



UNITED STATES  
**NUCLEAR REGULATORY COMMISSION**  
WASHINGTON, D.C. 20555-0001

May 12, 2022

Mr. David Crowley, Section Chief  
Radiation Protection Section  
Department of Health and  
Human Services  
1645 Mail Service Center  
Raleigh, NC 27699-1645

Dear Mr. Crowley:

We have reviewed the proposed revisions to the North Carolina regulations 10A NCAC Chapter 15, Section 1300 "Well Logging," received by our office on April 4, 2022. These regulations were reviewed by comparison to the equivalent U.S. Nuclear Regulatory Commission (NRC) rules and the requirements in Title 10 Code of Federal Regulations (10 CFR) Part 39 in addition to those changes included in Regulation Amendment Tracking System Identification Numbers (RATS IDs) 2000-1, 2000-2, 2011-2, 2013-1, 2020-1, as identified in the enclosed State Regulation Status (SRS) Data Sheet. We discussed our review of the regulations with James Albright on May 12, 2022.

As a result of our review we have no comments. Please note that we have limited our review to regulations required for compatibility and/or health and safety. We have determined that the regulations, as proposed, meet the compatibility and health and safety categories established in the Office of Nuclear Material Safety and Safeguards (NMSS) Procedure SA-200, "Compatibility Categories and Health and Safety Identification for NRC Regulations and Other Program Elements." We request that when the proposed regulations are adopted and published as final regulations, a copy of the "as published" regulations be provided to us for review. As requested in NMSS Procedure SA-201, "Review of State Regulatory Requirements," please highlight any final changes and provide a copy to Division of Material, Safety, State, Tribal, and Rulemaking Programs, NMSS.

The SRS Data Sheet summarizes our knowledge of the status of other North Carolina regulations, as indicated. Please let us know if you note any inaccuracies, or have any comments on the information contained in the SRS Data Sheet. This letter, including the SRS Data Sheet, is posted on the NMSS State Communication Portal:

<https://scp.nrc.gov/rulemaking.html>.

D. Crowley

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If you have any questions regarding the review, the compatibility and health and safety categories, or any of the NRC regulations used in the review, please contact Michelle Beardsley, State Regulation Review Coordinator, at 301-415-0275 ([Michelle.Beardsley@nrc.gov](mailto:Michelle.Beardsley@nrc.gov)) or Monica Ford at 610-337-5214 ([Monica.Ford@nrc.gov](mailto:Monica.Ford@nrc.gov)).

Sincerely,



Signed by Anderson, Brian  
on 05/12/22

Brian Anderson, Chief  
State Agreement and Liaison Programs Branch  
Division of Materials Safety, Security, State  
and Tribal Programs  
Office of Nuclear Material Safety  
and Safeguards

Enclosure:  
NC SRS Data Sheet

SUBJECT: NORTH CAROLINA PROPOSED REGULATIONS TO 10 CFR PART 39  
DATE MAY 12, 2022

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[MFord], RSAO  
[NC] File

ADAMS Accession No. ML22097A252 pkg and ML22132A150 letter

OFFICE	RI	NMSS/MSST	OGC	NMSS/MSST
NAME	MFord	MBeardsley	N/A	BAnderson
DATE	05/12/22	05/12/22		05/12/22

**OFFICIAL RECORD COPY**

**STATE REGULATION STATUS**

State: North Carolina

Tracking Ticket Number: 22-32

Date: May 12, 2022

[ # amendment(s) reviewed identified by a \* at the beginning of the equivalent NRC requirement.]

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
1991-1	Safety Requirements for Radiographic Equipment Part 34 55 FR 843 <b>(Superceded by 1997-5)</b>	01/10/1994	Final	No Comments 8/18/00	North Carolina has adopted Final Regulations equivalent to RATS ID: 1997-5.
1991-2	ASNT Certification of Radiographers Part 34 56 FR 11504 <b>(Superceded by 1997-5)</b>	none	Not Required	Not Required	North Carolina has adopted Final Regulations equivalent to RATS ID: 1997-5.
1991-3	Standards for Protection Against Radiation Part 20 56 FR 23360; 56 FR 61352; 57 FR 38588; 57 FR 57877; 58 FR 67657; 59 FR 41641; 60 FR 20183	01/01/1994	Final	No Comments 10/25/1995	
1991-4	Notification of Incidents Parts 20, 30, 31, 34, 39, 40, 70 56 FR 64980	10/15/1994	Final	No Comments 08/18/2000	
1992-1	Quality Management Program and Misadministrations Part 35 56 FR 34104 <b>(Superceded by 2002-2)</b>	01/27/1995	Final	No Comments 08/18/2000	North Carolina has not yet adopted Final Regulations equivalent to RATS ID: 2002-2.
1992-2	Eliminating the Recordkeeping Requirements for Departures from Manufacturer's Instructions Parts 30, 35 57 FR 45566	none	Not Required	Not Required	These regulation changes are not required to be adopted for purposes of Compatibility.

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
1993-1	Decommissioning Recordkeeping and License Termination: Documentation Additions [Restricted areas and spill sites] Parts 30, 40 58 FR 39628	10/25/1996	Final	No Comments 08/18/2000	
1993-2	Licensing and Radiation Safety Requirements for Irradiators Part 36 58 FR 7715	07/01/1996	Final	No Comments 08/18/2000	
1993-3	Definition of Land Disposal and Waste Site QA Program Part 61 58 FR 33886	07/22/1996	Final	No Comments 08/18/2000	
1994-1	Self-Guarantee as an Additional Financial Mechanism Parts 30, 40, 70 58 FR 68726; 59 FR 1618	none	Final	No Comments 08/18/2000	These regulation changes are not required to be adopted for purposes of Compatibility.
1994-2	Uranium Mill Tailings Regulations: Conforming NRC Requirements to EPA Standards Part 40 59 FR 28220	07/01/1997	Not Applicable	Not Applicable	North Carolina does not have authority to regulate this material under its Agreement.
1994-3	Timeliness in Decommissioning Material Facilities Parts 30, 40, 70 59 FR 36026	08/15/1997	Final	No Comments 08/18/2000	
1995-1	Preparation, Transfer for Commercial Distribution, and Use of Byproduct Material for Medical Use Parts 30, 32, 35 59 FR 61767; 59 FR 65243; 60 FR 322	01/01/1998	Final	No Comments 08/18/2000	

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
1995-2	Frequency of Medical Examinations for Use of Respiratory Protection Equipment Part 20 60 FR 7900	03/13/1998	Final	No Comments 08/18/2000	
1995-3	Low-Level Waste Shipment Manifest Information and Reporting Parts 20, 61 60 FR 15649; 60 FR 25983	03/01/1998	Final	No Comments 08/18/2000	
1995-4	Performance Requirements for Radiography Equipment Part 34 60 FR 28323 <b>(Superceded by 1997-5)</b>	06/30/1998	Final	No Comments 08/18/2000	North Carolina has adopted Final Regulations equivalent to RATS ID: 1997-5.
1995-5	Radiation Protection Requirements: Amended Definitions and Criteria Parts 19, 20 60 FR 36038	08/14/1998	Final	No Comments 08/18/2000	
1995-6	Clarification of Decommissioning Funding Requirements Parts 30, 40, 70 60 FR 38235	11/24/1998	Final	No Comments 08/18/2000	
1995-7	Medical Administration of Radiation and Radioactive Materials Parts 20, 35 60 FR 48623 <b>(Superceded by 2002-2 and 2005-2)</b>	10/20/1998	Final	No Comments 08/18/2000	North Carolina has not yet adopted Final Regulations equivalent to RATS IDs: 2002-2 and 2005-2.
1996-1	Compatibility with the International Atomic Energy Agency Part 71 60 FR 50248; 61 FR 28724 <b>(Superceded by 2004-1)</b>	04/01/1999	Final	No Comments 08/18/2000	North Carolina has not yet adopted Final Regulations equivalent to RATS ID: 2004-1.

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
1996-2	One Time Extension of Certain Byproduct, Source and Special Nuclear Materials Licenses Parts 30, 40, 70 61 FR 1109	02/15/1999	Not Required	Not Required	These regulation changes are not required to be adopted for purposes of Compatibility.
1996-3	Termination or Transfer of Licensed Activities: Record keeping Requirements Parts 20, 30, 40, 61, 70 61 FR 24669	06/17/1999	Final	No Comments 08/18/2000	
1997-1	Resolution of Dual Regulation of Airborne Effluents of Radioactive Materials; Clean Air Act Part 20 61 FR 65120	01/9/2000	Final	No Comments 08/18/2000	
1997-2	Recognition of Agreement State Licenses in Areas Under Exclusive Federal Jurisdiction Within an Agreement State Part 150 62 FR 1662	02/27/2000	Final	No Comments 08/18/2000	
1997-3	Criteria for the Release of Individuals Administered Radioactive Material Parts 20, 35 62 FR 4120	05/29/2000	Final	No Comments 08/18/2000	
1997-4	Fissile Material Shipments and Exemptions Part 71 62 FR 5907 <b>(Superseded by 2004-1)</b>	02/10/2000	Not Required	Not Required	These regulation changes are not required to be adopted for purposes of Compatibility. (See STP-97-078)
1997-5	Licenses for Industrial Radiography and Radiation Safety Requirements for Industrial Radiography Operations Parts 30, 34, 71, 150 62 FR 28947	06/27/2000	Final	No Comments 08/18/2000	

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
1997-6	Radiological Criteria for License Termination Parts 20, 30, 40, 70 62 FR 39057	08/20/2000	Final	No Comments 08/18/2000	
1997-7	Exempt Distribution of a Radioactive Drug Containing One Micro curie of Carbon-14 Urea Part 30 62 FR 63634	01/02/2001	Final	No Comments 08/18/2000	
1998-1	Deliberate Misconduct by Unlicensed Persons Parts 30, 40, 61, 70, 71, 150 63 FR 1890; 63 FR 13773	02/12/2001	Final ML061990608	No Comments 08/15/2006 ML062280005	
1998-2	Self-Guarantee of Decommissioning Funding by Nonprofit and Non-Bond-Issuing Licensees Parts 30, 40, 70 63 FR 29535	07/01/2001	Not Required	Not Required	These regulation changes are not required to be adopted for purposes of Compatibility.
1998-3	License Term for Medical Use Licenses Part 35 63 FR 31604 <b>(Superceded by 2002-2)</b>	07/10/2001	Not Required	Not Required	These regulation changes are not required to be adopted for purposes of Compatibility. (See STP-98-074)
1998-4	Licenses for Industrial Radiography and Radiation Safety Requirements for Industrial Radiographic Operations Part 34 63 FR 37059	07/09/2001	Final ML062840118	No Comments 10/23/2006 ML062970032	
1998-5	Minor Corrections, Clarifying Changes, and a Minor Policy Change Parts 20, 32, 35, 36, 39 63 FR 39477; 63 FR 45393	10/26/2001	Final ML061990608	No Comments 08/15/2006 ML062280005	



RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
1998-6	Transfer for Disposal and Manifests: Minor Technical Conforming Amendment Part 20 63 FR 50127	11/20/2001	Final ML042320535	No Comments 09/02/2004 ML042460091	
1999-1	Radiological Criteria for License Termination of Uranium Recovery Facilities Part 40 64 FR 17506	06/11/2002	Not Applicable	Not Applicable	North Carolina does not have authority to regulate this material under its Agreement.
1999-2	Requirements for Those Who Possess Certain Industrial Devices Containing Byproduct Material to Provide Requested Information Part 31 64 FR 42269	10/04/2002	Not Required	Not Required	These regulation changes are not required to be adopted for purposes of Compatibility.
1999-3	Respiratory Protection and Controls to Restrict Internal Exposure Part 20 64 FR 54543; 64 FR 55524	02/02/2003	Final ML061990608	No Comments 08/15/2006 ML062280005	
*2000-1	Energy Compensation Sources for Well Logging and Other Regulatory Clarifications Part 39 65 FR 20337	05/17/2003	Final ML061990608  Proposed ML22097A255	No Comments 08/15/2006 ML062280005  No Comments 05/12/2022 ML22097A252	NC submitted regulations that incorporate 10 CFR Part 39 by reference.
*2000-2	New Dosimetry Technology Parts 34, 36, 39 65 FR 63750	01/08/2004	Final ML061990608  Proposed ML22097A255	No Comments 08/15/2006 ML062280005  No Comments 05/12/2022 ML22097A252	

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
2001-1	Requirements for Certain Generally Licensed Industrial Devices Containing Byproduct Material Parts 30, 31, 32 65 FR 79162	02/16/2004	Final ML14071A189	Comments 05/13/2014 ML14071A146	
2002-1	Revision of the Skin Dose Limit Part 20 67 FR 16298	04/05/2005	Final ML061790305	No Comments 08/04/2006 ML062160419	
2002-2	Medical Use of Byproduct Material Parts 20, 32, 35 67 FR 20249	10/24/2005	Final ML14071A189	Comments 05/13/2014 ML14071A146	
2003-1	Financial Assurance for Materials Licensees Parts 30, 40, 70 68 FR 57327	12/03/2006	Final ML061790305	No Comments 08/04/2006 ML062160419	
2004-1	Compatibility With IAEA Transportation Safety Standards and Other Transportation Safety Amendments Part 71 69 FR 3697	10/01/2007	Final ML14071A189	No Comments 05/13/2014 ML14071A146	
2005-1	Security Requirements for Portable Gauges Containing Byproduct Material Part 30 70 FR 2001	07/11/2008	License Condition ML081680728	No Comments 06/30/2008 ML081820320	
2005-2	Medical Use of Byproduct Material - Recognition of Specialty Boards Part 35 70 FR 16336; 71 FR 1926	04/29/2008	Final ML081680728	No Comments 06/30/2008 ML081820320	
2005-3	Increased Controls for Risk-Significant Radioactive Sources (NRC Order EA-05-090) 70 FR 72128	12/01/2005	License Condition ML052720130	No Comments 10/04/2005 ML052780077	

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
2006-1	Minor Amendments Parts 20, 30, 32, 35, 40 and 70 71 FR 15005	03/27/2009	Final ML14071A189	No Comments 05/13/2014 ML14071A146	
2006-2	National Source Tracking System - Serialization Requirements Part 32 with reference to Part 20 Appendix E 71 FR 65685	02/06/2007	Not Applicable <sup>1</sup>	Not Applicable	North Carolina responded on 02/16/2007 to FSME-06-110 stating that they currently had no licensees applicable to this rule. ML070460135
2006-3	National Source Tracking System Part 20 71 FR 65685, 72 FR 59162	01/31/2009	License Condition ML081680728	No Comments 06/30/2008 ML081820320	
2007-1	Medical Use of Byproduct Material - Minor Corrections and Clarifications Parts 32 and 35 72 FR 45147, 54207	10/29/2010	Final ML14071A189	Comments 05/13/2014 ML14071A146	
2007-2	Exemptions From Licensing, General Licenses, and Distribution of Byproduct Material: Licensing and Reporting Requirements Parts 30, 31, 32, 150 72 FR 58473	12/17/2010	Final ML14071A189	Comments 05/13/2014 ML14071A146	
2007-3	Requirements for Expanded Definition of Byproduct Material Parts 20, 30, 31, 32, 33, 35, 61, 150 72 FR 55864	11/30/2010	Final ML14071A189	Comments 05/13/2014 ML14071A146	
2007-4	Order Imposing Fingerprinting Requirements and Criminal History Records Check Requirements for Unescorted Access to Certain Radioactive Material NRC Order EA-07-305 72 FR 70901	06/05/2008	License Condition ML080660061	No Comments 03/20/2008 ML080800385	

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2008-1	Occupational Dose Records, Labeling Containers, and Total Effective Dose Equivalent Parts 19, 20 72 FR 68043	02/15/2011	Final ML14071A189	Comments 05/13/2014 ML14071A146	
2009-1	Medical Use of Byproduct Material – Authorized User Clarification Part 35 74 FR 33901	09/28/2012	Final ML14071A189	No Comments 05/13/2014 ML14071A146	
2011-1	Decommissioning Planning Parts 20, 30, 40, 70 76 FR 35512	12/17/2015	Proposed ML14164A277  Final ML17187A158	Comments 08/19/2014 ML14162A412  Comments 09/06/2017 ML17187A129	
*2011-2	Licenses, Certifications, and Approvals for Materials Licensees Parts 30, 36, 39, 40, 70, and 150 76 FR 56951	11/14/2014	Proposed ML14164A277  Final ML17187A158  Proposed ML22097A255	Comments 08/19/2014 ML14162A412  Comments 09/06/2017 ML17187A129  No Comments 05/12/2022 ML22097A252	NC submitted regulations incorporating 10 CFR Part 39 only

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
2012-1	Change of Compatibility of 10 CFR 31.5 and 31.6 (See RATS ID: 2001-1 for Rule text) 77 FR 3640	01/25/2015	Final ML14071A189  Revised Final ML15335A403  Revised Final ML17187A158	Comments 08/19/2014 ML14162A412  No Comments 01/13/2016 ML15335A397  No Comments 09/06/2017 ML17187A129	
2012-2	Advance Notification to Native American Tribes of Transportation of Certain Types of Nuclear Waste Part 71 77 FR 34194	08/10/2015	Proposed ML14164A277  Final ML17187A158	No Comments 08/19/2014 ML14162A412  No Comments 09/06/2017 ML17187A129	
2012-3	Technical Corrections Parts 30, 34, 40 and 71 77 FR 39899	08/06/2015	Proposed ML14164A277  Final ML17187A158	Comments 08/19/2014 ML14162A412  No Comments 09/06/2017 ML17187A129	
2012-4	Requirements for Distribution of Byproduct Material Parts 30, 31, 32, 40 and 70 77 FR 43666	10/23/2015	Proposed ML14164A277  Final ML17187A158	Comments 08/19/2014 ML14162A412  Comments 09/06/2017 ML17187A129	

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
*2013-1	Physical Protection of Byproduct Material Parts 20, 30, 32, 33, 34, 35, 36, 37, 39, and 71 78 FR 16922	03/19/2016	Proposed ML15202A281  Final ML17187A158  Proposed ML22097A255	Comment 09/08/2015 ML15202A215  Comments 09/06/2017 ML17187A129  No Comments 05/12/2022 ML22097A252	License Condition addresses Part 37 requirements only   NC submitted regulations incorporating 10 CFR Part 39 only
2013-2	Distribution of Source Material to Exempt Persons and to General Licensees and Revision of General License and Exemptions Parts 30, 40, and 70 78 FR 32310	08/27/2016	Proposed ML15335A403  Final ML17187A158	Comments 01/13/2016 ML15335A397  Comments 09/06/2017 ML17187A129	
2015-1	Domestic Licensing of Special Nuclear Material – Written Reports and Clarifying Amendments Part 70 79 FR 57721, 80 FR 143	01/26/2018	Proposed ML15335A403  Final ML17187A158	Comments 01/13/2016 ML15335A397  Comments 09/06/2017 ML17187A129	
2015-2	Safeguards Information - Modified Handling Categorization, Change for Materials Facilities Parts 30, 37, 73, and 150 79 FR 58664, 80 FR 3865	01/28/2018	Proposed ML15335A403  Final ML17187A158	Comments 01/13/2016 ML15335A397  Comments 09/06/2017 ML17187A129	

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
2015-3	Revisions to Transportation Safety Requirements and Harmonization with International Atomic Energy Agency Transportation Requirements Part 71 80 FR 33987	07/13/2018 *extended to 08/15/2020 See STC 17-060	Proposed ML15335A403  Final ML17187A158	Comments 01/13/2016 ML15335A397  Comments 09/06/2017 ML17187A129	
2015-4	Miscellaneous Corrections Parts 37 and 40 80 FR 45841	09/02/2018	Proposed ML15335A403  Final ML17187A158	Comments 01/13/2016 ML15335A397  No Comments 09/06/2017 ML17187A129	
2015-5	Miscellaneous Corrections Parts 19, 20, 30, 32, 37, 40, 61, 70, 71, and 150 80 FR 74974	12/31/2018	Final ML17187A158	No Comments 09/06/2017 ML17187A129	
2018-1	Medical Use of Byproduct Material – Medical Event Definitions, Training and Experience, and Clarifying Amendments Parts 30, 32 and 35	01/14/2022			
2018-2	Miscellaneous Corrections - Organizational Changes Parts 37, 40, 70 and 71	12/21/2021			
2018-3	Miscellaneous Corrections Parts 1, 2, 34, 37, 50, 71, 73, and 140	07/30/2022			
2019-1	Miscellaneous Corrections Parts 2, 21, 37, 50, 52, 73, and 110	12/18/2022			

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
2019-2	Organizational Changes and Conforming Amendments Parts 1, 2, 37, 40, 50, 51, 52, 55, 71, 72, 73, 74, 100, 140, and 150	12/30/2022			
*2020-1	Individual Monitoring Devices 10 CFR Parts 34, 36, and 39	06/16/2023	Proposed ML22097A255	No Comments 05/12/2022 ML22097A252	NC submitted regulations incorporating 10 CFR Part 39 only
2020-2	Social Security Number Fraud Prevention 10 CFR Parts 9 and 35	08/17/2023			
2020-3	Miscellaneous Corrections 10 CFR Parts 1, 2, 19, 20, 21, 30, 34, 35, 40, 50, 51, 52, 60, 61, 62, 63, 70, 71, 72, 73, 74, 75, 76, 110, and 140	11/16/2023			
2021-1	Miscellaneous Corrections 10 CFR Parts 2, 11, 20, 25, 32, 35, 37, 50, 52,55, 70, 72, 73, 95, and 110	09/08/2024			
2021-2	Miscellaneous Corrections 10 CFR Parts 9, 37, 40, 50, 51, 52, 55, 71, 73, and 110	12/30/2024			
2022-1	Miscellaneous Corrections 10 CFR 1, 2, 20, 30, 40, 50, 55, 70, 73, and 170	none			Provisions are not required for compatibility.

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<sup>1</sup> IMPEP Team: verify that North Carolina does not have any licensees subject to these regulations during each review.