

1 10A NCAC 15 .0357 is proposed for amendment as follows:

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3 **10A NCAC 15 .0357 REPORTING REQUIREMENTS**

4 (a) All reports required by this Rule shall be made to the agency in accordance with Rule .0111 of this Chapter.

5 (b) Reports of incidents involving exposure, or incidents threatening to cause exposure to radiation in excess of the
6 annual occupational limits of Rule .1604 of this Chapter shall be made to the agency in accordance with the provisions
7 of 10 CFR 20.2202.

8 (c) Reports of an event that prevents taking protective actions to avoid exposure to radiation or to radioactive material
9 that could cause exposures in excess of the regulatory limits of this Chapter shall be made to the agency in accordance
10 with the provisions of:

11 (1) 10 CFR 30.50 for licensees authorized for the possession and use of byproduct material;

12 (2) 10 CFR 40.60 for licensees authorized for the possession and use of source material; and

13 (3) 10 CFR 70.50 of this Chapter for licensees authorized for the possession and use of special nuclear
14 material.

15 (d) Reports of exposure to radiation exceeding the exposure limits in Section .1600 of this Chapter, or to
16 concentrations of radioactive material in any restricted or unrestricted area in excess of licensed or regulatory limits
17 of 10 CFR Part 20.2203(a)(3) shall be made to the agency in accordance with 10 CFR 20.2203.

18 (e) Reports of incidents or events occurring at irradiation facilities licensed under the provisions of 10 CFR 36.1(b)
19 shall be made to the agency in accordance with 10 CFR 36.83.

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

24 ~~(a) Immediate report. Each licensee shall notify the agency as soon as possible but not later than four hours after the~~
25 ~~discovery of an event that prevents immediate protective actions necessary to avoid exposures to sources of radiation~~
26 ~~that could exceed regulatory limits or releases of licensed radioactive material that could exceed regulatory limits.~~
27 ~~These events include but are not limited to fires, explosions and toxic gas releases.~~

28 ~~(b) Twenty four hour report. Each licensee shall notify the agency within 24 hours after the discovery of any of the~~
29 ~~following events involving licensed radioactive material:~~

30 ~~(1) an unplanned contamination event that:~~

31 ~~(A) requires access to the contaminated area, by workers or the public, to be restricted for more~~
32 ~~than 24 hours by imposing additional radiological controls or by prohibiting entry into the~~
33 ~~area;~~

34 ~~(B) involves a quantity of material greater than five times the lowest annual limit on intake~~
35 ~~specified in Appendix B to 10 CFR §§ 20.1001-20.2401 for the material; and~~

36 ~~(C) causes the licensee to restrict access to the area for a reason other than to allow isotopes~~
37 ~~with a half life of less than 24 hours to decay prior to decontamination;~~

- 1 ~~(2) — an event in which equipment is disabled or fails to function as designed when:~~
2 ~~(A) — the equipment is required by rule or license condition to:~~
3 ~~(i) — prevent releases exceeding regulatory limits;~~
4 ~~(ii) — prevent exposures to sources of radiation exceeding regulatory limits; or~~
5 ~~(iii) — to mitigate the consequences of an accident;~~
6 ~~(B) — the equipment is required to be available and operable at the time that it is disabled or fails~~
7 ~~to function; and~~
8 ~~(C) — no redundant equipment is available and operable to perform the required safety function;~~
- 9 ~~(3) — an event that requires unplanned medical treatment at a medical facility of an individual with~~
10 ~~removable radioactive contamination on the individual's clothing or body; or~~
- 11 ~~(4) — an unplanned fire or explosion damaging any licensed material or any device, container or~~
12 ~~equipment containing licensed radioactive material when:~~
13 ~~(A) — the quantity of material involved is greater than five times the lowest annual limit on intake~~
14 ~~specified in Appendix B to 10 CFR §§ 20.1001-20.2401 for the material; and~~
15 ~~(B) — the damage affects the integrity of the licensed radioactive material or its container.~~

16 ~~(c) Preparation and submission of reports. Reports made by licensees in response to the requirements of this Rule~~
17 ~~shall be made as follows:~~

- 18 ~~(1) — Licensees shall make reports required by Paragraphs (a) and (b) of this Rule by telephone as~~
19 ~~specified in Rule .0111(b) of this Chapter. To the extent that the information is available at the time~~
20 ~~of notification, the information provided in these reports shall include:~~
21 ~~(A) — the caller's name and call back telephone number;~~
22 ~~(B) — a description of the event, including date and time;~~
23 ~~(C) — the exact location of the event;~~
24 ~~(D) — the isotopes, quantities, and chemical and physical form of the licensed radioactive material~~
25 ~~involved; and~~
26 ~~(E) — any personnel radiation exposure data available.~~
- 27 ~~(2) — Each licensee who makes a report required by Paragraph (a) or (b) of this Rule shall submit a written~~
28 ~~follow up report within 30 days of the initial report. Written reports prepared pursuant to other rules~~
29 ~~may be submitted to fulfill this requirement if the reports contain all of the necessary information~~
30 ~~and the appropriate distribution is made. These written reports shall be submitted to the agency as~~
31 ~~specified in Rule .0111(a) of this Chapter. The reports shall include the following:~~
32 ~~(A) — a description of the event, including the probable cause and the manufacturer and model~~
33 ~~number, if applicable, of any equipment that failed or malfunctioned;~~
34 ~~(B) — the exact location of the event;~~
35 ~~(C) — the isotopes, quantities and chemical and physical form of the licensed material involved;~~
36 ~~(D) — the date and time of the event;~~

