

10A NCAC 15 .1210 FINANCIAL INFORMATION

(a) The financial information shall be sufficient to demonstrate that the financial qualifications of the applicant are adequate to carry out the activities for which the license is sought and meet other financial assurance requirements of this Section. In addition to information required in Rule .1205 of this Section, the applicant shall provide the following financial information:

- (1) financial organization of the company;
 - (2) a list of all subsidiary companies and their locations;
 - (3) audited financial statements for the most recent calendar or fiscal year;
 - (4) interim statements, if it has been six months or more since the end of the reporting year;
 - (5) a detailed schedule of liability insurance coverage applicable to low-level radioactive waste, listing:
 - (A) each insurance company's name,
 - (B) amount of coverage,
 - (C) any limitations on coverage,
 - (D) duration of insurance policies, and
 - (E) whether the company is licensed by the North Carolina Insurance Commissioner;
 - (6) status and nature of any outstanding civil action to which the applicant is a party, and of any administrative or criminal proceeding against the applicant; and the same information with respect to any corporation, partnership, firm, company or association which holds an interest of five percent or more in the applicant, or in which the applicant holds any interest; subject to the following provisions:
 - (A) upon request by the agency, the information required by this Subparagraph shall include a copy of any document which is a part of public record in any such action or proceeding;
 - (B) with the approval of the agency, the applicant may submit any of the information required by this Subparagraph in summary form, provided that any summary must fairly and accurately reflect the scope and content of such information;
 - (C) with the approval of the agency, the applicant may exclude information which would otherwise be required by this Subparagraph provided that the applicant identifies the types of information to be omitted and satisfies the agency that such types of information are not material to the applicant's ability to operate a facility under this Section; and
 - (D) unless specifically requested by the agency, the following types of actions if brought in North Carolina, or equivalent types of actions if brought in any other jurisdiction, are excluded from the reporting requirements of this Subparagraph:
 - (i) small claims actions as defined in G.S. 7A-210,
 - (ii) infractions as defined in G.S. 14-3.1, and
 - (iii) misdemeanors under Chapter 20 (Motor Vehicles) of the General Statutes; and
 - (7) details of any other resources such as reserves or bonds to cover potential damages.
- (b) The applicant shall describe the financial responsibility and liability coverage for:
- (1) all injuries to public, property, workers and environment;
 - (2) failure to operate as designed; and
 - (3) post-closure monitoring and surveillance.
- (c) The information required in Paragraphs (a) and (b) of this Rule shall be updated annually to the extent that such information is not provided in the annual certified financial statement required in Rule .1238 of this Section.

*History Note: Authority G.S. 104E-7; 104E-10(b); 104E-10.1; 104E-25; 104E-26;
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