

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Docket No. 9938; Amdt. 103-9]

PART 103—TRANSPORTATION OF DANGEROUS ARTICLES AND MAGNETIZED MATERIALS

Reports of Incidents Involving Radioactive Materials

The purpose of this amendment to Part 103 of the Federal Aviation Administration's regulations is to make reporting requirements for incidents involving radioactive materials consistent with reporting requirements applicable to other hazardous materials.

This amendment is based on a notice of proposed rule making, Docket No. 9938; Notice No. 71-19, published in the FEDERAL REGISTER on July 9, 1971 (36 F.R. 12913). That notice was issued concurrently with a notice issued by the Hazardous Materials Regulations Board. The Board's evaluation of the comments received is discussed in detail in the document published on page 21200 of this issue. For the reasons stated therein, the Federal Aviation Administration has decided to amend Part 103 of the Federal Aviation Administration regulations.

It should be emphasized that the reporting requirements for radioactive materials transportation incidents as established by the Board in this amendment are in no way intended to replace or impair the existing national system for obtaining emergency radiological assistance in the event of incidents involving radioactive materials. That system, which is intended to provide response capabilities for radiological monitoring in emergencies, is administered by the U.S. Atomic Energy Commission and supported by the capabilities of other Federal and State organizations. Further information on that system may be obtained from the U.S. Atomic Energy Commission, Division of Operational Safety, Washington, D.C. 20545.

In consideration of the foregoing, 14 CFR Part 103 is amended as follows:

(A) In § 103.23, paragraph (b) is amended to read as follows:

§ 103.23 Special requirements for radioactive materials.

(b) In addition to the reporting requirements of § 103.28, the carrier must also notify the shipper at the earliest practicable moment following any incident in which there has been breakage, spillage, or suspected radioactive contamination involving radioactive materials shipments. Aircraft in which radioactive materials have been spilled may not be again placed in service or routinely occupied until the radiation dose rate at any accessible surface is less than 0.5 millirem per hour and there is no significant removable radioactive surface contamination (see 49 CFR 173.397). In these instances, the package or materials should be segregated as far as practicable from personnel contact. If radiological advice or assistance is needed, the U.S. Atomic Energy Commission should also be notified. In case of obvious leakage, or if it appears likely that the inside container may have been damaged care should be taken to avoid inhalation, ingestion, or contact with the radioactive materials. Any loose radioactive materials should be left in a segregated area pending disposal instructions from qualified persons.

(B) In § 103.28, paragraph (a) (5) is added to read as follows:

§ 103.28 Reporting certain dangerous article incidents.

(a) * * *

(5) Fire, breakage, or spillage or suspected radioactive contamination occurs involving shipment of radioactive materials (see also § 103.23(b)).

(Title VI and sec. 902(h), Federal Aviation Act of 1958, 49 U.S.C. 1421-1430 and 1472(h))

This amendment is effective December 31, 1971.

Issued in Washington, D.C., on October 29, 1971.

JAMES F. RUDOLPH,
Board member for the
Federal Aviation Administration.

(As published in the Federal Register
/36 F.R. 21183/ on November 4, 1971)

Not met