

**4731.0402 TRANSPORTATION OF LICENSED MATERIAL.****Subpart 1. DOT regulations.**

A. A licensee who transports licensed material outside of the site of usage, as specified in a license issued by the NRC or an agreement state, or where transport is on public highways or a licensee who delivers licensed material to a carrier for transport must comply with the applicable DOT regulations in Code of Federal Regulations, title 49, parts 107, 171 to 180, and 390 to 397, appropriate to the mode of transport.

B. A licensee must particularly note DOT regulations in the following areas:

(1) packaging, Code of Federal Regulations, title 49, part 173, subparts A, B, and I;

(2) marking and labeling, Code of Federal Regulations, title 49, part 172, subparts D and E, sections 172.400 to 172.407 and 172.436 to 172.441;

(3) placarding, Code of Federal Regulations, title 49, part 172, subpart F, especially sections 172.500 to 172.519 and 172.556, and appendices B and C;

(4) accident reporting, Code of Federal Regulations, title 49, sections 171.15 and 171.16;

(5) shipping papers and emergency information, Code of Federal Regulations, title 49, part 172, subparts C and G;

(6) hazardous material employee training, Code of Federal Regulations, title 49, part 172, subpart H;

(7) security plans, Code of Federal Regulations, title 49, part 172, subpart I; and

(8) hazardous material shipper and carrier registration, Code of Federal Regulations, title 49, part 107, subpart G.

C. A licensee must also note DOT regulations pertaining to the following modes of transportation:

(1) rail, Code of Federal Regulations, title 49, part 174, subparts A to D and K;

(2) air, Code of Federal Regulations, title 49, part 175;

(3) vessel, Code of Federal Regulations, title 49, part 176, subparts A to F and M; and

(4) public highways, Code of Federal Regulations, title 49, parts 177 and 390 to 397.

Subp. 2. **Compliance; waiver.** If DOT regulations are not applicable to a shipment of licensed material, a licensee must conform to the standards and requirements of the DOT specified in subpart 1 to the same extent as if the shipment or transportation were subject to DOT regulations. A request for modification, waiver, or exemption from those requirements, and any notification referred to in those requirements, must be filed with or made to the commissioner.

**Statutory Authority:** *MS s 144.1202; 144.1203*

**History:** *29 SR 755; 32 SR 831*

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