

1 10A NCAC 15 .1701 is amended with changes as published in 37:08 NCR 633-639 as follows:

2
3 **10A NCAC 15 .1701 ADDITIONAL REQUIREMENTS FOR LICENSEES POSSESSING CATEGORY**
4 **1 AND CATEGORY 2 QUANTITIES OF RADIOACTIVE MATERIAL**

5 (a) Licensees possessing an aggregate category 1 or category 2 quantity of radioactive material, as defined in 10 CFR
6 37.5, shall comply with the requirements for the physical protection program listed in 10 CFR Part 37, which is hereby
7 incorporated by reference, including any subsequent amendments and editions, except as follows:

- 8 (1) 10 CFR 37.1;
9 (2) 10 CFR 37.3;
10 (3) 10 CFR 37.7;
11 (4) 10 CFR 37.9;
12 (5) 10 CFR 37.11(a) and (b);
13 (6) 10 CFR 37.13;
14 (7) ~~10 CFR 37.71;~~
15 (8) ~~10 CFR 37.77(f);~~
16 (9)(7) 10 CFR 37.105;
17 (10)(8) 10 CFR 37.107; and
18 (11)(9) 10 CFR 37.109.

19 ~~(b) In lieu of the address given in 10 CFR 37.27(e), licensees shall submit fingerprint cards or records to Director,~~
20 ~~Division of Facilities and Security, U.S. NRC, 11545 Rockville Pike, Rockville, Maryland 20852 2738, ATTN:~~
21 ~~Criminal History Program, Mail Stop T 03B46M.~~

22 ~~(e)(b)~~ Licensee required reports of events or notifications in 10 CFR **37.23(b)(2)**, 37.41, 37.45, 37.57, 37.77(a)
23 through (d), **37.81**, **and 37.81** shall use the Agency contact information in Rule .0111 of this Chapter.

24 ~~(d) A licensee transferring a category 1 or category 2 quantity of radioactive material to a licensee of the U.S. Nuclear~~
25 ~~Regulatory Commission (NRC) or to an Agreement State of the NRC shall meet the license verification provisions~~
26 ~~listed in Rule .0343 of this Chapter.~~

27 ~~(e)(c)~~ The Code of Federal Regulations incorporated by this Rule ~~may be obtained from the U.S. Government~~
28 ~~Publishing Office, P.O. Box 979050 St. Louis, MO 63197 9000 for sixty four dollars (\$64.00), and are available free~~
29 ~~of charge at <http://www.ecfr.gov/cgi-bin/ECFR?page=browse>. [https://www.ecfr.gov/current/title-10/chapter-I/part-](https://www.ecfr.gov/current/title-10/chapter-I/part-37)~~
30 ~~[37](http://www.ecfr.gov/cgi-bin/ECFR?page=browse).~~

31
32 *History Note: Authority G.S. 104E-7;*
33 *Eff. June 1, 2016- 2016;*
34 *Amended Eff. May 1, 2023.*