submitting electronic fingerprints can be found
109.23 at <http://www.nrc.gov/site-help/e-submittals.html>.

109.24 B. Fees for the processing of fingerprint checks are due upon application.
109.25 Licensees must submit payment with the application for the processing of fingerprints.
109.26 through corporate check, certified check, cashier's check, money order, or electronic

110.1 payment, made payable to "U.S. NRC." For guidance on making electronic payments,
110.2 contact the Security Branch, Division of Facilities and Security at (301) 492-3531.
110.3 Combined payment for multiple applications is acceptable. The commission
110.4 publishes the amount of the fingerprint check application fee on the NRC public
110.5 Web site. To find the current fee amount, go to the Electronic Submittals page at
110.6 <http://www.nrc.gov/site-help/e-submittals.html> and see the link for the Criminal History
110.7 Program under Electronic Submission Systems.

110.8 C. The commission must forward to the submitting licensee all data received
110.9 from the FBI as a result of the licensee's applications for criminal history records checks.

110.10 **4731.8030 RELIEF FROM FINGERPRINTING, IDENTIFICATION, AND**
110.11 **CRIMINAL HISTORY RECORDS CHECKS AND OTHER ELEMENTS OF**
110.12 **BACKGROUND INVESTIGATIONS.**

110.13 Subpart 1. **Exemption to certain security checks.** Fingerprinting, and the
110.14 identification and criminal history records checks required by section 149 of the Atomic
110.15 Energy Act of 1954, as amended, and other elements of the background investigation are
110.16 not required for the following individuals prior to granting unescorted access to category 1
110.17 or category 2 quantities of radioactive materials:

110.18 A. an employee of the commission or of the Executive Branch of the U.S.
110.19 government who has undergone fingerprinting for a prior U.S. government criminal
110.20 history records check;

110.21 B. a member of Congress;

110.22 C. an employee of a member of Congress or a congressional committee who
110.23 has undergone fingerprinting for a prior U.S. government criminal history records check;

110.24 D. the governor of a state or the governor's designated state employee
110.25 representative;

110.26 E. federal, state, or local law enforcement personnel;

111.1 F. state radiation control program directors and state homeland security advisors
111.2 or their designated state employee representatives;

111.3 G. agreement state employees conducting security inspections on behalf of the
111.4 NRC under an agreement executed under section 274.i. of the Atomic Energy Act;

111.5 H. representatives of the International Atomic Energy Agency (IAEA) engaged
111.6 in activities associated with the U.S./IAEA Safeguards Agreement who have been
111.7 certified by the NRC;

111.8 I. emergency response personnel who are responding to an emergency;

111.9 J. commercial vehicle drivers for road shipments of category 2 quantities of
111.10 radioactive material;

111.11 K. package handlers at transportation facilities such as freight terminals and
111.12 railroad yards;

111.13 L. any individual who has an active federal security clearance, provided that
111.14 the individual makes available the appropriate documentation. Written confirmation from
111.15 the agency/employer that granted the federal security clearance or reviewed the criminal
111.16 history records check must be provided to the licensee. The licensee must retain this
111.17 documentation for a period of three years from the date the individual no longer requires
111.18 unescorted access to category 1 or category 2 quantities of radioactive material; and

111.19 M. any individual employed by a service provider licensee for which the
111.20 service provider licensee has conducted the background investigation for the individual
111.21 and approved the individual for unescorted access to category 1 or category 2 quantities of
111.22 radioactive material. Written verification from the service provider must be provided to
111.23 the licensee. The licensee must retain the documentation for a period of three years from
111.24 the date the individual no longer requires unescorted access to category 1 or category 2
111.25 quantities of radioactive material.

112.1 Subp. 2. **Additional exemption.** Fingerprinting, and the identification and criminal
112.2 history records checks required by section 149 of the Atomic Energy Act of 1954, as
112.3 amended, are not required for an individual who has had a favorably adjudicated U.S.
112.4 government criminal history records check within the last five years, under a comparable
112.5 U.S. government program involving fingerprinting and an FBI identification and criminal
112.6 history records check provided that the individual makes available the appropriate
112.7 documentation. Written confirmation from the agency/employer that reviewed the
112.8 criminal history records check must be provided to the licensee. The licensee must retain
112.9 this documentation for a period of three years from the date the individual no longer
112.10 requires unescorted access to category 1 or category 2 quantities of radioactive material.
112.11 These programs include, but are not limited to:

112.12 A. national agency check;

112.13 B. Transportation Worker Identification Credentials (TWIC) under Code of
112.14 Federal Regulations, title 49, part 1572;

112.15 C. Bureau of Alcohol, Tobacco, Firearms, and Explosives background check
112.16 and clearances under Code of Federal Regulations, title 27, part 555;

112.17 D. Health and Human Services security risk assessments for possession and use
112.18 of select agents and toxins under Code of Federal Regulations, title 42, part 73;

112.19 E. hazardous material security threat assessment for hazardous material
112.20 endorsement to commercial driver's license under Code of Federal Regulations, title
112.21 49, part 1572; and

112.22 F. Customs and Border Protection's Free and Secure Trade (FAST) Program.

112.23 **4731.8035 PROTECTION OF INFORMATION.**

112.24 A. Each licensee who obtains background information on an individual under
112.25 parts 4731.8010 to 4731.8040 must establish and maintain a system of files and written

113.1 procedures for protection of the record and the personal information from unauthorized
113.2 disclosure.

113.3 B. The licensee shall not disclose the record or personal information collected
113.4 and maintained to persons other than the subject individual, the individual's representative,
113.5 or to those who have a need to have access to the information in performing assigned
113.6 duties in the process of granting or denying unescorted access to category 1 or
113.7 category 2 quantities of radioactive material, safeguards information, or safeguards
113.8 information-modified handling. No individual authorized to have access to the information
113.9 shall disseminate the information to any other individual who does not have a need to know.

113.10 C. The personal information obtained on an individual from a background
113.11 investigation may be provided to another licensee:

113.12 (1) upon the individual's written request to the licensee holding the data to
113.13 disseminate the information contained in the individual's file; and

113.14 (2) when the recipient licensee verifies information such as name, date of
113.15 birth, Social Security number, gender, and other applicable physical characteristics.

113.16 D. The licensee must make background investigation records obtained under
113.17 ~~this subpart~~ parts 4731.8010 to 4731.8040 available for examination by an authorized
113.18 representative of the commissioner to determine compliance with the regulations and laws.

113.19 E. The licensee must retain all fingerprint and criminal history records received
113.20 from the FBI, including data indicating no record, or a copy of these records if the
113.21 individual's file has been transferred, on an individual for three years from the date the
113.22 individual no longer requires unescorted access to category 1 or category 2 quantities
113.23 of radioactive material.

114.1 **4731.8040 ACCESS AUTHORIZATION PROGRAM REVIEW.**

114.2 A. Each licensee must be responsible for the continuing effectiveness of the
114.3 access authorization program. Each licensee must ensure that access authorization
114.4 programs are reviewed to confirm compliance with the requirements of parts 4731.8010 to
114.5 4731.8040 and that comprehensive actions are taken to correct any noncompliance that is
114.6 identified. The review program must evaluate all program performance objectives and
114.7 requirements. Each licensee must at least annually review the access program content
114.8 and implementation.

114.9 B. The results of the reviews, along with any recommendations, must be
114.10 documented. Each review report must identify conditions that are adverse to the proper
114.11 performance of the access authorization program, the cause of the conditions, and, when
114.12 appropriate, recommend corrective actions, and corrective actions taken. The licensee
114.13 must review the findings and take any additional corrective actions necessary to preclude
114.14 repetition of the condition, including reassessment of the deficient areas where indicated.

114.15 C. Review records must be maintained for three years.

114.16 **4731.8050 SECURITY PROGRAM.**

114.17 Subpart 1. **Applicability.**

114.18 A. Each licensee that possesses an aggregated category 1 or category 2 quantity
114.19 of radioactive material must establish, implement, and maintain a security program in
114.20 accordance with the requirements of parts 4731.8050 to 4731.8090.

114.21 B. An applicant for a new license and each licensee that would become
114.22 newly subject to the requirements of parts 4731.8050 to 4731.8090 upon application
114.23 for modification of its license must implement the requirements of parts 4731.8050 to
114.24 4731.8090; as appropriate, before taking possession of an aggregated category 1 or
114.25 category 2 quantity of radioactive material.

115.1 C. Any licensee that has not previously implemented the security orders or
115.2 been subject to the provisions of parts 4731.8050 to 4731.8090 must provide written
115.3 notification to the commissioner at least 90 days before aggregating radioactive material
115.4 to a quantity that equals or exceeds the category 2 threshold.

115.5 Subp. 2. **General performance objective.** Each licensee must establish, implement,
115.6 and maintain a security program that is designed to monitor and, without delay, detect,
115.7 assess, and respond to an actual or attempted unauthorized access to category 1 or category
115.8 2 quantities of radioactive material.

115.9 Subp. 3. **Program features.** Each licensee's security program must include the
115.10 program features, as appropriate, described in parts 4731.8055 to 4731.8085.

115.11 **4731.8055 GENERAL SECURITY PROGRAM REQUIREMENTS.**

115.12 Subpart 1. **Security plan.**

115.13 A. Each licensee identified in part 4731.8050 must develop a written security
115.14 plan specific to its facilities and operations. The purpose of the security plan is to establish
115.15 the licensee's overall security strategy to ensure the integrated and effective functioning
115.16 of the security program required by parts 4731.8050 to 4731.8090. The security plan
115.17 must, at a minimum:

115.18 (1) describe the measures and strategies used to implement the requirements
115.19 of parts 4731.8050 to 4731.8090; and

115.20 (2) identify the security resources, equipment, and technology used to
115.21 satisfy the requirements of parts 4731.8050 to 4731.8090.

115.22 B. The security plan must be reviewed and approved by the individual with
115.23 overall responsibility for the security program.

115.24 C. A licensee must revise its security plan as necessary to ensure the effective
115.25 implementation of commissioner requirements. The licensee must ensure that:

116.1 (1) the revision has been reviewed and approved by the individual with
116.2 overall responsibility for the security program; and

116.3 (2) the affected individuals are instructed on the revised plan before the
116.4 changes are implemented.

116.5 D. The licensee must retain a copy of the current security plan as a record for
116.6 three years after the security plan is no longer required. If any portion of the plan is
116.7 superseded, the licensee must retain the superseded material for three years after the
116.8 record is superseded.

116.9 Subp. 2. **Implementing procedures.**

116.10 A. The licensee must develop and maintain written procedures that document
116.11 how the requirements of parts 4731.8050 to 4731.8090 and the security plan will be met.

116.12 B. The implementing procedures and revisions to these procedures must be
116.13 approved in writing by the individual with overall responsibility for the security program.

116.14 C. The licensee must retain a copy of the current procedure as a record for three
116.15 years after the procedure is no longer needed. Superseded portions of the procedure must
116.16 be retained for three years after the record is superseded.

116.17 Subp. 3. **Training.**

116.18 A. Each licensee must conduct training to ensure that those individuals
116.19 implementing the security program possess and maintain the knowledge, skills, and
116.20 abilities to carry out their assigned duties and responsibilities effectively. The training
116.21 must include instruction in:

116.22 (1) the licensee's security program and procedures to secure category 1
116.23 or category 2 quantities of radioactive material; and in the purposes and functions of
116.24 the security measures employed;

117.1 (2) the responsibility to report promptly to the licensee any condition that
117.2 causes or may cause a violation of commissioner requirements;

117.3 (3) the responsibility of the licensee to report promptly to the local law
117.4 enforcement agency and licensee any actual or attempted theft, sabotage, or diversion of
117.5 category 1 or category 2 quantities of radioactive material; and

117.6 (4) the appropriate response to security alarms.

117.7 B. In determining those individuals who must be trained on the security
117.8 program, the licensee must consider each individual's assigned activities during authorized
117.9 use and response to potential situations involving actual or attempted theft, diversion, or
117.10 sabotage of category 1 or category 2 quantities of radioactive material. The extent of the
117.11 training must be commensurate with the individual's potential involvement in the security
117.12 of category 1 or category 2 quantities of radioactive material.

117.13 C. Refresher training must be provided at a frequency not to exceed 12 months
117.14 and when significant changes have been made to the security program. This training
117.15 must include:

117.16 (1) review of the training requirements of this subpart and any changes
117.17 made to the security program since the last training;

117.18 (2) reports on any relevant security issues, problems, and lessons learned;

117.19 (3) relevant results of commissioner inspections; and

117.20 (4) relevant results of the licensee's program review and testing and
117.21 maintenance.

117.22 D. The licensee must maintain records of the initial and refresher training for
117.23 three years from the date of the training. The training records must include dates of the
117.24 training, topics covered, a list of licensee personnel in attendance, and related information.

117.25 Subp. 4. **Protection of information.**

118.1 A. Licensees authorized to possess category 1 or category 2 quantities of
118.2 radioactive material must limit access to and unauthorized disclosure of their security
118.3 plan, implementing procedures, and the list of individuals that have been approved for
118.4 unescorted access.

118.5 B. Efforts to limit access must include the development, implementation,
118.6 and maintenance of written policies and procedures for controlling access to, and for
118.7 proper handling and protection against unauthorized disclosure of, the security plan and
118.8 implementing procedures.

118.9 C. Before granting an individual access to the security plan or implementing
118.10 procedures, licensees must:

118.11 (1) evaluate an individual's need to know the security plan or implementing
118.12 procedures; and

118.13 (2) if the individual has not been authorized for unescorted access to
118.14 category 1 or category 2 quantities of radioactive material, safeguards information, or
118.15 safeguards information-modified handling, the licensee must complete a background
118.16 investigation to determine the individual's trustworthiness and reliability. A
118.17 trustworthiness and reliability determination must be conducted by the reviewing official
118.18 and must include the background investigation elements contained in part 4731.8020,
118.19 subpart 1, ~~items B to G~~ item A, subitems (2) to (6), and item B.

118.20 D. Licensees need not subject the following individuals to the background
118.21 investigation elements for protection of information:

118.22 (1) the categories of individuals listed in part 4731.8030, subpart 1, items
118.23 A to M; or

118.24 (2) ~~security service-provider employees, provided written verification~~
118.25 that the employee has been determined to be trustworthy and reliable, by the required

119.1 background investigation in part 4731.8020, subpart 1, ~~items B to G~~ item A, subitems (2)
119.2 to (6), and item B, has been provided by the security service provider.

119.3 E. The licensee must document the basis for concluding that an individual is
119.4 trustworthy and reliable in order to be granted access to the security plan or implementing
119.5 procedures.

119.6 F. Licensees must maintain a list of persons currently approved for access to
119.7 the security plan or implementing procedures. When a licensee determines that a person
119.8 no longer needs access to the security plan or implementing procedures or no longer
119.9 meets the access authorization requirements for access to the information, the licensee
119.10 must remove the person from the approved list as soon as possible, but no later than seven
119.11 working days, and take prompt measures to ensure that the individual is unable to obtain
119.12 the security plan or implementing procedures.

119.13 G. When not in use, the licensee must store its security plan and implementing
119.14 procedures in a manner to prevent unauthorized access. Information stored in
119.15 nonremovable electronic form must be password protected.

119.16 H. The licensee must retain as a record for three years after the document is
119.17 no longer needed:

119.18 (1) a copy of the information protection procedures; and

119.19 (2) the list of individuals approved for access to the security plan or
119.20 implementing procedures.

119.21 **4731.8060 LOCAL LAW ENFORCEMENT AGENCY (LLEA) COORDINATION.**

119.22 A. A licensee subject to ~~this subpart~~ parts 4731.8050 to 4731.8090 must
119.23 coordinate, to the extent practicable, with an LLEA for responding to threats to the
119.24 licensee's facility, including any necessary armed response. The information provided to
119.25 the LLEA must include:

120.1 (1) a description of the facilities and the category 1 and category 2 quantities
120.2 of radioactive materials along with a description of the licensee's security measures that
120.3 have been implemented to comply with ~~this subpart~~ parts 4731.8050 to 4731.8090; and

120.4 (2) a notification that the licensee shall request a timely armed response
120.5 by the LLEA to any actual or attempted theft, sabotage, or diversion of category 1 or
120.6 category 2 quantities of material.

120.7 B. The licensee must notify the commissioner within three business days if:

120.8 (1) the LLEA has not responded to the request for coordination within 60
120.9 days of the coordination request; or

120.10 (2) the LLEA notifies the licensee that the LLEA does not plan to
120.11 participate in coordination activities.

120.12 C. The licensee must document its efforts to coordinate with the LLEA. The
120.13 documentation must be kept for three years.

120.14 D. The licensee must coordinate with the LLEA at least every 12 months, or
120.15 when changes to the facility design or operation adversely affect the potential vulnerability
120.16 of the licensee's material to theft, sabotage, or diversion.

120.17 **4731.8065 SECURITY ZONES.**

120.18 A. Licensees must ensure that all aggregated category 1 and category 2
120.19 quantities of radioactive material are used or stored within licensee-established security
120.20 zones. Security zones may be permanent or temporary.

120.21 B. Temporary security zones must be established as necessary to meet the
120.22 licensee's transitory or intermittent business activities, such as periods of maintenance,
120.23 source delivery, and source replacement.

120.24 C. Security zones must, at a minimum, allow unescorted access only to
120.25 approved individuals through:

121.1 (1) isolation of category 1 and category 2 quantities of radioactive materials
121.2 by the use of continuous physical barriers that allow access to the security zone only
121.3 through established access control points. A physical barrier is a natural or man-made
121.4 structure or formation sufficient for the isolation of the category 1 or category 2 quantities
121.5 of radioactive material within a security zone; or

121.6 (2) direct control of the security zone by approved individuals at all times; or

121.7 (3) a combination of continuous physical barriers and direct control.

121.8 D. For category 1 quantities of radioactive material during periods of
121.9 maintenance, source receipt, preparation for shipment, installation, or source removal or
121.10 exchange, the licensee must, at a minimum, provide sufficient individuals approved for
121.11 unescorted access to maintain continuous surveillance of sources in temporary security
121.12 zones and in any security zone in which physical barriers or intrusion detection systems
121.13 have been disabled to allow such activities.

121.14 E. Individuals not approved for unescorted access to category 1 or category
121.15 2 quantities of radioactive material must be escorted by an approved individual when
121.16 in a security zone.

121.17 **4731.8070 MONITORING, DETECTION, AND ASSESSMENT.**

121.18 Subpart 1. **Monitoring and detection.**

121.19 A. Licensees must establish and maintain the capability to continuously monitor
121.20 and detect without delay all unauthorized entries into its security zones. Licensees must
121.21 provide the means to maintain continuous monitoring and detection capability in the event
121.22 of a loss of the primary power source, or provide for an alarm and response in the event of
121.23 a loss of this capability to continuously monitor and detect unauthorized entries.

121.24 B. Monitoring and detection must be performed by:

122.1 (1) a monitored intrusion detection system that is linked to an on-site or
122.2 off-site central monitoring facility;

122.3 (2) electronic devices for intrusion detection alarms that will alert nearby
122.4 facility personnel;

122.5 (3) a monitored video surveillance system;

122.6 (4) direct visual surveillance by approved individuals located within the
122.7 security zone; or

122.8 (5) direct visual surveillance by a licensee designated individual located
122.9 outside the security zone.

122.10 C. A licensee subject to ~~this subpart~~ parts 4731.8050 to 4731.8090 must also
122.11 have a means to detect unauthorized removal of the radioactive material from the security
122.12 zone. This detection capability must provide:

122.13 (1) for category 1 quantities of radioactive material, immediate detection of
122.14 any attempted unauthorized removal of the radioactive material from the security zone.

122.15 Such immediate detection capability must be provided by:

122.16 (a) electronic sensors linked to an alarm;

122.17 (b) continuous monitored video surveillance; or

122.18 (c) direct visual surveillance; or

122.19 (2) for category 2 quantities of radioactive material, weekly verification
122.20 through physical checks, tamper-indicating devices, use, or other means to ensure that the
122.21 radioactive material is present.

122.22 Subp. 2. **Assessment.** Licensees must immediately assess each actual or attempted
122.23 unauthorized entry into the security zone to determine whether the unauthorized access
122.24 was an actual or attempted theft, sabotage, or diversion.

123.1 Subp. 3. **Personnel communications and data transmission.** For personnel and
123.2 automated or electronic systems supporting the licensee's monitoring, detection, and
123.3 assessment systems, licensees must:

123.4 A. maintain continuous capability for personnel communication and electronic
123.5 data transmission and processing among site security systems; and

123.6 B. provide an alternative communication capability for personnel, and an
123.7 alternative data transmission and processing capability, in the event of a loss of the
123.8 primary means of communication or data transmission and processing. Alternative
123.9 communications and data transmission systems may not be subject to the same failure
123.10 modes as the primary systems.

123.11 Subp. 4. **Response.** Licensees must immediately respond to any actual or attempted
123.12 unauthorized access to the security zones, or actual or attempted theft, sabotage, or
123.13 diversion of category 1 or category 2 quantities of radioactive material at licensee facilities
123.14 or temporary job sites. For any unauthorized access involving an actual or attempted theft,
123.15 sabotage, or diversion of category 1 or category 2 quantities of radioactive material,
123.16 the licensee's response must include requesting, without delay, an armed response from
123.17 the LLEA.

123.18 **4731.8075 MAINTENANCE AND TESTING.**

123.19 A. Each licensee subject to parts 4731.8050 to 4731.8090 must implement
123.20 a maintenance and testing program to ensure that intrusion alarms, associated
123.21 communication systems, and other physical components of the systems used to secure or
123.22 detect unauthorized access to radioactive material are maintained in operable condition
123.23 and are capable of performing their intended function when needed. The equipment
123.24 relied on to meet the security requirements of this part must be inspected and tested for
123.25 operability and performance at the manufacturer's suggested frequency. If there is no

124.1 suggested manufacturer's suggested frequency, the testing must be performed at least
124.2 annually, not to exceed 12 months.

124.3 B. The licensee must maintain records on the maintenance and testing activities
124.4 for three years.

124.5 **4731.8080 REQUIREMENTS FOR MOBILE DEVICES.**

124.6 Each licensee that possesses mobile devices containing category 1 or category 2
124.7 quantities of radioactive material must:

124.8 A. have two independent physical controls that form tangible barriers to secure
124.9 the material from unauthorized removal when the device is not under direct control and
124.10 constant surveillance by the licensee; and

124.11 B. for devices in or on a vehicle or trailer, unless the health and safety
124.12 requirements for a site prohibit the disabling of the vehicle, the licensee must utilize
124.13 a method to disable the vehicle or trailer when not under direct control and constant
124.14 surveillance by the licensee. Licensees must not rely on the removal of an ignition key
124.15 to meet this requirement.

124.16 **4731.8085 SECURITY PROGRAM REVIEW.**

124.17 A. Each licensee must be responsible for the continuing effectiveness of the
124.18 security program. Each licensee must ensure that the security program is reviewed
124.19 to confirm compliance with the requirements of ~~this subpart~~ parts 4731.8050 to
124.20 4731.8090 and that comprehensive actions are taken to correct any noncompliance that
124.21 is identified. The review must include the radioactive material security program content
124.22 and implementation. Each licensee must, at least annually, review the security program
124.23 content and implementation.

124.24 B. The results of the review, along with any recommendations, must be
124.25 documented. Each review report must identify conditions that are adverse to the proper

125.1 performance of the security program, the cause of the conditions, and, when appropriate,
125.2 recommend corrective actions, and any corrective actions taken. The licensee must review
125.3 the findings and take any additional corrective actions necessary to preclude repetition of
125.4 the condition, including reassessment of the deficient areas where indicated.

125.5 C. The licensee must maintain the review documentation for three years.

125.6 **4731.8090 REPORTING OF EVENTS.**

125.7 A. The licensee must immediately notify the local law enforcement agency
125.8 (LLEA) after determining that an unauthorized entry resulted in an actual or attempted
125.9 theft, sabotage, or diversion of a category 1 or category 2 quantity of radioactive
125.10 material. As soon as possible after initiating a response, but not at the expense of causing
125.11 delay or interfering with the LLEA response to the event, the licensee must notify the
125.12 commissioner. In no case shall the notification to the commissioner be later than four
125.13 hours after the discovery of any attempted or actual theft, sabotage, or diversion.

125.14 B. The licensee must assess any suspicious activity related to possible theft,
125.15 sabotage, or diversion of category 1 or category 2 quantities of radioactive material and
125.16 notify the LLEA as appropriate. As soon as possible, but not later than four hours after
125.17 notifying the LLEA, the licensee must notify the commissioner.

125.18 C. The initial telephone notification required by item A must be followed within
125.19 30 days by a written report submitted to the commissioner. The report must include
125.20 sufficient information for commissioner analysis and evaluation, including identification
125.21 of any necessary corrective actions to prevent future instances.

125.22 **4731.8100 ADDITIONAL REQUIREMENTS FOR TRANSFER OF CATEGORY 1**
125.23 **AND CATEGORY 2 QUANTITIES OF RADIOACTIVE MATERIAL.**

125.24 A licensee transferring a category 1 or category 2 quantity of radioactive material
125.25 to a licensee of the commissioner, the NRC, or an agreement state must meet the license
125.26 verification provisions of this part instead of those listed in part 4731.3105, subpart 3.

126.1 A. Any licensee transferring category 1 quantities of radioactive material to a
126.2 licensee of the commission or an agreement state, prior to conducting such transfer, must
126.3 verify with the NRC's license verification system or the license-issuing authority that the
126.4 transferee's license authorizes the receipt of the type, form, and quantity of radioactive
126.5 material to be transferred and that the licensee is authorized to receive radioactive material
126.6 at the location requested for delivery. If the verification is conducted by contacting the
126.7 license-issuing authority, the transferor must document the verification. For transfers
126.8 within the same organization, the licensee does not need to verify the transfer.

126.9 B. Any licensee transferring category 2 quantities of radioactive material to a
126.10 licensee of the commissioner, the NRC, or an agreement state, prior to conducting such
126.11 transfer, must verify with the NRC's license verification system or the license-issuing
126.12 authority that the transferee's license authorizes the receipt of the type, form, and quantity
126.13 of radioactive material to be transferred. If the verification is conducted by contacting
126.14 the license-issuing authority, the transferor must document the verification. For transfers
126.15 within the same organization, the licensee does not need to verify the transfer.

126.16 C. In an emergency where the licensee cannot reach the license-issuing
126.17 authority and the license verification system is nonfunctional, the licensee may accept a
126.18 written certification by the transferee that it is authorized by license to receive the type,
126.19 form, and quantity of radioactive material to be transferred. The certification must include
126.20 the license number, current revision number, issuing agency, expiration date, and, for
126.21 a category 1 shipment, the authorized address. The licensee must keep a copy of the
126.22 certification. The certification must be confirmed by use of the NRC's license verification
126.23 system or by contacting the license-issuing authority by the end of the next business day.

126.24 D. The transferor must keep a copy of the verification documentation as a
126.25 record for three years.

127.1 **4731.8105 APPLICABILITY OF PHYSICAL PROTECTION OF CATEGORY 1**
127.2 **AND CATEGORY 2 QUANTITIES OF RADIOACTIVE MATERIAL DURING**
127.3 **TRANSIT.**

127.4 The shipping licensee must meet the requirements of parts 4731.8100 to 4731.8125
127.5 unless the receiving licensee has agreed in writing to arrange for the in-transit physical
127.6 protection required under parts 4731.8100 to 4731.8125.

127.7 **4731.8110 PREPLANNING AND COORDINATION OF SHIPMENT OF**
127.8 **CATEGORY 1 OR CATEGORY 2 QUANTITIES OF RADIOACTIVE MATERIAL.**

127.9 A. Each licensee that plans to transport, or deliver to a carrier for transport,
127.10 licensed material that is a category 1 quantity of radioactive material outside the confines
127.11 of the licensee's facility or other place of use or storage must:

127.12 (1) preplan and coordinate shipment arrival and departure times with the
127.13 receiving licensee;

127.14 (2) preplan and coordinate shipment information with the governor or the
127.15 governor's designee of any state through which the shipment will pass to:

127.16 (a) discuss the state's intention to provide law enforcement escorts; and

127.17 (b) identify safe havens; and

127.18 (3) document the preplanning and coordination activities.

127.19 B. Each licensee that plans to transport, or deliver to a carrier for transport,
127.20 licensed material that is a category 2 quantity of radioactive material outside the confines
127.21 of the licensee's facility or other place of use or storage must coordinate the shipment
127.22 no-later-than arrival time and the expected shipment arrival with the receiving licensee.
127.23 The licensee must document the coordination activities.

127.24 C. Each licensee who receives a shipment of a category 2 quantity of radioactive
127.25 material must confirm receipt of the shipment with the originator. If the shipment has not
127.26 arrived by the no-later-than arrival time, the receiving licensee must notify the originator.

128.1 D. Each licensee who transports or plans to transport a shipment of a category
128.2 2 quantity of radioactive material, and determines that the shipment will arrive after the
128.3 no-later-than arrival time provided in item B must promptly notify the receiving licensee
128.4 of the new no-later-than arrival time.

128.5 E. The licensee must retain a copy of the documentation for preplanning and
128.6 coordination, and any revision thereof, as a record for three years.

128.7 **4731.8115 ADVANCE NOTIFICATION OF SHIPMENT OF CATEGORY 1**
128.8 **QUANTITIES OF RADIOACTIVE MATERIAL.**

128.9 Subpart 1. **Advanced notification required.** As specified in subparts 2 and 3, each
128.10 licensee must provide advance notification to the commissioner and the governor of a
128.11 state, or the governor's designee, of the shipment of licensed material in a category 1
128.12 quantity, through or across the boundary of the state, before the transport or delivery to a
128.13 carrier for transport of the licensed material outside the confines of the licensee's facility
128.14 or other place of use or storage.

128.15 Subp. 2. **Procedures for submitting advance notification.**

128.16 A. The notification must be made to the commissioner and to the office of each
128.17 appropriate governor or governor's designee. The contact information, including telephone
128.18 and mailing addresses, of governors and governors' designees, is available on the NRC
128.19 Web site at <http://nrc-stp.ornl.gov/special/designee.pdf>. A list of the contact information
128.20 is also available upon request from the Director, Division of Intergovernmental Liaison
128.21 and Rulemaking, Office of Federal and State Materials and Environmental Management
128.22 Programs, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Notifications
128.23 to the commissioner must be to the Radioactive Materials Unit, Minnesota Department
128.24 of Health, 625 Robert Street N, P.O. Box 64975, St. Paul, MN 55164-0975, or e-mail at
128.25 health.ram@state.mn.us.

129.1 B. A notification delivered by mail must be postmarked at least seven days
129.2 before transport of the shipment commences at the shipping facility.

129.3 C. A notification delivered by any means other than mail must reach the
129.4 commissioner at least four days before the transport of the shipment commences and
129.5 must reach the office of the governor or the governor's designee at least four days before
129.6 transport of a shipment within or through the state.

129.7 Subp. 3. **Information to be furnished in advance notification of shipment.** Each
129.8 advance notification of shipment of category 1 quantities of radioactive material must
129.9 contain the following information, if available at the time of notification:

129.10 A. the name, address, and telephone number of the shipper, carrier, and receiver
129.11 of the category 1 radioactive material;

129.12 B. the license numbers of the shipper and receiver;

129.13 C. a description of the radioactive material contained in the shipment, including
129.14 the radionuclides and quantity;

129.15 D. the point of origin of the shipment and the estimated time and date that
129.16 shipment will commence;

129.17 E. the estimated time and date that the shipment is expected to enter each state
129.18 along the route;

129.19 F. the estimated time and date of arrival of the shipment at the destination; and

129.20 G. a point of contact, with a telephone number, for current shipment information.

129.21 Subp. 4. **Revision notice.**

129.22 A. The licensee must provide any information not previously available at the
129.23 time of the initial notification, as soon as the information becomes available but not later

130.1 than commencement of the shipment, to the governor of the state or the governor's
130.2 designee and to the commissioner.

130.3 B. A licensee must promptly notify the governor of the state or the governor's
130.4 designee of any changes to the information provided under item A and subpart 3. The
130.5 licensee must also immediately notify the commissioner of any such changes.

130.6 Subp. 5. **Cancellation notice.** Each licensee who cancels a shipment for which
130.7 advance notification has been sent must send a cancellation notice to the governor of each
130.8 state or to the governor's designee previously notified and to the NRC's Director, Division
130.9 of Security Policy, Office of Nuclear Security and Incident Response. The licensee must
130.10 send the cancellation notice before the shipment would have commenced or as soon
130.11 thereafter as possible. The licensee must state in the notice that it is a cancellation and
130.12 identify the advance notification that is being canceled.

130.13 Subp. 6. **Records.** The licensee must retain a copy of the advance notification and
130.14 any revision and cancellation notices as a record for three years.

130.15 **4731.8120 PHYSICAL PROTECTION OF CATEGORY 1 AND CATEGORY 2**
130.16 **QUANTITIES OF RADIOACTIVE MATERIAL DURING SHIPMENT.**

130.17 Subpart 1. **Shipments by road.**

130.18 A. Each licensee who transports, or delivers to a carrier for transport, in a single
130.19 shipment, a category 1 quantity of radioactive material, must:

130.20 (1) ensure that movement control centers are established that maintain
130.21 position information from a remote location. These control centers must monitor
130.22 shipments 24 hours a day, seven days a week, and have the ability to communicate
130.23 immediately, in an emergency, with the appropriate law enforcement agencies;

130.24 (2) ensure that redundant communications are established that allow the
130.25 transport to contact the escort vehicle when used and movement control center at all

131.1 times. Redundant communications may not be subject to the same interference factors
131.2 as the primary communication;

131.3 (3) ensure that shipments are continuously and actively monitored by a
131.4 telemetric position monitoring system or an alternative tracking system reporting to a
131.5 movement control center. A movement control center must provide positive confirmation
131.6 of the location, status, and control over the shipment. The movement control center must
131.7 be prepared to promptly implement preplanned procedures in response to deviations
131.8 from the authorized route or a notification of actual, attempted, or suspicious activities
131.9 related to the theft, loss, or diversion of a shipment. These procedures shall include, but
131.10 not be limited to, the identification of and contact information for the appropriate LLEA
131.11 along the shipment route;

131.12 (4) provide an individual to accompany the driver for those highway
131.13 shipments with a driving time period greater than the maximum number of allowable hours
131.14 of service in a 24-hour duty day as established by the Department of Transportation Federal
131.15 Motor Carrier Safety Administration. The accompanying individual may be another driver;

131.16 (5) develop written normal and contingency procedures to address:

131.17 (a) notifications to the communication center and law enforcement
131.18 agencies;

131.19 (b) communication protocols that must include a strategy for the use of
131.20 authentication codes and duress codes and provisions for refueling or other stops, detours,
131.21 and locations where communication is expected to be temporarily lost;

131.22 (c) loss of communications; and

131.23 (d) responses to an actual or attempted theft or diversion of a
131.24 shipment; and

132.1 (6) each licensee who makes arrangements for the shipment of category 1
132.2 quantities of radioactive material must ensure that drivers, accompanying personnel, and
132.3 movement control center personnel have access to the normal and contingency procedures.

132.4 B. Each licensee who transports category 2 quantities of radioactive material
132.5 must maintain constant control and/or surveillance during transit and have the capability
132.6 for immediate communication to summon appropriate response or assistance.

132.7 C. Each licensee who delivers to a carrier for transport, in a single shipment, a
132.8 category 2 quantity of radioactive material must:

132.9 (1) use carriers who have established package tracking systems. An
132.10 established package tracking system is a documented, proven, and reliable system
132.11 routinely used to transport objects of value. In order for a package tracking system to
132.12 maintain constant control and/or surveillance, the package tracking system must allow
132.13 the shipper or transporter to identify when and where the package was last and when it
132.14 should arrive at the next point of control;

132.15 (2) use carriers who maintain constant control and/or surveillance during
132.16 transit and have the capability for immediate communication to summon appropriate
132.17 response or assistance; and

132.18 (3) use carriers who have established tracking systems that require an
132.19 authorized signature prior to releasing the package for delivery or return.

132.20 Subp. 2. **Shipments by rail.**

132.21 A. Each licensee who transports, or delivers to a carrier for transport, in a single
132.22 shipment a category 1 quantity of radioactive material must:

132.23 (1) ensure that rail shipments are monitored by a telemetric position
132.24 monitoring system or an alternative tracking system reporting to the licensee, third-party,
132.25 or railroad communications center. The communications center must provide positive

133.1 confirmation of the location of the shipment and its status. The communications center must
133.2 implement preplanned procedures in response to deviations from the authorized route or to
133.3 a notification of actual, attempted, or suspicious activities related to the theft or diversion
133.4 of a shipment. These procedures shall include, but not be limited to, the identification of
133.5 and contact information for the appropriate LLEA along the shipment route; and

133.6 (2) ensure that periodic reports to the communications center are made
133.7 at preset intervals.

133.8 B. Each licensee who transports, or delivers to a carrier for transport, in a single
133.9 shipment a category 2 quantity of radioactive material must:

133.10 (1) use carriers who have established package tracking systems. An
133.11 established package tracking system is a documented, proven, and reliable system
133.12 routinely used to transport objects of value. In order for a package tracking system to
133.13 maintain constant control and/or surveillance, the package tracking system must allow
133.14 the shipper or transporter to identify when and where the package was last and when it
133.15 should arrive at the next point of control;

133.16 (2) use carriers who maintain constant control and/or surveillance during
133.17 transit and have the capability for immediate communication to summon appropriate
133.18 response or assistance; and

133.19 (3) use carriers who have established tracking systems that require an
133.20 authorized signature prior to releasing the package for delivery or return.

133.21 Subp. 3. **Investigations.** Each licensee who makes arrangements for the shipment of
133.22 category 1 quantities of radioactive material must immediately conduct an investigation
133.23 upon the discovery that a category 1 shipment is lost or missing. Each licensee who
133.24 makes arrangements for the shipment of category 2 quantities of radioactive material must
133.25 immediately conduct an investigation, in coordination with the receiving licensee, of any
133.26 shipment that has not arrived by the designated no-later-than arrival time.

134.1 **4731.8125 REPORTING OF EVENTS.**

134.2 A. The shipping licensee must notify the appropriate local law enforcement
134.3 agency (LLEA) and the commissioner within one hour of its determination that a shipment
134.4 of category 1 quantities of radioactive material is lost or missing. The appropriate LLEA
134.5 is the law enforcement agency in the area of the shipment's last confirmed location.
134.6 During the investigation required by part 4731.8120, subpart 3, the shipping licensee must
134.7 provide agreed upon updates to the commissioner on the status of the investigation.

134.8 B. The shipping licensee must notify the commissioner within four hours of its
134.9 determination that a shipment of category 2 quantities of radioactive material is lost or
134.10 missing. If, after 24 hours of its determination that the shipment is lost or missing, the
134.11 radioactive material has not been located and secured, the licensee must immediately
134.12 notify the commissioner.

134.13 C. The shipping licensee must notify the designated LLEA along the shipment
134.14 route as soon as possible upon discovery of any actual or attempted theft or diversion of
134.15 a shipment or suspicious activities related to the theft or diversion of a shipment of a
134.16 category 1 quantity of radioactive material. As soon as possible after notifying the LLEA,
134.17 the licensee must notify the commissioner upon discovery of any actual or attempted
134.18 theft or diversion of a shipment, or any suspicious activity related to the shipment of
134.19 category 1 radioactive material.

134.20 D. The shipping licensee must notify the commissioner as soon as possible upon
134.21 discovery of any actual or attempted theft or diversion of a shipment, or any suspicious
134.22 activity related to the shipment, of a category 2 quantity of radioactive material.

134.23 E. The shipping licensee must notify the commissioner and the LLEA as soon as
134.24 possible upon recovery of any lost or missing category 1 quantities of radioactive material.

134.25 F. The shipping licensee must notify the commissioner as soon as possible upon
134.26 recovery of any lost or missing category 2 quantities of radioactive material.

135.1 G. The initial telephone notification required by items A to D must be followed
135.2 within a period of 30 days by a written report submitted to the commissioner. The report
135.3 must include:

135.4 (1) a description of the licensed material involved, including kind, quantity,
135.5 and chemical and physical form;

135.6 (2) a description of the circumstances under which the loss or theft occurred;

135.7 (3) a statement of disposition, or probable disposition, of the licensed
135.8 material involved;

135.9 (4) actions that have been taken, or will be taken, to recover the material; and

135.10 (5) procedures or measures that have been, or will be, adopted to ensure
135.11 against a recurrence of the loss or theft of licensed material.

135.12 H. Subsequent to filing the written report, the licensee must also report any
135.13 additional substantive information on the loss or theft within 30 days after the licensee
135.14 learns of such information.

135.15 **4731.8130 FORM OF RECORDS.**

135.16 Each record required by this part must be legible throughout the retention period
135.17 specified by the applicable rule part. The record may be the original or a reproduced
135.18 copy or a microform, provided that the copy or microform is authenticated by authorized
135.19 personnel and that the microform is capable of producing a clear copy throughout the
135.20 required retention period. The record may also be stored in electronic media with the
135.21 capability for producing legible, accurate, and complete records during the required
135.22 retention period. Records such as letters, drawings, and specifications must include all
135.23 pertinent information such as stamps, initials, and signatures. The licensee must maintain
135.24 adequate safeguards against tampering with and loss of records.

4731.8135 RECORD RETENTION.

Licensees must maintain the records that are required by parts 4731.8000 to 4731.8140 for the period specified by the applicable rule. If a retention period is not otherwise specified, these records must be retained until the commissioner terminates the facility's license. All records related to parts 4731.8000 to 4731.8140 may be destroyed upon termination of the license.

4731.8140 CATEGORY 1 AND CATEGORY 2 RADIOACTIVE MATERIALS.

Subpart 1. **Table 1 - category 1 and category 2 threshold.** The terabecquerel (TBq) values are the regulatory standard. The curie (Ci) values specified are obtained by converting from the TBq value. The Ci values are provided for practical usefulness only.

Radioactive material	Category 1 (TBq)	Category 1 (Ci)	Category 2 (TBq)	Category 2 (Ci)
Americium-241	60	1,620	0.6	16.2
Americium-241/Be	60	1,620	0.6	16.2
Californium-252	20	540	0.2	5.40
Cobalt-60	30	810	0.3	8.10
Curium-244	50	1,350	0.5	13.5
Cesium-137	100	2,700	1	27.0
Gadolinium-153	1,000	27,000	10	270
Iridium-192	80	2,160	0.8	21.6
Plutonium-238	60	1,620	0.6	16.2
Plutonium-239/Be	60	1,620	0.6	16.2
Promethium-147	40,000	1,080,000	400	10,800
Radium-226	40	1,080	0.4	10.8
Selenium-75	200	5,400	2	54.0
Strontium-90	1,000	27,000	10	270
Thulium-170	20,000	540,000	200	5,400
Ytterbium-169	300	8,100	3	81.0

137.1 Subp. 2. **Calculations concerning multiple sources or multiple radionuclides.**

137.2 The "sum of fractions" methodology for evaluating combinations of multiple sources or
 137.3 multiple radionuclides, described in items A and B, is to be used in determining whether a
 137.4 location meets or exceeds the threshold and is thus subject to the requirements of parts
 137.5 4731.8000 to 4731.8140.

137.6 A. If multiple sources of the same radionuclide and/or multiple radionuclides
 137.7 are aggregated at a location, the sum of the ratios of the total activity of each of the
 137.8 radionuclides must be determined to verify whether the activity at the location is less than
 137.9 the category 1 or category 2 thresholds of Table 1, as appropriate. If the calculated sum of
 137.10 the ratios, using the equation below, is greater than or equal to 1.0, then the applicable
 137.11 requirements of parts 4731.8000 to 4731.8140 apply.

137.12 B. First determine the total activity for each radionuclide from Table 1. This
 137.13 is done by adding the activity of each individual source, material in any device, and any
 137.14 loose or bulk material that contains the radionuclide. Then use the equation in this item to
 137.15 calculate the sum of the ratios by inserting the total activity of the applicable radionuclides
 137.16 from Table 1 in the numerator of the equation and the corresponding threshold activity
 137.17 from Table 1 in the denominator of the equation. Calculations must be performed in metric
 137.18 values (i.e., TBq) and the numerator and denominator values must be in the same units.

$$\sum_{i=1}^n \left[\frac{R1}{AR1} + \frac{R2}{AR2} + \frac{Rn}{ARn} \right] \geq 1.0$$

137.19 Where,

137.20 R1 = total activity for radionuclide 1

137.21 R2 = total activity for radionuclide 2

137.22 Rn = total activity for radionuclide n

137.23 AR1 = activity threshold for radionuclide 1

137.24 AR2 = activity threshold for radionuclide 2

- 138.1 AR_n = activity threshold for radionuclide n
- 138.2 **REPEALER.** Minnesota Rules, parts 4731.0725, subpart 4; 4731.2650; 4731.3210;
- 138.3 4731.3405; 4731.3410; 4731.3415; and 4731.3420, are repealed.