

1 10A NCAC 15 .0307 is proposed for amendment as follows:

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3 **10A NCAC 15 .0307 GENERAL LICENSES: SOURCE MATERIAL**

4 (a) Any person possessing source material in quantities equal to or less than the quantities shown in 10 CFR 40.22(a)
5 shall be issued a general license in accordance with Rule .0306(a) of this Section, and shall comply with the provisions
6 of 10 CFR 40.22(b) through (e).

7 (b) Any person possessing depleted uranium for the purpose authorized in 10 CFR 40.25(a) shall be issued a general
8 license in accordance with Rule .0306(a) of this Section, and shall comply with the provisions of 10 CFR 40.25(b)
9 through (e).

10 (c) Reports required by 10 CFR 40.22(b)(4) or 40.25(c) shall be sent to the agency at the address shown in Rule .0111
11 of this Chapter.

12 (d) Notwithstanding Rule .0117 of this Chapter, the regulations cited in this Rule from 10 CFR Chapter I (2015) are
13 hereby incorporated by reference, excluding subsequent amendments and editions. Copies of these regulations are
14 available free of charge at [http://www.ecfr.gov/cgi-bin/text-](http://www.ecfr.gov/cgi-bin/text-idx?SID=2beece594411a03e50b2468ae31f89b&pitd=20160101&tpl=/ecfrbrowse/Title10/10tab_02.tpl)
15 [idx?SID=2beece594411a03e50b2468ae31f89b&pitd=20160101&tpl=/ecfrbrowse/Title10/10tab_02.tpl](http://www.ecfr.gov/cgi-bin/text-idx?SID=2beece594411a03e50b2468ae31f89b&pitd=20160101&tpl=/ecfrbrowse/Title10/10tab_02.tpl).

16 ~~(a) A general license shall be issued authorizing use and transfer of not more than 15 pounds of source material at~~
17 ~~any one time by persons in the following categories:~~

18 ~~(1) — pharmacists using the source material solely for the compounding of medicinals;~~

19 ~~(2) — physicians using the source material for medicinal purposes;~~

20 ~~(3) — persons receiving possession of source material from pharmacists and physicians in the form of~~
21 ~~medicinals or drugs;~~

22 ~~(4) — commercial and industrial firms, and research, educational, and medical institutions, and state and~~
23 ~~local governmental agencies for research, development, educational, commercial or operational~~
24 ~~purposes.~~

25 ~~(b) Pursuant to this general license no person shall receive more than a total of 150 pounds of source material in any~~
26 ~~one calendar year.~~

27 ~~(c) Persons who receive, possess, use, or transfer source material pursuant to the general license issued in Paragraph~~
28 ~~(a) of this Rule are exempt from the provisions of Sections .1000 and .1600 of this Chapter to the extent that the~~
29 ~~receipt, possession, use, or transfer is within the terms of the general license, provided that this exemption shall not~~
30 ~~be deemed to apply to any person who is also in possession of source material under a specific license issued pursuant~~
31 ~~to the rules in this Section.~~

32 ~~(d) A general license shall be issued authorizing the receipt of title to source material without regard to quantity. This~~
33 ~~general license does not authorize any person to receive, possess, use, or transfer source material.~~

34 ~~(e) A general license shall be issued to receive, acquire, possess, use, or transfer in accordance with the provisions of~~
35 ~~Subparagraphs (e)(2), (3), (4) and (5) of this Rule, depleted uranium contained in industrial products or devices for~~
36 ~~the purpose of providing a concentrated mass in a small volume of the product or device.~~

- 1 ~~(1) — The general license in Paragraph (e) of this Rule applies only to industrial products or devices which~~
2 ~~have been manufactured either in accordance with a specific license issued to the manufacturer of~~
3 ~~the products or devices pursuant to Rule .0336 of this Section or in accordance with a specific license~~
4 ~~issued to the manufacturer by the U.S. Nuclear Regulatory Commission or an agreement state which~~
5 ~~authorizes manufacture of the products or devices for distribution to persons generally licensed by~~
6 ~~the U.S. Nuclear Regulatory Commission or an agreement state.~~
- 7 ~~(2) — Persons who receive, acquire, possess, or use depleted uranium pursuant to the general license~~
8 ~~established by Paragraph (e) of this Rule shall file with the agency appropriate form(s) provided by~~
9 ~~the agency. The form shall be submitted within 30 days after the first receipt or acquisition of such~~
10 ~~depleted uranium. The registrant shall furnish on appropriate form(s) provided by the agency the~~
11 ~~following information and such other information as may be required by that form:~~
- 12 ~~(A) — name and address of the registrant;~~
- 13 ~~(B) — a statement that the registrant has developed and will maintain procedures designed to~~
14 ~~establish physical control over the depleted uranium described in Paragraph (e) of this Rule~~
15 ~~and designed to prevent transfer of such depleted uranium in any form, including metal~~
16 ~~scrap, to persons not authorized to receive the depleted uranium; and~~
- 17 ~~(C) — name, title, address, and telephone number of the individual duly authorized to act for and~~
18 ~~on behalf of the registrant in supervising the procedures identified in Part (e)(2)(B) of this~~
19 ~~Rule.~~
- 20 ~~(3) — The registrant possessing or using depleted uranium under the general license established by~~
21 ~~Paragraph (e) of this Rule shall report in writing to the agency any changes in information furnished~~
22 ~~by him on the appropriate form(s) provided by the agency. The report shall be submitted within 30~~
23 ~~days after the effective date of such change.~~
- 24 ~~(4) — A person who receives, acquires, possesses, or uses depleted uranium pursuant to the general license~~
25 ~~established by Paragraph (e) of this Rule shall:~~
- 26 ~~(A) — not introduce such depleted uranium, in any form, into a chemical, physical or~~
27 ~~metallurgical treatment or process, except a treatment or process for repair or restoration~~
28 ~~of any plating or other covering of the depleted uranium;~~
- 29 ~~(B) — not abandon such depleted uranium;~~
- 30 ~~(C) — transfer or dispose of such depleted uranium only by transfer in accordance with the~~
31 ~~provisions of Rule .0343 of this Section;~~
- 32 ~~(i) — In the case where the transferee receives the depleted uranium pursuant to the~~
33 ~~general license established by Paragraph (e) of this Rule, the transferor shall~~
34 ~~furnish the transferee a copy of this Rule and a copy of the appropriate agency~~
35 ~~form described in Subparagraph (e)(2) of this Rule;~~
- 36 ~~(ii) — In the case where the transferee receives the depleted uranium pursuant to a~~
37 ~~general license contained in the U.S. Nuclear Regulatory Commission or~~

1 agreement state regulations equivalent to Paragraph (e) of this Rule, the transferor
2 shall furnish the transferee a copy of this Rule and a copy of the appropriate
3 agency form accompanied by a note explaining that use of the product or device
4 is regulated by the U.S. Nuclear Regulatory Commission or agreement state under
5 requirements substantially the same as those in this Rule;

6 (D) — within 30 days of any transfer, report in writing to the agency the name and address of the
7 person receiving the depleted uranium pursuant to such transfer;

8 (E) — not export such depleted uranium except in accordance with a license issued by the U.S.
9 Nuclear Regulatory Commission pursuant to 10 CFR Part 110.

10 (5) — Any person receiving, acquiring, possessing, using, or transferring depleted uranium pursuant to the
11 general license established by Paragraph (e) of this Rule is exempt from the requirements of Sections
12 .1000 and .1600 of this Chapter with respect to the depleted uranium covered by that general license.

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14 *History Note: Authority G.S. 104E-7; 104E-10(b);*
15 *Eff. February 1, 1980;*
16 *Amended Eff. January 1, 1994; May 1, 1992;*
17 *Transferred and Recodified from 15A NCAC 11 .0307 Eff. February 1, 2015; 2015;*
18 *Amended Eff. March 1, 2017.*