

1 15A NCAC 11 .0304 is proposed for amendment as follows:

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3 **15A NCAC 11 .0304 EXEMPT QUANTITIES: OTHER THAN SOURCE MATERIAL**

4 (a) Any person who possesses radioactive material received or acquired under the general license formerly provided  
5 in Rule .0303(b) of this Section is exempt from the requirements for a license set forth in this Section to the extent  
6 that such person possesses, uses, transfers or owns such radioactive material.

7 (b) This Rule does not authorize the production, packaging or repackaging of radioactive material for purposes of  
8 commercial distribution, or the incorporation of radioactive material into products intended for commercial  
9 distribution.

10 (c) No person shall, for the purposes of commercial distribution, transfer individual quantities of radioactive  
11 materials to persons exempt from regulation in Paragraph (a) of this Rule except in accordance with a specific  
12 license issued ~~by~~ by the U.S. Nuclear Regulatory Commission pursuant to Section 32.18 of 10 CFR Part 32 for  
13 source and byproduct material.

14 ~~(1) the U.S. Nuclear Regulatory Commission pursuant to Section 32.18 of 10 CFR Part 32 for source~~  
15 ~~and byproduct material; material.~~

16 ~~(2) the agency pursuant to Rule .0326 for radioactive material other than source, byproduct and~~  
17 ~~special nuclear material; or~~

18 ~~(3) any agreement state pursuant to equivalent regulation for radioactive material other than source,~~  
19 ~~byproduct and special nuclear material.~~

20 (d) Licensees for commercial distribution shall not transfer the quantities of radioactive material to persons exempt  
21 under Paragraph ~~(e)~~ (f) of this Rule if the licensee knows or has reason to believe that the recipient will redistribute  
22 the quantities to persons exempt under Paragraph ~~(e)~~ (f) of this Rule.

23 (e) No person may, for purposes of producing an increased radiation level, combine quantities of radioactive  
24 material covered by this exemption so that the aggregate quantity exceeds the limits in paragraph (f) of this Rule,  
25 except for radioactive material combined within a device placed in use before May 3, 1999, or as otherwise  
26 permitted by the rules in this section.

27 ~~(e)~~ (f) Except as provided in Paragraphs (b) and (c) of this Rule, any person is exempt from the rules of this Chapter  
28 to the extent that such person receives, possesses, uses, transfers, owns or acquires radioactive material in individual  
29 quantities each of which does not exceed the applicable quantity set forth in the following table:

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31 EXEMPT QUANTITIES

<u>Radioactive Material</u>	<u>Microcuries</u>
Antimony-122 (Sb 122)	100
Antimony-124 (Sb 124)	10
Antimony-125 (Sb 125)	10

1	Arsenic-73 (As 73)	100
2	Arsenic-74 (As 74)	10
3	Arsenic-76 (As 76)	10
4	Arsenic-77 (As 77)	100
5	Barium-131 (Ba 131)	10
6	Barium-133 (Ba 133)	10
7	Barium-140 (Ba 140)	10
8	Bismuth-210 (Bi 210)	1
9	Bromine-82 (Br 82)	10
10	Cadmium-109 (Cd 109)	10
11	Cadmium-115m (Cd 115m)	10
12	Cadmium-115 (Cd 115)	100
13	Calcium-45 (Ca 45)	10
14	Calcium-47 (Ca 47)	10
15	Carbon-14 (C 14)	100
16	Cerium-141 (Ce 141)	100
17	Cerium-143 (Ce 143)	100
18	Cerium-144 (Ce 144)	1
19	Cesium-129 (Cs 129)	100
20	Cesium-131 (Cs 131)	1,000
21	Cesium-134m (Cs 134m)	100
22	Cesium-134 (Cs 134)	1
23	Cesium-135 (Cs 135)	10
24	Cesium-136 (Cs 136)	10
25	Cesium-137 (Cs 137)	10
26	Chlorine-36 (Cl 36)	10
27	Chlorine-38 (Cl 38)	10
28	Chromium-51 (Cr 51)	1,000
29	Cobalt-57 (Co 57)	100
30	Cobalt-58m (Co 58m)	10
31	Cobalt-58 (Co 58)	10
32	Cobalt-60 (Co 60)	1
33	Copper-64 (Cu 64)	100
34	Dysprosium-165 (Dy 165)	10
35	Dysprosium-166 (Dy 166)	100
36	Erbium-169 (Er 169)	100
37	Erbium-171 (Er 171)	100

1	Europium-152 (Eu 152) 9.2h	100
2	Europium-152 (Eu 152) 13 yr	1
3	Europium-154 (Eu 154)	1
4	Europium-155 (Eu 155)	10
5	Fluorine-18 (F 18)	1,000
6	Gadolinium-153 (Gd 153)	10
7	Gadolinium-159 (Gd 159)	100
8	Gallium-67 (Ga 67)	100
9	Gallium-72 (Ga 72)	10
10	<u>Germanium-68 (Ge 68)</u>	<u>10</u>
11	Germanium-71 (Ge 71)	100
12	<u>Gold-195 (Au 195)</u>	<u>10</u>
13	Gold-198 (Au 198)	100
14	Gold-199 (Au 199)	100
15	Hafnium-181 (Hf 181)	10
16	Holmium-166 (Ho 166)	100
17	Hydrogen-3 (H 3)	1,000
18	Indium-111 (In 111)	100
19	Indium-113m (In 113m)	100
20	Indium-114m (In 114m)	10
21	Indium-115m (In 115m)	100
22	Indium-115 (In 115)	10
23	Iodine-123 (I 123)	100
24	Iodine-125 (I 125)	1
25	Iodine-126 (I 126)	1
26	Iodine-129 (I 129)	0.1
27	Iodine-131 (I 131)	1
28	Iodine-132 (I 132)	10
29	Iodine-133 (I 133)	1
30	Iodine-134 (I 134)	10
31	Iodine-135 (I 135)	10
32	Iridium-192 (Ir 192)	10
33	Iridium-194 (Ir 194)	100
34	Iron-52 (Fe 52)	10
35	Iron-55 (Fe 55)	100
36	Iron-59 (Fe 59)	10
37	Krypton-85 (Kr 85)	100

1	Krypton-87 (Kr 87)	10
2	Lanthanum-140 (La 140)	10
3	Lutetium-177 (Lu 177)	100
4	Manganese-52 (Mn 52)	10
5	Manganese-54 (Mn 54)	10
6	Manganese-56 (Mn 56)	10
7	Mercury-197m (Hg 197m)	100
8	Mercury-197 (Hg 197)	100
9	Mercury-203 (Hg 203)	10
10	Molybdenum-99 (Mo 99)	100
11	Neodymium-147 (Nd 147)	100
12	Neodymium-149 (Nd 149)	100
13	Nickel-59 (Ni 59)	100
14	Nickel-63( Ni 63)	10
15	Nickel-65 (Ni 65)	100
16	Niobium-93m (Nb 93m)	10
17	Niobium-95 (Nb 95)	10
18	Niobium-97 (Nb 97)	10
19	Osmium-185 (Os 185)	10
20	Osmium-191m (Os 191m)	100
21	Osmium-191 (Os 191)	100
22	Osmium-193 (Os 193)	100
23	Palladium-103 (Pd 103)	100
24	Palladium-109 (Pd 109)	100
25	Phosphorus-32 (P 32)	10
26	Platinum-191 (Pt 191)	100
27	Platinum-193m (Pt 193m)	100
28	Platinum-193 (Pt 193)	100
29	Platinum-197m (Pt 197m)	100
30	Platinum-197 (Pt 197)	100
31	Polonium-210 (Po 210)	0.1
32	Potassium-42 (K 42)	10
33	Potassium-43 (K 43)	10
34	Praseodymium-142 (Pr 142)	100
35	Praseodymium-143 (Pr 143)	100
36	Promethium -147 (Pm 147)	10
37	Promethium-149 (Pm 149)	10

1	Rhenium-186 (Re 186)	100
2	Rhenium-188 (Re 188)	100
3	Rhodium-103m (Rh 103m)	100
4	Rhodium-105 (Rh 105)	100
5	Rubidium-81 (Rb 81)	10
6	Rubidium-86 (Rb 86)	10
7	Rubidium-87 (Rb 87)	10
8	Ruthenium-97 (Ru 97)	100
9	Ruthenium-103 (Ru 103)	10
10	Ruthenium-105 (Ru 105)	10
11	Ruthenium-106 (Ru 106)	1
12	Samarium-151 (Sm 151)	10
13	Samarium-153 (Sm 153)	100
14	Scandium-46 (Sc 46)	10
15	Scandium-47 (Sc 47)	100
16	Scandium-48 (Sc 48)	10
17	Selenium-75 (Se 75)	10
18	Silicon-31 (Si 31)	100
19	Silver-105 (Ag 105)	10
20	Silver-110m (Ag 110m)	1
21	Silver-111 (Ag 111)	100
22	Sodium-22 (Na 22)	10
23	Sodium-24 (Na 24)	10
24	Strontium-85 (Sr 85)	10
25	Strontium-89 (Sr 89)	1
26	Strontium-90 (Sr 90)	0.1
27	Strontium-91 (Sr 91)	10
28	Strontium-92 (Sr 92)	10
29	Sulfur-35 (S 35)	100
30	Tantalum-182 (Ta 182)	10
31	Technetium-96 (Tc 96)	10
32	Technetium-97m (Tc 97m)	100
33	Technetium-97 (Tc 97)	100
34	Technetium-99m (Tc 99m)	100
35	Technetium-99 (Tc 99)	10
36	Tellurium-125m (Te 125m)	10
37	Tellurium-127m (Te 127m)	10

1	Tellurium-127 (Te 127)	100
2	Tellurium-129m (Te 129m)	10
3	Tellurium-129 (Te 129)	100
4	Tellurium-131m (Te 131m)	10
5	Tellurium-132 (Te 132)	10
6	Terbium-160 (Tb 160)	10
7	Thallium-200 (Tl 200)	100
8	Thallium-201 (Tl 201)	100
9	Thallium-202 (Tl 202)	100
10	Thallium-204 (Tl 204)	10
11	Thulium-170 (Tm 170)	10
12	Thulium-171 (Tm 171)	10
13	Tin-113 (Sn 113)	10
14	Tin-125 (Sn 125)	10
15	Tungsten-181 (W 181)	10
16	Tungsten-185 (W 185)	10
17	Tungsten-187 (W 187)	100
18	Vanadium-48 (V 48)	10
19	Xenon-131m (Xe 131m)	1,000
20	Xenon-133 (Xe 133)	100
21	Xenon-135 (Xe 135)	100
22	Ytterbium-175 (Yb 175)	100
23	Yttrium-87 (Y 87)	10
24	<u>Yttrium-88 (Y 88)</u>	<u>10</u>
25	Yttrium-90 (Y 90)	10
26	Yttrium-91 (Y 91)	10
27	Yttrium-92 (Y 92)	100
28	Yttrium-93 (Y 93)	100
29	Zinc-65 (Zn 65)	10
30	Zinc-69m (Zn 69m)	100
31	Zinc-69 (Zn 69)	1,000
32	Zirconium-93 (Zr 93)	10
33	Zirconium-95 (Zr 95)	10
34	Zirconium-97 (Zr 97)	10
35	Any radioactive material	
36	not listed above other than	
37	alpha emitting radioactive	

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material

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*History Note: Authority G.S. 104E-7; 104E-10(b); 104E-20;  
Eff. February 1, 1980;  
Amended Eff. October 1, 2013; May 1, 1993.*