

Nuclear Regulatory Commission

§ 75.42

(c) The situations referred to in paragraph (b) of this section include (1) the possibility of loss of nuclear material in excess of specified limits and (2) unexpected changes in containment to the extent that unauthorized removal of nuclear material has become possible.

§ 75.37 Disclosure of reports to IAEA.

The Commission may communicate to the IAEA any reports submitted to it pursuant to this part or any information contained in such reports.

INSTALLATIONS DESIGNATED FOR IAEA SAFEGUARDS

§ 75.41 Designation.

The Commission, by written notice, will designate those installations which, in accordance with identifications made from time to time by the IAEA, under Article 39(b) of the principal text of the Agreement, are subject to the application of IAEA safeguards. Such notice shall be effective until the Commission informs the licensee, in writing, that its installation is no longer so designated. Whenever a previously-designated installation is no longer subject to the application of IAEA safeguards, the Commission will give the licensee prompt notice to that effect.

§ 75.42 Inspections.

(a) Each licensee who has been given notice pursuant to § 75.41 shall afford to the IAEA, at all reasonable times, opportunity to inspect its designated installation as provided in this section. Licensee representatives may accompany IAEA inspectors, provided that the IAEA inspectors are not thereby delayed or otherwise impeded in the exercise of their functions.

(b) As provided in the Agreement, an inspection may be ad hoc, routine, or special (or a combination of the foregoing). An inspection shall be deemed to be routine unless the Commission has specifically advised the licensee otherwise.

(c) The locations to which IAEA inspectors shall have access in the performance of inspections shall be as follows:

(1) Ad hoc inspections to verify information contained in the licensee's initial inventory report or to identify and verify changes in the situation which have occurred since the initial inventory reporting date; any location where the initial inventory report or any inspections carried out therewith indicate that nuclear material subject to safeguards under the Agreement may be present.

(2) Ad hoc inspections to identify and if possible verify the quantity and composition of the nuclear material referred to in notifications given under § 75.43(b) (pertaining to exports) or § 75.43(c) (pertaining to imports): Any place where such nuclear material may be located.

(3) Routine inspections: The strategic points referred to in § 75.11 (or, until such strategic points have been specified, to the locations referred to in paragraph (c)(1) of this section) and the records maintained pursuant to this part.

(4) Special inspections: Any of the locations specified above and any additional locations where the Commission, in response to an IAEA request, finds access to be necessary.

(d) Each licensee shall permit the IAEA, in conducting any such inspections, to:

(1) Examine the records kept pursuant to § 75.21 of this part;

(2) Observe that the measurements of nuclear material at key measurement points for material balance accounting are representative;

(3) Verify the functioning and calibration of instruments and other measuring control equipment.

(4) Observe that samples at key measurement points for material balance accounting are taken in accordance with procedures which produce representative samples, to observe the treatment and analysis of the samples, and to obtain duplicates of such samples; and

(5) Arrange to use the IAEA's own equipment for independent measurement and surveillance.

(e) Each licensee shall, at the request of an IAEA inspector:

(1) Ship samples taken for the IAEA's use, in accordance with applicable