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(B) The licensee shall make available to the Agency for inspection, upon reasonable notice, all records required by 105 CMR 120.770 through 120.798. Records are only valid if stamped, initialed, or signed and dated by authorized personnel, or otherwise authenticated.

(C) The licensee shall maintain sufficient written records to furnish evidence of the quality of packaging. The records to be maintained include: results of the determinations required by 105 CMR 120.785; design, fabrication, and assembly records; results of reviews, inspections, tests, and audits; results of monitoring work performance and materials analyses; and results of maintenance, modification, and repair activities. Inspection, test, and audit records must identify the inspector or data recorder, the type of observation, the results, the acceptability, and the action taken in connection with any deficiencies noted. These records must be retained for three years after the life of the packaging to which they apply.

120.790: Advance Notification of Shipment of Nuclear Waste

(A)(1) As specified in 105 CMR 120.790(B) through (D), each licensee shall provide advance notification to the governor of a State, or the governor's designee, of the shipment of licensed material, within or across the boundary of the State, before the transport, or delivery to a carrier, for transport, of licensed material outside the confines of the licensee's plant or other place of use or storage.

(2) As specified in 105 CMR 120.790(B) through (D) each licensee shall provide advance notification to the Tribal official of participating Tribes referenced in 105 CMR 120.790(C)(3)(c), or the official's designee, of the shipment of licensed material, within or across the boundary of the Tribe's reservation, before the transport, or delivery to a carrier, for transport, of licensed material outside the confines of the licensee's plant or other place of use or storage.

(B) Advance notification is required under 105 CMR 120.790 for shipment of licensed material meeting the following three conditions:

- (1) The licensed material is required by 10 CFR 71 to be in Type B packaging for transportation;
- (2) The licensed material is being transported into, within, or through a state en route to a disposal facility or to a collection point for transport to a disposal facility; and
- (3) The quantity of licensed material in a single package exceeds the least of the following:
 - (a) 3000 times the A_1 value of the radionuclides as specified in 105 CMR 120.798: *Appendix A*, Table A-1 for special form radioactive material;
 - (b) 3000 times the A_2 value of the radionuclides as specified in 105 CMR 120.798: *Appendix A*, Table A-1 for normal form radioactive material; or
 - (c) 1000 TBq (27,000 Ci).

(C) Procedures for Submitting Advance Notification.

(1) The notification must be made in writing to the office of each appropriate governor or governor's designee, the office of each appropriate Tribal official or Tribal official's designee, and to the Director of the Agency.

(2) A notification delivered by mail must be postmarked at least seven days before the beginning of the seven-day period during which departure of the shipment is estimated to occur.

(3) A notification delivered by any other means than mail must reach the office of the governor or of the governor's designee or the Tribal official or Tribal official's designee at least four days before the beginning of the seven-day period during which departure of the shipment is estimated to occur.

(a) A list of the names and mailing addresses of the governors' designees receiving advance notification of transportation of nuclear waste was published in the *Federal Register* on June 30, 1995 (60 FR 34306).

(b) Contact information for each State, including telephone and mailing addresses of governors and governors' designees, and participating Tribes, including telephone and mailing addresses of Tribal officials and Tribal official's designees, is available on the NRC website at: <https://scp.nrc.gov/special/designee.pdf>.

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- (c) A list of the names and mailing addresses of the governors' designees and Tribal officials' designees of participating Tribes is available on request from the Director, Division of Materials Safety, **Security**, State, **and** Tribal, ~~and Rulemaking~~ Programs, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.
- (4) The licensee shall retain a copy of the notification as a record for three years.
- (D) Information to Be Furnished in Advance Notification of Shipment. Each advance notification of shipment of nuclear waste must contain the following information:
- (1) The name, address, and telephone number of the shipper, carrier, and receiver of the nuclear waste shipment;
 - (2) A description of the nuclear waste contained in the shipment, as specified in the regulations of DOT in 49 CFR 172.202 and 172.203(d);
 - (3) The point of origin of the shipment and the seven-day period during which departure of the shipment is estimated to occur;
 - (4) The seven-day period during which arrival of the shipment at State boundaries or Tribal reservation boundaries is estimated to occur;
 - (5) The destination of the shipment, and the seven-day period during which arrival of the shipment is estimated to occur; and
 - (6) A point of contact, with a telephone number, for current shipment information.
- (E) Revision Notice. A licensee who finds that schedule information previously furnished to a governor or governor's designee or a Tribal official or Tribal official's designee, in accordance with 105 CMR 120.790, will not be met, shall telephone a responsible individual in the office of the governor of the State or of the governor's designee or the Tribal official or the Tribal official's designee and inform that individual of the extent of the delay beyond the schedule originally reported. The licensee shall maintain a record of the name of the individual contacted for three years.
- (F) Cancellation Notice.
- (1) Each licensee who cancels a nuclear waste shipment for which advance notification has been sent shall send a cancellation notice to the governor of each State or to the governor's designee previously notified, each Tribal official or to the Tribal official's designee previously notified, and to the Director of the Agency.
 - (2) The licensee shall state in the notice that it is a cancellation and identify the advance notification that is being canceled. The licensee shall retain a copy of the notice as a record for three years.

QUALITY ASSURANCE

120.791: Quality Assurance Requirements

- (A) Purpose. 105 CMR 120.791 through 120.797 describes quality assurance requirements applying to design, purchase, fabrication, handling, shipping, storing, cleaning, assembly, inspection, testing, operation, maintenance, repair, and modification of components of packaging that are important to safety. As used in 105 CMR 120.791 through 120.797, "quality assurance" comprises all those planned and systematic actions necessary to provide adequate confidence that a system or component will perform satisfactorily in service. Quality assurance includes quality control, which comprises those quality assurance actions related to control of the physical characteristics and quality of the material or component to predetermined requirements. Each licensee is responsible for the quality assurance requirements that apply to its use of a packaging for the shipment of licensed material subject to 105 CMR 120.791 through 120.797.
- (B) Establishment of Program. Each licensee shall establish, maintain, and execute a quality assurance program satisfying each of the applicable criteria of 105 CMR 120.791 through 120.797 and satisfying any specific provisions that are applicable to the licensee's activities including procurement of packaging. The licensee shall execute the applicable criteria in a graded approach to an extent that is commensurate with the quality assurance requirement's importance to safety.