

**Fiscal Impact Analysis of
Permanent Rule Redoption and Permanent Rule Amendment
without Substantial Economic Impact**

Agency Proposing Rule Change

DHHS/Division of Health Service Regulation

Contact Persons

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Impact Summary

Federal Government: No Impact

State Government: No Impact

Local Government: No Impact

Regulated Community: Minimal Impact

Substantial Impact: No

Rules with Proposed Changes

Rule Amendment:

10A NCAC 15 .1001 Notices, Instructions, and Reports to Employees

Rule Redoption with substantive changes:

10A NCAC 15 .1601 Standards for Protection Against Radiation

*See text in Appendix

Rules Proposed for Repeal

Rule Repeals: 10A NCAC 15 .1002, .1003, .1005, .1006

Rule Repeals Through Redoption: 10A NCAC 15 .1004, .1007, .1008, .1602, .1603, .1604, .1605, .1606, .1607, .1608, .1609, .1610, .1611, .1612, .1613, .1614, .1615, .1616, .1617, .1618, .1619, .1620, .1621, .1622, .1623, .1624, .1625, .1626, .1627, .1628, .1629, .1630, .1631, .1632, .1633, .1634, .1635, .1636, .1637, .1638, .1639, .1640, .1641, .1642, .1643, .1644, .1645, .1646, .1647, .1648, .1649, .1653

*See text in Appendix

Authorizing Statutes

G.S. 104E-7, 104E-7(a)(2), 104E-12

Background

Section 274 of the Atomic Energy Act of 1954, as amended, authorized the United States Nuclear Regulatory Commission (USNRC) to enter into an agreement with the states for the discontinuance of regulatory authority over some uses of radioactive materials and delegation of that regulatory authority to the states. The USNRC kept regulatory authority over activities such as nuclear power generation and common defense of the nation. North Carolina assumed responsibility for regulating the use of radioactive materials from the USNRC in 1964 by signing the “Agreement” and thus became what is known as an “Agreement State.” In addition to assuming regulatory authority over radioactive materials as an Agreement State, the authorizing statute, G.S. 104E, also authorized the state to regulate the use of devices such as x-ray units used in medical diagnoses and electronic contraband detection equipment that generate radiation. Devices that do not use radioactive materials as the source of radiation are called “radiation machines.”

The rules in 10A NCAC 15 regulate the use of radioactive materials and radiation machines in the State of North Carolina pursuant to G.S. 104E. The rules in Section .1000 of Chapter 15 regulate radiation safety information that licensees and registrants are required to provide to occupationally exposed workers, establishes provisions for workers to report possible violations of the rules in this Chapter to the agency, and provides guidance for workers requesting inspections of licensed or registered activities. The rules in Section .1600 of Chapter 15 regulate the standards for radiation protection that licensees and registrants must meet while conducting licensed or registered activities to protect occupationally exposed workers, the public, and the environment from radiation resulting from activities authorized by the agency.

Under authority of G.S. 150B-21.3A, Periodic review and expiration of existing rules, DHHS/DHSR and the Radiation Protection Commission submitted a report to the Rules Review Commission and the Joint Legislative Administrative Procedure Oversight Committee. This report was approved and the readoption schedule set at the July 18, 2019, meeting of the Rules Review Commission. Five rules, Rules 10A NCAC 15 .1001 - .1003, .1005 and .1006 were determined to be “Necessary Without Substantive Public Interest” and will be amended or repealed with this rulemaking action. The remaining 53 rules, Rules 10A NCAC 15 .1004, .1007, .1008, .1601 - .1649 and .1653 were determined to be “Necessary With Substantive Public Interest” and will be readopted or readopted as repeals with this rulemaking action.

As mandated by G.S. 150B-19.(4) the agency may not adopt a rule that repeats the content of a law, a rule, or a federal regulation. Prior to this rule making effort, Rules 10A NCAC 15 .1001 - .1008 found in Section .1000 repeated the federal regulations found in 10 CFR 19, and Rules 10A NCAC 15 .1601 - .1649 and .1653 found in Section .1600 repeated the federal regulations found in 10 CFR 20, with the caveat that references to the USNRC were revised to refer to the Radiation Protection Section (the agency) along with corresponding changes in address to the agency and not the USNRC. To comply with this mandate, the federal regulations in 10 CFR 19 and 10 CFR 20 will be adopted by reference, including subsequent amendments and editions, into two individual rules to make compliance easier for the regulated community. This will result in a single rule for all licensees and registrants stating the notifications and reports those licensees and registrants have to make to occupationally exposed workers,

and provides a mechanism for workers to report possible violations of the Radiation Protection rules to the agency and to request that the agency inspect licensed or registered activities found in Section .1000 of Chapter 15, and a single rule for the health and safety standards that all licensees and registrants must meet to protect occupationally exposed workers and members of the public from exposure to radiation found in the rules in Section .1600 of Chapter 15.

Rules 10A NCAC 15 .1002 - .1008, .1602 - .1649 and .1653 are being repealed during this rulemaking because they have become redundant and are no longer necessary when 10 CFR 19 and 20 are incorporated by reference, and because they repeat the content of the federal regulations found in 10 CFR 19 and 20.

Rule Changes and Anticipated Fiscal Impact

10A NCAC 15 .1001 Notices, Instructions, and Reports to Employees

The Radiation Protection Commission is proposing to amend this rule. The amended rule removes the scope and applicability statements from the existing rule and is reorganized into Paragraphs with subdivisions where appropriate to improve readability.

- Paragraph (a) incorporates the regulations in 10 CFR 19 by reference, including subsequent amendments and editions, except those references to and requirements for activities conducted under 10 CFR 2, 50, 52, 54, 60, 63, 72, and 76, and the definitions of the terms “regulated activities” and “regulated entities” found in 10 CFR 19.3. The Parts of 10 CFR and the definitions of those two terms excluded from incorporation by reference fall under the jurisdiction of the USNRC, not the State, and the agency is prohibited from implementing those regulations or defining those two terms by the Agreement.
- Subparagraph (a)(3) provides substitute definitions for terms used in 10 CFR 19 so the regulations are easier to understand and more meaningful to persons registered with the agency pursuant to the Rules in Section .0200 of Chapter 15.
- Subparagraph (a)(4) clarifies that communications should be sent to the agency and not the USNRC.
- Subparagraph (a)(5) excludes 10 CFR 19.11(b) and (e) from incorporation by reference (both of those regulations are under USNRC jurisdiction) and clarifies the agency’s expectations for posting the notice to employees and informs registrants and licensees how to obtain free copies of that notice.
- Subparagraphs (a)(10) and (a)(11) clarify that workers should send requests for inspections of registered and licensed activities to the agency and not the USNRC.
- Subparagraph (a)(14) is administrative in nature and specifies the minimum information the agency requires to issue an exemption from the regulations in 10 CFR 19 and directs those requests to the agency and not the USNRC.
- Paragraph (b) clarifies the posting requirements for out-of-state registrants temporarily working in NC and licensees working in NC under reciprocity.

- Paragraph (c) provides a web address where copies of 10 CFR 19 may be obtained.

The regulations in 10 CFR 19 that are being incorporated by reference apply to the same regulated parties and are identical to the requirements being struck from Rule 10A NCAC 15 .1001, and all of the requirements in the rest of the rules in Section .1000 of Chapter 15. Accordingly, there will be no change to the requirements the regulated community must meet because of this proposed rule change.

None of the proposed changes to Rule 10A NCAC 15 .1001 impose burdens on the regulated community that are not already required by the collection of rules in Section .1000 of Chapter 15, or require any changes to the operations of federal, state or local government. The only changes of note to this Rule are administrative changes that will provide clarity to the regulated community thereby making compliance with the rule easier. This should translate into less time spent by the regulated community on the license application process as well as less time spent by regulatory staff providing technical assistance or on enforcement actions because a licensee or registrant failed to get an exemption from the regulations or failed to have the correct notice to employees posted on the jobsite that resulted in a violation issued by the agency. The amount of time saved will be negligible and will not represent a significant financial benefit; however, it is noted here for completeness.

10A NCAC 15 .1601 Standards for Protection Against Radiation

The Radiation Protection Commission is proposing to readopt this rule with substantive changes.

- The purpose and scope in Paragraphs (a), (b), and (c) of this Rule, the statement requiring continued compliance with the Rules in Section .1200 of Chapter 15 in Paragraph (d) of this Rule, and the statement that licensees and registrants shall cease complying with the Rules in Section .0400 of Chapter 15 in Paragraph (e) of this Rule are all removed from the amended rule.
- Paragraph (a) is amended to incorporate the federal regulations in 10 CFR 20 by reference, including subsequent amendments and editions, except those references to and requirements for activities conducted under 10 CFR 50, 52, 60, 63, 72, 73, and 76. The Parts of 10 CFR excluded from incorporation by reference fall under the jurisdiction of the USNRC, not the State, and the agency is prohibited from implementing those regulations by the Agreement. Paragraph (a) is also reorganized to improve readability and the following administrative changes were made:
 - Subparagraph (a)(1) clarifies that non-ionizing radiation from radiation machines are regulated under this Rule.
 - Subparagraph (a)(3) of this Rule provides substitute definitions for terms defined in 10 CFR 20 for persons registered with the agency.
 - Subparagraph (a)(6) clarifies that licensees and registrants direct communications to the agency and not the USNRC.
 - Subparagraph (a)(21) clarifies that the agency will not publish a notice in the Federal Register.
 - Subparagraph (a)(57) clarifies the reporting requirements for the loss or theft of radiation machines to the agency.
 - Subparagraph (a)(62) excludes 10 CFR 20.2206(a)(3) because that regulation falls under the regulatory jurisdiction of the USNRC, not the state, and clarifies that the annual exposure report for occupationally exposed workers in certain industries be sent to the agency when requested by the agency.
 - Subparagraph (a)(63) directs licensees to submit reports about the transfer of certain quantities of radioactive materials to the USNRC, not the state. The USNRC maintains a

national database of the transfer of certain quantities of radioactive materials, so it is important that this information gets reported to the USNRC.

- Subparagraph (a)(64) provides information for licensees and registrants about how to request an exemption from the regulations. This is an administrative change that will provide clarity to the regulated community.
- The prohibition against deliberately exposing a personal monitoring device to falsify an individual's exposure history in Paragraph (b) is an existing requirement (moved from 10A NCAC 15 .1613, to be repealed through readoption).
- The intent of Paragraph (c) is to clarify the requirement that licensees and registrants must continue to comply with the rules in Chapter 15 and continue to pay license and registration fees until the license or registration is terminated. This change is administrative in nature and does not impose any additional requirements on the regulated community.
- The statement that the rules in Chapter 15 do not relieve anyone from complying with other NC laws and rules has been added in Paragraph (d) for clarification. Paragraph (d) is important for a variety of reasons, among them situations where two or more state agencies regulate parts of an activity. An example is nuclear pharmacy: the Radiation Protection Section regulates the use of radioactive materials in the manufacture and distribution of radioactive drugs used in medicine, while the NC Board of Pharmacy regulates the practice of pharmacy and the pharmacological aspects of those radioactive drugs. The web address where copies of 10 CFR 20 can be found has been added in Paragraph (e) of this Rule.

None of the proposed changes to Rule 10A NCAC 15 .1601 will impose additional burdens on the regulated community or require any changes to the operations of federal, state or local government. The regulatory requirements remain unchanged in the proposed rule from those existing in the current rules in Section .1600 of Chapter 15. The only changes of note to this Rule are administrative changes that will provide clarity to the regulated community thereby making compliance with the rule easier. This should translate into less time spent by the regulated community on the license application process as well as less time spent by regulatory staff providing technical assistance and reviewing license applications. The amount of time saved will be negligible and will not represent a significant financial benefit; however, it is noted here for completeness.

Summary

The proposed rule changes are largely for the purpose of updating the rules to comply with current federal regulations regarding the licensing and handling of radioactive material. None of the proposed changes will result in additional burdens to the regulated community, nor will they result in changes to operations for local, state, or federal government. The improved clarity of the rules could result in time savings related to the application process for the regulated community and state regulators; however, these time savings are expected to be very minimal.

Appendix

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

SECTION .1000 - NOTICES: INSTRUCTIONS: REPORTS AND INSPECTIONS

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

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

~~This Section establishes requirements for notices, instructions and reports by licensees or registrants to individuals engaged in work under a license or registration and options available to such individuals in connection with agency inspections of licensees or registrants to ascertain compliance with the provisions of the Act and rules, orders and licenses issued thereunder regarding radiological working conditions. The rules in this Section apply to all persons who receive, possess, use, own or transfer sources of radiation licensed by or registered with the agency pursuant to the rules in Sections .0200, .0300, .0900 and .1200 of this Chapter.~~

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

- ~~(1) 10 CFR 19.1, "Purpose;"~~
- ~~(2) 10 CFR 19.2, "Scope;"~~
- ~~(3) 10 CFR 19.3, "Definitions," except that the definition of "regulated activities" and "regulated entities" shall not apply. For persons registered with the agency pursuant to the rules in Section .0200 of this Chapter, the following terms used in 19.3 shall have the following substitutions:~~
 - ~~(A) "license" shall have the same meaning as "registration" as defined in Rule .0104(131) of this Chapter;~~
 - ~~(B) "licensed" means registered pursuant to the rules in Section .0200 of this Chapter;~~
 - ~~(C) "licensee" shall have the same meaning as "registrant" as defined in Rule .0104(130) of this Chapter;~~
 - ~~(E) "materials" shall have the same meaning as "radiation machine" as defined in Rule .0104(122) of this Chapter;~~
 - ~~(F) "NRC-licensed" means registered pursuant to the rules in Section .0200 of this Chapter;~~
~~and~~
 - ~~(D) "radioactive material" shall have the same meaning as "radiation machine" as defined in Rule .0104(122) of this Chapter;~~

- (4) 10 CFR 19.5, “Communications,” except that licensees and registrants shall address communications and reports to the agency at the address shown in Rule .0111 of this Chapter in lieu of the NRC;
- (5) 10 CFR 19.11, “Posting of notices to workers,” except that 19.11(b) and (e) shall not apply;
- (A) NRC Form 3 shall not be used in lieu of the Notice to Employees issued by the agency, except as authorized by the agency in writing;
- (B) licensees and registrants shall not post other notices, postings, notes, or other materials over the notice to employees, nor shall equipment be placed in such a manner that the notice to employees is obscured or hidden by that equipment; and
- (C) additional copies of the Notice to Employees may be obtained free of charge from the agency by contacting the agency at the address shown in Rule .0111 of this Chapter in lieu of the NRC, or online at <https://radiation.ncdhhs.gov/>;
- (6) 10 CFR 19.12, “Instructions to workers;”
- (7) 10 CFR 19.13, “Notifications and reports to individuals;”
- (8) 10 CFR 19.14, “Presence of representatives of licensees and regulated entities, and workers during inspections;”
- (9) 10 CFR 19.15, “Consultation with workers during inspections;”
- (10) 10 CFR 19.16, “Requests by workers for inspections.” Requests for inspections shall be submitted to the agency at the address shown in Rule .0111 of this Chapter in lieu of the NRC;
- (11) 10 CFR 19.17, “Inspections not warranted; informal review.” Communications regarding the agency’s decisions with respect to a request for inspection submitted to the agency under Subparagraph (a)(10) shall be submitted to the agency at the address shown in Rule .0111 of this Chapter in lieu of the NRC;
- (12) 10 CFR 19.18, “Sequestration of witnesses and exclusion of counsel in interviews conducted under subpoena;”
- (13) 10 CFR 19.20, “Employee protection;”
- (14) 10 CFR 19.31, “Application for exemptions,” except that the request for exemption shall be made on the licensee’s or registrant’s business letterhead. Requests for exemptions from the requirements of this Rule shall be made to the agency at the address shown in Rule .0111 of this Chapter in lieu of the NRC or as otherwise instructed by the agency. To request an exemption, the following information shall be submitted to the agency:
- (A) licensee or registrant name;
- (B) license or registration number;
- (C) name of the individual requesting the exemption;
- (D) contact information for the individual requesting the exemption;
- (E) a description of the exemption being requested; and
- (F) an explanation describing why the exemption is necessary.

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

(c) Copies of these regulations are available free of charge at <https://www.nrc.gov/reading-rm/doc-collections/cfr/part019/>.

*History Note: Authority G.S. 104E-7; 104E-12;
Eff. February 1, 1980;
Amended Eff. May 1, 1993; June 1, 1989;
Transferred and Recodified from 15A NCAC 11 .1001 Eff. February 1, 2015;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. June 22, 2019; 2019;
Amended Eff. October 1, 2023.*

10A NCAC 15 .1002 - .1003 are proposed for repeal as follows:

10A NCAC 15 .1002 POSTING OF NOTICES TO WORKERS

10A NCAC 15 .1003 INSTRUCTIONS TO WORKERS

*History Note: Authority G.S. 104E-7; 104E-10; 104E-12;
Eff. February 1, 1980;
Amended Eff. April 1, 1999; January 1, 1994; May 1, 1992;
Transferred and Recodified from 15A NCAC 11 .1002 and .1003, Eff. February 1, 2015;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. June 22, 2019; 2019;
Repealed Eff. October 1, 2023.*

10A NCAC 15 .1004 is proposed for repeal through readoption as follows:

10A NCAC 15 .1004 NOTIFICATIONS AND REPORTS TO INDIVIDUALS

*History Note: Authority G.S. 104E-7; 104E-10(b); 104E-12;
Eff. February 1, 1980;
Amended Eff. October 1, 2013; January 1, 1994;
Transferred and Recodified from 15A NCAC 11 .1004 Eff. February 1, 2015;*

Amended Eff. March 1, ~~2017~~ 2017;

Repealed Eff. October 1, 2023.

10A NCAC 15 .1005 - .1006 are proposed for repeal as follows:

10A NCAC 15 .1005 PRESENCE OF REPRESENTATIVES DURING INSPECTIONS

10A NCAC 15 .1006 CONSULTATION WITH WORKERS

History Note: Authority G.S. 104E-7; 104E-10; 104E-11;

Eff. February 1, 1980;

Amended Eff. May 1, 1993;

Transferred and Recodified from 15A NCAC 11 .1005 and .1006 Eff. February 1, 2015;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. June 22,

~~2019~~ 2019;

Repealed Eff. October 1, 2023.

10A NCAC 15 .1007 - .1008 are proposed for repeal through readoption as follows:

10A NCAC 15 .1007 REQUESTS FOR INSPECTIONS

10A NCAC 15 .1008 INSPECTIONS NOT WARRANTED

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

Eff. February 1, 1980;

Amended Eff. May 1, 1992; November 1, 1989;

Transferred and Recodified from 15A NCAC 11 .1007 – .1008 Eff. February 1, ~~2015~~ 2015;

Repealed Eff. October 1, 2023.

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

SECTION .1600 - STANDARDS FOR PROTECTION AGAINST RADIATION

10A NCAC 15 .1601 ~~PURPOSE AND SCOPE~~ STANDARDS FOR PROTECTION AGAINST RADIATION

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

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

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

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

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

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

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

(2) 20.1002, "Scope;"

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

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

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

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

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

(4) 20.1004, "Units of radiation dose;"

(5) 20.1005, "Units of radioactivity;"

- (6) 20.1007, "Communications," except that licensees and registrants shall address communications regarding these rules, notifications, and reports to the agency at the address shown in Rule .0111 of this Chapter in lieu of the NRC;
- (7) 20.1101, "Radiation protection programs;"
- (8) 20.1201, "Occupational dose limits for adults;"
- (9) 20.1202, "Compliance with requirements for summation of external and internal doses;"
- (10) 20.1203, "Determination of external dose from airborne radioactive material;"
- (11) 20.1204, "Determination of internal exposure;"
- (12) 20.1206, "Planned special exposures;"
- (13) 20.1207, "Occupational dose limits for minors;"
- (14) 20.1208, "Dose equivalent to an embryo/fetus;"
- (15) 20.1301, "Dose limits for individual members of the public;"
- (16) 20.1302, "Compliance with dose limits for individual members of the public;"
- (17) 20.1401, "General provisions and scope;"
- (18) 20.1402, "Radiological criteria for unrestricted use;"
- (19) 20.1403, "Criteria for license termination under restricted conditions;"
- (20) 20.1404, "Alternate criteria for license termination;"
- (21) 20.1405, "Public notification and public participation," except the agency shall not publish a notice in the Federal Register;
- (22) 20.1406, "Minimization of contamination;"
- (23) 20.1501, "General;"
- (24) 20.1502, "Conditions requiring individual monitoring of external and internal occupational dose;"
- (25) 20.1601, "Control of access to high radiation areas;"
- (26) 20.1602, "Control of access to very high radiation areas;"
- (27) 20.1701, "Use of process or other engineering controls;"
- (28) 20.1702, "Use of other controls;"
- (29) 20.1703, "Use of individual respiratory protection equipment;"
- (30) 20.1704, "Further restrictions on the use of respiratory equipment;"
- (31) 20.1705, "Application for use of higher assigned protection factors;"
- (32) 20.1801, "Security of stored material;"
- (33) 20.1802, "Control of material not in storage;"
- (34) 20.1901, "Caution signs;"
- (35) 20.1902, "Posting requirements;"
- (36) 20.1903, "Exceptions to posting requirements;"
- (37) 20.1904, "Labeling containers;"
- (38) 20.1905, "Exemptions to labeling requirements;"
- (39) 20.1906, "Procedures for receiving and opening packages;"

- (40) 20.2001, "General requirements;"
- (41) 20.2002, "Method for obtaining approval of proposed disposal procedures;"
- (42) 20.2003, "Disposal by release to sanitary sewerage;"
- (43) 20.2004, "Treatment or disposal by incineration;"
- (44) 20.2005, "Disposal of specific wastes;"
- (45) 20.2006, "Transfer for disposal and manifests;"
- (46) 20.2007, "Compliance with environmental and health protection regulations;"
- (47) 20.2008, "Disposal of certain byproduct material;"
- (48) 20.2101, "General provisions;"
- (49) 20.2102, "Records of radiation protection programs;"
- (50) 20.2103, "Records of surveys;"
- (51) 20.2104, "Determination of prior occupational dose;"
- (52) 20.2105, "Records of planned special exposures;"
- (53) 20.2106, "Records of individual monitoring results;"
- (54) 20.2107, "Records of dose to individual members of the public;"
- (55) 20.2108, "Records of waste disposal;"
- (56) 20.2110, "Form of records;"
- (57) 20.2201, "Reports of theft or loss of material." Persons registered with the agency pursuant to the rules in Section .0200 of this Chapter shall make telephone reports of the theft or loss of radiation machines in accordance with 20.2201(a)(1)(i);
- (58) 20.2202, "Notifications of incidents;"
- (59) 20.2203, "Reports of exposures, radiation levels, and concentrations of radioactive material exceeding the constraints or limits;"
- (60) 20.2204, "Reports of planned special exposures;"
- (61) 20.2205, "Reports to individuals exceeding dose limits;"
- (62) 20.2206, "Reports of individual monitoring," except 20.2206(a)(3). The report required by 20.2206(b) shall be submitted upon request by the agency in lieu of the requirements of 20.2206(c);
- (63) 20.2207, "Reports of transactions involving nationally tracked sources." Notwithstanding Subparagraph (a)(6) of this Rule, reports required by this Subparagraph shall be made in accordance with 20.2207(f) and (g);
- (64) 20.2301, "Application for exemptions," except that the request for exemption shall be made on the licensee's or registrant's business letterhead. Requests for exemptions from the requirements of this Rule shall be made to the agency at the address shown in Rule .0111 of this Chapter in lieu of the NRC or as otherwise instructed by the agency. To request an exemption, the following information shall be submitted to the agency:
 - (A) licensee or registrant name;
 - (B) license or registration number;

- (C) name and contact information for the individual requesting the exemption;
 - (D) a description of the exemption being requested, and
 - (E) an explanation describing why the exemption is necessary;
 - (65) 20.2302, “Additional requirements;”
 - (66) Appendix A to Part 20, “Assigned Protection Factors for Respirators;”
 - (67) Appendix B to Part 20, “Annual Limits on Intake (ALIs) and Derived Air Concentrations (DACs) of Radionuclides for Occupational Exposure; Effluent Concentrations; Concentrations for Release to Sewerage;”
 - (68) Appendix C to Part 20, “Quantities of Radioactive Material Requiring Labeling;”
 - (69) Appendix E to Part 20, “Nationally Tracked Source Thresholds,” and
 - (70) Appendix G to Part 20, “Requirements for Transfers of Low-Level Radioactive Waste Intended for Disposal at Licensed Land Disposal Facilities and Manifests.”
- (b) Exposure of a personnel monitoring device to deceptively indicate a dose delivered to an individual is prohibited.
- (c) Licensees and registrants shall continue to perform all activities required by the Rules of this Chapter, license or registration condition, and shall pay annual fees as instructed on an invoice issued by the agency until the license or registration is terminated. Registrants shall maintain registration of all radiation machines under their control until those units are disposed.
- (d) Nothing in the rules of this Chapter shall relieve any person of responsibility for complying with other applicable North Carolina laws and rules.
- (e) Copies of these regulations are available free of charge at <https://www.nrc.gov/reading-rm/doc-collections/cfr/part020/>.

*History Note: Authority G.S. 104E-7(a)(2);
 Eff. January 1, 1994;
 Amended Eff. August 1, 1998;
 Transferred and Recodified from 15A NCAC 11 .1601 Eff. February 1, 2015; 2015;
 Readopted Eff. October 1, 2023.*

10A NCAC 15 .1602 - .1649 are proposed for repeal through readoption as follows:

10A NCAC 15 .1602	IMPLEMENTATION
10A NCAC 15 .1603	RADIATION PROTECTION PROGRAMS
10A NCAC 15 .1604	OCCUPATIONAL DOSE LIMITS FOR ADULTS
10A NCAC 15 .1605	REQUIREMENTS FOR SUMMATION OF EXTERNAL, INTERNAL DOSES
10A NCAC 15 .1606	EXTERNAL DOSE FROM AIRBORNE RADIOACTIVE MATERIAL
10A NCAC 15 .1607	DETERMINATION OF INTERNAL EXPOSURE

10A NCAC 15 .1608	PLANNED SPECIAL EXPOSURES
10A NCAC 15 .1609	OCCUPATIONAL DOSE LIMITS FOR MINORS
10A NCAC 15 .1610	DOSE EQUIVALENT TO AN EMBRYO/FETUS
10A NCAC 15 .1611	DOSE LIMITS FOR INDIVIDUAL MEMBERS OF THE PUBLIC
10A NCAC 15 .1612	COMPLIANCE WITH DOSE LIMITS FOR MEMBERS OF THE PUBLIC
10A NCAC 15 .1613	SURVEYS
10A NCAC 15 .1614	MONITORING OF EXTERNAL AND INTERNAL OCCUPATIONAL DOSE
10A NCAC 15 .1615	CONTROL OF ACCESS TO HIGH RADIATION AREAS
10A NCAC 15 .1616	CONTROL OF ACCESS TO VERY HIGH RADIATION AREAS
10A NCAC 15 .1617	ACCESS TO VERY HIGH RADIATION AREAS: IRRADIATORS
10A NCAC 15 .1618	USE OF PROCESS OR OTHER ENGINEERING CONTROLS
10A NCAC 15 .1619	USE OF OTHER CONTROLS TO RESTRICT INTERNAL EXPOSURE
10A NCAC 15 .1620	USE OF INDIVIDUAL RESPIRATORY PROTECTION EQUIPMENT
10A NCAC 15 .1621	RESTRICTIONS ON THE USE OF RESPIRATORY PROTECTION EQUIPMENT
10A NCAC 15 .1622	SECURITY OF SOURCES OF RADIATION
10A NCAC 15 .1623	CAUTION SIGNS
10A NCAC 15 .1624	POSTING REQUIREMENTS
10A NCAC 15 .1625	EXCEPTIONS TO POSTING REQUIREMENTS
10A NCAC 15 .1626	LABELING REQUIREMENTS AND EXEMPTIONS
10A NCAC 15 .1627	PROCEDURES FOR RECEIVING AND OPENING PACKAGES
10A NCAC 15 .1628	GENERAL REQUIREMENTS FOR WASTE DISPOSAL
10A NCAC 15 .1629	METHOD FOR OBTAINING APPROVAL OF DISPOSAL PROCEDURES
10A NCAC 15 .1630	DISPOSAL BY RELEASE INTO SANITARY SEWERAGE
10A NCAC 15 .1631	TREATMENT OR DISPOSAL BY INCINERATION
10A NCAC 15 .1632	DISPOSAL OF SPECIFIC WASTES
10A NCAC 15 .1633	TRANSFER FOR DISPOSAL AND MANIFESTS
10A NCAC 15 .1634	COMPLIANCE WITH ENV. AND HEALTH PROTECTION REGULATIONS
10A NCAC 15 .1635	GENERAL PROVISIONS FOR RECORDS
10A NCAC 15 .1636	RECORDS OF RADIATION PROTECTION PROGRAMS
10A NCAC 15 .1637	RECORDS OF SURVEYS
10A NCAC 15 .1638	DETERMINATION OF PRIOR OCCUPATIONAL DOSE
10A NCAC 15 .1639	RECORDS OF PLANNED EXPOSURES
10A NCAC 15 .1640	RECORDS OF INDIVIDUAL MONITORING RESULTS
10A NCAC 15 .1641	RECORDS OF DOSE TO INDIVIDUAL MEMBERS OF THE PUBLIC
10A NCAC 15 .1642	RECORDS OF WASTE DISPOSAL
10A NCAC 15 .1643	RECORDS OF TESTING ENTRY CONTROL DEVICES
10A NCAC 15 .1644	FORM OF RECORDS

10A NCAC 15 .1645	REPORTS OF THEFT OR LOSS OF LICENSED RADIOACTIVE MATERIAL
10A NCAC 15 .1646	NOTIFICATION OF INCIDENTS
10A NCAC 15 .1647	REPORTS OF RADIATION EXCEEDING THE LIMITS
10A NCAC 15 .1648	REPORTS OF PLANNED SPECIAL EXPOSURES
10A NCAC 15 .1649	REPORTS OF INDIVIDUAL MONITORING

History Note: Authority G.S. 104E-7(a)(2); 104E-7(a)(3); 104E-7(a)(5); 104E-12; 104E-12(a); 104E-15; 10 C.F.R. Chapter 1, Commission Notices, Policy Statements, Agreement States, 46 F.R 7540; Eff. January 1, 1994; Temporary Amendment Eff. August 20, 1994 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner; Amended Eff. October 1, 2013; November 1, 2007; May 1, 2006; January 1, 2005; August 1, 2002; April 1, 1999; August 1, 1998; May 1, 1995; Transferred and Recodified from 15A NCAC 11 .1602 - .1649 Eff. February 1, 2015; Amended Eff. March 1, ~~2017~~, 2017; Repealed Eff. October 1, 2023.

10A NCAC 15 .1653 is proposed for repeal through readoption as follows:

10A NCAC 15 .1653 RADIOLOGICAL REQUIREMENTS FOR LICENSE TERMINATION

History Note: Authority G.S. 104E-7(a)(2); 104E-10(b); Eff. April 1, 1999; Transferred and Recodified from 15A NCAC 11 .1653 Eff. February 1, 2015; Amended Eff. March 1, ~~2017~~, 2017; Repealed Eff. October 1, 2023.