

## 10A NCAC 15 .1215 CONDITIONS OF LICENSE

- (a) A license issued under this Section, or any right thereunder, may not be transferred, assigned, or in any manner disposed of, either voluntarily or involuntarily, directly or indirectly, through transfer of control of the license to any person, unless the agency finds, after securing full information, that the transfer is in accordance with the provisions of the North Carolina Radiation Protection Act (Act) and gives its consent in writing in the form of a license amendment.
- (b) At any time before termination of the license, the licensee shall submit written statements under oath upon request of the agency to enable the agency to determine whether or not the license should be modified, suspended, or revoked.
- (c) The license shall be transferred to the custodial agency only on the full implementation of the final closure plan as approved by the agency, including postclosure observation and maintenance.
- (d) The licensee shall be subject to the provisions of the Act now or hereafter in effect, and to all rules and orders of the agency.
- (e) Any license may be revoked, suspended or modified in whole or in part for any material false statement in the application or any misstatement of fact required under the Act, or because of conditions revealed by any application or statement of fact or any report, record, or inspection or other means which would warrant the agency to refuse to grant a license on the original application, or for failure to operate the facility in accordance with the terms of the license, or for any violation of, or failure to observe any of the terms and conditions of the Act, or any rule, license or order of the agency.
- (f) Each person licensed by the agency pursuant to the rules in this Section shall confine possession and use of radioactive materials to the locations and purposes authorized in the license.
- (g) No waste may be disposed of until the agency has inspected the land disposal facility and has found it to be in conformance with the description, design, and construction described in the application for a license.
- (h) The agency may, in accordance with 46 FR 7540, incorporate in any license at the time of issuance, or thereafter, by appropriate order, additional requirements and conditions with respect to the licensee's receipt, possession, and disposal of waste as it deems appropriate or necessary in order to:
- (1) protect the health and safety of the public and the environment, or minimize danger to life or property; and
  - (2) require reports and the keeping of records, and to provide for inspections of activities under the license that may be necessary or appropriate to effectuate the purposes of the Act and rules thereunder.
- (i) The agency may incorporate in any license at the time of issuance, or thereafter, by appropriate order, a requirement that the licensee provide the agency with continuing information with respect to any information required as a part of the license application.
- (j) Except as provided otherwise by the agency pursuant to Paragraph (h) of this Rule and consistent with G.S. 104E-25(h), the licensee shall not accept or dispose of:
- (1) liquid waste which has not been solidified in a manner deemed acceptable by the agency as meeting the requirements in G.S. 104E-25(h);
  - (2) any waste containing chelating agents in concentrations greater than one-tenth of one percent by weight unless:
    - (A) the chelating agent content does not exceed eight percent by weight, and
    - (B) the waste has been solidified and meets the stability requirements for class B and C waste as may be specified by the agency after consideration of current regulatory guides on waste form of the U.S. Nuclear Regulatory Commission, provided however that high integrity containers alone are not acceptable to achieve this stability requirement; and
  - (3) such other waste as the agency may prohibit as necessary to ensure that the performance objectives of this Section will be met.
- (k) Each license will be issued for a period of five years from the date of issuance. The authority to dispose of wastes expires on the date stated in the license except as provided in Rule .1217 of this Section.

*History Note:* Authority G.S. 104E-7; 104E-10(b); 104E-12; 104E-13(a); 104E-25; 104E-26; 10 C.F.R. Chapter 1, Commission Notices, Policy Statements, Agreement States, 46 F.R. 7540; Eff. December 1, 1987; Amended Eff. June 1, 1993; Transferred and Recodified from 15A NCAC 11 .1215 Eff. February 1, 2015.