

facility occurring at other than the final, in-place location at the facility; or

(9) Taking any other action that has no reasonable nexus to:

- (i) Radiological health and safety, or
- (ii) Common defense and security.

*Doubly encapsulated sealed source* means a sealed source in which the radioactive material is sealed within a capsule and that capsule is sealed within another capsule.

*Irradiator* means a facility that uses radioactive sealed sources for the irradiation of objects or materials and in which radiation dose rates exceeding 5 grays (500 rads) per hour exist at 1 meter from the sealed radioactive sources in air or water, as applicable for the irradiator type, but does not include irradiators in which both the sealed source and the area subject to irradiation are contained within a device and are not accessible to personnel.

*Irradiator operator* means an individual who has successfully completed the training and testing described in § 36.51 and is authorized by the terms of the license to operate the irradiator without a supervisor present.

*Panoramic dry-source-storage irradiator* means an irradiator in which the irradiations occur in air in areas potentially accessible to personnel and in which the sources are stored in shields made of solid materials. The term includes beam-type dry-source-storage irradiators in which only a narrow beam of radiation is produced for performing irradiations.

*Panoramic irradiator* means an irradiator in which the irradiations are done in air in areas potentially accessible to personnel. The term includes beam-type irradiators.

*Panoramic wet-source-storage irradiator* means an irradiator in which the irradiations occur in air in areas potentially accessible to personnel and in which the sources are stored under water in a storage pool.

*Pool irradiator* means any irradiator at which the sources are stored or used in a pool of water including panoramic wet-source-storage irradiators and underwater irradiators.

*Product conveyor system* means a system for moving the product to be irradiated to, from, and within the area where irradiation takes place.

diated to, from, and within the area where irradiation takes place.

*Radiation room* means a shielded room in which irradiations take place. Underwater irradiators do not have radiation rooms.

*Radiation safety officer* means an individual with responsibility for the overall radiation safety program at the facility.

*Sealed source* means any byproduct material that is used as a source of radiation and is encased in a capsule designed to prevent leakage or escape of the byproduct material.

*Seismic area* means any area where the probability of a horizontal acceleration in rock of more than 0.3 times the acceleration of gravity in 250 years is greater than 10 percent, as designated by the U.S. Geological Survey.

*Underwater irradiator* means an irradiator in which the sources always remain shielded under water and humans do not have access to the sealed sources or the space subject to irradiation without entering the pool.

[58 FR 7728, Feb. 9, 1993, as amended at 76 FR 56963, Sept. 15, 2011]

### § 36.5 Interpretations.

Except as specifically authorized by the Commission in writing, no interpretation of the meaning of the regulations in this part by any officer or employee of the Commission, other than a written interpretation by the General Counsel, will be recognized to be binding upon the Commission.

### § 36.8 Information collection requirements: OMB approval.

(a) The Nuclear Regulatory Commission has submitted the information collection requirements contained in this part to the Office of Management and Budget (OMB) for approval as required by the Paperwork Reduction Act (44 U.S.C. 3501 et seq.). The NRC may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. OMB has approved the information collection requirements contained in this part under control number 3150-0158.

(b) The approved information collection requirements contained in this