

IOWA DEPARTMENT OF PUBLIC HEALTH
BUREAU OF RADIOLOGICAL HEALTH
LUCAS STATE OFFICE BUILDING
DES MOINES, IOWA 50319

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IDPH INFORMATION NOTICE 2013-02 Training requirements for offering Radioactive Material for transportation in commerce

ADDRESSEES

All specific material licensees

PURPOSE

The IDPH is issuing this information notice (IN) to alert addressees to training requirements for transportation of radioactive material in Iowa Administrative Code 641-39.5(136C).

DESCRIPTION OF CIRCUMSTANCES

Recently, an Iowa material licensee was inspected by an agent of the Federal Aviation Administration (FAA). During the course of the inspection a violation of the Hazardous Materials Regulations (HMR), codified in Title 49 Code of Federal Regulations (CFR) Parts 100 through 185 was discovered by the FAA. The licensee offered radioactive material for air transportation in commerce. It was discovered that the licensee failed to provide Hazardous Materials Shippers Training as required by the HMR.

DISCUSSION

Iowa Administrative Code 641-39.5(136C) specifically states “that all persons who transport radioactive material or deliver radioactive material to a carrier for transport must comply with the provision contained in 10 CFR 71 and 49 CFR parts 170 through 189. The regulations in 10 CFR Part 71 apply to any licensee authorized by specific or general license to receive, possess, use, or transfer licensed material, if the licensee delivers that material to a carrier for transport, transports the material outside the site of usage, or transports that material on public highways.”

49 CFR 172.702(a) requires that a hazmat employer shall ensure that each of its hazmat employees is trained in accordance with the requirements prescribed in this subpart.

49 CFR 172.702(b) requires, except as provided in §172.704(c)(1), a hazmat employee who performs any function subject to the requirements of this subchapter may not perform that function unless instructed in the requirements of this subchapter that apply to that function. It is the duty of each hazmat employer to comply with the applicable requirements of this subchapter and to thoroughly instruct each hazmat employee in relation thereto.

49 CFR 172.704(a)(2)(1) Each hazmat employee must be provided function-specific training concerning requirements of this subchapter, or exemptions or special permits issued under

Subchapter A of this chapter, that are specifically applicable to the functions the employee performs.

IDPH is reminding all specific licensees that the offering of radioactive material for transportation in commerce requires function specific training/retraining concerning the requirements of transporting hazardous materials. The licensee shall also maintain records of the training in accordance with 49 CFR 172.704(d). The training/retraining must include modal specific training (train, air, vessel, truck) prescribed in 49 CFR Parts 174, 175, 176, and 177. Transportation of radioactive material internationally may require further training/retraining in International Civil Aviation Organization (ICAO), International Maritime Dangerous Goods (IMDG) or International Atomic Energy Agency (IAEA) instructions.

IDPH is highlighting this occurrence as a reminder to all specific material licensees that the Federal Government may inspect your organization in regards to offering radioactive material for transportation in commerce. For violations of the HMR, the Federal Government may impose civil penalties outlined in 49 CFR Part 107 Subpart D.

CONTACT

This IN requires no specific action or written response. If you have any questions about the information in this notice, please contact this office.



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