CHAPTER 33.1-10-12.1
LICENSES AND RADIATION SAFETY REQUIREMENTS FOR WELL LOGGING

Section
33.1-10-12.1-01 Adoption by Reference of Several Sections in 10 Code of Federal Regulations Part 39

33.1-10-12.1-01. Adoption by reference of several sections in 10 Code of Federal Regulations part 39.

10 Code of Federal Regulations 39.1, 39.2, 39.11, 39.13, 39.15, 39.17, 39.31, 39.33, 39.35, 39.37, 39.39, 39.41, 39.43, 39.45, 39.47, 39.49, 39.51, 39.53, 39.55, 39.61, 39.63, 39.65, 39.67, 39.69, 39.71, 39.73, 39.75, 39.77, and 39.91 are adopted by reference as they exist on June 16, 2020, with the following exceptions:

1. All of the requirements in chapter 33.1-10-12.1 apply to both licensees and registrants. A reference in 10 Code of Federal Regulations part 39 to "license" includes "registration", a reference to "licensee" includes "registrant", a reference to "licensed" includes "registered", a reference to "licensed material" includes "registered source of radiation", and a reference to "licensed radioactive materials" includes "registered source of radiation". "Registrant" means any person who is registered with the department and is legally obligated to register with the department pursuant to article 33.1-10 and North Dakota Century Code chapter 23.1-03. "Registration" means the notification of the department of environmental quality of possession of a source of radiation and the furnishing of information with respect thereto, in accordance with North Dakota Century Code chapter 23.1-02.

2. Where the words "NRC", "commission", or "NRC regional office" appear in 10 Code of Federal Regulations part 39, substitute the words "department of environmental quality".

3. Requirements in 10 Code of Federal Regulations part 39 that apply to "byproduct material" also apply to naturally occurring or accelerator-produced radioactive material.

4. North Dakota state form number 8418, "application for radioactive material license", must be used instead of NRC form 313 as specified in 10 Code of Federal Regulations part 39.

5. For references to 10 Code of Federal Regulations part 170, see chapter 33.1-10-11 for applicable fee schedules.

History: Effective January 1, 2019; amended effective January 1, 2023.
General Authority: NDCC 23.1-03-04; S.L. 2017, ch. 199, § 1
Law Implemented: NDCC 23.1-03-03, 23.1-03-04; S.L. 2017, ch. 199, § 18