

1 Rule 10A NCAC 15 .1001 is proposed for amendment as follows

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3 **SECTION .1000 - NOTICES: INSTRUCTIONS: REPORTS AND INSPECTIONS**

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5 Codifier's Note: 10A NCAC 03G .3100 was transferred to 15A NCAC 11 .1000 effective January 4, 1990.  
6 Recodification pursuant to G.S. 143B-279.3.

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8 **10A NCAC 15 .1001 NOTICES, INSTRUCTIONS, AND REPORTS TO EMPLOYEES**

9 (a) Persons registered with the agency pursuant to the rules in Section .0200 of this Chapter and persons licensed under  
10 the rules in Sections .0300, .0900, .1200, and .1300 of this Chapter shall comply with the provisions of 10 CFR 19 as  
11 follows, which are hereby incorporated by reference including subsequent amendments and editions, except that  
12 references to and requirements for 10 CFR 2, 50, 52, 54, 60, 63, 72, and 76 shall not apply:

- 13 (1) 10 CFR 19.1, "Purpose;"
- 14 (2) 10 CFR 19.2, "Scope;"
- 15 (3) 10 CFR 19.3, "Definitions," except that the definition of "regulated activities" and "regulated  
16 entities" shall not apply. For persons registered with the agency pursuant to the rules in Section  
17 .0200 of this Chapter, the following terms used in 10 CFR 19 shall have the following substitutions:
- 18 (A) "license" shall have the same meaning as "registration" as defined in Rule ~~.0104(131)~~  
19 .0103(b) of this Chapter;
- 20 (B) "licensed" means "registered" as defined in Rule ~~.0104(131)~~ .0103(b) of this Chapter;
- 21 (C) "licensee" shall have the same meaning as "registrant" as defined in Rule ~~.0104(130)~~  
22 .0103(b) of this Chapter;
- 23 (D) "materials" shall have the same meaning as "radiation machine" as defined in Rule  
24 ~~.0104(122)~~ .0103(b) of this Chapter;
- 25 (E) "NRC-licensed" means "registered"; and
- 26 (F) "radioactive material" shall have the same meaning as "radiation machine" as defined in  
27 Rule ~~.0104(122)~~ .0103(b) of this Chapter.
- 28 (4) 10 CFR 19.5, "Communications," except that licensees and registrants shall address  
29 communications and reports to the agency as instructed by Rule .0111 of this Chapter in lieu of the  
30 NRC;
- 31 (5) 10 CFR 19.11, "Posting of notices to workers," except that 19.11(b) and (e) shall not apply;
- 32 (A) NRC Form 3 shall not be used in lieu of the Notice to Employees issued by the agency,  
33 except as authorized by the agency in writing;
- 34 (B) licensees and registrants shall not post other notices, postings, notes, or other materials  
35 over the Notice to Employees, nor shall equipment be placed in such a manner that the  
36 Notice to Employees is obscured or hidden by that equipment; and

1 (C) additional copies of the Notice to Employees may be obtained free of charge from the  
2 agency by contacting the agency at the addresses shown in Rule .0111(a) of this Chapter  
3 in lieu of the NRC, or online at <https://radiation.ncdhhs.gov/>;

4 (6) 10 CFR 19.12, "Instructions to workers;"

5 (7) 10 CFR 19.13, "Notifications and reports to individuals;"

6 (8) 10 CFR 19.14, "Presence of representatives of licensees and regulated entities, and workers during  
7 inspections," except that 19.14(a) shall not apply;

8 (9) 10 CFR 19.15, "Consultation with workers during inspections;"

9 (10) 10 CFR 19.16, "Requests by workers for inspections." Requests for inspections shall be mailed or  
10 delivered to the agency as instructed by Rule .0111(a) of this Chapter in lieu of the NRC;

11 (11) 10 CFR 19.17, "Inspections not warranted; informal review." Communications regarding the  
12 agency's decisions with respect to a request for inspection submitted to the agency under  
13 Subparagraph (a)(10) shall be mailed or delivered to the agency as instructed by Rule .0111(a) of  
14 this Chapter in lieu of the NRC;

15 (12) 10 CFR 19.18, "Sequestration of witnesses and exclusion of counsel in interviews conducted under  
16 subpoena;"

17 (13) 10 CFR 19.20, "Employee protection;"

18 (14) 10 CFR 19.31, "Application for exemptions," except that the request for exemption shall be made  
19 on the licensee's or registrant's business letterhead. Requests for exemptions from the requirements  
20 of this Rule shall be made to the agency at the addresses shown in Rule .0111(a) of this Chapter in  
21 lieu of the NRC or as otherwise instructed by the agency. To request an exemption, the following  
22 information shall be submitted to the agency:

23 (A) licensee or registrant name;

24 (B) license or registration number;

25 (C) name of the individual requesting the exemption;

26 (D) contact information for the individual requesting the exemption;

27 (E) a description of the exemption being requested; and

28 (F) an explanation describing why the exemption is necessary.

29 (b) Notwithstanding Subparagraph (a)(5) of this Rule, registrants temporarily working in North Carolina and licensees  
30 working in North Carolina under reciprocity may post the Notice to Employees, NRC Form 3, or an equivalent form  
31 issued under the authority of the regulatory agency issuing the registration or license.

32 (c) 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/part019/)  
33 [collections/cfr/part019/](https://www.nrc.gov/reading-rm/doc-collections/cfr/part019/).

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35 *History Note: Authority G.S. 104E-7; 104E-12;*  
36 *Eff. February 1, 1980;*  
37 *Amended Eff. May 1, 1993; June 1, 1989;*

1                    *Transferred and Recodified from 15A NCAC 11 .1001 Eff. February 1, 2015;*  
2                    *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. June 22,*  
3                    *2019;*  
4                    *Amended Eff. October 1, 2023.*