

**10A NCAC 15 .0316 GENERAL LICENSES: TRANSPORTATION**

(a) Any person transporting or storing byproduct material for transportation shall be exempt as authorized by 10 CFR 30.13.

(b) Any person transporting or storing source material for transportation shall be exempt as authorized by 10 CFR 40.12. Any person not exempt under 10 CFR 40.12 shall be issued a general license in accordance with Rule .0306(a) of this Section.

(c) Any person transporting or storing special nuclear material for transportation shall be exempt as authorized by 10 CFR 70.12. Any person not exempt shall be issued a general license in accordance with Rule .0306(a) of this Section.

(d) Any person preparing radioactive material for shipment or transporting radioactive material shall be subject to the provisions of 10 CFR Part 71 as applicable to the shipment and mode of transportation. Notwithstanding Rule .0117(a)(2)(J) of this Chapter, 10 CFR 71.85(a) through (c), and 71.91(b) are excluded from incorporation by reference for the purposes of this Rule.

(e) Notifications required by 10 CFR 71.97 and 10 CFR 73.37(b)(2) shall be made to the Governor's designee as follows:

- (1) designee: N.C. Highway Patrol Headquarters, Operations Officer;
- (2) mailing address: P.O. Box 27687, Raleigh, North Carolina 27611-7687;
- (3) telephone: (919) 733-4030 from 8 a.m. to 5 p.m. Monday through Friday except State holidays, and (919) 733-3861 at all other times.

(f) Transportation of special nuclear material by aircraft shall be prohibited in accordance with 10 CFR 150.21.

(g) Notifications of incidents, accidents, or the loss of control of radioactive material while in transit or while being stored for transportation shall be made to the agency in accordance with Rule .0357 of this Section. Notification of the theft, or loss of radioactive material while in transit, or while being stored for transportation shall be made to the agency in accordance with Rule .1645 of this Chapter.

(h) Notwithstanding Rule .0117 of this Chapter, the regulations cited in this Rule from 10 CFR Chapter I (2015) are hereby incorporated by reference, excluding subsequent amendments and editions. Copies of these regulations are available free of charge at [http://www.ecfr.gov/cgi-bin/text-idx?SID=2beece594411a03e50b2468ae31f89b&pid=20160101&tpl=/ecfrbrowse/Title10/10tab\\_02.tpl](http://www.ecfr.gov/cgi-bin/text-idx?SID=2beece594411a03e50b2468ae31f89b&pid=20160101&tpl=/ecfrbrowse/Title10/10tab_02.tpl).

*History Note: Authority G.S. 20-167.1; 104E-7; 104E-10(b); 104E-15(a);  
Eff. February 1, 1980;  
Amended Eff. January 1, 1994; May 1, 1992; October 1, 1982;  
Transferred and Recodified from 15A NCAC 11 .0316 Eff. February 1, 2015;  
Amended Eff. March 1, 2017.*