

1 10A NCAC 15 .1601 is proposed for amendment as follows:

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3 **SECTION .1600 - STANDARDS FOR PROTECTION AGAINST RADIATION**

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5 **10A NCAC 15 .1601 STANDARDS FOR PROTECTION AGAINST RADIATION**

6 (a) To reconcile differences between this Rule and the incorporated sections of 10 CFR 20 and to effectuate their joint  
7 enforcement, and to effectuate their joint enforcement, the following words and phrases shall be substituted for the  
8 language of 10 CFR 20:

9 (1) Except in 20.1003, a reference to the "Nuclear Regulatory Commission," "NRC" or "Commission"  
10 means the "Agency," and

11 (2) In 10 CFR 20.1003, in the definition of "Special Nuclear Material", the sentence "and any other  
12 material which the Commission, pursuant to the provisions of section 51 of the Act, determines to  
13 be special nuclear material", remains preserved as implemented by G.S. 104E-5.(16).

14 ~~(a)~~(b) Persons registered with the agency pursuant to the rules in Section .0200 of this Chapter, and persons licensed  
15 pursuant to the rules in Section .0300, .0900, .1200, or .1300 of this Chapter, shall comply with the provisions of 10  
16 CFR 20 as follows, which are hereby incorporated by reference including subsequent amendments and editions, except  
17 references to and requirements for 10 CFR 50, 52, 60, 63, 72, 73, and 76 shall not apply:

18 (1) 20.1001, "Purpose," except that non-ionizing radiation from radiation machines registered in  
19 accordance with the rules in Section .0200 of this Chapter shall also be regulated by this Rule;

20 (2) 20.1002, "Scope;"

21 (3) 20.1003, "Definitions," except that for persons registered with the agency pursuant to the rules in  
22 Section .0200 of this Chapter, the following terms used in 10 CFR 20 shall have the following  
23 substitutions:

24 (A) "license" shall have the same meaning as "registration" as defined in Rule .0103(b) of this  
25 Chapter;

26 (B) "licensed" shall have the same meaning as "registered" as defined in Rule .0103(b) of this  
27 Chapter;

28 (C) "licensed material" shall have the same meaning as "radiation machine" as defined in Rule  
29 .0103(b) of this Chapter, and

30 (D) "licensee" shall have the same meaning as "registrant" as defined in Rule .0103(b) of this  
31 Chapter;

32 (4) 20.1004, "Units of radiation dose;"

33 (5) 20.1005, "Units of radioactivity;"

34 (6) 20.1007, "Communications," except that licensees and registrants shall address communications  
35 regarding these rules, notifications, and reports to the agency as instructed by Rule .0111 of this  
36 Chapter in lieu of the NRC;

37 (7) 20.1101, "Radiation protection programs;"

- 1 (8) 20.1201, "Occupational dose limits for adults;"
- 2 (9) 20.1202, "Compliance with requirements for summation of external and internal doses;"
- 3 (10) 20.1203, "Determination of external dose from airborne radioactive material;"
- 4 (11) 20.1204, "Determination of internal exposure;"
- 5 (12) 20.1206, "Planned special exposures;"
- 6 (13) 20.1207, "Occupational dose limits for minors;"
- 7 (14) 20.1208, "Dose equivalent to an embryo/fetus;"
- 8 (15) 20.1301, "Dose limits for individual members of the public;"
- 9 (16) 20.1302, "Compliance with dose limits for individual members of the public;"
- 10 (17) 20.1401, "General provisions and scope;"
- 11 (18) 20.1402, "Radiological criteria for unrestricted use;"
- 12 (19) 20.1403, "Criteria for license termination under restricted conditions;"
- 13 (20) 20.1404, "Alternate criteria for license termination;"
- 14 (21) 20.1405, "Public notification and public participation," except the agency shall not publish a notice
- 15 in the Federal Register;
- 16 (22) 20.1406, "Minimization of contamination," except that 20.1406(b) shall not apply;
- 17 (23) 20.1501, "General;"
- 18 (24) 20.1502, "Conditions requiring individual monitoring of external and internal occupational dose;"
- 19 (25) 20.1601, "Control of access to high radiation areas;"
- 20 (26) 20.1602, "Control of access to very high radiation areas;"
- 21 (27) 20.1701, "Use of process or other engineering controls;"
- 22 (28) 20.1702, "Use of other controls;"
- 23 (29) 20.1703, "Use of individual respiratory protection equipment;"
- 24 (30) 20.1704, "Further restrictions on the use of respiratory equipment;"
- 25 (31) 20.1705, "Application for use of higher assigned protection factors;"
- 26 (32) 20.1801, "Security of stored material;"
- 27 (33) 20.1802, "Control of material not in storage;"
- 28 (34) 20.1901, "Caution signs;"
- 29 (35) 20.1902, "Posting requirements;"
- 30 (36) 20.1903, "Exceptions to posting requirements;"
- 31 (37) 20.1904, "Labeling containers;"
- 32 (38) 20.1905, "Exemptions to labeling requirements," except that 20.1905(g) shall not apply;
- 33 (39) 20.1906, "Procedures for receiving and opening packages;"
- 34 (40) 20.2001, "General requirements;"
- 35 (41) 20.2002, "Method for obtaining approval of proposed disposal procedures;"
- 36 (42) 20.2003, "Disposal by release to sanitary sewage;"
- 37 (43) 20.2004, "Treatment or disposal by incineration;"

- 1 (44) 20.2005, "Disposal of specific wastes;"
- 2 (45) 20.2006, "Transfer for disposal and manifests;"
- 3 (46) 20.2007, "Compliance with environmental and health protection regulations;"
- 4 (47) 20.2008, "Disposal of certain byproduct material;"
- 5 (48) 20.2101, "General provisions;"
- 6 (49) 20.2102, "Records of radiation protection programs;"
- 7 (50) 20.2103, "Records of surveys;"
- 8 (51) 20.2104, "Determination of prior occupational dose;"
- 9 (52) 20.2105, "Records of planned special exposures;"
- 10 (53) 20.2106, "Records of individual monitoring results;"
- 11 (54) 20.2107, "Records of dose to individual members of the public;"
- 12 (55) 20.2108, "Records of waste disposal;"
- 13 (56) 20.2110, "Form of records;"
- 14 (57) 20.2201, "Reports of theft or loss of material." Persons registered with the agency pursuant to the
- 15 rules in Section .0200 of this Chapter shall make telephone reports of the theft or loss of radiation
- 16 machines in accordance with 20.2201(a)(1)(i);
- 17 (58) 20.2202, "Notifications of incidents;"
- 18 (59) 20.2203, "Reports of exposures, radiation levels, and concentrations of radioactive material
- 19 exceeding the constraints or limits," except that 20.2203(c) shall not apply;
- 20 (60) 20.2204, "Reports of planned special exposures;"
- 21 (61) 20.2205, "Reports to individuals exceeding dose limits;"
- 22 (62) 20.2206, "Reports of individual monitoring," except that 20.2206(a)(1), and 20.2206(a)(3) through
- 23 (a)(5) shall not apply. The report required by 20.2206(b) shall be submitted upon request by the
- 24 agency in lieu of the requirements of 20.2206(c);
- 25 (63) 20.2207, "Reports of transactions involving nationally tracked sources." Notwithstanding
- 26 Subparagraph (a)(6) of this Rule, reports required by this Subparagraph shall be made in accordance
- 27 with 20.2207(f) and (g);
- 28 (64) 20.2301, "Application for exemptions," except that the request for exemption shall be made on the
- 29 licensee's or registrant's business letterhead. Requests for exemptions from the requirements of this
- 30 Rule shall be made to the agency at the addresses shown in Rule .0111(a) of this Chapter, in lieu of
- 31 the NRC, or as otherwise instructed by the agency. To request an exemption, the following
- 32 information shall be submitted to the agency:
- 33 (A) licensee or registrant name;
- 34 (B) license or registration number;
- 35 (C) name and contact information for the individual requesting the exemption;
- 36 (D) a description of the exemption being requested, and
- 37 (E) an explanation describing why the exemption is necessary;

- 1 (65) 20.2302, "Additional requirements;"  
2 (66) Appendix A to Part 20, "Assigned Protection Factors for Respirators;"  
3 (67) Appendix B to Part 20, "Annual Limits on Intake (ALIs) and Derived Air Concentrations (DACs)  
4 of Radionuclides for Occupational Exposure; Effluent Concentrations; Concentrations for Release  
5 to Sewerage;"  
6 (68) Appendix C to Part 20, "Quantities of Radioactive Material Requiring Labeling;"  
7 (69) Appendix E to Part 20, "Nationally Tracked Source Thresholds," and  
8 (70) Appendix G to Part 20, "Requirements for Transfers of Low-Level Radioactive Waste Intended for  
9 Disposal at Licensed Land Disposal Facilities and Manifests."

10 ~~(b)(c)~~ Exposure of a personnel monitoring device to deceptively indicate a dose delivered to an individual is  
11 prohibited.

12 ~~(e)(d)~~ Licensees and registrants shall continue to perform all activities required by the rules of this Chapter, license  
13 or registration condition, and shall pay annual fees as instructed on an invoice issued by the agency until the license  
14 or registration is terminated. Registrants shall maintain registration of all radiation machines under their control until  
15 those units are disposed.

16 ~~(d)(e)~~ Nothing in the rules of this Chapter shall relieve any person of responsibility for complying with other  
17 applicable North Carolina laws and rules.

18 ~~(e)(f)~~ Copies of these regulations are available free of charge at [https://www.nrc.gov/reading-rm/doc-](https://www.nrc.gov/reading-rm/doc-collections/cfr/part020/)  
19 [collections/cfr/part020/](https://www.nrc.gov/reading-rm/doc-collections/cfr/part020/).

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21 *History Note: Authority G.S. 104E-7(a)(2);*  
22 *Eff. January 1, 1994;*  
23 *Amended Eff. August 1, 1998;*  
24 *Transferred and Recodified from 15A NCAC 11 .1601 Eff. February 1, 2015;*  
25 *Readopted Eff. October 1, 2023;*  
26 *Amended Eff. October 1, 2026; May 1, 2025.*