

1 10A NCAC 15 .0323 is readopted with changes as published in 37:08 NCR 633-639 as follows:

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3 **10A NCAC 15 .0323 SPECIFIC LICENSES: SEALED SOURCES IN INDUSTRIAL RADIOGRAPHY:**
4 **RADIOGRAPHY AND RADIATION SAFETY REQUIREMENTS FOR**
5 **INDUSTRIAL RADIOGRAPHIC OPERATIONS**

6 In addition to the requirements set forth in Rule .0317 of this Section, a specific license for use of sealed sources in
7 industrial radiography shall be issued if:

- 8 (1) ~~The applicant has a program for training radiographers and radiographers' assistants to meet the~~
9 ~~requirements of this Rule and Rule .0510 of this Chapter and submits to the agency a schedule or~~
10 ~~description of such program which specifies the:~~
- 11 (a) ~~initial training;~~
12 (b) ~~periodic training;~~
13 (c) ~~on the job training;~~
14 (d) ~~means to be used by the licensee to determine the radiographer's knowledge and~~
15 ~~understanding of and ability to comply with agency regulations and licensing requirements,~~
16 ~~and the operating and emergency procedures of the applicant; and~~
17 (e) ~~means to be used by the licensee to determine the radiographer's assistant's knowledge and~~
18 ~~understanding of and ability to comply with the operating and emergency procedures of~~
19 ~~the applicant;~~
- 20 (2) ~~The applicant has established and submits to the agency satisfactory written operating and~~
21 ~~emergency procedures described in Rule .0513 of this Chapter;~~
- 22 (3) ~~The applicant has established and submits to the agency a description of its inspection program~~
23 ~~which is adequate to ensure that each radiographer and radiographer assistant follows the rules in~~
24 ~~this Chapter and the applicant's operating and emergency procedures.~~
- 25 (4) ~~The inspection program described in the applicant's procedures shall include:~~
- 26 (a) ~~observation of the performance of each radiographer and radiographer's assistant during an~~
27 ~~actual industrial radiographic operation at the intervals not to exceed six months; provided~~
28 ~~that, if a radiographer or a radiographer's assistant has not participated in a radiographic~~
29 ~~operation for more than six months since the last inspection, that individual's performance~~
30 ~~must be observed and recorded by a practical examination before the individual participates~~
31 ~~in a radiographic operation;~~
- 32 (b) ~~in those operations where a single individual serves as both radiographer and Radiation~~
33 ~~Safety Officer, and performs all radiography operations, an inspection program is not~~
34 ~~required; and~~
- 35 (c) ~~the retention of inspection records on the performance of radiographers or radiographers'~~
36 ~~assistants for three years;~~

1 ~~(5) The applicant submits to the agency a description of his overall organizational structure pertaining~~
 2 ~~to the industrial radiography program, including specified delegations of authority and responsibility~~
 3 ~~for operation of the program;~~

4 ~~(6) The applicant who desires to conduct his own leak tests has established procedures to be followed~~
 5 ~~in leak testing sealed sources for possible leakage and contamination sufficient to detect 0.005~~
 6 ~~microcuries of removable contamination on the source, and submits to the agency a description of~~
 7 ~~the procedures, including:~~

8 ~~(a) instrumentation to be used;~~

9 ~~(b) method of performing tests, e.g., points on equipment to be tested and method of taking~~
 10 ~~tests; and~~

11 ~~(c) pertinent experience of the person who will perform the test; and~~

12 ~~(7) The licensee conducts a program for inspection and maintenance of radiographic exposure devices~~
 13 ~~and storage containers to assure proper functioning of components important to safety.~~

14 (a) Persons conducting industrial ~~radiographic operations~~ radiography using radioactive materials shall comply with
 15 the requirements of 10 CFR 34, which are hereby incorporated by reference including subsequent amendments and
 16 editions, except for: 10 CFR 34.5, 34.8, 34.121, and 34.123. Copies of these regulations are available free of charge
 17 at <https://www.nrc.gov/reading-rm/doc-collections/cfr/part034/>.

18 (b) Applications required by 10 CFR ~~[34.11]~~ 34 shall be made on forms provided by the agency. Applications and
 19 supporting material shall be submitted to the agency by e-mail at Licensing.RAM@dhhs.nc.gov, or at the address
 20 shown in Rule .0111 of this Chapter in lieu of the NRC:

21 (1) Persons applying for new radioactive materials licenses, or for the renewal of existing radioactive
 22 materials licenses, shall submit an Application for Radioactive Materials License. ~~[The instructions~~
 23 for completing the application printed on the application form shall be followed.] The following
 24 information shall appear on the application:

25 (A) legal business name and mailing address;

26 (B) physical address(es) where radioactive material shall be used or possessed. The application
 27 shall indicate if radioactive materials shall be used at temporary jobsites;

28 (C) the name, telephone number, and e-mail address of the Radiation Safety Officer;

29 (D) the name, telephone number, and e-mail address of the individual to be contacted about the
 30 application. If this individual is same as the Radiation Safety Officer, the application may
 31 so state;

32 (E) the application shall indicate if the application is for a new license, or for the renewal of an
 33 existing license, by marking the corresponding check box;

34 (F) if the application is for the renewal of an existing license, the license number shall be
 35 provided on the application;

36 (G) applicants shall indicate the type and category of license as shown on the form by marking
 37 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 instructions for completing
 6 the application printed on the application form shall be followed.] The following information shall
 7 appear on the application:

8 (A) the license number;

9 (B) amendment number of the current license;

10 (C) expiration date of the license;

11 (D) licensee name as it currently appears on the license;

12 (E) the name, telephone number, and e-mail address of the Radiation Safety Officer;

13 (F) the name, telephone number, and e-mail address of the individual to be contacted about the
 14 application. If this individual is same as the Radiation Safety Officer, item 5b on the
 15 application may be left blank;

16 (G) applicants shall provide a description of the action requested by marking the corresponding
 17 checkbox in item 6a. If the check box next to "Other" is marked in item 6a, provide a brief
 18 description of the action requested in the space provided in item 6b;

19 (H) explanation of the action requested; and

20 (I) the printed name, title, and signature of the certifying official. The certifying official shall
 21 be an individual employed by the business or licensee who is authorized by the licensee to
 22 sign license applications on behalf of the business or licensee.

23 (3) Applications specified in this Rule are available at:
 24 [www.ncradiation.net/rms/rmsforms2.htm\(Rev01\).htm](http://www.ncradiation.net/rms/rmsforms2.htm(Rev01).htm)

25 (c) Reports of leaking sealed sources required by 10 CFR 34.27 shall be made to the agency at the address shown in
 26 Rule .0111 of this Chapter in lieu of the NRC.

27 (d) Notifications required by 10 CFR 34.101, including notifications of source disconnects, shall be made to the
 28 agency at the address shown in Rule .0111 of this Chapter in lieu of the NRC. In addition to the information required
 29 by 10 CFR 34.101(b), notifications of devices with failed or worn through S-tubes shall contain the serial number and
 30 storage location of the device, whether the device has been disposed of or returned to the manufacturer, and whether
 31 personnel contamination occurred.

32 (e) Requests for exemption [from the requirements of 10 CFR 34, incorporated by reference in this Rule,] under 10
 33 CFR 34.111 shall be made to the agency as specified in Paragraph (b) of this Rule.

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 35 History Note: *Authority G.S. 104E-7; 104E-10(b);*
 36 *Eff. February 1, 1980;*
 37 *Amended Eff. April 1, 1999; June 1, 1989;*

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2 *Readopted Eff. May 1, 2023.*