

4731.8125 REPORTING OF EVENTS.

A. The shipping licensee must notify the appropriate local law enforcement agency (LLEA) and the commissioner within one hour of its determination that a shipment of category 1 quantities of radioactive material is lost or missing. The appropriate LLEA is the law enforcement agency in the area of the shipment's last confirmed location. During the investigation required by part 4731.8120, subpart 3, the shipping licensee must provide agreed upon updates to the commissioner on the status of the investigation.

B. The shipping licensee must notify the commissioner within four hours of its determination that a shipment of category 2 quantities of radioactive material is lost or missing. If, after 24 hours of its determination that the shipment is lost or missing, the radioactive material has not been located and secured, the licensee must immediately notify the commissioner.

C. The shipping licensee must notify the designated LLEA along the shipment route as soon as possible upon discovery of any actual or attempted theft or diversion of a shipment or suspicious activities related to the theft or diversion of a shipment of a category 1 quantity of radioactive material. As soon as possible after notifying the LLEA, the licensee must notify the commissioner upon discovery of any actual or attempted theft or diversion of a shipment, or any suspicious activity related to the shipment of category 1 radioactive material.

D. The shipping licensee must notify the commissioner as soon as possible upon discovery of any actual or attempted theft or diversion of a shipment, or any suspicious activity related to the shipment, of a category 2 quantity of radioactive material.

E. The shipping licensee must notify the commissioner and the LLEA as soon as possible upon recovery of any lost or missing category 1 quantities of radioactive material.

F. The shipping licensee must notify the commissioner as soon as possible upon recovery of any lost or missing category 2 quantities of radioactive material.

G. The initial telephone notification required by items A to D must be followed within a period of 30 days by a written report submitted to the commissioner. The report must include:

- (1) a description of the licensed material involved, including kind, quantity, and chemical and physical form;
 - (2) a description of the circumstances under which the loss or theft occurred;
 - (3) a statement of disposition, or probable disposition, of the licensed material involved;
 - (4) actions that have been taken, or will be taken, to recover the material;
- and

(5) procedures or measures that have been, or will be, adopted to ensure against a recurrence of the loss or theft of licensed material.

H. Subsequent to filing the written report, the licensee must also report any additional substantive information on the loss or theft within 30 days after the licensee learns of such information.

Statutory Authority: *MS s 144.1201; 144.1202; 144.1203; 144.1204; 144.1205*

History: *40 SR 145*

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