

**CHAPTER 230. PACKAGING AND TRANSPORTATION OF
RADIOACTIVE MATERIAL**

Subch.	Sec.
A.	SCOPE AND DEFINITIONS 230.1
B.	GENERAL 230.11
C.	[Reserved] 230.21
D.	OPERATING CONTROLS AND PROCEDURES 230.41
E.	[Reserved] 230.51

Authority

The provisions of this Chapter 230 issued under the Radiation Protection Act (35 P.S. §§ 7110.101—7110.703); the Low-Level Radioactive Waste Disposal Regional Facility Act (35 P.S. §§ 7130.101—7130.905); and section 1920-A of The Administrative Code of 1929 (71 P.S. § 510-20); amended under sections 301 and 302 of the Radiation Protection Act (35 P.S. §§ 7110.301 and 7110.302); and section 1920-A of The Administrative Code of 1929 (71 P.S. § 510-20), unless otherwise noted.

Source

The provisions of this Chapter 230 adopted November 17, 1995, effective November 18, 1995, 25 Pa.B. 5206, unless otherwise noted.

Cross References

This chapter cited in 25 Pa. Code § 215.32 (relating to exemption qualifications); 25 Pa. Code § 217.1 (relating to purpose and scope); 25 Pa. Code § 217.144 (relating to incidental radioactive material produced by a particle accelerator); 25 Pa. Code § 224.1 (relating to purpose and scope); 25 Pa. Code § 225.1 (relating to purpose and scope); 25 Pa. Code § 226.1 (relating to purpose and scope); and 25 Pa. Code § 232.1 (relating to purpose and scope).

Subchapter A. SCOPE AND DEFINITIONS

Sec.	
230.1.	Purpose and scope.
230.2.	[Reserved].
230.3.	Incorporation by reference.
230.4.	Effect of incorporation of 10 CFR Part 71.
230.5.	Communications.

§ 230.1. Purpose and scope.

This chapter establishes requirements for packaging, preparation for shipment and transportation of radioactive material. This chapter applies to a person who transports radioactive material or delivers radioactive material to a carrier for transport.

§ 230.2. [Reserved].

Source

The provisions of this § 230.2 reserved September 14, 2001, effective September 15, 2001, 31 Pa.B. 5239. Immediately preceding text appears at serial pages (204173) to (204176).

§ 230.3. Incorporation by reference.

(a) Except as provided in this chapter, the requirements of 10 CFR Part 71 (relating to packaging and transportation of radioactive material) are incorporated by reference.

(b) Notwithstanding the requirements incorporated by reference, 10 CFR 71.2, 71.6, 71.14(b), 71.19, 71.31, 71.33, 71.35, 71.37, 71.38, 71.39, 71.41, 71.43, 71.45, 71.51, 71.55, 71.59, 71.61, 71.63, 71.64, 71.65, 71.71, 71.73, 71.74, 71.75, 71.77, 71.99, 71.100, 71.101(c)(2), (d) and (e), 71.107, 71.109, 71.111, 71.113, 71.115, 71.117, 71.119, 71.121, 71.123 and 71.125 are not incorporated by reference. The definitions of “certificate holder” and “certificate of compliance (CoC)” in section 71.4 are not incorporated. The term “applicant” when used in 10 CFR Part 71 is not incorporated.

Authority

The provisions of this § 230.3 amended under sections 301 and 302 of the Radiation Protection Act (35 P.S. §§ 7110.301 and 7110.302); section 1920-A of The Administrative Code of 1929 (71 P.S. 510-20); and the Radon Certification Act (63 P.S. 2001—2014).

Source

The provisions of this § 230.3 adopted September 14, 2001, effective September 15, 2001, 31 Pa.B. 5239; amended July 16, 2004, effective July 17, 2004, 34 Pa.B. 3823; amended May 16, 2008, effective May 17, 2008, 38 Pa.B. 2243; amended September 14, 2018, effective September 15, 2018, 48 Pa.B. 5723. Immediately preceding text appears at serial page (333958).

§ 230.4. Effect of incorporation of 10 CFR Part 71.

To reconcile differences between this chapter and the incorporated sections of 10 CFR Part 71 (relating to packaging and transportation of radioactive material), the following words and phrases shall be substituted for the language in 10 CFR Part 71 as follows:

- (1) A reference to “NRC” or “Commission” means Department.
- (2) A reference to “NRC or agreement state” means Department, NRC or agreement state.
- (3) The definition of “sealed source” includes NARM.
- (4) The definition of “licensed material” includes NARM.
- (5) Notifications, reports and correspondence referenced in the incorporated parts of 10 CFR (relating to energy) shall be directed to the Department.

Source

The provisions of this § 230.4 adopted September 14, 2001, effective September 15, 2001, 31 Pa.B. 5239; amended October 26, 2018, effective January 24, 2019, 48 Pa.B. 6791. Immediately preceding text appears at serial page (393724).

§ 230.5. Communications.

Notwithstanding the incorporation by reference of 10 CFR 71.1 (relating to communications and records), all communications concerning the requirements of this chapter should be sent to the address listed under § 215.41 (relating to address).

Source

The provisions of this § 230.5 adopted September 14, 2001, effective September 15, 2001, 31 Pa.B. 5239.

Subchapter B. GENERAL

Sec.

230.11 and 230.12. [Reserved].

230.13. Transportation of licensed material.

230.14. [Reserved].

230.15. Packaging and transportation of unlicensed material.

§§ 230.11 and 230.12. [Reserved].**Source**

The provisions of these §§ 230.11 and 230.12 reserved September 14, 2001, effective September 15, 2001, 31 Pa.B. 5239. Immediately preceding text appears at serial page (245185).

§ 230.13. Transportation of licensed material.

In addition to the incorporation by reference of 10 CFR Part 71 (relating to packaging and transportation of radioactive material), if 67 Pa. Code Chapters 229, 231 and 403 (relating to interstate motor carrier safety requirements; intrastate motor carrier requirements; and hazardous materials transportation) or the regulations of the United States Department of Transportation in 49 CFR Parts 171—180 and 388—397 do not apply to a shipment of licensed material, the licensee shall conform to the standards and requirements of those regulations to the same extent as if the shipment was subject to the regulations.

Source

The provisions of this § 230.13 adopted September 14, 2001, effective September 15, 2001, 31 Pa.B. 5239.

§ 230.14. [Reserved].**Source**

The provisions of this § 230.14 reserved September 14, 2001, effective September 15, 2001, 31 Pa.B. 5239. Immediately preceding text appears at serial page (243186).

§ 230.15. Packaging and transportation of unlicensed material.

Radioactive material not licensed by the Department or under the specific regulatory control of another state or Federal agency that meets the definition of radioactive material in 49 CFR 173.403 (relating to definitions) must be packaged and transported in compliance with the standards and requirements of 49 CFR 173.401—173.477 (relating to class 7 (radioactive) materials).

Source

The provisions of this § 230.15 adopted October 26, 2018, effective January 24, 2019, 48 Pa.B. 6791.

Subchapter C. [Reserved]**§§ 230.21—230.26. [Reserved].****Source**

The provisions of these §§ 230.21—230.26 reserved September 14, 2001, effective September 15, 2001, 31 Pa.B. 5239. Immediately preceding text appears at serial pages (204179) to (204183).

Subchapter D. OPERATING CONTROLS AND PROCEDURES

Sec.

230.41—230.46. [Reserved].

230.47. Advance notification of transport of nuclear waste.

§§ 230.41—230.46. [Reserved].**Source**

The provisions of these §§ 230.41—230.46 reserved September 14, 2001, effective September 15, 2001, 31 Pa.B. 5239. Immediately preceding text appears at serial pages (204184) to (204188).

§ 230.47. Advance notification of transport of nuclear waste.

In addition to the incorporation by reference of 10 CFR Part 71 (relating to packaging and transportation of radioactive materials), the licensee is responsible for the following:

(1) Prior to the transport of nuclear waste specified in 10 CFR 71.97(b) (relating to advance notification of shipment of irradiated reactor fuel and nuclear waste) outside the licensee's facility or other place of use or storage, or prior to delivery to a carrier for transport, each licensee shall provide advance notification of the transport to the Governor, or the Governor's designee, of each state through which the waste will be transported, and to the Department.

(2) The notification required by paragraph (1) shall be made in writing to the office of each appropriate governor, or governor's designee, and to the Department. A notification delivered by mail shall be postmarked at least 7 days before the beginning of the 7-day period during which departure of the shipment is estimated to occur. A notification delivered by messenger shall reach the office of the governor, or governor's designee, and the Department, at least 4 days before the beginning of the 7-day period during which the departure of the shipment is estimated to occur. A copy of the notification shall be retained by the licensee for 3 years.

(3) The licensee shall notify each appropriate governor, or governor's designee, and the Department of changes to schedule information provided under paragraph (1). The notification shall be by telephone to a responsible individual in the office of each appropriate governor, or governor's designee, and the Department. The licensee shall maintain for 3 years a record of the individual contacted.

(4) Each licensee who cancels a nuclear waste shipment, for which advance notification has been sent, shall send a cancellation notice to each appropriate governor, or governor's designee, and to the Department. A copy of the notice shall be retained by the licensee for 3 years.

(5) A list of the mailing addresses of the governors and governors' designees is available upon request from the Director, Office of State Programs, United States Nuclear Regulatory Commission, Washington, DC 20555.

Source

The provisions of this § 230.47 adopted September 14, 2001, effective September 15, 2001, 31 Pa.B. 5239.

Subchapter E. [Reserved]

§ 230.51. [Reserved].

Source

The provisions of this § 230.51 reserved September 14, 2001, effective September 15, 2001, 31 Pa.B. 5239. Immediately preceding text appears at serial pages (204189) to (204190).

APPENDIX A. [Reserved]

Source

The provisions of this Appendix A reserved September 14, 2001, effective September 15, 2001, 31 Pa.B. 5239. Immediately preceding text appears at serial pages (204191) to (204202).

[Next page is 231-1.]

230-6

(394176) No. 530 Jan. 19

Copyright © 2019 Commonwealth of Pennsylvania