

SECTION .1000 - NOTICES: INSTRUCTIONS: REPORTS AND INSPECTIONS

Codifier's Note: 10A NCAC 03G .3100 was transferred to 15A NCAC 11 .1000 effective January 4, 1990.
Recodification pursuant to G.S. 143B-279.3.

10A NCAC 15 .1001 NOTICES, INSTRUCTIONS, AND REPORTS TO EMPLOYEES

(a) Persons registered with the agency pursuant to the rules in Section .0200 of this Chapter, and persons licensed under the rules in Sections .0300, .0900, .1200, and .1300 of this Chapter, shall comply with the provisions of 10 CFR 19 as follows, which are hereby incorporated by reference including subsequent amendments and editions, except that references to and requirements for 10 CFR 2, 50, 52, 54, 60, 63, 72, and 76 shall not apply:

- (1) 10 CFR 19.1, "Purpose;"
- (2) 10 CFR 19.2, "Scope;"
- (3) 10 CFR 19.3, "Definitions," except that the definition of "regulated activities" and "regulated entities" shall not apply. For persons registered with the agency pursuant to the rules in Section .0200 of this Chapter, the following terms used in 10 CFR 19 shall have the following substitutions:
 - (A) "license" shall have the same meaning as "registration" as defined in Rule .0103(b) of this Chapter;
 - (B) "licensed" means "registered" as defined in Rule .0103(b) of this Chapter;
 - (C) "licensee" shall have the same meaning as "registrant" as defined in Rule .0103(b) of this Chapter;
 - (D) "materials" shall have the same meaning as "radiation machine" as defined in Rule .0103(b) of this Chapter;
 - (E) "NRC-licensed" means "registered"; and
 - (F) "radioactive material" shall have the same meaning as "radiation machine" as defined in Rule .0103(b) of this Chapter.
- (4) 10 CFR 19.5, "Communications," except that licensees and registrants shall address communications and reports to the agency as instructed by Rule .0111 of this Chapter in lieu of the NRC;
- (5) 10 CFR 19.11, "Posting of notices to workers," except that 19.11(b) and (c) shall not apply;
 - (A) NRC Form 3 shall not be used in lieu of the Notice to Employees issued by the agency, except as authorized by the agency in writing;
 - (B) licensees and registrants shall not post other notices, postings, notes, or other materials over the Notice to Employees, nor shall equipment be placed in such a manner that the Notice to Employees is obscured or hidden by that equipment; and
 - (C) additional copies of the Notice to Employees may be obtained free of charge from the agency by contacting the agency at the addresses shown in Rule .0111(a) of this Chapter in lieu of the NRC, or online at <https://radiation.ncdhhs.gov/>;
- (6) 10 CFR 19.12, "Instructions to workers;"
- (7) 10 CFR 19.13, "Notifications and reports to individuals;"
- (8) 10 CFR 19.14, "Presence of representatives of licensees and regulated entities, and workers during inspections," except that 19.14(a) shall not apply;
- (9) 10 CFR 19.15, "Consultation with workers during inspections;"
- (10) 10 CFR 19.16, "Requests by workers for inspections." Requests for inspections shall be mailed or delivered to the agency as instructed by Rule .0111(a) of this Chapter in lieu of the NRC;
- (11) 10 CFR 19.17, "Inspections not warranted; informal review." Communications regarding the agency's decisions with respect to a request for inspection submitted to the agency under Subparagraph (a)(10) shall be mailed or delivered to the agency as instructed by Rule .0111(a) of this Chapter in lieu of the NRC;
- (12) 10 CFR 19.18, "Sequestration of witnesses and exclusion of counsel in interviews conducted under subpoena;"
- (13) 10 CFR 19.20, "Employee protection;"
- (14) 10 CFR 19.31, "Application for exemptions," except that the request for exemption shall be made on the licensee's or registrant's business letterhead. Requests for exemptions from the requirements of this Rule shall be made to the agency at the addresses shown in Rule .0111(a) of this Chapter, in lieu of the NRC, or as otherwise instructed by the agency. To request an exemption, the following information shall be submitted to the agency:

- (A) licensee or registrant name;
- (B) license or registration number;
- (C) name of the individual requesting the exemption;
- (D) contact information for the individual requesting the exemption;
- (E) a description of the exemption being requested; and
- (F) an explanation describing why the exemption is necessary.

(b) Notwithstanding Subparagraph (a)(5) of this Rule, registrants temporarily working in North Carolina and licensees working in North Carolina under reciprocity may post the Notice to Employees, NRC Form 3, or an equivalent form issued under the authority of the regulatory agency issuing the registration or license.

(c) Copies of these regulations are available free of charge at <https://www.nrc.gov/reading-rm/doc-collections/cfr/part019/>.

History Note: Authority G.S. 104E-7; 104E-12;

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