2							
3	10A NCAC 15 .0310	GENERAL LICENSES:		<i>,</i>	,		
4		LICENSED DEVICES	DOMESTIC	LICENSING	OFS	SPECIAL	NUCLEAR
5	(a) A	<u>MATERIAL</u>	1 ih	the LLC North			
6	• • •	sing a specific license issued			-	•	
7	e	e authorizing the manufacture,		U			
8		horized to install, service, and	uninstall these	devices in acco	with the second	with the pro	visions of 10
9	CFR 31.6.	1. 0117 (d.). Classes da	1		10.0		L (2015)
10		le .0117 of this Chapter, the r	-			-	
11	• • •	reference, excluding subsequ			-		•
12		e of cha	U			U	C
13		1a03e50b2468ae31f89b&pitd	-			- 1	
14		al nuclear material as defined			-		
15	• •	orated by reference including	subsequent amo	endments and e	ditions,	<u>as follows:</u>	
16		<u>R 70.1(a) and (b), "Purpose;"</u>					
17		<u>R 70.2, "Scope;"</u>					
18		R 70.3, "License requirements					
19	<u>(4) 10 CF</u>	R 70.4, "Definitions," except t	hat references in	n the definitions	s to com	non defense	e and security
20		not apply;					
21	<u>(5)</u> 10 CF	R 70.5, "Communications," ex	xcept that notic	es and reports s	hall be r	nade to the	agency at the
22	addres	ss shown in Rule .0111 of this	S Chapter in lie	u of the NRC u	inless of	herwise spe	cified by the
23	agency	<u>y;</u>					
24	<u>(6) 10 CF</u>	R 70.9, "Completeness and ac	curacy of infor	mation;"			
25	<u>(7)</u> 10 CF	R 70.10, "Deliberate miscond	uct;"				
26	<u>(8)</u> 10 CF	R 70.11, "Persons using speci	al nuclear mate	rial under certa	in DOE	and NRC c	ontracts;"
27	<u>(9)</u> 10 CF	R 70.12, "Carriers;"					
28	<u>(10)</u> 10 CF	R 70.17, "Specific exemption	·"				
29	<u>(11)</u> 10 CF	R 70.18, "Types of licenses;"					
30	<u>(12)</u> 10 CF	R 70.19, "General license for	calibration and	reference source	ces;"		
31	(13) 10 CF	R 70.20, "General license to c	own special nuc	lear material;"			
32	<u>(14)</u> 10 CF	R 70.21(a)(2), (a)(3), (b), "Fil	ing," except tha	at the requireme	ents of P	aragraph (b) of this Rule
33	shall b	<u>be met;</u>					
34	<u>(15)</u> 10 CF	R 70.22(a), (d), and (e), "Cont	tents of applica	tion;"			
35	<u>(16)</u> 10 CF	R 70.23(a)(1) – (5), "Required	ments for the ap	proval of appli	cations;		
36	<u>(17)</u> 10 CF	<u>R 70.25(a)(2), (b) – (h), "Fina</u>	ancial assurance	e and recordkee	eping for	r decommis	sioning," the
37	initials	s "DCE" shall mean "detailed	cost estimate;"				

10A NCAC 15 .0310 is proposed for readoption with substantive changes as follows:

1	(18)	10 CFR 70.31(a) and (b), "Issuance of license;"			
2	(19)	10 CFR 70.32(a)(2), (a)(3), (a)(8), (a)(9), (b)(2), and (b)(5), "Conditions of licenses;"			
3	(20)	10 CFR 70.33, "Applications for renewal of licenses;"			
4	<u>(21)</u>	10 CFR 70.34, "Amendment of licenses;"			
5	(22)	10 CFR 70.35, "Commission action on applications to renew or amend;"			
6	(23)	10 CFR 70.36, "Inalienability of licenses;"			
7	<u>(24)</u>	10 CFR 70.38, "Expiration and termination of licenses and decommissioning of sites and separate			
8		buildings or outdoor structures;"			
9	(25)	10 CFR 70.39, "Specific licenses for the manufacture or initial transfer of calibration sources;"			
10	(26)	10 CFR 70.41, "Authorized use of special nuclear material;"			
11	(27)	10 CFR 70.42(a), (b)(1) – (b)(5), (b)(7), (c), (d), "Transfer of special nuclear material;"			
12	(28)	10 CFR 70.50, "Reporting requirements;"			
13	(29)	10 CFR 70.51, "Records requirements;"			
14	(30)	10 CFR 70.55(a) and (b), "Inspections;"			
15	<u>(31)</u>	10 CFR 70.56, "Tests;" and			
16	(32)	10 CFR 70.81, "Modification and revocation of licenses."			
17	(b) Applications shall be made on forms provided by the agency. One copy of the application and supporting material				
18	shall be submitted to the agency by e-mail at Licensing.RAM@dhhs.nc.gov, or at the address shown in Rule .0111 of				
19	this Chapter in lieu of the NRC:				
20	<u>(1)</u>	Persons applying for new radioactive materials licenses, or for the renewal of existing radioactive			
21		materials licenses, shall submit an Application for Radioactive Materials License. The following			
22		information shall appear on the application:			
23		(A) legal business name and mailing address;			
24		(B) physical address(es) where radioactive material shall be used or possessed. The application			
25		shall indicate if radioactive materials shall be used at temporary jobsites;			
26		(C) the name, telephone number, and e-mail address of the Radiation Safety Officer;			
27		(D) the name, telephone number, and e-mail address of the individual to be contacted about the			
28		application. If this individual is same as the Radiation Safety Officer, the application may			
29		so state;			
30		(E) the application shall indicate if the application is for a new license, or for the renewal of an			
31		existing license, by marking the corresponding check box;			
32		(F) if the application is for the renewal of an existing license, the license number shall be			
33		provided on the application;			
34		(G) applicants shall indicate the type and category of license as shown on the form by marking			
35		the corresponding check box; and			

1		(H) the printed name, title, and signature of the certifying official. The certifying official shall				
2		be an individual employed by the business or licensee, who is authorized by the licensee				
3		to sign license applications on behalf of the business or licensee.				
4	(2)	Persons applying for an amendment to an existing license shall submit an Application for				
5		Amendment of Radioactive Materials and Accelerator Licenses. The following information shall				
6		appear on the application:				
7		(A) the license number;				
8		(B) amendment number of the current license;				
9		(C) expiration date of the license;				
10		(D) licensee name as it currently appears on the license;				
11		(E) the name, telephone number, and e-mail address of the Radiation Safety Officer;				
12		(F) the name, telephone number, and e-mail address of the individual to be contacted about the				
13		application. If this individual is same as the Radiation Safety Officer, item 5b on the				
14		application may be left blank;				
15		(G) applicants shall provide a description of the action requested by marking the corresponding				
16		checkbox in item 6a. If the check box next to "Other" is marked in item 6a, provide a brief				
17		description of the action requested in the space provided in item 6b;				
18		(H) explanation of the action requested; and				
19		(I) the printed name, title, and signature of the certifying official. The certifying official shall				
20		be an individual employed by the business or licensee who is authorized by the licensee to				
21		sign license applications on behalf of the business or licensee.				
22	(3)	Applications specified in this Rule are available at:				
23		https://radiation.ncdhhs.gov/rms/rmsforms2.htm(Rev01).htm.				
24	(c) Copies of the	e regulations incorporated by this Rule are available free of charge at https://www.nrc.gov/reading-				
25	rm/doc-collectio	ons/cfr/part070/.				
26						
27	History Note:	Authority G.S. 104E-7; 104E-10(b);				
28		Eff. February 1, 1980;				
29		Amended Eff. January 1, 2005;				
30		Transferred and Recodified from 15A NCAC 11 .0310 Eff. February 1, 2015;				
31		Amended Eff. March 1, 2017. 2017;				