

1 10A NCAC 15 .0337 is proposed for amendment as follows:

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3 **10A NCAC 15 .0337** **ISSUANCE OF SPECIFIC LICENSES AND SEALED SOURCE AND DEVICE**
4 **REGISTRATION CERTIFICATES**

5 (a) An application for a specific license shall be approved, and a specific license issued, or amended by the agency if
6 the agency determines that the applicant satisfies the provisions of 10 CFR 30.33(a)(1) through (4), 30.39, 40.32(a)
7 through (f), and 70.23(a)(1) through (6) as applicable to licensed activities, and any additional requirements in:

8 (1) 10 CFR 32.11, 32.14, 32.18, 32.21, 32.22, 32.26, and 32.30 as applicable to the manufacture of
9 exempt concentrations of byproduct material, and items containing exempt concentrations of
10 byproduct material listed in 10 CFR Part 32, Subpart A;

11 (2) 10 CFR 32.51, 32.53, 32.57, 32.61, and 32.71 as applicable to the manufacturing and distribution
12 of generally licensed items and devices listed in 10 CFR Part 32, Subpart B;

13 (3) 10 CFR 32.72 and 32.74 as applicable to the manufacturing and distribution of radioactive drugs,
14 sources, or devices listed in 10 CFR Part 32, Subpart C;

15 (4) 10 CFR 33.13 through 33.15, and 33.17 as applicable to activities of broad scope;

16 (5) 10 CFR 34.13 for industrial radiography;

17 (6) 10 CFR 35.18 for the medical use of radioactive materials;

18 (7) 10 CFR 36.13 for the use of sealed sources to irradiate materials;

19 (8) 10 CFR 39.13, 39.15, and 39.17 for the use of radioactive materials in well logging;

20 (9) 10 CFR 40.34 for the use of source material in the manufacture and initial transfer of devices
21 containing depleted uranium to a person generally licensed under Rule .0307(b) of this Section;

22 (10) 10 CFR 40.52 for the use of source material in the manufacture of exempt devices listed in Rule
23 .0305 of this Section;

24 (11) 10 CFR 40.54 for the initial transfer of source material to a person generally licensed under Rule
25 .0307(a) of this Section;

26 (12) 10 CFR 61.23(a) through (h), and (k), and Section .1200 of this Chapter for the receipt, possession,
27 transfer, or disposal of radioactive waste received from another person; and

28 (13) 10 CFR 70.31(a) and (b) for the use of special nuclear material.

29 (b) An application for a new or amended Sealed Source and Device Registration certificate shall be approved by the
30 agency, and a new or amended Sealed Source and Device Registration certificate issued in accordance with 10 CFR
31 32.210(d) and (e).

32 (c) Notwithstanding Rule .0117 of this Chapter, the regulations cited in this Rule from 10 CFR Chapter I (2015) are
33 hereby incorporated by reference, excluding subsequent amendments and editions. Copies of these regulations are
34 available free of charge at [http://www.ecfr.gov/cgi-bin/text-](http://www.ecfr.gov/cgi-bin/text-idx?SID=2beece594411a03e50b2468ae31f89b&pitd=20160101&tpl=/ecfrbrowse/Title10/10tab_02.tpl)
35 idx?SID=2beece594411a03e50b2468ae31f89b&pitd=20160101&tpl=/ecfrbrowse/Title10/10tab_02.tpl.

1 ~~(a) Upon a determination that an application meets the requirements of the Act and the rules of this Section, the~~
2 ~~agency will issue a specific license authorizing the proposed activity in such form and containing such conditions and~~
3 ~~limitations as it deems appropriate or necessary.~~

4 ~~(b) The agency may amend any license, when not in conflict with any law, to waive any requirement in these Rules~~
5 ~~or to impose additional requirements in accordance with 46 FR 7540, with respect to the licensee's receipt, possession,~~
6 ~~use and transfer of radioactive material subject to the rules in this Chapter as it deems appropriate or necessary in~~
7 ~~order to:~~

8 ~~(1) minimize danger to public health and safety or property;~~

9 ~~(2) require such reports and the keeping of such records, and provide for such inspections of activities~~
10 ~~under the license as may be appropriate or necessary; and~~

11 ~~(3) prevent loss or theft of radioactive material subject to this Section.~~

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13 *History Note: Authority G.S. 104E-7; 104E-10(b); 10 C.F.R. Chapter 1, Commission Notices, Policy Statements,*
14 *Agreement States, 46 F.R. 7540;*
15 *Eff. February 1, 1980;*
16 *Amended Eff. June 1, 1993;*
17 *Transferred and Recodified from 15A NCAC 11 .0337 Eff. February 1, ~~2015~~ 2015;*
18 *Amended Eff. March 1, 2017.*