

1 15A NCAC 11 .0117 is amended with changes as published in NCR 27:22, pp. 2031-2073, as follows:

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3 **15A NCAC 11 .0117 INCORPORATION BY REFERENCE**

4 (a) For the purpose of the rules in this Chapter, the following rules, standards and other requirements are hereby  
5 incorporated by reference including any subsequent amendments and editions:

6 (1) Appendix A, Appendix B, Appendix C, and Appendix G to 10 CFR Parts 20.1001 - 20.2401;

7 ~~(2) 10 CFR Part 21, 10 CFR Part 30.1, {30.4, } 30.10, 10 CFR Part 31, {Part 31 except 31.5, 10 CFR~~  
8 ~~Part 32.2, 32.13, 32.24, 32.110, 32.201, 32.210, } 10 CFR Part 32, Subpart J of 10 CFR Part 35, 10~~  
9 ~~CFR 35.50, 35.51, 35.55, 35.57, 35.59, 35.190, 35.290, 35.390, 35.392, 35.394, 35.396, 35.432,~~  
10 ~~35.433, 35.457, 35.490, 35.491, 35.500, 35.590, Subpart H of 10 CFR Part 35, 35.1000, 10 CFR~~  
11 ~~Part 36, 10 CFR Part 40 {except 40.12(b), 40.23, 40.27, 40.28, 40.31(j-m), 40.32(d), and parts of~~  
12 ~~(e) pertaining to uranium enrichment, and (g), 40.33, 40.38, 40.41(d), (e)(1), (e)(3), (g), (h),~~  
13 ~~40.51(b)(6), 40.64, 40.66-67; } and 10 CFR Part 50;~~

14 ~~(3) 10 CFR Part 61, 10 CFR Part 70, 10 CFR Part 71, 10 CFR Part 73, 10 CFR Part 110, 10 CFR Part~~  
15 ~~140 and 10 CFR Part 150;~~

16 ~~(2) The following parts of 10 CFR:~~

17 ~~(A) Part 21;~~

18 ~~(B) Parts 30.1, 30.4 and 30.10;~~

19 ~~(C) Part 31, except 31.5;~~

20 ~~(D) Parts 32.2, 32.13, 32.24, 32.110, 32.201, 32.210;~~

21 ~~(E) Subpart J of 10 CFR Part 35, Parts 35.50, 35.51, 35.55, 35.57, 35.59, 35.190, 35.290,~~  
22 ~~35.390, 35.392, 35.394, 35.396, 35.432, 35.433, 35.457, 35.490, 35.491, 35.500, 35.590,~~  
23 ~~Subpart H of 10 CFR Part 35, 35.1000;~~

24 ~~(F) Part 36;~~

25 ~~(G) Part 40, except 40.12(b), 40.23, 40.27, 40.28, 40.31 (j through m), 40.32(d) and portions~~  
26 ~~of (e) pertaining to uranium enrichment, and 40.32(g), 40.33, 40.38, 40.41(d),~~  
27 ~~40.41(e)(1), 40.41(e)(3), 40.41(g), 40.41(h), 40.51(b)(6), 40.64, 40.66, 40.67;~~

28 ~~(H) Part 61 except 61.16, 61.23(i) and (j);~~

29 ~~(I) Part 70, except 70.1 (c), (d), (e), 70.13, 70.14, 70.20(a), (b), 70.21(a)(1), (c), (f through~~  
30 ~~h), 70.22(b), (c), (f through n), 70.23 (a)(6 through 12), (b), 70.23a, 70.24, 70.25(a)(1),~~  
31 ~~70.31(c through e), 70.32(a)(1), (a)(4 through 7), (b)(1), (b)(3), (b)(4)(c through k),~~  
32 ~~70.37, 70.40, 70.42(b)(6), 70.44, 70.51(c), 70.52, 70.55(c), 70.59-62, 70.64, 70.65, 70.66,~~  
33 ~~70.72, 70.73, 70.74, 70.76, 70.82;~~

34 ~~(J) Parts 71.0, 71.1, 71.2, 71.3, 71.13, 71.4, 71.5, 71.8, 71.14(a), 71.15, 71.17(a) through (e),~~  
35 ~~71.20, 71.21, 71.22, 71.23, 71.47, Subpart G of 10 CFR Part 71, 10 CFR 71.101(a)~~  
36 ~~through (c)(1), 71.101(f), 71.101(g), 71.103, 71.105, 71.127, 71.129, 71.131, 71.133,~~  
37 ~~71.135, 71.137, Appendix A to 10 CFR Part 71; and~~

(K) Part 150 except 150.3 Definition: Foreign Obligations, 150.7, 150.10, 150.14, 150.15, 150.15a, 150.16-17, 150.17a, 150.19, 150.21.

~~{(3)}~~ 10 CFR Part 61 except 61.16, 61.23(i),(j), 10 CFR Part 70 except 70.1 (e), (d), (e), 70.13-14, 70.20(a), (b), 70.21(a)(1), (e), (f h), 70.22(b), (e), (f n), 70.23 (a)(6-12), (b), 70.23a, 70.24, 70.25(a)(1), 70.31(e e), 70.32(a)(1), (a)(4-7), (b)(1), (b)(3), (b)(4)(e k), 70.37, 70.40, 70.42(b)(6), 70.44, 70.51(e), 70.52, 70.55(e), 70.59-62, 70.64-66, 70.72-74, 70.76, 70.82, 10 CFR Part 71.0, 71.1, 71.2, 71.3, 71.13, 71.4, 71.5, 71.8, 71.14(a), 71.15, 71.17(a) (e), 71.20, 71.21, 71.22, 71.23, 71.47, Subpart G of 10 CFR Part 71, 10 CFR 71.101(a) (c)(1), 71.101(f), 71.101(g), 71.103, 71.105, 71.127, 71.129, 71.131, 71.133, 71.135, 71.137, Appendix A to 10 CFR Part 71, and 10 CFR Part 150 except 150.3 Definition: Foreign Obligations, 150.7, 150.10, 150.14, 150.15, 150.15a, 150.16-17, 150.17a, 150.19, 150.21}

~~(4)~~ (3) 21 CFR Part 1010, 21 CFR Part 1020 and 21 CFR Part 1040;

~~(5)~~ (4) 39 CFR Part 14 and 39 CFR Part 15;

~~(6)~~ (5) Postal Service Manual (Domestic Mail Manual) Section 124.3 [incorporated by reference in 39 CFR Section 111.11];

~~(7)~~ (6) 40 CFR Part 261;

~~(8)~~ (7) 49 CFR Parts 100-189;

~~(9)~~ (8) "Agreement Between the United States Atomic Energy Commission and the State of North Carolina for Discontinuance of Certain Commission Regulatory Authority and Responsibility within the State Pursuant to Section 274 of the Atomic Energy Act of 1954, as Amended", Amended," signed July 21, 1964;

~~(10)~~ (9) "Standards and Specifications for Geodetic Control ~~Networks~~ Networks" (September 1984);

~~(11)~~(10) "Geometric Geodetic Survey Accuracy Standards and Specifications for Geodetic Surveys Using GPS Relative Positioning Techniques";

~~(12)~~(11) "Reference Man: Anatomical, Physiological and Metabolic Characteristics" (ICRP Publication No. 23) of the International Commission on Radiological Protection;

~~(13)~~(12) "10 CFR, Chapter 1, Commission Notices, Policy Statements, Agreement States, 46 FR 7540"; and

~~(14)~~(13) American National Standard ~~N432-1980~~ N43.9 "Radiological Safety for the Design and Construction of Apparatus for Gamma Radiography".

(b) The rules, standards and other requirements incorporated by reference in Paragraph (a) of this Rule are available for inspection at the ~~Department of Environment and Natural Resources, Division of Radiation Protection Agency~~ at the address listed in Rule .0111 of this Section. Except as noted in the Subparagraphs of this Paragraph, copies of the rules, standards and other requirements incorporated by reference in Paragraph (a) of this Rule may be obtained from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402 at a cost as follows:

- 1 (1) Three dollars (\$3.00) for the appendixes listed in Subparagraph (a)(1) of this Rule, available from  
2 the ~~Division of Radiation Protection;~~ Agency;
- 3 (2) ~~Twenty-five~~ Sixty-Seven dollars (~~\$25.00~~) (\$67.00) for the regulations listed in Subparagraph  
4 (a)(2) of this Rule in a volume containing 10 CFR Parts ~~0-50~~ 1-50;
- 5 (3) ~~Eighteen dollars~~ Sixty-Four (~~\$18.00~~) (\$64.00) for the regulations listed in Subparagraph (a)(3) of  
6 this Rule in a volume containing 10 CFR Parts 51-199;
- 7 (4) ~~Eighteen dollars~~ Sixty-Six (~~\$18.00~~) (\$66.00) for the regulations listed in Subparagraph (a)(4) of  
8 this Rule in a volume containing 21 CFR Parts 800-1299;
- 9 (5) ~~Sixteen dollars~~ Forty-Seven (~~\$16.00~~) (\$47.00) for the regulations listed in Subparagraph (a)(5) of  
10 this Rule in a volume containing 39 CFR;
- 11 (6) Thirty-six dollars (\$36.00) for the manual listed in Subparagraph (a)(6) of this Rule;  
12 [http://pe.usps.gov/text/dmm300/dmm300\\_landing.htm](http://pe.usps.gov/text/dmm300/dmm300_landing.htm);
- 13 (7) ~~Thirty-one~~ Fifty-Six dollars (~~\$31.00~~) (\$56.00) for the regulations listed in Subparagraph (a)(7) of  
14 this Rule in a volume containing 40 CFR Parts 260-299;
- 15 (8) For the regulations listed in Subparagraph (a)(8) of this Rule:  
16 (A) ~~Twenty-three~~ Seventy dollars (~~\$23.00~~) (\$70.00) for a volume containing 49 CFR Parts  
17 100-177; and  
18 (B) ~~Seventeen~~ Seventy dollars (~~\$17.00~~) (\$70.00) for a volume containing 49 CFR Parts 178-  
19 199;
- 20 (9) One dollar (\$1.00) for the agreement in Subparagraph (a)(9) of this Rule, available from the  
21 ~~Division of Radiation Protection;~~ Agency;
- 22 (10) Two dollars and eighty-five cents (\$2.85) for the standards and specifications in Subparagraph  
23 (a)(10) of this Rule, available from the National Geodetic Information Center, N/CG174,  
24 Rockwall Building, Room 24, National Geodetic Survey, NOAA, Rockville, MD 20852;
- 25 (11) Two dollars and eighty-five cents (\$2.85) for the standards and specifications in Subparagraph  
26 (a)(11) of this Rule, available from the National Geodetic Information Center, NCG174, Rockwall  
27 Building, Room 24, National Geodetic Survey, NOAA, Rockville, MD 20852;
- 28 (12) ~~One hundred and five~~ Two Hundred Eighteen dollars (~~\$105.00~~) (\$218.00) for the ICRP  
29 Publication No. 23 in Subparagraph (a)(12) of this Rule, available from Pergamon Press, Inc.,  
30 Maxwell House, Fairview Park, Elmsford, NY 10523;
- 31 (13) Two dollars (\$2.00) for the document in Subparagraph (a)(13) of this Rule, available from the  
32 ~~Division of Radiation Protection;~~ Agency; and
- 33 (14) ~~Thirty-eight dollars~~ Twenty-Five plus five dollars shipping and handling (~~\$43.00~~) (\$30.00) for the  
34 American National Standard ~~N432-1980~~ N43.9 in Subparagraph (a)(14) of this Rule, available  
35 from the American National Standards Institute, Inc., 1430 Broadway, New York, New York  
36 10018, telephone number (212) 642-4900.

1           (15) The Code of Federal Regulations is available free of charge on the internet at  
2           <http://www.gpo.gov/fdsys/browse/collectionCfr.action?collectionCode=CFR>.

3 (c) Nothing in this incorporation by reference of 10 CFR Part 61 in Subparagraph (a)(3) of this Rule shall limit or  
4 affect the continued applicability of G.S. 104E-25(a) and (b).

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6 *History Note: Authority G.S. 104E-7; 104E-15(a); G. S. 104E-25(b); G.S. 150B-19(5)(b); 150B-21.6;*  
7 *Eff. June 1, 1993;*  
8 *Temporary Amendment Eff. August 20, 1994, for a period of 180 days or until the permanent rule*  
9 *becomes effective, whichever is sooner;*  
10 *Amended Eff. October 1, 2013; November 1, 2007; August 1, 2002; April 1, 1999; August 1, 1998;*  
11 *May 1, 1995.*  
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