

1 10A NCAC 15 .0305 is proposed for readoption with substantive changes as follows:

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3 **10A NCAC 15 .0305** **EXEMPT ITEM CONTAINING OTHER THAN SOURCE MATERIAL SPECIFIC**
4 **DOMESTIC LICENSES OF BROAD SCOPE FOR BYPRODUCT MATERIAL**

5 ~~(a) Any person possessing items containing radioactive material listed in 10 CFR 30.15(a)(1) through (9) shall be~~
6 ~~exempt from the requirements for a radioactive materials license and shall comply with the provisions of 10 CFR~~
7 ~~30.15.~~

8 ~~(b) Any person possessing self luminous products listed in 10 CFR 30.19(a) shall be exempt from the requirements~~
9 ~~for a radioactive materials license and shall comply with the provisions of 10 CFR 30.19.~~

10 ~~(c) Any person possessing gas and aerosol detectors listed in 10 CFR 30.20(a) shall be exempt from the requirements~~
11 ~~for a radioactive materials license and shall comply with the provisions of 10 CFR 30.20.~~

12 ~~(d) Any person possessing radioactive drugs containing carbon-14 urea for diagnostic use in humans listed in 10 CFR~~
13 ~~30.21(a) shall be exempt from the requirements for a radioactive materials license and shall comply with the provisions~~
14 ~~of 10 CFR 30.21.~~

15 ~~(e) Any person possessing industrial devices listed in 10 CFR 30.22(a) shall be exempt from the requirements for a~~
16 ~~radioactive materials license and shall comply with the provisions of 10 CFR 30.22.~~

17 ~~(f) Notwithstanding Rule .0117 of this Chapter, the regulations cited in this Rule from 10 CFR Chapter I (2015) are~~
18 ~~hereby incorporated by reference, excluding subsequent amendments and editions. Copies of these regulations are~~
19 ~~available _____ free _____ of _____ charge _____ at _____~~ http://www.ecfr.gov/cgi-bin/text-idx?SID=2beece594411a03e50b2468ae31f89b&pid=20160101&tpl=/ecfrbrowse/Title10/10tab_02.tpl
20 ~~idx?SID=2beece594411a03e50b2468ae31f89b&pid=20160101&tpl=/ecfrbrowse/Title10/10tab_02.tpl.~~

21 (a) Persons engaging in activities involving the use of more than one type of radioactive material and who have
22 established administrative controls and provisions relating to organization and management, procedures, record
23 keeping, material control and accounting, and management review that are necessary to assure safe operations in
24 compliance with the Rules of this Chapter shall comply with the provisions of 10 CFR 33, which are hereby
25 incorporated by reference including subsequent amendments and editions, as follows:

26 (1) 10 CFR 33.1, "Purpose and scope;"

27 (2) 10 CFR 33.11(a), "Types of specific licenses of broad scope;"

28 (3) 10 CFR 33.12, "Applications for specific licenses of broad scope," except that the requirements of
29 Paragraph (b) of this Rule shall be met;

30 (4) 10 CFR 33.13, "Requirements for the issuance of a Type A specific license of broad scope;"

31 (5) 10 CFR 33.16, "Application for other specific licenses;" and

32 (6) 10 CFR 33.17(a), (b), "Conditions of specific licenses of broad scope."

33 (b) Applications shall be made on forms provided by the agency. One copy of the application and supporting material
34 shall be submitted to the agency by e-mail at Licensing.RAM@dhhs.nc.gov, or at the address shown in Rule .0111 of
35 this Chapter in lieu of the NRC:

36 (1) Persons applying for new radioactive materials licenses, or for the renewal of existing radioactive
37 materials licenses, shall submit an Application for Radioactive Materials License. The instructions

1 for completing the application printed on the application form shall be followed. The following
2 information shall appear on the application:

3 (A) legal business name and mailing address;

4 (B) physical address(es) where radioactive material shall be used or possessed. The application
5 shall indicate if radioactive materials shall be used at temporary jobsites;

6 (C) the name, telephone number, and e-mail address of the +Radiation Safety Officer;

7 (D) the name, telephone number, and e-mail address of the individual to be contacted about the
8 application. If this individual is same as the Radiation Safety Officer, the application may
9 so state;

10 (E) the application shall indicate if the application is for a new license, or for the renewal of an
11 existing license, by marking the corresponding check box;

12 (F) if the application is for the renewal of an existing license, the license number shall be
13 provided on the application;

14 (G) applicants shall indicate the type and category of license as shown on the form by marking
15 the corresponding check box; and

16 (H) the printed name, title, and signature of the certifying official. The certifying official shall
17 be an individual employed by the business or licensee, who is authorized by the licensee
18 to sign license applications on behalf of the business or licensee.

19 (2) Persons applying for an amendment to an existing license shall submit an Application for
20 Amendment of Radioactive Materials and Accelerator Licenses. The instructions for completing the
21 application printed on the application form shall be followed. The following information shall
22 appear on the application:

23 (A) the license number;

24 (B) amendment number of the current license;

25 (C) expiration date of the license;

26 (D) licensee name as it currently appears on the license;

27 (E) the name, telephone number, and e-mail address of the Radiation Safety Officer;

28 (F) the name, telephone number, and e-mail address of the individual to be contacted about the
29 application. If this individual is same as the Radiation Safety Officer, item 5b on the
30 application may be left blank;

31 (G) applicants shall provide a description of the action requested by marking the corresponding
32 checkbox in item 6a. If the check box next to "Other" is marked in item 6a, provide a brief
33 description of the action requested in the space provided in item 6b;

34 (H) explanation of the action requested; and

35 (I) the printed name, title, and signature of the certifying official. The certifying official shall
36 be an individual employed by the business or licensee who is authorized by the licensee to
37 sign license applications on behalf of the business or licensee.

1 (3) Applications specified in this Rule are available at:

2 [https://radiation.ncdhhs.gov/rms/rmsforms2.htm\(Rev01\).htm](https://radiation.ncdhhs.gov/rms/rmsforms2.htm(Rev01).htm).

3 (c) Copies of the regulations incorporated by this Rule are available free of charge at [https://www.nrc.gov/reading-](https://www.nrc.gov/reading-rm/doc-collections/cfr/part033/)

4 [rm/doc-collections/cfr/part033/](https://www.nrc.gov/reading-rm/doc-collections/cfr/part033/).

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7 *Eff. February 1, 1980;*

8 *Amended Eff. October 1, 2013; April 1, 1999; June 1, 1993; October 1, 1982; September 1, 1981;*

9 *Transferred and Recodified from 15A NCAC 11 .0305 Eff. February 1, 2015;*

10 *Amended Eff. March 1, ~~2017~~ 2017;*

11 *Readopted Eff. May 1, 2024.*