

## UNITED STATES NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

January 13, 2016

Mr. W. Lee Cox, III, Section Chief Radiation Protection Section North Carolina Department of Health and Human Services 5505 Creedmoor Road, Suite 100 Raleigh, NC 27612

Dear Mr. Cox:

We have reviewed the proposed revisions to the North Carolina regulations 10A NCAC Chapter 15, received by our office on November 23, 2015. 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 James Albright on January 6, 2016.

As a result of our review, we have 12 comments related to compatibility and one comment that is not related to compatibility but should be addressed. These comments 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 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 the 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: <a href="https://scp.nrc.gov/rulemaking.html">https://scp.nrc.gov/rulemaking.html</a>.

W. Cox -2-

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 Michelle Beardsley, State Regulation Review Coordinator, at (610) 337-6942 (Michelle.Beardsley@nrc.gov) or Monica Ford at (610) 337-5214 (Monica.Ford@nrc.gov).

Sincerely,

/RA/ PMIchalak for PHenderson

Pamela J. Henderson, Deputy Director Division of Material Safety, State, Tribal and Rulemaking Programs Office of Nuclear Material Safety and Safeguards

#### Enclosures:

- 1. Compatibility Comments
- 2. North Carolina SRS Data Sheet

### **COMPATIBILITY COMMENTS ON NORTH CAROLINA PROPOSED REGULATIONS**

| STA | TE SECTION           | NRC SECTION     | RATS ID | CATEGORY | SUBJECT and COMMENTS   |
|-----|----------------------|-----------------|---------|----------|--|
| 1   | 15.0117<br>(a)(2)(G) | 40.13(c)(5)(iv) | 2013-2  | NRC      | Unimportant quantities of source material  NC adopts 10 CFR Part 40.13(c)(5)(iv) by reference in 15.0117(a)(2)(G).  NC needs to add 10 CFR 40.13(c)(5)(iv) to the list of items not adopted by reference in order to meet the Compatibility Category NRC designation assigned to 10 CFR 40.13(c)(5)(iv).   |
| 2   | 15.0117<br>(a)(2)(G) | 40.52           | 2013-2  | NRC      | Certain items containing source material; requirements for license to apply or initially transfer  NC adopts 10 CFR Part 40.52 by reference in 15.0117(a)(2)(G).  NC needs to add 10 CFR 40.52 to the list of items not adopted by reference in order to meet the Category NRC designation assigned to 10 CFR 40.52.   |
| 3   | 15.0117<br>(a)(2)(G) | 40.53           | 2013-2  | NRC      | Conditions for licenses issued for initial transfer of certain items containing source material: Quality control, labeling, and records and reports  NC adopts by reference 10 CFR Part 40.52 in 15.0117(a)(2)(G).  NC needs to add 10 CFR 40.52 to the list of items not adopted by reference in order to meet the Compatibility Category NRC designation assigned to 10 CFR 40.52. |

| STA | TE SECTION           | NRC SECTION             | RATS ID | CATEGORY | SUBJECT and COMMENTS   |
|-----|----------------------|-------------------------|---------|----------|--|
| 4   | 15.0117<br>(a)(2)(I) | 10 CFR 70<br>Appendix A | 2015-1  | NRC      | Reportable safety events  NC adopts 10 CFR Part 70 Appendix A by reference in 15.0117(a)(2)(I).  NC needs to add 10 CFR 70 Appendix A to the list of items not adopted by reference in order to meet the Compatibility Category NRC designation assigned to 10 CFR 70 Appendix A.  |
| 5   | 15.0117<br>(a)(2)(B) | 30.4                    | 2015-2  | NRC      | Definitions  NC adopts 10 CFR 30.4 by reference in 15.0117(a)(2)(B).  NC needs to not adopt by reference 10 CFR 30.4 in order to meet the Compatibility Category NRC designation assigned to 10 CFR 30.4.  |
| 6   | N/A                  | 37.29(a)(10)            | 2015-2  | В        | Relief from fingerprinting, identification, and criminal history records checks and other elements of background investigations for designated categories of individuals permitted unescorted access to certain radioactive materials  NC did not submit equivalent rules to 10 CFR Part 37 with this rulemaking.  NC needs to submit an equivalent regulation to 10 CFR 37.29(a)(10) in order to meet the Compatibility Category B designation assigned to 10 CFR 37.29(a)(10). |
| 7   | N/A                  | 37.43(d)(1)             | 2015-2  | С        |  |

| STA | TE SECTION           | NRC SECTION  | RATS ID | CATEGORY | SUBJECT and COMMENTS   |
|-----|----------------------|--------------|---------|----------|--|
|     |                      |              |         | J. LOUIT | General security program requirements  NC did not submit equivalent rules to 10 CFR Part 37 with this rulemaking.  NC needs to submit an equivalent regulation to 10 CFR 37.43(d)(1) in order to meet the Compatibility Category C designation assigned to 10 CFR 37.43(d)(1).                                       |
| 8   | N/A                  | 37.77(f)     | 2015-2  | С        | Advance notification of shipment of category 1 quantities of radioactive material  NC did not submit equivalent rules to 10 CFR Part 37 with this rulemaking.  NC needs to submit an equivalent regulation to 10 CFR 37.77(f) in order to meet the Compatibility Category B designation assigned to 10 CFR 37.77(f). |
| 9   | 15.0117<br>(a)(2)(J) | 71.85(a)-(c) | 2015-3  | NRC      | Preliminary determinations  NC adopts by reference 10 CFR 71 Subpart G. Subpart G includes 10 CFR 71.85(a)-(c) which should not be adopted by reference.  NC needs to not adopt by reference 10 CFR 71.85(a)-(c) in order to meet the Compatibility Category NRC designation assigned to 10 CFR 71.85(a)-(c).        |
| 10  | 15.0117<br>(a)(2)(J) | 71.91(b)     | 2015-3  | NRC      | Records  NC adopts by reference 10 CFR 71 Subpart G. Subpart G includes 10   |

| CT A | TE SECTION                           | NDC SECTION | DATOID  | CATECORY | CUR IECT and COMMENTS  |
|------|--------------------------------------|-------------|---------|----------|--|
| SIA  | TE SECTION                           | NRC SECTION | RATS ID | CATEGORY | SUBJECT and COMMENTS  CFR 71.91(b) which should not be adopted by reference.  NC needs to not adopt by reference 10 CFR 71.91(b) in order to meet the Compatibility Category NRC designation assigned to 10 CFR 71.91(b).  |
| 11   | 15.0117<br>(a)(2)(J)<br>&<br>15.0306 | 71.106      | 2015-3  | С        | Changes to quality assurance program  NC lists two regulations that they believe cover the adoption of 10 CFR 71.106. However, NC does not adopt 10 CFR 71.106 by reference in 15.0117(a)(2)(J) and 15.0306 cites by reference only those sections of 10 CFR Part 71 that deal with shipment and transportation of radioactive material. Since 10 CFR 71.106 deals with Quality Assurance, it is not covered in this adoption by reference either.  NC needs to adopt the essential objectives of 10 CFR 71.106 in order to meet the Compatibility Category C designation assigned to 10 CFR 71.106. |
| 12   | N/A                                  | 37.23(b)(2) | 2015-4  | В        | Access authorization program requirements  NC's equivalent to 10 CFR Part 37 was not submitted with this rule change.  NC needs to adopt an equivalent regulation to 10 CFR 37.23(b)(2) in order to meet the Compatibility Category B designation assigned to 10 CFR 37.23(b)(2).  |

| STA | TE SECTION | NRC SECTION | RATS ID | CATEGORY | SUBJECT and COMMENTS |
|-----|------------|-------------|---------|----------|----------------------|
|     |            |             |         |          |                      |

# COMMENT NOT RELATED TO COMPATIBILITY ON NORTH CAROLINA'S PROPOSED REGULATIONS

| STA | TE SECTION  | NRC SECTION  | RATS ID                    | CATEGORY | SUBJECT and COMMENTS   |
|-----|---|--|----------------------------|----------|--|
| 1   | 15.0117(a)<br>15.0307(d)<br>15.0316<br>15.0337(c)<br>15.0338<br>15.0357 | 40.22<br>40.52<br>40.54<br>40.55<br>70.50<br>71.0<br>71.14<br>71.15<br>71.17<br>71.21<br>71.85<br>71.91<br>71.101<br>71.103<br>71.135<br>Appendix A to part 71 | 2013-2<br>2015-1<br>2015-3 | -        | Domestic Licensing of Source Material; Domestic Licensing of Special Nuclear Material; and Packaging and Transportation of Radioactive Material  In 10A NCAC 15.0117(a), NC incorporates by reference select regulations from 10 CFR chapter 1. 10A NCAC 15.0117(a) also incorporates by references "any subsequent amendments and editions." In 10A NCAC 15.0307, 15.0316, 15.0337, 15.0338, 15.0357, NC incorporates many of the same regulations from 10 CFR chapter 1 but "exclud[es] subsequent amendments and editions," creating an inconsistency in NCAC chapter 15.  NC should amend chapter 15 of the NCAC so that subsequent amendments and editions are either incorporated by reference or not incorporated by reference. |

#### **STATE REGULATION STATUS**

State: North Carolina Tracking Ticket Number: 16-26
Date: 01/13/2016

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

| RATS ID | NRC Chronology Identification  | Date Due for<br>State Adoption | Incoming<br>Letter | Outgoing<br>Package       | Notes  |
|---------|--|--------------------------------|--------------------|---------------------------|--|
| 1991-1  | Safety Requirements for Radiographic Equipment Part 34 55 FR 843 (Superceded by 1997-5)  | 01/10/1994                     | Final              | No Comments<br>8/18/00    | North Carolina has adopted Final<br>Regulations equivalent to RATS ID:<br>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<br>Regulations equivalent to RATS ID:<br>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<br>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<br>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<br>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<br>State Adoption | Incoming<br>Letter | Outgoing<br>Package       | Notes  |
|---------|--|--------------------------------|--------------------|---------------------------|--|
| 1993-1  | Decommissioning Recordkeeping and License<br>Termination: Documentation Additions [Restricted<br>areas and spill sites]<br>Parts 30, 40<br>58 FR 39628 | 10/25/1996                     | Final              | No Comments<br>08/18/2000 |  |
| 1993-2  | Licensing and Radiation Safety Requirements for Irradiators Part 36 58 FR 7715   | 07/01/1996                     | Final              | No Comments<br>08/18/2000 |  |
| 1993-3  | Definition of Land Disposal and Waste Site QA<br>Program<br>Part 61<br>58 FR 33886   | 07/22/1996                     | Final              | No Comments<br>08/18/2000 |  |
| 1994-1  | Self-Guarantee as an Additional Financial<br>Mechanism<br>Parts 30, 40, 70<br>58 FR 68726; 59 FR 1618  | none                           | Final              | No Comments<br>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<br>Parts 30, 40, 70<br>59 FR 36026   | 08/15/1997                     | Final              | No Comments<br>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<br>08/18/2000 |  |

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|---------|---|--------------------------------|--------------------|---------------------------|---|
| 1995-2  | Frequency of Medical Examinations for Use of Respiratory Protection Equipment Part 20 60 FR 7900                              | 03/13/1998                     | Final              | No Comments<br>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<br>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<br>08/18/2000 | North Carolina has adopted Final<br>Regulations equivalent to RATS ID:<br>1997-5.               |
| 1995-5  | Radiation Protection Requirements: Amended Definitions and Criteria Parts 19, 20 60 FR 36038                                  | 08/14/1998                     | Final              | No Comments<br>08/18/2000 |   |
| 1995-6  | Clarification of Decommissioning Funding<br>Requirements<br>Parts 30, 40, 70<br>60 FR 38235                                   | 11/24/1998                     | Final              | No Comments<br>08/18/2000 |   |
| 1995-7  | Medical Administration of Radiation and Radioactive Materials Parts 20, 35 60 FR 48623 (Superceded by 2002-2 and 2005-2)      | 10/20/1998                     | Final              | No Comments<br>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<br>Agency<br>Part 71<br>60 FR 50248; 61 FR 28724<br>(Superceded by 2004-1) | 04/01/1999                     | Final              | No Comments<br>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<br>State Adoption | Incoming<br>Letter | Outgoing<br>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:<br>Record keeping Requirements<br>Parts 20, 30, 40, 61, 70<br>61 FR 24669                                 | 06/17/1999                     | Final              | No Comments<br>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<br>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<br>08/18/2000 |   |
| 1997-3  | Criteria for the Release of Individuals Administered<br>Radioactive Material<br>Parts 20, 35<br>62 FR 4120  | 05/29/2000                     | Final              | No Comments<br>08/18/2000 |   |
| 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<br>Safety Requirements for Industrial Radiography<br>Operations<br>Parts 30, 34, 71, 150<br>62 FR 28947 | 06/27/2000                     | Final              | No Comments<br>08/18/2000 |   |

| RATS ID | NRC Chronology Identification  | Date Due for<br>State Adoption | Incoming<br>Letter   | Outgoing<br>Package                      | Notes   |
|---------|--|--------------------------------|----------------------|--|---|
| 1997-6  | Radiological Criteria for License Termination<br>Parts 20, 30, 40, 70<br>62 FR 39057   | 08/20/2000                     | Final                | No Comments<br>08/18/2000                |   |
| 1997-7  | Exempt Distribution of a Radioactive Drug<br>Containing One Micro curie of Carbon-14 Urea<br>Part 30<br>62 FR 63634                          | 01/02/2001                     | Final                | No Comments<br>08/18/2000                |   |
| 1998-1  | Deliberate Misconduct by Unlicensed Persons<br>Parts 30, 40, 61, 70, 71, 150<br>63 FR 1890; 63 FR 13773                                      | 02/12/2001                     | Final<br>ML061990608 | No Comments<br>08/15/2006<br>ML062280005 |   |
| 1998-2  | Self-Guarantee of Decommissioning Funding by<br>Nonprofit and Non-Bond-Issuing Licensees<br>Parts 30, 40, 70<br>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<br>Safety Requirements for Industrial Radiographic<br>Operations<br>Part 34<br>63 FR 37059 | 07/09/2001                     | Final<br>ML062840118 | No Comments<br>10/23/2006<br>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<br>ML061990608 | No Comments<br>08/15/2006<br>ML062280005 |   |

| RATS ID | NRC Chronology Identification  | Date Due for<br>State Adoption | Incoming<br>Letter   | Outgoing<br>Package                      | Notes  |
|---------|--|--------------------------------|----------------------|--|--|
| 1998-6  | Transfer for Disposal and Manifests: Minor<br>Technical Conforming Amendment<br>Part 20<br>63 FR 50127   | 11/20/2001                     | Final<br>ML042320535 | No Comments<br>09/02/2004<br>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<br>Internal Exposure<br>Part 20<br>64 FR 54543; 64 FR 55524                                      | 02/02/2003                     | Final<br>ML061990608 | No Comments<br>08/15/2006<br>ML062280005 |  |
| 2000-1  | Energy Compensation Sources for Well Logging and Other Regulatory Clarifications Part 39 65 FR 20337   | 05/17/2003                     | Final<br>ML061990608 | No Comments<br>08/15/2006<br>ML062280005 |  |
| 2000-2  | New Dosimetry Technology<br>Parts 34, 36, 39<br>65 FR 63750  | 01/08/2004                     | Final<br>ML061990608 | No Comments<br>08/15/2006<br>ML062280005 |  |
| 2001-1  | Requirements for Certain Generally Licensed<br>Industrial Devices Containing Byproduct Material<br>Parts 30, 31, 32<br>65 FR 79162               | 02/16/2004                     | Final<br>ML14071A189 | Comments<br>05/13/2014<br>ML14071A146    |  |

| RATS ID | NRC Chronology Identification   | Date Due for<br>State Adoption | Incoming<br>Letter                  | Outgoing<br>Package                      | Notes |
|---------|---|--------------------------------|-------------------------------------|--|-------|
| 2002-1  | Revision of the Skin Dose Limit Part 20 67 FR 16298   | 04/05/2005                     | Final<br>ML061790305                | No Comments<br>08/04/2006<br>ML062160419 |       |
| 2002-2  | Medical Use of Byproduct Material<br>Parts 20, 32, 35<br>67 FR 20249  | 10/24/2005                     | Final<br>ML14071A189                | Comments<br>05/13/2014<br>ML14071A146    |       |
| 2003-1  | Financial Assurance for Materials Licensees Parts 30, 40, 70 68 FR 57327  | 12/03/2006                     | Final<br>ML061790305                | No Comments<br>08/04/2006<br>ML062160419 |       |
| 2004-1  | Compatibility With IAEA Transportation Safety<br>Standards and Other Transportation Safety<br>Amendments<br>Part 71<br>69 FR 3697 | 10/01/2007                     | Final<br>ML14071A189                | No Comments<br>05/13/2014<br>ML14071A146 |       |
| 2005-1  | Security Requirements for Portable Gauges<br>Containing Byproduct Material<br>Part 30<br>70 FR 2001                               | 07/11/2008                     | License<br>Condition<br>ML081680728 | No Comments<br>06/30/2008<br>ML081820320 |       |
| 2005-2  | Medical Use of Byproduct Material - Recognition of Specialty Boards Part 35 70 FR 16336; 71 FR 1926                               | 04/29/2008                     | Final<br>ML081680728                | No Comments<br>06/30/2008<br>ML081820320 |       |
| 2005-3  | Increased Controls for Risk-Significant Radioactive<br>Sources (NRC Order EA-05-090)<br>70 FR 72128                               | 12/01/2005                     | License<br>Condition<br>ML052720130 | No Comments<br>10/04/2005<br>ML052780077 |       |
| 2006-1  | Minor Amendments Parts 20, 30, 32, 35, 40 and 70 71 FR 15005  | 03/27/2009                     | Final<br>ML14071A189                | No Comments<br>05/13/2014<br>ML14071A146 |       |

| RATS ID | NRC Chronology Identification  | Date Due for<br>State Adoption | Incoming<br>Letter                  | Outgoing<br>Package                      | Notes   |
|---------|--|--------------------------------|-------------------------------------|--|---|
| 2006-2  | National Source Tracking System - Serialization<br>Requirements<br>Part 32 with reference to Part 20 Appendix E<br>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<br>Condition<br>ML081680728 | No Comments<br>06/30/2008<br>ML081820320 |   |
| 2007-1  | Medical Use of Byproduct Material - Minor<br>Corrections and Clarifications<br>Parts 32 and 35<br>72 FR 45147, 54207   | 10/29/2010                     | Final<br>ML14071A189                | Comments<br>05/13/2014<br>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<br>ML14071A189                | Comments<br>05/13/2014<br>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<br>ML14071A189                | Comments<br>05/13/2014<br>ML14071A146    |   |
| 2007-4  | Order Imposing Fingerprinting Requirements and<br>Criminal History Records Check Requirements for<br>Unescorted Access to Certain Radioactive Material<br>NRC Order EA-07-305<br>72 FR 70901 | 06/05/2008                     | License<br>Condition<br>ML080660061 | No Comments<br>03/20/2008<br>ML080800385 |   |
| 2008-1  | Occupational Dose Records, Labeling Containers, and Total Effective Dose Equivalent Parts 19, 20 72 FR 68043   | 02/15/2011                     | Final<br>ML14071A189                | Comments<br>05/13/2014<br>ML14071A146    |   |

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|---------|--|--------------------------------|------------------------------|--|-------|
| 2009-1  | Medical Use of Byproduct Material – Authorized<br>User Clarification<br>Part 35<br>74 FR 33901                         | 09/28/2012                     | Final<br>ML14071A189         | No Comments<br>05/13/2014<br>ML14071A146 |       |
| 2011-1  | Decommissioning Planning<br>Parts 20, 30, 40, 70<br>76 FR 35512  | 12/17/2015                     | Proposed<br>ML14164A277      | Comments<br>08/19/2014<br>ML14162A412    |       |
| 2011-2  | Licenses, Certifications, and Approvals for Materials<br>Licensees<br>Parts 30, 36, 39, 40, 70, and 150<br>76 FR 56951 | 11/14/2014                     | Proposed<br>ML14164A277      | Comments<br>08/19/2014<br>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<br>ML14071A189         | Comments<br>08/19/2014<br>ML14162A412    |       |
|         |  |                                | Revised Final<br>ML15335A403 | No Comments<br>01/13/2016<br>ML15335A397 |       |
| 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<br>ML14164A277      | No Comments<br>08/19/2014<br>ML14162A412 |       |
| 2012-3  | Technical Corrections Parts 30, 34, 40 and 71 77 FR 39899  | 08/06/2015                     | Proposed<br>ML14164A277      | Comments<br>08/19/2014<br>ML14162A412    |       |
| 2012-4  | Requirements for Distribution of Byproduct Material Parts 30, 31, 32, 40 and 70 77 FR 43666                            | 10/23/2015                     | Proposed<br>ML14164A277      | Comments<br>08/19/2014<br>ML14162A412    |       |

| RATS ID | NRC Chronology Identification   | Date Due for<br>State Adoption | Incoming<br>Letter      | Outgoing<br>Package                   | Notes  |
|---------|---|--------------------------------|-------------------------|---------------------------------------|--|
| 2013-1  | Physical Protection of Byproduct Material<br>10 CFR Parts 20, 30, 32, 33, 34, 35, 36, 37, 39, and<br>71<br>78 FR 16922  | 03/19/2016                     | Proposed<br>ML15202A281 | Comment<br>09/08/2015<br>ML15202A215  | License Condition addresses Part<br>37 requirements 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<br>ML15335A403 | Comments<br>01/13/2016<br>ML15335A397 |  |
| *2015-1 | Domestic Licensing of Special Nuclear Material –<br>Written Reports and Clarifying Amendments<br>Part 70<br>79 FR 57721, 80 FR 143                                    | 01/26/2018                     | Proposed<br>ML15335A403 | Comments<br>01/13/2016<br>ML15335A397 |  |
| *2015-2 | Safeguards Information - Modified Handling<br>Categorization, Change for Materials Facilities<br>Parts 30, 37, 73, and 150<br>79 FR 58664, 80 FR 3865                 | 01/28/2018                     | Proposed<br>ML15335A403 | Comments<br>01/13/2016<br>ML15335A397 |  |
| *2015-3 | Revisions to Transportation Safety Requirements<br>and Harmonization with International Atomic Energy<br>Agency Transportation Requirements<br>Part 71<br>80 FR 33987 | 07/13/2018                     | Proposed<br>ML15335403  | Comments<br>01/13/2016<br>ML15335A397 |  |
| *2015-4 | Miscellaneous Corrections Parts 37 and 40 80 FR 45841   | 09/02/2018                     | Proposed<br>ML15335A403 | Comments<br>01/13/2016<br>ML15335A397 |  |

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