

1 10A NCAC 15 .0302 is proposed for readoption with substantive changes as follows:

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3 **10A NCAC 15 .0302 EXEMPTIONS FOR SOURCE MATERIAL, GENERAL DOMESTIC LICENSES**
4 **FOR BYPRODUCT MATERIAL**

5 ~~(a) Any person possessing source material, or devices containing source material, in quantities not exceeding the~~
6 ~~limits of 10 CFR 40.13(a) through (e)(8) shall be exempt from the requirement for a radioactive materials license and~~
7 ~~shall comply with the provisions of 10 CFR 40.13.~~

8 ~~(b) Notwithstanding Rule .0117 of this Chapter, the regulations cited in this Rule from 10 CFR Chapter I (2015) are~~
9 ~~hereby incorporated by reference, excluding subsequent amendments and editions. Copies of these regulations are~~
10 ~~available _____ free _____ of _____ charge _____ at _____ [http://www.ecfr.gov/cgi-bin/text-](http://www.ecfr.gov/cgi-bin/text-idx?SID=2beeece594411a03e50b2468ae31f89b&pid=20160101&tpl=/ecfrbrowse/Title10/10tab_02.tpl)~~
11 ~~idx?SID=2beeece594411a03e50b2468ae31f89b&pid=20160101&tpl=/ecfrbrowse/Title10/10tab_02.tpl.~~

12 (a) Persons possessing generally licensed ~~[items]~~ **items**, manufactured or initially transferred pursuant to Subpart B
13 of 10 CFR ~~[32]~~ **32**, shall comply with the provisions of 10 CFR 31, which are hereby incorporated by reference
14 including subsequent amendments and editions, as follows:

15 (1) Reports, notifications, and responses to agency requests for information required by this Rule shall
16 be made to the agency at the address shown in Rule .0111 of this Chapter unless directed otherwise
17 by the agency;

18 (2) 10 CFR 31.1, "Purpose and scope;"

19 (3) 10 CFR 31.2, "Terms and conditions;"

20 (4) 10 CFR 31.5, "Certain detecting, measuring, gauging, or controlling devices and certain devices for
21 producing light or an ionized atmosphere," except that the fee required by 10 CFR 170.31 shall not
22 apply. Persons using devices described in 31.5(a) shall be registered with the agency. Device
23 registration shall be made in accordance with Paragraph (b) of this Rule and shall contain the
24 information required by 31.5(c)(13)(iii);

25 (5) 10 CFR 31.6, "General license to install devices generally licensed in 10 CFR 31.5;"

26 (6) 10 CFR 31.7, "Luminous safety devices in aircraft;"

27 (7) 10 CFR 31.8, "Americium-241 and radium-226 in the form of calibration or reference sources;"

28 (8) 10 CFR 31.9, "General license to own byproduct material;"

29 (9) 10 CFR 31.10, "General license for strontium 90 in ice detection devices;"

30 (10) 10 CFR 31.11, "General license for use of byproduct material for certain in vitro clinical or
31 laboratory testing," except that persons required by 31.11(b) to register devices with the agency
32 shall comply with the provisions of Paragraph (b) of this Rule;

33 (11) 10 CFR 31.12, "General license for certain items and self-luminous products containing radium-
34 226;" and

35 (12) 10 CFR 31.21, "Maintenance of records;"

36 (b) Persons registering devices shall use General License Application for Registration forms provided by the agency.
37 These forms are available free of charge at: <https://radiation.ncdhhs.gov/rms/rmsgenicforms.htm>. Applications and

1 supporting material shall be submitted to the agency by e-mail at Licensing.ram@dhhs.nc.gov, or at the address shown
2 in Rule .0111 of this Chapter in lieu of the ~~[NRC]~~ **United States Nuclear Regulatory Commission**. The following
3 information shall appear on the application:

4 (1) facility name, mailing address, physical address if different from the mailing address, and the name
5 of the county where the facility is located;

6 (2) type of device;

7 (3) device manufacturer;

8 (4) device model numbers and serial numbers;

9 (5) number of devices being registered, isotopes, and activity;

10 (6) indicate if the devices have been leak tested by checking the corresponding check box;

11 (7) if the devices have been leak tested, write down the frequency that leak tests are required;

12 (8) the name of the person or company performing the leak test;

13 (9) describe the method of device disposal; and

14 (10) the signature, printed name, title, date the form is signed and telephone number of the contact person.

15 (c) Copies of the regulations incorporated by this Rule are available free of charge at [https://www.nrc.gov/reading-](https://www.nrc.gov/reading-rm/doc-collections/cfr/part031/)
16 [rm/doc-collections/cfr/part031/](https://www.nrc.gov/reading-rm/doc-collections/cfr/part031/).

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18 *History Note: Authority G.S. 104E-7; 104E-10(b);*

19 *Eff. February 1, 1980;*

20 *Amended Eff. June 1, 1989; October 1, 1984; October 1, 1980;*

21 *Transferred and Recodified from 15A NCAC 11 .0302 Eff. February 1, 2015;*

22 *Amended Eff. March 1, 2017. 2017;*

23 *Adopted Eff. May 1, 2024.*