

1 10A NCAC 15 .1701 is amended with changes as published in 37:08 NCR 633-639 as follows:

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3 **10A NCAC 15 .1701      ADDITIONAL REQUIREMENTS FOR LICENSEES POSSESSING CATEGORY**  
4 **1 AND CATEGORY 2 QUANTITIES OF RADIOACTIVE MATERIAL**

5 (a) Licensees possessing an aggregate category 1 or category 2 quantity of radioactive material, as defined in 10 CFR  
6 37.5, shall comply with the requirements for the physical protection program listed in 10 CFR Part 37, which is hereby  
7 incorporated by reference, including any subsequent amendments and editions, except as follows: the following  
8 regulations are not incorporated:

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

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

23 ~~(e)(b)~~ Licensee required reports of events or notifications in 10 CFR 37.23(b)(2), 37.41, 37.45, 37.57, 37.77(a)  
24 through (d), 37.81, and 37.81 shall use the Agency contact information in Rule .0111 of this Chapter.

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

28 ~~(e)(c)~~ The Code of Federal Regulations incorporated by this Rule ~~may be obtained from the U.S. Government~~  
29 ~~Publishing Office, P.O. Box 979050 St. Louis, MO 63197 9000 for sixty four dollars (\$64.00), and are available free~~  
30 ~~of charge at <http://www.ecfr.gov/cgi-bin/ECFR?page=browse>.~~ [https://www.ecfr.gov/current/title-10/chapter-I/part-](https://www.ecfr.gov/current/title-10/chapter-I/part-37)  
31 37.

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33 *History Note:     Authority G.S. 104E-7;*  
34 *Eff. June 1, 2016- 2016;*  
35 *Amended Eff. May 1, 2023.*