

1 15A NCAC 11 .1633 is proposed for amendment as follows:

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3 **15A NCAC 11 .1633 TRANSFER FOR DISPOSAL AND MANIFESTS**

4 (a) The requirements of this Rule and Appendix G to 10 CFR 20, incorporated by reference in Rule .0117 of this  
5 Chapter, are designed to:

6 (1) control transfers of low-level radioactive waste by any waste generator, waste collector, or waste  
7 processor licensee, as defined in Appendix G to 10 CFR 20, who ships low-level waste either  
8 directly, or indirectly through a waste collector or waste processor, to a licensed low-level waste  
9 disposal facility, as defined in Rule .1202 of this Chapter;

10 (2) establish a manifest tracking system; and

11 (3) supplement existing requirements concerning transfers and recordkeeping for those wastes.

12 (b) Any licensee shipping radioactive waste intended for ultimate disposal at a licensed land disposal facility shall  
13 document the information required on the U.S. Nuclear Regulatory Commission's Uniform Low-Level Radioactive  
14 Waste Manifest and transfer this recorded manifest information to the intended consignee in accordance with this  
15 Rule and Appendix G to 10 CFR 20.

16 (c) Each shipment manifest shall include a certification by the waste generator as specified in Appendix G to 10  
17 CFR 20.

18 (d) Each person involved in the transfer for disposal and disposal of waste, including the waste generator, waste  
19 collector, waste processor, and disposal facility operator, shall comply with the requirements specified in this Rule  
20 and Appendix G to 10 CFR 20.

21 (e) Reports and notifications required to be made to the nearest regional administrator by Appendix G to 10 CFR 20  
22 shall, instead, be made to the agency.

23 (f) Any licensee shipping radioactive material as defined in Rule .0104 of this Chapter intended for ultimate  
24 disposal at a land disposal facility as defined in Rule .1202 of this Chapter must document the information required  
25 on the U.S. Nuclear Regulatory Commission's Uniform Low-Level Radioactive Waste Manifest and transfer this  
26 recorded manifest information to the intended consignee in accordance with appendix G to this 10 CFR 20.(g)  
27 Radioactive material as defined in Rule .0104 of this Chapter may be disposed of in accordance with Rule .1628 of  
28 this Section, even though it is not defined as low-level radioactive waste. Any licensed radioactive material being  
29 disposed of at a facility, or transferred for ultimate disposal at a facility licensed under 10 CFR Part 61, must meet  
30 the requirements of this Rule.

31 (h) A licensee may dispose of radioactive material as defined in Rule .0104 of this Chapter, at a disposal facility  
32 authorized to dispose of such material in accordance with any Federal or State solid or hazardous waste law,  
33 including the Solid Waste Disposal Act, as authorized under the Energy Policy Act of 2005.

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36 *History Note: Authority G.S. 104E-7(a)(2),(a)(3); 104E-12(a);*  
37 *Eff. January 1, 1994;*

