

1 10A NCAC 15 .1701 is proposed for adoption as follows:

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3 **SECTION .1700 – PHYSICAL PROTECTION OF CATEGORY 1 AND CATEGORY 2 QUANTITIES OF**
4 **RADIOACTIVE MATERIAL**

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6 **10A NCAC 15 .1701 ADDITIONAL REQUIREMENTS FOR LICENSEES POSSESSING CATEGORY 1**
7 **AND CATEGORY 2 QUANTITIES OF RADIOACTIVE MATERIAL**

8 (a) Licensees possessing an aggregate category 1 or category 2 quantity of radioactive material, as defined in 10 CFR
9 37.5, shall comply with the requirements for the physical protection program listed in 10 CFR Part 37, including any
10 subsequent amendments and editions, except as follows:

- 11 (1) 10 CFR 37.1;
12 (2) 10 CFR 37.3;
13 (3) 10 CFR 37.7;
14 (4) 10 CFR 37.9;
15 (5) 10 CFR 37.11(a) and (b);
16 (6) 10 CFR 37.13;
17 (7) 10 CFR 37.71;
18 (8) 10 CFR 37.77(f);
19 (9) 10 CFR 37.105;
20 (10) 10 CFR 37.107; and
21 (11) 10 CFR 37.109.

22 (b) In lieu of the address given in 10 CFR 37.27(c), licensees shall submit fingerprint cards or records to Director,
23 Division of Facilities and Security, U.S. NRC, 11545 Rockville Pike, Rockville, Maryland 20852-2738, ATTN:
24 Criminal History Program, Mail Stop T-03B46M.

25 (c) Licensee required reports of events or notifications in 10 CFR 37.41, 37.45, 37.57, 37.77(a) through (d), 37.81,
26 shall use the Agency contact information in Rule .0111 of this Chapter.

27 (d) A licensee transferring a category 1 or category 2 quantity of radioactive material to a licensee of the U.S. Nuclear
28 Regulatory Commission (NRC) or to an Agreement State of the NRC shall meet the license verification provisions
29 listed in Rule .0343 of this Chapter.

30 (e) The Code of Federal Regulations parts 1-50 may be obtained from the U.S. Government Publishing Office, P.O.
31 Box 979050 St. Louis, MO 63197-9000 for sixty-four dollars (\$64.00), and are available free of charge at
32 <http://www.ecfr.gov/cgi-bin/ECFR?page=browse>.

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34 *History Note: Authority G.S. 104E-7;*
35 *Eff. June 1, 2016.*