

**§ 109-43.307**

**41 CFR Ch. 109 (7-1-10 Edition)**

**§ 109-43.307 Items requiring special handling.**

**§ 109-43.307-2 Hazardous materials.**

**§ 109-43.307-2.50 Monitoring of hazardous personal property.**

To provide assurance that hazardous personal property is not being inadvertently released from the site by transfer or sale to the public, all hazardous or suspected hazardous personal property shall be checked for contamination by environmental, safety, and health officials. Contamination-free personal property will be tagged with a certification tag authorizing release for transfer or sale. Contaminated personal property will be referred back to the program office for appropriate action.

**§ 109-43.307-2.51 Holding hazardous personal property.**

Excess or surplus hazardous personal property shall not be commingled with non-hazardous personal property while waiting disposition action.

**§ 109-43.307-3 Conditional gifts for defense purposes.**

The Director, Office of Administrative Services and heads of field organizations shall take appropriate action as required when conditional gifts are offered.

**§ 109-43.307-4 Conditional gifts to reduce the public debt.**

The Director, Office of Administrative Services and heads of field organizations shall take appropriate action as required when conditional gifts are offered.

**§ 109-43.307-50 Export controlled personal property.**

(a) When personal property that is subject to export controls is being exported directly by DOE (e.g., a transfer of nuclear equipment or materials as part of a program of cooperation with another country), DOE or the DOE contractor must obtain the necessary export license.

(b) When personal property subject to export controls is transferred under work-for-others agreements, co-operative agreements, or technical pro-

grams, the recipients will be informed in writing that:

(1) The property is subject to export controls;

(2) They are responsible for obtaining export licenses or authorizations prior to transferring or moving the property to another country; and

(3) They are required to pass on export control guidance if they transfer the property to another domestic or foreign recipient.

**§ 109-43.307-51 Classified personal property.**

Classified personal property which is excess to DOE needs shall be stripped of all characteristics which cause it to be classified, or otherwise rendered unclassified, as determined by the cognizant program office, prior to any disposition action. The cognizant program office shall certify that appropriate action has been taken to declassify the personal property as required. Declassification shall be accomplished in a manner which will preserve, so far as practicable, any civilian utility or commercial value of the personal property.

**§ 109-43.307-52 Nuclear-related or proliferation-sensitive personal property.**

(a) Recognizing that property disposal officials will not have the technical knowledge to identify nuclear-related and proliferation-sensitive personal property, all such personal property shall be physically tagged with a certification signed by an authorized program official at time of determination by the program office of the personal property as excess. Such an authorized official should be designated in writing with signature cards on file in the property office.

(b) Nuclear-related and proliferation-sensitive personal property which is excess to DOE needs shall be stripped of all characteristics which cause it to be nuclear-related or proliferation-sensitive personal property, as determined by the cognizant program office, prior to disposal. The cognizant program office shall certify that appropriate actions have been taken to strip the personal property as required, or shall provide the property disposal office