

1 10A NCAC 15 .1601 is proposed for readoption with substantive changes as follows:

2
3 **SECTION .1600 - STANDARDS FOR PROTECTION AGAINST RADIATION**

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5 **10A NCAC 15 .1601 PURPOSE AND SCOPE STANDARDS FOR PROTECTION AGAINST**
6 **RADIATION**

7 ~~(a) The rules in this Section establish standards for protection against ionizing radiation resulting from activities~~
8 ~~conducted under licenses and registrations issued by the agency pursuant to the rules in this Chapter.~~

9 ~~(b) It is the purpose of the rules in this Section to control the receipt, possession, use, transfer, and disposal of sources~~
10 ~~of radiation by any licensee or registrant in such a manner that the total dose to an individual, including doses resulting~~
11 ~~from all sources of radiation other than background radiation, does not exceed the standards for protection against~~
12 ~~radiation prescribed in the rules in this Section. However, nothing in this Section shall be construed as limiting actions~~
13 ~~that may be necessary to protect health and safety.~~

14 ~~(c) The rules in this Section apply to persons licensed or registered by the agency to receive, possess, use, transfer, or~~
15 ~~dispose of radioactive material or other sources of radiation. The limits in this Section do not apply to doses due to~~
16 ~~background radiation, to exposure of patients to radiation for the purpose of medical diagnosis or therapy, to voluntary~~
17 ~~participation in medical research programs, or to exposure from individuals administered radioactive material and~~
18 ~~released in accordance with Rule .0358 of this Chapter.~~

19 ~~(d) Nothing in this Section shall relieve a licensee engaged in operation of a radioactive waste disposal facility, as~~
20 ~~defined in Rule .0104 of this Chapter, from responsibility for complying with the requirements in Section .1200 of~~
21 ~~this Chapter.~~

22 ~~(e) Effective January 1, 1994 all licensees and registrants shall comply with the rules in this Section and cease to~~
23 ~~comply with the requirements in Section .0400 of this Chapter, except as provided otherwise in Rule .1602 of this~~
24 ~~Section.~~

25 (a) Persons registered with the agency pursuant to the rules in Section .0200 of this Chapter and persons licensed
26 pursuant to the rules in Section .0300, .0900, .1200, or .1300 of this Chapter shall comply with the provisions of 10
27 CFR 20 as follows, which are hereby incorporated by reference including subsequent amendments and editions, except
28 references to and requirements for 10 CFR 50, 52, 60, 63, 72, 73, and 76 shall not apply:

29 (1) 20.1001, "Purpose," except that non-ionizing radiation from radiation machines registered in
30 accordance with the rules in Section .0200 of this Chapter shall also be regulated by this Rule;

31 (2) 20.1002, "Scope;"

32 (3) 20.1003, "Definitions," except that for persons registered with the agency pursuant to the rules in
33 Section .0200 of this Chapter, the following terms used in 20.1003 shall have the following
34 substitutions:

35 (A) "license" shall have the same meaning as "registration" as defined in Rule .0104(131) of
36 this Chapter;

37 (B) "licensed" means registered pursuant to the rules in Section .0200 of this Chapter;

1 (C) “licensed material” shall have the same meaning as “radiation machine” as defined in Rule
2 .0104(122) of this Chapter, and

3 (D) “licensee” shall have the same meaning as “registrant” as defined in Rule .0104(130) of
4 this Chapter;

5 (4) 20.1004, “Units of radiation dose;”

6 (5) 20.1005, “Units of radioactivity;”

7 (6) 20.1007, “Communications,” except that licensees and registrants shall address communications
8 regarding these rules, notifications, and reports to the agency at the address shown in Rule .0111 of
9 this Chapter in lieu of the NRC;

10 (7) 20.1101, “Radiation protection programs;”

11 (8) 20.1201, “Occupational dose limits for adults;”

12 (9) 20.1202, “Compliance with requirements for summation of external and internal doses;”

13 (10) 20.1203, “Determination of external dose from airborne radioactive material;”

14 (11) 20.1204, “Determination of internal exposure;”

15 (12) 20.1206, “Planned special exposures;”

16 (13) 20.1207, “Occupational dose limits for minors;”

17 (14) 20.1208, “Dose equivalent to an embryo/fetus;”

18 (15) 20.1301, “Dose limits for individual members of the public;”

19 (16) 20.1302, “Compliance with dose limits for individual members of the public;”

20 (17) 20.1401, “General provisions and scope;”

21 (18) 20.1402, “Radiological criteria for unrestricted use;”

22 (19) 20.1403, “Criteria for license termination under restricted conditions;”

23 (20) 20.1404, “Alternate criteria for license termination;”

24 (21) 20.1405, “Public notification and public participation,” except the agency shall not publish a notice
25 in the Federal Register;

26 (22) 20.1406, “Minimization of contamination;”

27 (23) 20.1501, “General;”

28 (24) 20.1502, “Conditions requiring individual monitoring of external and internal occupational dose;”

29 (25) 20.1601, “Control of access to high radiation areas;”

30 (26) 20.1602, “Control of access to very high radiation areas;”

31 (27) 20.1701, “Use of process or other engineering controls;”

32 (28) 20.1702, “Use of other controls;”

33 (29) 20.1703, “Use of individual respiratory protection equipment;”

34 (30) 20.1704, “Further restrictions on the use of respiratory equipment;”

35 (31) 20.1705, “Application for use of higher assigned protection factors;”

36 (32) 20.1801, “Security of stored material;”

37 (33) 20.1802, “Control of material not in storage;”

- 1 (34) 20.1901, "Caution signs;"
2 (35) 20.1902, "Posting requirements;"
3 (36) 20.1903, "Exceptions to posting requirements;"
4 (37) 20.1904, "Labeling containers;"
5 (38) 20.1905, "Exemptions to labeling requirements;"
6 (39) 20.1906, "Procedures for receiving and opening packages;"
7 (40) 20.2001, "General requirements;"
8 (41) 20.2002, "Method for obtaining approval of proposed disposal procedures;"
9 (42) 20.2003, "Disposal by release to sanitary sewerage;"
10 (43) 20.2004, "Treatment or disposal by incineration;"
11 (44) 20.2005, "Disposal of specific wastes;"
12 (45) 20.2006, "Transfer for disposal and manifests;"
13 (46) 20.2007, "Compliance with environmental and health protection regulations;"
14 (47) 20.2008, "Disposal of certain byproduct material;"
15 (48) 20.2101, "General provisions;"
16 (49) 20.2102, "Records of radiation protection programs;"
17 (50) 20.2103, "Records of surveys;"
18 (51) 20.2104, "Determination of prior occupational dose;"
19 (52) 20.2105, "Records of planned special exposures;"
20 (53) 20.2106, "Records of individual monitoring results;"
21 (54) 20.2107, "Records of dose to individual members of the public;"
22 (55) 20.2108, "Records of waste disposal;"
23 (56) 20.2110, "Form of records;"
24 (57) 20.2201, "Reports of theft or loss of material." Persons registered with the agency pursuant to the
25 rules in Section .0200 of this Chapter shall make telephone reports of the theft or loss of radiation
26 machines in accordance with 20.2201(a)(1)(i);
27 (58) 20.2202, "Notifications of incidents;"
28 (59) 20.2203, "Reports of exposures, radiation levels, and concentrations of radioactive material
29 exceeding the constraints or limits;"
30 (60) 20.2204, "Reports of planned special exposures;"
31 (61) 20.2205, "Reports to individuals exceeding dose limits;"
32 (62) 20.2206, "Reports of individual monitoring," except 20.2206(a)(3). The report required by
33 20.2206(b) shall be submitted upon request by the agency in lieu of the requirements of 20.2206(c);
34 (63) 20.2207, "Reports of transactions involving nationally tracked sources." Notwithstanding
35 Subparagraph (a)(6) of this Rule, reports required by this Subparagraph shall be made in accordance
36 with 20.2207(f) and (g);

1 (64) 20.2301, “Application for exemptions,” except that the request for exemption shall be made on the
2 licensee’s or registrant’s business letterhead. Requests for exemptions from the requirements of this
3 Rule shall be made to the agency at the address shown in Rule .0111 of this Chapter in lieu of the
4 NRC or as otherwise instructed by the agency. To request an exemption, the following information
5 shall be submitted to the agency:

6 (A) licensee or registrant name;

7 (B) license or registration number;

8 (C) name and contact information for the individual requesting the exemption;

9 (D) a description of the exemption being requested, and

10 (E) an explanation describing why the exemption is necessary;

11 (65) 20.2302, “Additional requirements;”

12 (66) Appendix A to Part 20, “Assigned Protection Factors for Respirators;”

13 (67) Appendix B to Part 20, “Annual Limits on Intake (ALIs) and Derived Air Concentrations (DACs)
14 of Radionuclides for Occupational Exposure; Effluent Concentrations; Concentrations for Release
15 to Sewerage;”

16 (68) Appendix C to Part 20, “Quantities of Radioactive Material Requiring Labeling;”

17 (69) Appendix E to Part 20, “Nationally Tracked Source Thresholds,” and

18 (70) Appendix G to Part 20, “Requirements for Transfers of Low-Level Radioactive Waste Intended for
19 Disposal at Licensed Land Disposal Facilities and Manifests.”

20 (b) Exposure of a personnel monitoring device to deceptively indicate a dose delivered to an individual is prohibited.

21 (c) Licensees and registrants shall continue to perform all activities required by the rules of this Chapter, license or
22 registration condition, and shall pay annual fees as instructed on an invoice issued by the agency until the license or
23 registration is terminated. Registrants shall maintain registration of all radiation machines under their control until
24 those units are disposed.

25 (d) Nothing in the rules of this Chapter shall relieve any person of responsibility for complying with other applicable
26 North Carolina laws and rules.

27 (e) Copies of these regulations are available free of charge at [https://www.nrc.gov/reading-rm/doc-](https://www.nrc.gov/reading-rm/doc-collections/cfr/part020/)
28 collections/cfr/part020/.

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30 *History Note: Authority G.S. 104E-7(a)(2);*

31 *Eff. January 1, 1994;*

32 *Amended Eff. August 1, 1998;*

33 *Transferred and Recodified from 15A NCAC 11 .1601 Eff. February 1, 2015; 2015;*

34 *Readopted Eff. October 1, 2023.*