

Section 341.10 Scope

- a) This Part applies to each licensee who transports licensed material outside the site where the licensee is authorized to possess and use the material or who transports the material on public highways or who delivers the material to a carrier for transport. The licensee shall comply with the regulations in this Part, the applicable requirements of the U.S. Nuclear Regulatory Commission (NRC) in 10 CFR 71, in effect as of July 13, 2015, and the applicable requirements of the U.S. Department of Transportation (USDOT) regulations appropriate to the mode of transport in 49 CFR 170-189, in effect as of July 13, 2015.
- b) When the licensee is not in areas under the jurisdiction of USDOT or NRC, but is in an area of jurisdiction of the State of Illinois as described in subsection (a) of this Section, the licensee shall comply with the following portions of USDOT and NRC regulations, as applicable:
 - 1) Packaging, 49 CFR 173, subparts A, B and I;
 - 2) Marking and labeling, 49 CFR 172, subpart D, paragraphs 172.400-172.407, 172.436-172.440 and subpart E;
 - 3) Placarding, 49 CFR 172, subpart F, paragraphs 172.500-172.519 and 172.556; and appendices B and C;
 - 4) Shipping papers and emergency information, 49 CFR 172, subparts C and G;
 - 5) Accident reporting, 49 CFR 171.15 and 171.16;
 - 6) Hazardous material shipper/carrier requirements, 49 CFR 107, subpart G;
 - 7) Hazardous material employee training, 49 CFR 172, subpart H;
 - 8) Definitions, 10 CFR 71.4;
 - 9) Transportation of licensed material, 10 CFR 71.5;
 - 10) Exemptions for low level material, 10 CFR 71.14(a);
 - 11) General license: NRC-approved package, 10 CFR 71.17;
 - 12) Previously approved package, 10 CFR 71.19(a) and (b);
 - 13) General license: USDOT specification container material, 10 CFR 71.20;

- 14) General license: Use of foreign approved package, 10 CFR 71.21;
 - 15) General license: Fissile material, 10 CFR 71.22;
 - 16) External radiation standards for all packages, 10 CFR 71.47;
 - 17) Assumptions as to unknown properties, 10 CFR 71.83;
 - 18) Preliminary determinations, 10 CFR 71.85;
 - 19) Routine determinations, 10 CFR 71.87;
 - 20) Air transportation of plutonium, 10 CFR 71.88;
 - 21) Opening instructions, 10 CFR 71.89;
 - 22) Advance notification of shipment of irradiated reactor fuel and nuclear waste, 10 CFR 71.97;
 - 23) Quality assurance requirements, 10 CFR 71.101(a), (b), (c), (f) and (g);
 - 24) Quality assurance organization, 10 CFR 71.103;
 - 25) Quality assurance program, 10 CFR 71.105; and
 - 26) Determination of A₁ and A₂, 10 CFR 71, appendix A.
- c) The licensee shall also comply with USDOT regulations pertaining to the following modes of transportation:
- 1) Rail, 49 CFR 174, subparts A-D and K;
 - 2) Air, 49 CFR 175;
 - 3) Vessel, 49 CFR 176, subparts A-F and M; and
 - 4) Public highway, 49 CFR 177 and 390-397.
- d) If USDOT regulations are not applicable to a shipment of licensed material as described in subsection (a), the licensee shall conform to the standards and requirements of USDOT specified in subsection (a) to the same extent as if the shipment or transportation were subject to USDOT 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 Agency.

- e) Common and contract carriers, freight forwarders, warehousemen and the U.S. Postal Service are exempt from the requirements for a license set forth in 420 ILCS 40/10, 11 and 12 and in 32 Ill. Adm. Code 330, 335, 337, 346, 350 and 351 to the extent that they transport or store byproduct material in the regular course of carriage for another or storage incident to that carriage.

(Source: Amended at 42 Ill. Reg. 7537, effective April 4, 2018)