

**641—39.5(136C) Transportation of radioactive material.**

**39.5(1)** All persons who transport radioactive material or deliver radioactive material to a carrier for transport must comply with the applicable provisions contained in 10 CFR Part 71 and 49 CFR Parts 170 through 189. The regulations in 10 CFR Part 71 apply to any licensee authorized by specific or general license to receive, possess, use, or transfer licensed material, if the licensee delivers that material to a carrier for transport, transports the material outside the site of usage, or transports that material on public highways. No provision of 10 CFR Part 71 authorizes possession of licensed material.

**39.5(2)** The provisions of 10 CFR Part 71 are subject to the following conditions.

*a.* Not adopted by reference are 10 CFR 71.11, 71.14(b), 71.19, 71.31, 71.33, 71.35, 71.37, 71.38, 71.39, 71.41, 71.43, 71.45, 71.51, 71.55, 71.59, 71.61, 71.63, 71.64, 71.65, 71.70, 71.71, 71.73, 71.74, 71.75, 71.77, 71.85(a)-(c), 71.91(b), 71.101(c)(2), 71.101(d), 71.101(e), 71.107, 71.109, 71.111, 71.113, 71.115, 71.117, 71.119, 71.121, 71.123, and 71.125.

*b.* Where the words “NRC”, “Commission”, “Nuclear Regulatory Commission”, “United States Nuclear Regulatory Commission” or “Administrator of the appropriate Regional Office” appear in 10 CFR Part 71, substitute the words “Iowa Department of Public Health” except when used in 10 CFR 71.5(b), 71.10, 71.17(c)(3), 71.17(e), 71.85(c), 71.88(a)(4), 71.93(c), 71.95, 71.97(c), 71.97(c)(3)(iii), and 71.97(f).

*c.* The terms “certificate of compliance” and “compliance holder or applicant” apply to the NRC as it is the sole authority for issuing a package certificate of compliance.

*d.* Iowa form “Notice to Employees” must be posted instead of NRC Form 3 that is specified in 10 CFR Part 71.

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