

1 10A NCAC 15 .0302 is proposed for amendment as follows:

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3 **10A NCAC 15 .0302 GENERAL DOMESTIC LICENSES FOR BYPRODUCT MATERIAL**

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5 (a) To reconcile differences between this Rule and the incorporated sections of 10 CFR 31 and to effectuate their joint  
6 enforcement, the following words and phrases shall be substituted for the language of 10 CFR 31:

- 7 (1) A reference to "NRC" or "Commission" means the "Agency;"  
8 (2) A reference to "NRC or agreement state" means the "Agency or agreement state;"  
9 (3) In 10 CFR 31.5(b)(1)(ii), 31.5(c)(3)(ii), 31.5(c)(8)(i), 31.6, 31.7(a), 31.10(a), 31.10(b)(1), and  
10 31.12(c)(4), where a reference is made to "an Agreement State", it means "an Agreement State or  
11 the NRC;" and  
12 (4) In 10 CFR 31.6, where the words "any non-agreement state" or "offshore waters" are used, substitute  
13 the words "State of North Carolina".

14 ~~(a)~~(b) Persons possessing generally licensed items, manufactured or initially transferred pursuant to Subpart B of 10  
15 CFR 32, shall comply with the provisions of 10 CFR 31, which are hereby incorporated by reference including  
16 subsequent amendments and editions, as follows:

- 17 (1) Reports, notifications, and responses to agency requests for information required by this Rule shall  
18 be made to the agency at the address shown in Rule .0111 of this Chapter unless directed otherwise by the  
19 agency;  
20 (2) 10 CFR 31.1, "Purpose and scope;"  
21 (3) 10 CFR 31.2, "Terms and conditions;"  
22 (4) 10 CFR 31.5, "Certain detecting, measuring, gauging, or controlling devices and certain devices for  
23 producing light or an ionized atmosphere," except that the fee required by 10 CFR 170.31 shall not  
24 apply. Persons using devices described in 31.5(a) shall be registered with the agency. Device  
25 registration shall be made in accordance with Paragraph ~~(b)~~(c) of this Rule and shall contain the  
26 information required by 31.5(c)(13)(iii);  
27 (5) 10 CFR 31.6, "General license to install devices generally licensed in 10 CFR 31.5;"  
28 (6) 10 CFR 31.7, "Luminous safety devices in aircraft;"  
29 (7) 10 CFR 31.8, "Americium-241 and radium-226 in the form of calibration or reference sources;"  
30 (8) 10 CFR 31.9, "General license to own byproduct material;"  
31 (9) 10 CFR 31.10, "General license for strontium 90 in ice detection devices;"  
32 (10) 10 CFR 31.11, "General license for use of byproduct material for certain in vitro clinical or  
33 laboratory testing," except that persons required by 31.11(b) to register devices with the agency shall  
34 comply with the provisions of Paragraph ~~(b)~~(c) of this Rule;  
35 (11) 10 CFR 31.12, "General license for certain items and self-luminous products containing radium-  
36 226;" and  
37 (12) 10 CFR 31.21, "Maintenance of records;"

1 ~~(b)~~(c) Persons registering devices shall use General License Application for Registration forms provided by the  
2 agency. These forms are available free of charge at: <https://radiation.ncdhhs.gov/rms/rmsgenicforms.htm>.  
3 Applications and supporting material shall be submitted to the agency by e-mail at [Licensing.ram@dhhs.nc.gov](mailto:Licensing.ram@dhhs.nc.gov), or at  
4 the address shown in Rule ~~0111~~.0111(a) of this Chapter in lieu of the United States Nuclear Regulatory Commission.

5 The following information shall appear on the application:

- 6 (1) facility name, mailing address, physical address if different from the mailing address, and the name  
7 of the county where the facility is located;
- 8 (2) type of device;
- 9 (3) device manufacturer;
- 10 (4) device model numbers and serial numbers;
- 11 (5) number of devices being registered, isotopes, and activity;
- 12 (6) indicate if the devices have been leak tested by checking the corresponding check box;
- 13 (7) if the devices have been leak tested, write down the frequency that leak tests are required;
- 14 (8) the name of the person or company performing the leak test;
- 15 (9) describe the method of device disposal; and
- 16 (10) the signature, printed name, title, date the form is signed and telephone number of the contact person.

17 ~~(e)~~(d) Copies of the regulations incorporated by this Rule are available free of charge at <https://www.nrc.gov/reading->  
18 [rm/doc-collections/cfr/part031/](https://www.nrc.gov/reading-rm/doc-collections/cfr/part031/).

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20 *History Note: Authority G.S. 104E-7; 104E-10(b);*  
21 *Eff. February 1, 1980;*  
22 *Amended Eff. June 1, 1989; October 1, 1984; October 1, 1980;*  
23 *Transferred and Recodified from 15A NCAC 11 .0302 Eff. February 1, 2015;*  
24 *Amended Eff. March 1, 2017;*  
25 *Readopted Eff. May 1, ~~2024~~2024;*  
26 *Amended Eff. October 1, 2026.*