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Radioactive Waste Transportation by Motor Carrier

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Wyoming Department of Transportation
Radioactive Waste Transportation By Motor Carrier

CHAPTER 2

Section 1. Authority and Purpose.

These rules of practice and procedure are promulgated by authority of W.S. 37-14-103. They are intended to provide an understandable interpretation of the undefined portion of W.S. 37-14-103.

Section 2. Definitions.

(a) "Temporary permit" means a permit to transport radioactive waste issued pursuant to this rule and valid for only a single trip transporting radioactive waste within or through Wyoming.

(b) "Transportation" or "transport" means the transport by any means of radioactive waste destined for or derived from any location and any loading, unloading, or storage incident to such transport. The terms do not include the permanent storage or disposal of the radioactive waste.

Section 3. Permit Required.

(a) Any person representing and wishing to transport radioactive waste within or through Wyoming shall have a permit issued by the Wyoming Department of Transportation (WYDOT) or its duly designated agent.

(b) There is no application fee for a permit. Once it is granted, the permit shall remain in force until revoked and shall be valid for all the holder's shipments of radioactive waste. An applicant may also request a temporary permit covering a single trip within or through Wyoming.

(c) The carrier shall convey a copy of the permit with the load being transported.

(d) A permit may be denied or revoked for:

(i) Nonpayment, when due, of any emergency response fees provided for in W.S. 37-14-103.

(ii) The revocation or cancellation

(A) by the federal government of an applicant's contract for the transportation of radioactive waste or

(B) by the granting jurisdiction's revocation of an applicant's authority to serve as a carrier.

(iii) Violation of safety rules and regulations applicable to radioactive waste transportation.

(iv) Omission or misstatement of a material fact on an application.

(e) Permit application forms are available from the Wyoming Department of Transportation, Regulatory Section, 5300 Bishop Blvd., Cheyenne, Wyoming 82009; at all Wyoming ports of entry; and at all Wyoming Highway Patrol offices. The application shall contain:

(i) The applicant's name, address, and general business telephone number; an emergency telephone number for the applicant that will be answered at any time; and a statement that the applicant has a 24-hour telephone number for all persons for whom the applicant is transporting radioactive waste.

(ii) A general description of the radioactive waste intended for transport including the type of material to be transported, the number of shipments and packages, a description of the packages, and the estimated radioactivity per shipment. (Precise information is not necessary if unavailable for security or other reasons.)

(iii) A description of the mode of transportation, the route or routes to be taken, and the approximate schedule. (Precise information is unnecessary if unavailable for security or other reasons.)

(iv) A general description of any violations by the carrier of local, state, or federal regulations within the past year related to radioactive waste transportation or of any accidents resulting in the release of radioactivity.

(v) A statement about whether the application is for a permanent or temporary permit.

(vi) Any other information the applicant can provide that might assist the state in case of an accident.

Section 4. Issuing Permits.

The Department authorizes its Regulatory Section and each port of entry to issue temporary permits to shippers upon receipt of a proper application completely filled out. The issuing entity shall forward copies of all temporary permits to the Regulatory Section as soon as they are issued. Shippers seeking permanent permits may apply directly to the Regulatory Section or may hand deliver an application to a Wyoming port of entry, which shall forward it to the Regulatory Section. WYDOT shall act upon applications within 30 days of the application date. During those 30 days, the applicant may transport radioactive waste as if a permit had been granted and shall pay all applicable emergency response fees and comply with all applicable rules and regulations concerning radioactive waste transportation.

Section 5. Fee Payment.

The emergency response fee of \$200 per package of radioactive waste shall be paid to the Wyoming Department of Transportation, Accounting Program, 5300 Bishop Blvd., Cheyenne, WY 82009.

Section 6. Continuing Notification Requirement.

(a) Each permit holder shall notify the Department within 10 days if any of the following occur:

(i) The permit holder loses its carrier operating authority.

(ii) The permit holder ceases to transport radioactive waste as defined in this chapter and therefore wishes voluntarily to relinquish the permit.

(iii) The permit holder has been cited for violating safety rules or regulations applicable to radioactive waste transportation (reporting this information is voluntary except in the case of an accident resulting in the release of radioactivity).

(b) Whenever the radioactive waste transportation activities of the permittee change in any material way, that fact shall be reported in writing to WYDOT's Regulatory Section within 10 days. If no material changes have taken place, the permittee shall report this fact in writing to the Department immediately.