

[Home Table of Contents](#)**§ 30180. Carriers, Federal Licensees and Prime Contractors.**

17 CA ADC § 30180

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS

Barclays Official California Code of Regulations [Currentness](#)

Title 17. Public Health

Division 1. State Department of Health Services

Chapter 5. Sanitation (Environmental)

Subchapter 4. Radiation

Group 2. Licensing of Radioactive Materials

Article 3. Exemptions (Refs & Annos)

17 CCR § 30180

§ 30180. Carriers, Federal Licensees and Prime Contractors.

(a) Common and contract carriers, freight forwarders, warehousemen, and the U.S. Postal Service are exempt from the requirements for a license specified in section 30190 and sections 30191 through 30235, and from Group 3 of this subchapter, to the extent that they transport or store radioactive material in the regular course of carriage for another entity or storage incident thereto. Such carriers are subject to the provisions of Group 4, Transportation of Radioactive Material. This exemption does not authorize the export from, or import into, the United States of byproduct, source, or special nuclear material.

(b) A person is exempt from this Group if that person is licensed by the United States Nuclear Regulatory Commission (NRC) under Title 10, Code of Federal Regulations, Part 150, Section 150.15, Continued Commission Regulatory Authority in Agreement States, or as otherwise specified per an agreement between the Department and NRC.

(c) A person is exempt from the requirements for a license set forth in the Act and from section 30190 and sections 30191 through 30235, and from Group 3 of this subchapter to the extent that such person, operating within the confines of the person's prime contract with the NRC or the United States Department of Energy (DOE), manufactures, produces, transfers, receives, acquires, owns, possesses, or uses radioactive material for:

- (1) The performance of work for the NRC or DOE at a United States Government-owned (federally-owned) or controlled site, including the transportation of radioactive material to or from such site;
- (2) The performance of contract services during temporary interruptions of the transportation of radioactive material under paragraph (1);
- (3) Research in, or development, manufacture, storage, testing or transportation of, atomic weapons or components thereof; or
- (4) The operation of nuclear reactors or other nuclear devices in a federally-owned vehicle or vessel.

(d) In addition to subsection (c), a prime contractor or subcontractor of the NRC or DOE is exempt from the requirements for a license set forth in the Act and from section 30190 and sections 30191 through 30235, and from Group 3 of this subchapter, to the extent that such prime contractor or subcontractor manufactures, produces, transfers, receives, acquires, owns, possesses, or uses radioactive material under his prime contract or subcontract, or to the extent that the Department and NRC or DOE jointly determine that the exemption of the prime contractor or subcontractor is authorized by law and that, under the terms of the contract or subcontract, there is adequate assurance that the work thereunder can be accomplished without undue risk to the public health and safety.

Note: Authority cited: Sections 114975, 115000 and 131200, Health and Safety Code. Reference: Sections 114965, 114970, 115000, 115060, 115165, 115230, 115235, 131050, 131051 and 131052, Health and Safety Code.

HISTORY

1. Amendment of subsection (c)(1) and new subsection (d)(7) filed 10-12-72; effective thirtieth day thereafter (Register 72, No. 42). For prior history, see Register 71, No. 30.
2. Amendment filed 7-7-86; effective thirtieth day thereafter (Register 86, No. 28).
3. Change without regulatory effect of subsections (b)(15) and (c)(2)-(4) (Register 88, No. 6).

4. Change without regulatory effect amending subsections (b)(1), (b)(17), (b)(28), and (d)(2) filed 11-1-91 pursuant to section 100, title 1, California Code of Regulations (Register 92, No. 5).
5. Editorial correction reinserting inadvertently omitted subsections (c)-(c)(4) (Register 92, No. 44).
6. Editorial correction of subsection (b)(28)(B) (Register 2003, No. 29).
7. Amendment of section and repealer and new Note filed 7-28-2006; operative 8-27-2006 (Register 2006, No. 30).
8. Amendment of section heading, repealer and new section and amendment of Note filed 12-30-2014; operative 4-1-2015 (Register 2015, No. 1).

This database is current through 3/16/18 Register 2018, No. 11

17 CCR § 30180, 17 CA ADC § 30180

END OF DOCUMENT

© 2018 Thomson Reuters. No claim to original U.S. Government Works.