

**3701:1-37-28      Reporting of transportation event.**

- (A) The shipping licensee shall notify the appropriate LLEA and the director in accordance with rule 3701:1-37-05 of the Administrative Code within one hour of its determination that a shipment of category one quantities of radioactive material is lost or missing. The appropriate LLEA would be the law enforcement agency in the area of the shipment's last confirmed location. During the investigation required by paragraph (C) of rule 3701:1-37-27 of the Administrative Code, the shipping licensee will provide agreed upon updates to the director on the status of the investigation.
- (B) The shipping licensee shall notify the director in accordance with rule 3701:1-37-05 of the Administrative Code within four hours of its determination that a shipment of category two quantities of radioactive material is lost or missing. If, after twenty-four hours of its determination that the shipment is lost or missing, the radioactive material has not been located and secured, the licensee shall immediately notify the director.
- (C) The shipping licensee shall notify the designated LLEA along the shipment route as soon as possible upon discovery of any actual or attempted theft or diversion of a shipment or suspicious activities related to the theft or diversion of a shipment of a category one quantity of radioactive material. As soon as possible after notifying the LLEA, the licensee shall notify the director in accordance with rule 3701:1-37-05 of the Administrative Code upon discovery of any actual or attempted theft or diversion of a shipment, or any suspicious activity related to the shipment of category one radioactive material.
- (D) The shipping licensee shall notify the director in accordance with rule 3701:1-37-05 of the Administrative Code as soon as possible upon discovery of any actual or attempted theft or diversion of a shipment, or any suspicious activity related to the shipment, of a category two quantity of radioactive material.
- (E) The shipping licensee shall notify the director in accordance with rule 3701:1-37-05 of the Administrative Code and the LLEA as soon as possible upon recovery of any lost or missing category one quantities of radioactive material.
- (F) The shipping licensee shall notify the director in accordance with rule 3701:1-37-05 of the Administrative Code as soon as possible upon recovery of any lost or missing category two quantities of radioactive materials.
- (G) The initial telephonic notification required by paragraphs (A) to (D) of this rule must be followed within a period of thirty days by a written report submitted to the director by an appropriate method listed in rule 3701:1-37-04 of the Administrative Code. A written report is not required for notifications on suspicious activities required by paragraphs (C) and (D) of this rule. In addition, the licensee shall provide one copy of the written report addressed to the "Director, Division of Security Policy, Office of Nuclear Security and Incident Response, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001." The report must set forth the following information:
  - (1) A description of the licensed material involved, including kind, quantity, and chemical and physical form;

- (2) A description of the circumstances under which the loss or theft occurred;
  - (3) A statement of disposition, or probable disposition, of the licensed material involved;
  - (4) Actions that have been taken, or will be taken, to recover the material; and
  - (5) Procedures or measures that have been, or will be, adopted to ensure against a recurrence of the loss or theft of licensed material.
- (H) Subsequent to filing the written report, the licensee shall also report any additional substantive information on the loss or theft within thirty days after the licensee learns of such information.

Effective: 10/01/2014

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CERTIFIED ELECTRONICALLY

Certification

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Date

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