

## § 75.53

(b) The Commission may obtain a court order for the payment of a civil penalty imposed under section 234 of the Atomic Energy Act:

(1) For violations of—

(i) Sections 53, 57, 62, 63, 81, 82, 101, 103, 104, 107, or 109 of the Atomic Energy Act of 1954, as amended;

(ii) Section 206 of the Energy Reorganization Act;

(iii) Any rule, regulation, or order issued pursuant to the sections specified in paragraph (b)(1)(i) of this section;

(iv) Any term, condition, or limitation of any license issued under the sections specified in paragraph (b)(1)(i) of this section.

(2) For any violation for which a license may be revoked under section 186 of the Atomic Energy Act of 1954, as amended.

(c) The Commission may issue orders to secure compliance with the provisions of this part or to prohibit any violation of such provisions as may be proper to protect the common defense and security. Enforcement actions, including proceedings instituted with respect to Agreement State licensees, will be conducted in accordance with the procedures set forth in part 2, subpart B of this chapter. Only NRC licensees, however, are subject to license modification, suspension, or revocation as a result of enforcement action.

[57 FR 55079, Nov. 24, 1992]

### § 75.53 Criminal penalties.

(a) Section 223 of the Atomic Energy Act of 1954, as amended, provides for criminal sanctions for willful violation of, attempted violation of, or conspiracy to violate, any regulation issued under sections 161b, 161i, or 161o of the Act. For purposes of section 223, all the regulations in part 75 are issued under one or more of sections 161b, 161i, or 161o, except for the sections listed in paragraph (b) of this section.

(b) The regulations in part 75 that are not issued under sections 161b, 161i, or 161o for the purposes of section 223 are as follows: §§ 75.1, 75.2, 75.3, 75.4, 75.5, 75.8, 75.9, 75.12, 75.37, 75.41, 75.46, 75.51, and 75.53.

[57 FR 55079, Nov. 24, 1992]

## 10 CFR Ch. I (1–1–01 Edition)

### PART 76—CERTIFICATION OF GASEOUS DIFFUSION PLANTS

#### Subpart A—General Provisions

| Sec.   |
|--|
| 76.1 Purpose.  |
| 76.2 Scope.  |
| 76.4 Definitions.  |
| 76.5 Communications.   |
| 76.6 Interpretations.  |
| 76.7 Employee protection.  |
| 76.8 Information collection requirements: OMB approval not required. |
| 76.9 Completeness and accuracy of information.                       |
| 76.10 Deliberate misconduct.   |
| 76.21 Certificate required.  |
| 76.22 Ineligibility of certain applicants.                           |
| 76.23 Specific exemptions.   |

#### Subpart B—Application

|   |
|---|
| 76.31 Periodic application requirement.         |
| 76.33 Application procedures.                   |
| 76.35 Contents of application.                  |
| 76.36 Renewals.                                 |
| 76.37 Federal Register notice.                  |
| 76.39 Public meeting.                           |
| 76.41 Record underlying decisions.              |
| 76.43 Date for decision.                        |
| 76.45 Application for amendment of certificate. |

#### Subpart C—Certification

|   |
|---|
| 76.51 Conditions of certification.                                |
| 76.53 Consultation with Environmental Protection Agency.          |
| 76.55 Timely renewal.   |
| 76.60 Regulatory requirements which apply.                        |
| 76.62 Issuance of certificate and/or approval of compliance plan. |
| 76.64 Denial of certificate or compliance plan.                   |
| 76.65 Inalienability of certificates.                             |
| 76.66 Expiration and termination of certificates.                 |
| 76.68 Plant changes.  |
| 76.70 Post issuance.  |
| 76.72 Miscellaneous procedural matters.                           |
| 76.74 Computation and extension of time.                          |
| 76.76 Backfitting.  |

#### Subpart D—Safety

|   |
|---|
| 76.81 Authorized use of radioactive material. |
| 76.83 Transfer of radioactive material.       |
| 76.85 Assessment of accidents.                |
| 76.87 Technical safety requirements.          |
| 76.89 Criticality accident requirements.      |
| 76.91 Emergency planning.                     |
| 76.93 Quality assurance.                      |
| 76.95 Training.                               |

## Nuclear Regulatory Commission

## § 76.4

### Subpart E—Safeguards and Security

- 76.111 Physical security, material control and accounting, and protection of certain information.
- 76.113 Formula quantities of strategic special nuclear material—Category I.
- 76.115 Special nuclear material of moderate strategic significance—Category II.
- 76.117 Special nuclear material of low strategic significance—Category III.
- 76.119 Security facility approval and safeguarding of National Security Information and Restricted Data.

### Subpart F—Reports and Inspections

- 76.120 Reporting requirements.
- 76.121 Inspections.
- 76.123 Tests.

### Subpart G—Enforcement

- 76.131 Violations.
- 76.133 Criminal penalties.

AUTHORITY: Sec. 161, 68 Stat. 948, as amended, secs. 1312, 1701, as amended, 106 Stat. 2932, 2951, 2952, 2953, 110 Stat. 1321-349 (42 U.S.C. 2201, 2297b-11, 2297f); secs. 201, as amended, 204, 206, 88 Stat. 1244, 1245, 1246 (42 U.S.C. 5841, 5842, 5845, 5846). Sec. 234(a), 83 Stat. 444, as amended by Pub. L. 104-134, 110 Stat. 1321, 1321-349 (42 U.S.C. 2243(a)).

Section 76.7 also issued under Pub. L. 95-601, sec. 10, 92 Stat. 2951 (42 U.S.C. 5851). Section 76.22 is also issued under sec.193(f), as amended, 104 Stat. 2835, as amended by Pub. L. 104-134, 110 Stat. 1321, 1321-349 (42 U.S.C. 2243(f)). Section 76.35(j) also issued under sec. 122, 68 Stat. 939 (42 U.S.C. 2152).

SOURCE: 59 FR 48960, Sept. 23, 1994, unless otherwise noted.

### Subpart A—General Provisions

#### § 76.1 Purpose.

(a) This part establishes requirements that will govern the operation of those portions of the Portsmouth and Paducah Gaseous Diffusion Plants located in Piketon, Ohio, and Paducah, Kentucky, respectively, that are leased by the United States Enrichment Corporation. These requirements are promulgated to protect the public health and safety from radiological hazards and provide for the common defense and security. This part also establishes the certification process that will be used to ensure compliance with the established requirements.

(b) The regulations contained in this part are issued pursuant to the Atomic

Energy Act of 1954, as amended (68 Stat. 919); Title II of the Energy Reorganization Act of 1974, as amended (88 Stat. 1242); and Titles IX and XI of the Energy Policy Act of 1992 (106 Stat. 2923, 2951).

#### § 76.2 Scope.

The regulations in this part apply only to those portions of the Portsmouth and Paducah Gaseous Diffusion Plants leased by the Corporation, per the Lease Agreement between the Department of Energy and the United States Enrichment Corporation. This part also gives notice to all persons who knowingly provide to the Corporation or any contractor, or subcontractor any components, equipment, materials, or other goods or services that relate to the activities subject to this part that they may be individually subject to NRC enforcement action for violation of § 76.10.

#### § 76.4 Definitions.

As used in this part:

*Act* means the Atomic Energy Act of 1954 (68 Stat. 919), and includes any amendments to the Act.

*Administrative controls* means the provisions relating to organization and management, procedures, record-keeping, review and audit, and reporting necessary to ensure operation of the plant in a safe manner.

*Agreement State* means any State with which the Commission has entered into an effective agreement under subsection 274b. of the Act.

*Non-Agreement State* means any other State.

*Alert* means events may occur, are in progress, or have occurred that could lead to a release of radioactive material[s] but that the release is not expected to require a response by an offsite response organization to protect persons offsite.

*Atomic energy* means all forms of energy released in the course of nuclear fission or nuclear transformation.

*Certificate of compliance or certificate* means a certificate of compliance issued pursuant to this part.

*Classified matter* means documents or material revealing classified information.