

## Nuclear Regulatory Commission

## § 110.5

(1) Natural or depleted uranium, or thorium, other than special nuclear material; or

(2) Ores that contain by weight 0.05 percent or more of uranium, thorium or depleted uranium.

*Special nuclear material* means plutonium, uranium-233 or uranium enriched above 0.711 percent by weight in the isotope uranium-235.

*Specific activity* (millicuries per gram) equals  $3.575 \times 10^8$  divided by (the atomic weight times the half life in years).

*Specific license* means an export or import license issued to a named person upon an application filed pursuant to this part.

*Storage* means the temporary holding of radioactive material.

*Target* means material subjected to irradiation in an accelerator or nuclear reactor to induce a reaction or produce nuclear material.

*Transfer* means the transfer of possession from one person to another person.

*Transport* means the physical movement of material from one location to another.

*Treatment* means any method, technique, or process, including storage for radioactive decay, designed to change the physical, chemical or biological characteristics or composition of any radioactive material.

*Tritium* means not only tritium but also includes compounds and mixtures containing tritium in which the ratio of tritium to hydrogen by atoms exceeds one part in 1,000.

*United States*, when used in a geographical sense, includes Puerto Rico and all territories and possessions of the United States.

*Uranium enrichment facility* means:

(1) Any facility used for separating the isotopes of uranium or enriching uranium in the isotope 235, except laboratory scale facilities designed or used for experimental or analytical purposes only; or

(2) Any equipment or device, or important component part especially designed for such equipment or device, capable of separating the isotopes of uranium or enriching uranium in the isotope 235.

*Utilization facility* means:

(1) Any nuclear reactor, other than one that is a production facility and

(2) Any of the following major components of a nuclear reactor:

(i) Reactor pressure vessel (designed to contain the core of a nuclear reactor);

(ii) Reactor primary coolant pump;

(iii) "On-line" reactor fuel charging and discharging machine; and

(iv) Complete reactor control rod system.

(3) A utilization facility does not include the steam turbine generator portion of a nuclear power plant.

[43 FR 21691, May 19, 1978, as amended at 45 FR 18906, Mar. 24, 1980; 49 FR 47197, Dec. 3, 1984; 49 FR 49841, Dec. 24, 1984; 51 FR 27826, Aug. 4, 1986; 53 FR 43422, Oct. 27, 1988; 56 FR 24684, May 31, 1991; 57 FR 18393, Apr. 30, 1992; 58 FR 13002, Mar. 9, 1993; 58 FR 57963, Oct. 28, 1993; 59 FR 48997, Sept. 26, 1994; 60 FR 37562, July 21, 1995; 61 FR 35602, July 8, 1996; 64 FR 48955, Sept. 9, 1999; 65 FR 70289, Nov. 22, 2000]

### § 110.3 Interpretations.

Except as authorized by the Commission in writing, no interpretation of the meaning of the regulations in this part other than a written interpretation by the Commission's General Counsel is binding upon the Commission.

### § 110.4 Communications.

Except where otherwise specified in this part, all communications and reports concerning the regulations in this part should be addressed to the Deputy Director, Office of International Programs, Office of International Programs, U.S. Nuclear Regulatory Commission, Washington, DC 20555, telephone (301) 415-2344. Communications and reports may be delivered in person at the Commission's offices at 11555 Rockville Pike, Rockville, Maryland 20852 or at 2120 L Street NW. (Lower Level), Washington, DC 20037.

[58 FR 13002, Mar. 9, 1993, as amended at 59 FR 48997, Sept. 26, 1994; 62 FR 59277, Nov. 3, 1997; 65 FR 70290, Nov. 22, 2000]

### § 110.5 Licensing requirements.

Except as provided under subpart B of this part, no person may export any nuclear equipment or material listed in § 110.8 and § 110.9, or import any nuclear equipment or material listed in § 110.9a,

## § 110.6

unless authorized by a general or specific license issued under this part.

[56 FR 24684, May 31, 1991, as amended at 58 FR 13002, Mar. 9, 1993]

### § 110.6 Retransfers.

(a) Retransfer of any nuclear equipment or material listed in §§ 110.8 and 110.9, including special nuclear material produced through the use of U.S.-origin source material or special nuclear material, requires authorization by the Department of Energy, unless, the export to the new destination is authorized under a special or general license or an exemption from licensing requirements. Under certain agreements for cooperation, Department of Energy authorization also is required for the retransfer of special nuclear material produced through the use of non-U.S.-supplied nuclear material in U.S.-supplied utilization facilities. Department of Energy authorization is also required for the retransfer of obligated nuclear equipment and material (see definition of "obligated" in § 110.2).

(b) Requests for authority to retransfer are processed by the Department of Energy, Office of Arms Control and Nonproliferation Technology Support, Washington, DC 20585.

[49 FR 47197, Dec. 3, 1984, as amended at 55 FR 34519, Aug. 23, 1990; 58 FR 13002, Mar. 9, 1993; 65 FR 70290, Nov. 22, 2000]

### § 110.7 Information collection requirements: OMB approval.

(a) The Nuclear Regulatory Commission has submitted the information collection requirements contained in this part to the Office of Management and Budget (OMB) for approval as required by the Paperwork Reduction Act (44 U.S.C. 3501 et seq.). The NRC may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. OMB has approved the information collection requirements contained in this part under control numbers 3150-0036.

(b) The approved information collection requirements contained in this part appear in §§ 110.7a, 110.23, 110.26, 110.27, 110.31, 110.32, 110.50, 110.51, 110.52, and 110.53

## 10 CFR Ch. I (1-1-01 Edition)

(c) In §§ 110.19, 110.20, 110.21, 110.22, 110.23, 110.31, and 110.32, NRC Form 7 is approved under control number 3150-0027.

[62 FR 52190, Oct. 6, 1997, as amended at 65 FR 70290, Nov. 22, 2000]

### § 110.7a Completeness and accuracy of information.

(a) Information provided to the Commission by an applicant for a license or by a licensee or information required by statute or by the Commission's regulations, orders, or license conditions to be maintained by the applicant or the licensee shall be complete and accurate in all material respects.

(b) Each applicant or licensee shall notify the Commission of information identified by the applicant or licensee as having for the regulated activity a significant implication for public health and safety or common defense and security. An applicant or licensee violates this paragraph only if the applicant or licensee fails to notify the Commission of information that the applicant or licensee has identified as having a significant implication for public health and safety or common defense and security. Notification shall be provided to the Administrator of the appropriate Regional Office within two working days of identifying the information. This requirement is not applicable to information which is already required to be provided to the Commission by other reporting or updating requirements.

[52 FR 49374, Dec. 31, 1987]

### § 110.7b Deliberate misconduct.

(a) Any licensee, applicant for a license, employee of a licensee or applicant; or any contractor (including a supplier or consultant), subcontractor, employee of a contractor or subcontractor of any licensee or applicant for a license, who knowingly provides to any licensee, applicant, contractor, or subcontractor, any components, equipment, materials, or other goods or services that relate to a licensee's or applicant's activities in this part, may not:

(1) Engage in deliberate misconduct that causes or would have caused, if not detected, a licensee or applicant to