

## § 173.476 Approval of special form Class 7 (radioactive) materials.

(a) Each offeror of special form Class 7 (radioactive) materials must maintain on file for at least one year after the latest shipment, and provide to the Associate Administrator on request, a complete safety analysis, including documentation of any tests, demonstrating that the special form material meets the requirements of §173.469. An IAEA Certificate of Competent Authority issued for the special form material may be used to satisfy this requirement.

(b) Prior to the first export shipment of a special form Class 7 (radioactive) material from the United States, each offeror shall obtain a U.S. Competent Authority Certificate for the specific material. For special form material manufactured outside the United States, an IAEA Certificate of Competent Authority from the country of origin may be used to meet this requirement.

(c) Each request for a U.S. Competent Authority Certificate as required by the IAEA regulations must be submitted in writing, in triplicate, by mail or other delivery service to the Associate Administrator. Alternatively, the request with any attached supporting documentation submitted in an appropriate format may be sent by facsimile (fax) to (202) 366-3753 or (202) 366-3650, or by electronic mail (e-mail) to “*ramcert@dot.gov*”. Each request is considered in the order in which it is received. To allow sufficient time for consideration, requests must be received at least 90 days before the requested effective date. Each petition for a U.S. Competent Authority Certificate must include the following information:

(1) A detailed description of the material, or if a capsule, a detailed description of the contents. Particular reference must be made to both physical and chemical states;

(2) A detailed statement of the capsule design and dimensions, including complete engineering drawings [22cm x 30cm (8 1/2 inches x 11 inches)] and schedules of material, and methods of construction;

(3) A statement of the tests that have been made and their results; or evidence based on calculative methods to show that the material is able to pass the tests; or other evidence that the special form Class 7 (radioactive) material complies with §173.469;

(4) For the original request for a Competent Authority Certificate, evidence of a quality assurance program based on international, national or other standards, for the design, manufacture, testing, documentation, use, maintenance and inspection, as appropriate, of all special form material offered for transport by the requester; and

(5) A description of any proposed pre-shipment actions, such as leak testing, for use in the consignment of special form radioactive material for transport.

(d) Paragraphs (a) and (b) of this section do not apply in those cases where  $A_1$  equals  $A_2$  and the material is not required to be described on the shipping papers as “Radioactive Material, Special Form, n.o.s.”

[Amdt. 173-244, 60 FR 50307, Sept. 28, 1995, as amended at 66 FR 45379, Aug. 28, 2001; 67 FR 61015, Sept. 27, 2002; 69 FR 3693, Jan. 26, 2004]