

IC 10-14-9

Chapter 9. Transportation of Highway Route Controlled Quantity Radioactive Material

IC 10-14-9-1

"Cask"

Sec. 1. As used in this chapter, "cask" has the meaning set forth in IC 10-14-8-3(c).

As added by P.L.78-2013, SEC.6.

IC 10-14-9-2

"Highway route controlled quantity (HRCQ) radioactive material"

Sec. 2. As used in this chapter, "highway route controlled quantity (HRCQ) radioactive material" or "HRCQ materials" means a quantity within a single package that exceeds the least of the following:

- (1) For special form Class 7 (radioactive) material, three thousand (3,000) times the A_1 value of the radionuclides listed in 49 CFR 173.435.
- (2) For normal form Class 7 (radioactive) material, three thousand (3,000) times the A_2 value of the radionuclides listed in 49 CFR 173.435.
- (3) One thousand (1,000) TBq (27,000 Ci).

As added by P.L.78-2013, SEC.6. Amended by P.L.2-2014, SEC.54.

IC 10-14-9-3

"Licensee"

Sec. 3. As used in this chapter, "licensee" has the meaning set forth in IC 10-14-8-2.3.

As added by P.L.78-2013, SEC.6.

IC 10-14-9-4

"Nuclear response fund"

Sec. 4. As used in this chapter, "nuclear response fund" refers to the nuclear response fund established by IC 10-14-8-6.

As added by P.L.78-2013, SEC.6.

IC 10-14-9-5

"Package"

Sec. 5. As used in this chapter, "package" has the meaning set forth in 49 CFR 173.403.

As added by P.L.78-2013, SEC.6.

IC 10-14-9-6

"Radionuclide"

Sec. 6. As used in this chapter, "radionuclide" means an unstable isotope of an element that emits radiation when it decays or disintegrates.

As added by P.L.78-2013, SEC.6.

IC 10-14-9-7

Shipping permit; application; fees

Sec. 7. (a) A shipper who intends to ship HRCQ materials must submit an application for a permit to the department of homeland security in the form and manner prescribed by the department of homeland security.

(b) The department of homeland security may issue a permit to a shipper that:

- (1) submits a completed application under subsection (a); and
- (2) pays a minimum fee as follows:
 - (A) For each truck shipment, one thousand eight hundred dollars (\$1,800) per truck.
 - (B) For each rail shipment:
 - (i) one thousand three hundred dollars (\$1,300) for the first cask; and
 - (ii) one hundred twenty-five dollars (\$125) for each additional cask.

(c) The director:

- (1) shall deposit fees received under subsection (b) in the nuclear response fund; and
- (2) may increase a minimum fee under subsection (b)(2) if the increase:
 - (A) applies uniformly across all fees; and
 - (B) is limited to an amount necessary to cover the costs of administering this section.

(d) A permit issued under subsection (b) must:

- (1) specify the purpose for which the permit is issued; and
- (2) contain an expiration date.

(e) A shipper of HRCQ materials shall notify the state emergency operations center at least seven (7) business days before shipping the HRCQ materials.

As added by P.L. 78-2013, SEC. 6.

IC 10-14-9-8

Civil penalties

Sec. 8. (a) A shipper that:

- (1) is required to obtain a permit and pay a fee under section 7 of this chapter; and
- (2) fails to obtain the permit or pay the fee;

is subject to a civil penalty for each violation in an amount equal to two (2) times the applicable fee.

(b) A shipper that fails to notify the state emergency operations center of a shipment of HRCQ materials under section 7(e) of this chapter is subject to a civil penalty in an amount equal to two (2) times the applicable fee for the shipment.

(c) The director shall deposit a civil penalty received under this section in the nuclear response fund.

As added by P.L. 78-2013, SEC. 6.