

October 13, 2011

W. Lee Cox, Chief
Radiation Protection Section
Division of Environmental Health
Department of Environment & Natural Resources
3825 Barrett Drive
Raleigh, NC 27609-7221

Dear Mr. Cox:

We have reviewed the proposed changes to the North Carolina regulations 15A NCAC 11, received by our office on August 18, 2011. These regulations were reviewed by comparison to the equivalent Nuclear Regulatory Commission (NRC) rules in 10 CFR Parts 19, 20, 30, 31, 32, 35, 40, 61, 70, 71, 150 and the requirements of the nine amendments identified in the enclosed State Regulation Status (SRS) Data Sheet. We discussed our review of the regulations with Gerald Speight on October 6, 2011.

As a result of our review, we have 25 comments that have been identified in the enclosure. Please note that we have limited our review to regulations required for compatibility and/or health and safety. Under our current procedure, a finding that the North Carolina regulations meet the compatibility and health and safety categories of the equivalent NRC regulation may only be made based on a review of the final North Carolina regulations. However, we have determined that if your proposed regulations were adopted, incorporating our comments and without other significant change, they would meet the compatibility and health and safety categories established in the Office of Federal and State Materials and Environmental Management Programs (FSME) Procedure [SA-200](#).

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 FSME Procedure [SA-201](#), "Review of State Regulatory Requirements," please highlight the final changes, and provide a copy to Division of Materials Safety and State Agreements, FSME.

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 FSME website: <http://nrc-stp.ornl.gov/rulemaking.html>.

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If you have any questions regarding the comments, the compatibility and health and safety categories, or any of the NRC regulations used in the review, please contact Kathleen Schneider, State Regulation Review Coordinator at (301) 415-2320 (kathleen.schneider@nrc.gov) or Monica Orendi at (610) 337-5214 (monica.orendi@nrc.gov).

Sincerely,

/RA L.C. Dimmick for/

A. Duncan White, Acting Deputy Director
Division of Materials Safety and State Agreements
Office of Federal and State Materials and
Environmental Management Programs

Enclosures:
As stated

COMPATIBILITY COMMENTS ON *North Carolina* PROPOSED REGULATIONS

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
1	15A NCAC 11.0104 and 11.0117	20.1003 30.4 150.3	2007-3	H&S	<p>Definition: Byproduct Material</p> <p>North Carolina omits equivalent paragraphs (2), (3), and (4) from its definition of Byproduct Material in 11.0104.</p> <p>North Carolina also incorporates by reference the definition of Byproduct Material from 10 CFR 30.4 in 11.0117.</p> <p>These two definitions are in conflict with each other and one needs to be removed. If the first paragraph above stays in place then North Carolina needs to add equivalent paragraphs (2), (3), and (4) to their definition. If Paragraph 2 above stays in place then the definition for radioactive material in 11.0104 should state “has the meaning defined in 10 CFR 30.4 Byproduct Material as incorporated by reference in 15A NCAC 11.0117.”</p> <p>North Carolina needs to make the above change in order to meet the Compatibility Category H&S designation assigned to 10 CFR 20.1003 Definition Byproduct Material.</p>
2	15A NCAC 11.0104	20.1003 61.2	2007-3	B	<p>Definition: Waste</p> <p>North Carolina incorporates by reference the definition of Byproduct Material from 11.0104 into the Definition of Waste. (See comment 1 above). In the second sentence in the definition of waste, North Carolina needs to exclude equivalent paragraphs (2), (3), and (4) of byproduct material as defined by NRC.</p>

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					North Carolina needs to make the above change in order to meet the Compatibility Category B designation assigned to 10 CFR 20.1003 Definition Waste.
3	15A NCAC 11.0301	30.3	2007-3	C	<p>North Carolina omits “manufacture and produce” after “no person shall” in 11.0301(a).</p> <p>North Carolina needs to make the above change in order to meet the Compatibility Category C designation assigned to 10 CFR 30.3(a).</p>
4	15A NCAC 11.0303	30.14	2007-2	B	<p>Exempt Concentrations</p> <p>North Carolina references 11.0325 as the equivalent to 10 CFR 32.11 in 11.0303(a). However 10 CFR 32.11 is a Compatibility Category NRC which means that North Carolina should not have an equivalent section in their regulations. North Carolina needs to remove 15A NCAC 11.0325 and remove the reference to 11.0325 from 11.0303(a) and replace it with 10 CFR 32.11.</p> <p>In 11.0303(b) North Carolina states “... and introduced into the product or material by a licensee holding a specific license issued by the Agency expressly authorizing such introduction.” Authorization for introduction of exempt concentrations of material is an activity delegated only to the NRC. North Carolina needs to change 11.0303(b) to read “... and introduced into the product or material by a licensee holding a specific license issued by the U.S. Nuclear Regulatory Commission expressly authorizing such introduction.”</p>

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
					<p>North Carolina has errors in the Exempt Concentrations Table in 11.0303(d). The line containing Ar 41 and 4×10^{-7} needs to be shifted to the right by one column. The values for both Kr 85m and Kr 85 are listed in the liquid and solid column; however, they should be shifted left to the gas concentration column. The number for Neodymium (60) is incorrect. It should read 3×10^{-3}. The number listed for Ruthenium (44), Ru 97 is incorrect. It should read 4×10^{-4}. The number listed for Strontium (85) is incorrect. It should read 1×10^{-4}. The values for Xe 131m, Xe 133, and Xe 135 are listed in the liquid and solid column; however, they should be shifted left to the gas concentration column. The entries for Polonium (210), Radium (226) and Radium (228) should be deleted.</p> <p>North Carolina needs to make the above changes in order to meet the Compatibility Category B designation assigned to 10 CFR 30.14.</p>
5	15A NCAC 11.0305	30.15	2007-2 2007-3	B	<p>Certain items containing byproduct material</p> <p>North Carolina omits “or persons who initially transfer for sale or distribution the following products” between “who incorporate radioactive material into the following products” and “any person is exempt”.</p> <p>North Carolina omits an equivalent regulation to 10 CFR 30.15(a)(7).</p> <p>North Carolina needs to make the above change in order to meet the Compatibility Category B designation assigned to 10 CFR 30.15.</p>

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
6	15A NCAC 11.0304	30.18	2007-2 2007-3	B	<p>Exempt Quantities</p> <p>North Carolina incorporates regulations designated Compatibility Category NRC which are solely the authority of the NRC. North Carolina needs to remove 15A NCAC 11.0304 (c)(2) and (3) and also remove 11.0326 since 10 CFR 32.18 is listed as a Compatibility Category NRC.</p> <p>North Carolina needs to make the above changes in order to meet the Compatibility Category B designation assigned to 10 CFR 30.18.</p>
7	15A NCAC 11.0352	30.72	2007-3	H&S	<p>Schedule C – Quantities of radioactive material requiring consideration of the need for an emergency plan for responding to a release</p> <p>After Carbon-14 North Carolina states “(NON CO)”; however, this is incorrect and should state “(NON CO₂) or (non-carbon dioxide)” as stated in 10 CFR 30.72 Schedule C.</p> <p>The release fraction for Americium-242 should be “.001”.</p> <p>North Carolina needs to make the above changes in order to meet the Compatibility Category H&S designation assigned to 10 CFR 30.72.</p>
8	15A NCAC 11.0117 & 11.0309	31.5	2007-2 2007-3	C [changed from a B per SECY-10-105]	<p>Certain detecting, measuring, gauging, or controlling devices and certain devices for producing light or an ionized atmosphere</p> <p>North Carolina adopts this regulation by promulgation and by reference.</p>

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
					<p>In 11.0117 North Carolina adopts 10 CFR Part 31 by reference.</p> <p>In 11.0309 North Carolina uses more restrictive language so no change is necessary. (Compatibility Category was changed for 10 CFR 31.5 from a B to a C in SECY 10-105)</p> <p>11.0117 and 11.0309 are in conflict with each other so North Carolina needs to delete either the adoption by reference for 10 CFR 31.5 or delete the rule promulgation as written in 11.0309.</p> <p>North Carolina needs to make the above change in order to meet the Compatibility Category C designation assigned to 10 CFR 31.5.</p>
9	15A NCAC 11.0117	32.1(c)(1)	2007-3	NRC	<p>Purpose and scope</p> <p>North Carolina incorporates all of 10 CFR Part 32 by reference. North Carolina needs to omit 10 CFR 32.1(c)(1) from their incorporation by reference.</p> <p>North Carolina needs to make the above change in order to meet the Compatibility Category NRC designation assigned to 10 CFR 32.1(c)(1).</p>
10	15A NCAC 11.0117 & 11.0325	32.11	2007-2	NRC	<p>Introduction of byproduct material in exempt concentrations into products or materials, and transfer of ownership or possession: Requirements for license.</p> <p>10 CFR 32.11 is a Compatibility Category NRC which means that North Carolina should not have an equivalent section in their regulations. North Carolina needs to remove the incorporation by reference from 15A</p>

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
					<p>NCAC 11.0117 and remove 15A NCAC 11.0325 from their regulations.</p> <p>North Carolina needs to make the above change in order to meet the Compatibility Category NRC designation assigned to 10 CFR 32.11.</p>
11	15A NCAC 11.0117 & 11.0326	32.12	2007-2	NRC	<p>Same: Records and material transfer reports</p> <p>10 CFR 32.12 is a Compatibility Category NRC which means that North Carolina should not have an equivalent section in their regulations. North Carolina needs to remove the incorporation by reference from 15A NCAC 11.0117 and remove 15A NCAC 11.0326 from their regulations.</p> <p>North Carolina needs to make the above change in order to meet the Compatibility Category NRC designation assigned to 10 CFR 32.12.</p>
12	15A NCAC 11.0117 and 11.0303	32.13	2007-2	C	<p>Same: Prohibition of introduction</p> <p>North Carolina needs to remove the reference to Rule .0325 from 11.0303(a) and replace it with 10 CFR 32.11. 10 CFR 32.11 is a Compatibility Category NRC and North Carolina should not have an equivalent provision in their regulations.</p> <p>North Carolina needs to make the above change in order to meet the Compatibility Category C designation assigned to 10 CFR 32.13.</p>
13	15A NCAC 11.0117	32.14	2007-2	NRC	<p>Certain items containing byproduct material; Requirements for license to apply or initially transfer</p>

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
					<p>North Carolina incorporates by reference all of 10 CFR Part 32. North Carolina needs to omit 10 CFR 32.14 from its incorporation by reference in 11.0117.</p> <p>North Carolina needs to make the above change in order to meet the Compatibility Category NRC designation assigned to 10 CFR 32.14.</p>
14	15A NCAC 11.0117	32.15	2007-2	NRC	<p>Same: Quality assurance prohibition of transfer, and labeling</p> <p>North Carolina incorporates by reference all of 10 CFR Part 32. North Carolina needs to omit 10 CFR 32.15 from its incorporation by reference in 11.0117.</p> <p>North Carolina needs to make the above change in order to meet the Compatibility Category NRC designation assigned to 10 CFR 32.15.</p>
15	15A NCAC 11.0117	32.16	2007-2	NRC	<p>Certain items containing byproduct material: Records and reports of transfer</p> <p>North Carolina incorporates by reference all of 10 CFR Part 32. North Carolina needs to omit 10 CFR 32.16 from its incorporation by reference in 11.0117.</p> <p>North Carolina needs to make the above change in order to meet the Compatibility Category NRC designation assigned to 10 CFR 32.16.</p>
16	15A NCAC 11.0117 & 11.0326	32.20	2007-2	NRC	<p>Same: Records and material transfer reports</p>

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
					<p>North Carolina incorporates by reference all of 10 CFR Part 32. North Carolina needs to omit 10 CFR 32.20 from its incorporation by reference in 11.0117.</p> <p>North Carolina incorporates a similar regulation to 10 CFR 32.20 in 11.0326. 10 CFR 32.20 is a Compatibility Category NRC and therefore North Carolina needs to delete this section from its regulations.</p> <p>North Carolina needs to make the above changes in order to meet the Compatibility Category NRC designation assigned to 10 CFR 32.20.</p>
17	15A NCAC 11.0117	32.25	2007-2	NRC	<p>Conditions of licenses issued under §32.22: Quality control, labeling, and reports of transfer</p> <p>North Carolina incorporates by reference all of 10 CFR Part 32. North Carolina needs to omit 10 CFR 32.25 from its incorporation by reference in 11.0117.</p> <p>North Carolina needs to make the above change in order to meet the Compatibility Category NRC designation assigned to 10 CFR 32.25.</p>
18	15A NCAC 11.0117	32.29	2007-2	NRC	<p>Conditions of licenses issued under §32.26: Quality control, labeling, and reports of transfer</p> <p>North Carolina incorporates by reference all of 10 CFR Part 32. North Carolina needs to omit 10 CFR 32.29 from its incorporation by reference in 11.0117.</p>

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
					North Carolina needs to make the above change in order to meet the Compatibility Category NRC designation assigned to 10 CFR 32.29.
19	15A NCAC 11.0318 (l)	35.2	2006-1	B	<p>Definition: Radiation Safety Officer</p> <p>North Carolina omits the words “Nuclear Regulatory Commission” after “U.S.” and before “or an Agreement State....”</p> <p>North Carolina needs to make the above change in order to meet the Compatibility Category B designation assigned to 10 CFR 35.2 Definition Radiation Safety Officer.</p>
20	15A NCAC 11.0358	35.75(a)	2007-1	C	<p>Release of individuals containing unsealed byproduct material or implants containing byproduct material</p> <p>North Carolina omits “or the individual’s parent or guardian” between “released individual” and “with instructions” in 11.0358(b).</p> <p>North Carolina needs to make the above change in order to meet the Compatibility Category C designation assigned to 10 CFR 35.75.</p>
21	15A NCAC 11.0361	35.100	2006-1 2007-3	H&S	<p>Use of unsealed byproduct material for uptake, dilution, and excretion studies for which a written directive is not required.</p> <p>North Carolina omits “Except for quantities that require a written directive under §35.40(b)[insert equivalent NC regulation]” from the beginning of 11.0361(a).</p>

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
					North Carolina needs to make the above change in order to meet the Compatibility Category H&S designation assigned to 10 CFR 35.100.
22	15A NCAC 11.0361	35.200	2006-1 2007-3	H&S	<p>Use of unsealed byproduct material for imaging and localization studies for which a written directive is not required.</p> <p>North Carolina omits “Except for quantities that require a written directive under §35.40(b)[insert equivalent NC regulation]” from the beginning of 11.0361(a).</p> <p>North Carolina needs to make the above change in order to meet the Compatibility Category H&S designation assigned to 10 CFR 35.200.</p>
23	15A NCAC 11.0361	35.300	2006-1 2007-3	H&S	<p>Use of unsealed byproduct material for which a written directive is required.</p> <p>North Carolina omits “Except for quantities that require a written directive under §35.40(b)[insert equivalent NC regulation]” from the beginning of 11.0361(a).</p> <p>North Carolina needs to make the above change in order to meet the Compatibility Category H&S designation assigned to 10 CFR 35.300.</p>
24	15A NCAC 11.0117	10 CFR 71	2004-1	NRC	Compatibility With IAEA Transportation Safety Standards (TS-R-1) and Other Transportation Safety Amendments

STATE SECTION	NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
				<p>North Carolina omits incorporating by reference 10 CFR 71.13 and 71.17(e).</p> <p>North Carolina needs to add 10 CFR 71.13 and 71.17(e) to 11.0117(a)(3) in order to meet the Compatibility Category B designation assigned to 10 CFR 71.13 and 71.17(e).</p>
25	15A NCAC 11.0117	Multiple	Multiple	<p>Incorporation by reference</p> <p>North Carolina needs to not incorporate by reference 10 CFR 32.1(c)(1); 32.11; 32.12; 32.14; 32.15; 32.16; 32.18; 32.19; 32.20; 32.21; 32.21a; 32.22; 32.23; 32.25; 32.26; 32.27; 32.28; 32.29; 40.12(b); 40.23; 40.27; 40.28; 40.31(j), (k), (l), and (m); 40.32(d), parts of (e) pertaining to uranium enrichment, and (g); 40.33; 40.38; 40.41(d), (e)(1), (e)(3), (g), and (h); 40.51(b)(6); 40.64; 40.66; 40.67; 61.16; 61.23(i) and (j); 70.1(c), (d), and (e); 70.13; 70.14; 70.20a; 70.20b; 70.21(a)(1), (c), (f), (g), and (h); 70.22(b), (c), (f), (g), (h), (i), (j), (k), (l), (m) and (n); 70.23 (a)(6), (a)(7), (a)(8), (a)(9), (a)(10), (a)(11), (a)(12), and (b); 70.23a; 70.24; 70.25(a)(1); 70.31(c), (d), and (e); 70.32(a)(1), (a)(4), (a)(5), (a)(6), (a)(7), (b)(1), (b)(3), (b)(4),(c), (d), (e), (f), (g), (h), (i), (j), & (k); 70.37; 70.40; 70.42(b)(6); 70.44; 70.51(c); 70.52; 70.55(c); 70.59; 70.60; 70.61; 70.62; 70.64; 70.65; 70.66; 70.72; 70.73; 70.74; 70.76; 70.82; 150.3 "Definition: Foreign Obligations;" 150.7; 150.10; 150.14; 150.15; 150.15a; 150.16; 150.17; 150.17a; 150.19; and 150.21.</p> <p>North Carolina needs to make the above change in order to meet the Compatibility Category NRC designation assigned to the above listed parts of 10 CFR.</p>

STATE REGULATION STATUS

State: North Carolina

Tracking Ticket Number: 11-23

[9 amendment(s) reviewed is identified by a ★
at the beginning of the equivalent NRC requirement.]

Date: October 13, 2011

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Package	Outgoing Package	Notes
1991-1	Safety Requirements for Radiographic Equipment Part 34 55 FR 843 (Superceded by 1997-5)	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 (Superceded by 1997-5)	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 (Superceded by 2002-2)	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.
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	

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Package	Outgoing Package	Notes
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	
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 (Superceded by 1997-5)	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	

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Package	Outgoing Package	Notes
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 (Superseded by 2002-2 and 2005-2)	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 (Superseded by 2004-1)	04/01/1999	Final	No Comments 08/18/2000	North Carolina has not yet adopted Final Regulations equivalent to RATS ID: 2004-1.
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	

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1997-4	Fissile Material Shipments and Exemptions Part 71 62 FR 5907 (Superceded by 2004-1)	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	
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 (Superceded by 2002-2)	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	

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Package	Outgoing Package	Notes
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	
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	No Comments 08/15/2006 ML062280005	
2000-2	New Dosimetry Technology Parts 34, 36, 39 65 FR 63750	01/08/2004	Final ML061990608	No Comments 08/15/2006 ML062280005	
*2001-1	Requirements for Certain Generally Licensed Industrial Devices Containing Byproduct Material Parts 30, 31, 32 65 FR 79162	02/16/2004	R ¹ ML112200175	No Comments 10/13/2011 ML112510123	
2002-1	Revision of the Skin Dose Limit Part 20 67 FR 16298	04/05/2005	Final ML061790305	No Comments 08/04/2006 ML062160419	

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Package	Outgoing Package	Notes
*2002-2	Medical Use of Byproduct Material Parts 20, 32, 35 67 FR 20249	10/24/2005	R ¹ ML112200175	No Comments 10/13/2011 ML112510123	
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	R ¹ ML112200175	Comments 10/13/2011 ML112510123	
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	
*2006-1	Minor Amendments Parts 20, 30, 32, 35, 40 and 70 71 FR 15005	03/27/2009	Proposed ML112200175	Comments 10/13/2011 ML112510123	
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 ²	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	

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Package	Outgoing Package	Notes
*2007-1	Medical Use of Byproduct Material - Minor Corrections and Clarifications Parts 32 and 35 72 FR 45147, 54207	10/29/2010	Proposed ML112200175	Comments 10/13/2011 ML112510123	
*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	Proposed ML112200175	Comments 10/13/2011 ML112510123	
*2007-3	Requirements for Expanded Definition of Byproduct Material Parts 20, 30, 31, 32, 33, 35, 61, 150 72 FR 55864	11/30/2010	Proposed ML112200175	Comments 10/13/2011 ML112510123	
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	
*2008-1	Occupational Dose Records, Labeling Containers, and Total Effective Dose Equivalent Parts 19, 20 72 FR 68043	02/15/2011	Proposed ML112200175	No Comments 10/13/2011 ML112510123	
*2009-1	Medical Use of Byproduct Material – Authorized User Clarification Part 35 74 FR 33901	09/28/2012	Proposed ML112200175	No Comments 10/13/2011 ML112510123	
2011-1	Decommissioning Planning Parts 20, 30, 40, 70 76 FR 35512	12/17/2015			

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Package	Outgoing Package	Notes
2011-2	Licenses, Certifications, and Approvals for Materials Licensees Parts 30, 36, 39, 40, 51, 70, and 150 76 FR 56951	11/14/2014			

¹ R Stands for revisions to final rule

² IMPEP Team: verify that North Carolina does not have any licensees subject to these regulations during each review.