



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

August 19, 2014

Mr. W. Lee Cox, III, Chief  
Radiation Protection Section  
North Carolina Department of Health  
and Human Services  
1645 Mail Service Center  
Raleigh, NC 27699-1645

Dear Mr. Cox:

We have reviewed the proposed changes to the North Carolina regulations, Regulations for Protection Against Radiation 15A NCAC Chapter 11, received by our office on June 10, 2014. These regulations were reviewed by comparison to the equivalent U.S. Nuclear Regulatory Commission (NRC) rules and the requirements of the six amendments identified in the enclosed State Regulation Status (SRS) Data Sheet. We discussed our review of the regulations with you on August 18, 2014.

As a result of our review, we have 23 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, "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 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>.

Additionally, in your letter dated June 9, 2014, you requested that the NRC clarify the meaning of the term "to the extent practical" as stated in 10 CFR 20.1406(c). As published in the *Federal Register* (FR) on June 17, 2011 (76 FR 35518), the term "to the extent practical" is intended

to limit the scope of 10 CFR 20.1406(c) to actions that are already manifested in practice or action. The FR goes on to say that the same phrase is used in the existing 10 CFR 20.1101(b), which requires that licensees keep occupational and public radiological doses to ALARA levels. 10 CFR 20.1406(c) requires licensees to conduct their operations to minimize the introduction of residual radioactivity into the site, including the subsurface, to achieve effective decommissioning planning. For operating facilities, significant radioactivity is a quantity that would later require remediation during decommissioning to meet the unrestricted use criteria of 10 CFR 20.1402.

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](mailto:kathleen.schneider@nrc.gov)) or Monica Ford at (610) 337-5214 ([monica.ford@nrc.gov](mailto:monica.ford@nrc.gov)).

Sincerely,

***/RA/***

Susan Abraham, Acting Deputy Director  
Division of Materials Safety and State Agreements  
Office of Federal and State Materials  
and Environmental Management Programs

Enclosures:

1. Compatibility Comments
2. North Carolina SRS Data Sheet

**COMPATIBILITY COMMENTS ON NORTH CAROLINA PROPOSED REGULATIONS**

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
1	11.1653(d)	20.1404	2011-1	C	<p><b>Alternate criteria for license termination.</b></p> <p>NC needs to change 11.1653(d)(2) to read “The use of alternative criteria to terminate a license requires <b>the approval of the Agency after</b> consideration of any comments provided by ...”</p> <p>NC needs to make the above change in order to meet the Compatibility Category C designation assigned to 10 CFR 20.1404.</p>
2	11.0353	30.35(e)	2011-1	H&S	<p><b>Financial assurance and recordkeeping for decommissioning.</b></p> <p>NC lists an incorrect reference in 11.0353(a). NC needs to change “...Appendix C to 10 CFR 20.1001 – 20.2401,...” to “... Appendix B to 10 CFR 30,...”</p> <p>NC needs to make the above change in order to meet the Category H&amp;S determination assigned to 10 CFR 30.35(a), (b), (e), and (g).</p>
3	11.0353	70.25(e)	2011-1	H&S	<p><b>Financial assurance and recordkeeping for decommissioning.</b></p> <p>NC lists an incorrect reference in 11.0353(a). NC needs to change “...Appendix C to 10 CFR 20.1001 – 20.2401,...” to “... Appendix B to 10 CFR 30,...”</p> <p>NC needs to make the above change in order to meet the Category H&amp;S determination assigned to 10 CFR 70.25(a)(2), (b), (e), and (g).</p>

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
4	11.0117	30.4	2011-2	NRC	<p><b>Definition: Commencement of construction, Paragraph 2.</b></p> <p>NC incorporates this definition by reference. Since paragraph 2 is a Compatibility Category NRC NC should not incorporate it by reference in 11.0117(a)(2)(B).</p> <p>NC needs to not incorporate by reference paragraph 2 of the definition Commencement of construction in order to meet the Compatibility Category NRC designation assigned to 10 CFR 30.4 Definition: Commencement of construction, Paragraph 2.</p>
5	11.0117	30.4	2011-2	NRC	<p><b>Definition: Construction, Paragraph 9(ii).</b></p> <p>NC incorporates this definition by reference. Since paragraph 9(ii) is a Compatibility Category NRC, NC should not incorporate it by reference in 11.0117(a)(2)(B).</p> <p>NC needs to not incorporate by reference paragraph 9(ii) of the definition Construction in order to meet the Compatibility Category NRC designation assigned to 10 CFR 30.4 Definition: Construction, Paragraph 9(ii).</p>
6	11.0117	36.2	2011-2	NRC	<p><b>Definition: Commencement of construction, Paragraph 2.</b></p> <p>NC incorporates this definition by reference. Since paragraph 2 is a Compatibility Category NRC, NC should not incorporate it by reference in 11.0117(a)(2)(F).</p> <p>NC needs to not incorporate by reference paragraph 2 of the definition Commencement of construction in order to meet the</p>

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
					Compatibility Category NRC designation assigned to 10 CFR 36.2 Definition: Commencement of construction, Paragraph 2.
7	11.0117	36.2	2011-2	NRC	<p><b>Definition: Construction, Paragraph 9(ii).</b></p> <p>NC incorporates this definition by reference. Since paragraph 9(ii) is a Compatibility Category NRC, NC should not incorporate it by reference in 11.0117(a)(2)(F).</p> <p>NC needs to not incorporate by reference paragraph 9(ii) of the definition Construction in order to meet the Compatibility Category NRC designation assigned to 10 CFR 36.2 Definition Construction, Paragraph 9(ii).</p>
8	11.0317	39.13	2011-2	H&S	<p><b>Specific licenses for well logging</b></p> <p>NC does not adopt the health and safety requirements of 10 CFR 39.13(b)-(f).</p> <p>NC needs to adopt rule text that address the health and safety component of 10 CFR 39.13(b)-(f) in order to meet the Category H&amp;S designation assigned to 10 CFR 39.13.</p>
9	11.0117	40.4	2011-2	NRC	<p><b>Definition Commencement of construction, Paragraph 2</b></p> <p>NC incorporates this definition by reference. Since paragraph 2 is a Compatibility Category NRC, NC should not incorporate it by reference in 11.0117(a)(2)(G).</p> <p>NC needs to not incorporate by reference paragraph 2 of the definition Commencement of construction in order to meet the</p>

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
					Compatibility Category NRC designation assigned to 10 CFR 40.4 Definition Commencement of construction, Paragraph 2.
10	11.0117	40.4	2011-2	NRC	<p><b>Definition: Construction, Paragraph 9(ii).</b></p> <p>NC incorporates this definition by reference. Since paragraph 9(ii) is a Compatibility Category NRC, NC should not incorporate it by reference in 11.0117(a)(2)(G).</p> <p>NC needs to not incorporate by reference paragraph 9(ii) of the definition <i>Construction</i> in order to meet the Compatibility Category NRC designation assigned to 10 CFR 40.4 Definition: Construction, Paragraph 9(ii).</p>
11	11.0117	70.4	2011-2	NRC	<p><b>Definition: Commencement of construction, Paragraph 2.</b></p> <p>NC incorporates this definition by reference. Since paragraph 2 is a Compatibility Category NRC, NC should not incorporate it by reference in 11.0117(a)(2)(I).</p> <p>NC needs to not incorporate by reference paragraph 2 of the definition Commencement of construction in order to meet the Compatibility Category NRC designation assigned to 10 CFR 70.4 Definition: Commencement of construction, Paragraph 2.</p>
12	11.0117	70.4	2011-2	NRC	<p><b>Definition Construction: Paragraph 9(ii).</b></p> <p>NC incorporates this definition by reference. Since paragraph 9(ii) is a Compatibility Category NRC, NC should not incorporate it by reference in 11.0117(a)(2)(I).</p>

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
					NC needs to not incorporate by reference paragraph 9(ii) of the definition Construction in order to meet the Compatibility Category NRC designation assigned to 10 CFR 70.4 Definition: Construction, Paragraph 9(ii).
13	11.0309	31.5	2012-1	C	<p><b>Certain detecting, measuring, gauging, or controlling devices and certain devices for producing light or an ionized atmosphere</b></p> <p>North Carolina lists an incorrect reference in 11.0309(b)(2). The reference should be changed to "Subparagraph (c)(9) of this Rule."</p> <p>North Carolina needs to delete "except that tests for leakage or contamination may be performed by the general licensee using leak test kits provided and analyzed by a specific licensee who is authorized to provide leak test kit services;" from 11.0309(c)(3)(A).</p> <p>North Carolina needs to remove "or dispose of" and "by export as provided by (c)(7) of this Rule, or by transfer" from 11.0309(c)(9).</p> <p>North Carolina needs to make the above changes in order to meet the Compatibility Category C designation assigned to 10 CFR 31.5.</p>
14	11.0117 and 11.521	34.20	2012-3	B	<p><b>Performance requirements for industrial radiography equipment</b></p> <p>NC needs to change 11.0521 to read "All radiographic exposure devices and associated equipment in use after January 10, 1996, must comply with the requirements of this Rule."</p>

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
					<p>NC omits an equivalent regulation to 10 CFR 34.20(e) from 11.0521.</p> <p>NC needs to make the above changes in order to meet the Compatibility Category B designation assigned to 10 CFR 34.20.</p>
15	11.0305	30.15	2012-4	B	<p><b>Certain items containing byproduct material</b></p> <p>NC needs to remove the “and” at the end of 11.0305(b)(5)(F).</p> <p>NC is missing equivalent text to a portion of 10 CFR 30.15(a)(9)(ii). NC needs to add “For purposes of Subparagraph (b)(6), an instrument’s source(s) may contain either one type or different types of radionuclides and an individual exempt quantity may be composed of fractional parts of one or more of the exempt quantities in .0304(f) provided that the sum of such fractions shall not exceed unity.”</p> <p>NC needs to change the reference in 11.0305(c) from “Subparagraph (b)(5)” to “Subparagraph (b)(6).”</p> <p>NC needs to change the references in 11.0305(c)(3) from “(b)(8)” to “(b)(6)” and from “.0304” to “.0304(f).”</p> <p>NC omits an equivalent regulation to 10 CFR 30.15(b). NC needs to add equivalent text to 11.0305.</p> <p>NC needs to make the above changes in order to meet the Compatibility Category B designation assigned to 10 CFR 30.15.</p>
16	11.305	30.19	2012-4	B	<p><b>Self-luminous products containing tritium, krypton 85, or promethium 147</b></p>



STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
					<p>NC omits “or initially transfer for sale or distribution” after the word “produce” in 11.0305(d)(1).</p> <p>NC needs to remove the word “imported” and add the word “initially” before “transferred in accordance with” in 11.0305(d)(1).</p> <p>NC needs to make the above changes in order to meet the Compatibility Category B designation assigned to 10 CFR 30.19.</p>
17	11.0305	30.20	2012-4	B	<p><b>Gas and aerosol detectors containing byproduct material</b></p> <p>NC needs to add the word “initial” before “transfer of the detectors” in 11.0305(e)(1).</p> <p>NC needs to remove “provided that the devices are labeled in accordance with a specific license authorizing distribution of the general licensed device and providing further that the devices meet the requirements of Rule .0327 of this Section” from 11.0305(e)(2).</p> <p>NC needs to add “under comparable provisions to Section 32.26 of 10 CFR 32” between “agreement state” and “are exempt” in 11.0305(e)(2).</p> <p>NC needs to make the above changes in order to meet the Compatibility Category B designation assigned to 10 CFR 30.20.</p>
18	11.0305	30.22	2012-4	B	<p><b>Certain industrial devices</b></p> <p>NC needs to change 11.0305(g)(2) to read “...should apply to the U.S. Nuclear Regulatory Commission for a license under 10 CFR 32.30 of 10 CFR Part 32 and to the Agency for a certificate of registration in</p>

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
					<p>accordance with 10 CFR 32.210 of 10 CFR 32.”</p> <p>NC needs to make the above change in order to meet the Compatibility Category B designation assigned to 10 CFR 30.22</p>
19	11.0317	30.32(g)	2012-4	C	<p><b>Application for specific licenses</b></p> <p>NC needs to rewrite 11.0317(e)(1) and (2) to read “(1) ... as registered with the Agency, the U.S. Nuclear Regulatory Commission, with an Agreement State, or for a source or device containing radium-226 or accelerator produced radioactive material with a State under provisions comparable to 10 CFR 32.210; or (2) contain the information identified in 10 CFR 10 CFR 32.210(c). (3) For sources...”</p> <p>NC needs to add “the Agency” between “with” and “the U.S.” in 11.0317(e)(3).</p> <p>NC needs to make the above changes in order to meet the Compatibility Category C designation assigned to 10 CFR 30.32(g).</p>
20	11.0328	32.51	2012-4	B	<p><b>Byproduct material contained in devices for use under § 31.5; requirements for license to manufacture, or initially transfer</b></p> <p>NC needs to delete “distribute” from 11.0328(a) and replace it with “initially transfer.”</p> <p>NC needs to delete “distributor” from 11.0328(a)(3)(C) and replace it with “initial transferor.”</p> <p>NC omits equivalent regulations to 10 CFR 32.51(a)(4) and (5). NC needs to add equivalent text to 11.0328.</p>

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
					NC needs to make the above changes in order to meet the Compatibility Category B designation assigned to 10 CFR 32.51.
21	11.0117	32.74	2012-4	B	<p><b>Manufacture and distribution of sources or devices containing byproduct material for medical use</b></p> <p>NC states in their cross walk that this section is incorporated by reference in 11.0117, however 10 CFR 32.74 in not listed in 11.0117(a)(2)(D).</p> <p>NC needs to either adopt equivalent rule text to 10 CFR 32.74 or adopt 10 CFR 32.74 by reference in order to meet the Compatibility Category B designation assigned to 10 CFR 32.74.</p>
22	11.0117	32.211	2012-4	B	<p><b>Inactivation of certificates of registration of sealed sources and devices</b></p> <p>NC states in their cross walk that they incorporate 10 CFR 32.211 by reference in 11.0117; however this is not the case in their submitted proposed rule text.</p> <p>NC needs to adopt 10 CFR 32.211 by reference in 11.0117(a)(2)(D) in order to meet the Compatibility Category B designation assigned to 10 CFR 32.211.</p>
23	11.0117	Multiple	N/A	Multiple	<p><b>Adoption by reference</b></p> <p>NC needs to change 11.0117(a)(2)(G) to read "Part 40, except 40.4 Definitions: Commencement of Construction Paragraph 2, Construction Paragraph 9ii, Foreign Obligations, and Reconciliation, 40.12(b), 40.13(c)(5)(iv), 40.23, 40.27, 40.28, 40.31 (j through m),</p>

STATE SECTION	NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
				<p>40.32(d) and portions of (e) pertaining to uranium enrichment, 40.32(g), 40.33, 40.38, 40.41(d), 40.41(e)(1), 40.41(e)(3), 40.41(g), 40.41(h), 40.51(b)(6), 40.52, 40.53, 40.56, 40.64, 40.66, 40.67, Appendix A.III. Site and Byproduct Material Ownership to 10 CFR Part 40, Appendix A.IV. Long-term Site Surveillance;.”</p> <p>NC needs to change 11.0117(a)(2)(I) to read “...70.14, 70.20a, 70.20b, 70.21(a)(1), (c), (f through h), ...”</p> <p>NC needs to remove “71.20” from 11.0117(a)(2)(J).</p> <p>NC needs to add a section to 11.0117 that addresses when items need to be directed to the Agency instead of the NRC. For example the section could read “To reconcile differences between this administrative regulation and the incorporated sections of Federal regulations and to effectuate their joint enforcement, the following words and phrases shall be substituted for the language of the Federal regulations:  (1) A reference to "NRC" or "Commission" means Agency.  (2) A reference to "NRC or agreement state" means Agency, U.S. Nuclear Regulatory Commission, or agreement state.  (3) Notifications, reports and correspondence referenced in the incorporated part(s) shall be directed to the Agency as per [list NC regulation].”</p> <p>NC needs to make the above changes in order to meet the various Compatibility Category designations assigned to the reference sections.</p>

**STATE REGULATION STATUS**

State: North Carolina  
 [6 amendment(s) reviewed is identified by a \*  
 at the beginning of the equivalent NRC requirement.]

Tracking Ticket Number: 14-36  
 Date: August 19, 2014

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 <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 Package	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	
1995-2	Frequency of Medical Examinations for Use of Respiratory Protection Equipment	03/13/1998	Final	No Comments 08/18/2000	

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Package	Outgoing Package	Notes
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.
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.

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Package	Outgoing Package	Notes
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	
1997-6	Radiological Criteria for License Termination Parts 20, 30, 40, 70 62 FR 39057	08/20/2000	Final	No Comments 08/18/2000	



RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Package	Outgoing Package	Notes
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	
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	

<b>RATS ID</b>	<b>NRC Chronology Identification</b>	<b>Date Due for State Adoption</b>	<b>Incoming Package</b>	<b>Outgoing Package</b>	<b>Notes</b>
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	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	

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Package	Outgoing Package	Notes
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	
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	
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	Comments 08/19/2014 ML14162A412	

*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	Comments 08/19/2014 ML14162A412	
*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	Comments 08/19/2014 ML14162A412	
*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	No Comments 08/19/2014 ML14162A412	
*2012-3	Technical Corrections Part 30, 34, 40 and 71 77 FR 39899	08/06/2015	Proposed ML14164A277	Comments 08/19/2014 ML14162A412	
*2012-4	Requirements for Distribution of Byproduct Material Parts 30, 31, 32, 40 and 70 77 FR 43666	10/23/2015	Proposed ML14164A277	Comments 08/19/2014 ML14162A412	
2013-1	Physical Protection of Byproduct Material, 10 CFR Parts 20, 30, 32, 33, 34, 35, 36, 37, 39, and 71 78 FR 16922	03/19/2016			
2013-2	Distribution of Source Material to Exempt Persons and to General Licensees and Revision of General License and Exemptions, 10 CFR Parts 30, 40, and 70 78 FR 32310	08/27/2016			

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