

**10A NCAC 15 .0317 SPECIFIC LICENSES: FILING APPLICATION AND GENERAL
REQUIREMENT**

(a) Applications for specific licenses shall be filed on an agency form in accordance with G.S. 104E-10(b) in lieu of NRC Form 313, and shall meet the requirements of 10 CFR 30.32, 30.37, or 30.38 as applicable for the type of licensing action, except that:

- (1) 10 CFR 30.32(e), 35.18(a)(2), the portions of 36.11 and 39.11 pertaining to payment of fees, 40.31(e), 61.20(c) and 70.21(e) are not incorporated by reference;
- (2) the agency may require an applicant to submit an environmental impact statement to the agency in accordance with Rule .0108 of this Chapter in lieu of the requirements of 10 CFR 30.32(f), 40.31(f), 40.32(e), 61.10, or 70.23(a); and
- (3) applications for activities listed in 10 CFR 150.7 or excepted activities listed in 10 CFR 150.10 shall be filed on NRC Form 313 and submitted to the U.S. Nuclear Regulatory Commission at the address shown in 10 CFR 150.4 in lieu of the agency. The NRC Form 313 may be found online at <https://www.nrc.gov/reading-rm/doc-collections/forms/nrc313.pdf>.

(b) In addition to Paragraph (a) of this Rule, applications for a specific license to:

- (1) manufacture items containing exempt quantities of radioactive material or to manufacture exempt quantities of radioactive material that is not incorporated into a manufactured item shall meet the applicable requirements of 10 CFR Part 32, Subpart A;
- (2) manufacture or initially transfer generally licensed devices containing byproduct material shall meet the applicable requirements of 10 CFR Part 32, Subpart B;
- (3) manufacture radioactive drugs, sources, or devices not containing exempt quantities of radioactive material for medical use shall meet the applicable requirements of 10 CFR Part 32, Subpart C;
- (4) conduct broad scope activities shall meet the requirements of 10 CFR 33.12 and 33.16, as applicable to licensed activities. Broad scope medical licensees meeting the criteria of 10 CFR 33.13(a) shall be exempt from certain licensing and regulatory requirements as specified in 10 CFR 35.15. 10 CFR 33.11 is not incorporated by reference;
- (5) perform industrial radiography shall meet the requirements of 10 CFR 34.11;
- (6) administer radioactive material or radiation from a licensed source to humans for medical use when a license is required by 10 CFR 35.11 shall meet the requirements of 10 CFR 35.12 and 35.13, as applicable to licensed activities. Notifications required by 10 CFR 35.14 shall be sent to the agency at the address shown in Rule .0111 of this Chapter;
- (7) irradiate material using gamma radiation from sealed sources in facilities listed in 10 CFR 36.1(b) shall meet the requirements of 10 CFR 36.1;
- (8) conduct well logging activities shall meet the requirements of 10 CFR 39.11;
- (9) possess, use, or transfer source material shall meet the requirements of 10 CFR 40.31;
- (10) dispose of radioactive waste received from another person shall meet the requirements of Section .1200 of this Chapter;
- (11) receive, possess, or use special nuclear material shall meet the requirements of 10 CFR 70.22(a), 70.22(d), and 70.22(e), 70.33, or 70.34 as applicable to licensed activities; or
- (12) manufacture or initially transfer calibration or reference sources containing plutonium to persons generally licensed under Rule .0312 of this Section shall meet the requirements of 10 CFR 70.39.

(c) Applications for sealed source and device registration certification, amendment of sealed source and device registration certificates, and inactivation of previously issued sealed source and device registration certificates shall comply with the provisions of 10 CFR Part 32, Subpart D.

(d) Completed applications shall be sent to the agency at the address shown in Rule .0111 of this Chapter.

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

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