

**CHAPTER 33-10-18**  
**GENERAL DOMESTIC LICENSES FOR BYPRODUCT MATERIAL**

Section

33-10-18-01 Adoption by Reference of Several Sections in 10 Code of Federal Regulations Part 31

**33-10-18-01. Adoption by reference of several sections in 10 Code of Federal Regulations part 31.**

10 Code of Federal Regulations 31.1, 31.2, 31.3, 31.5, 31.6, 31.7, 31.8, 31.9, 31.10, 31.11, and 31.12 are adopted by reference as they exist on October 1, 2015, with the following exceptions:

1. Not adopted by reference are 10 Code of Federal Regulations 31.3(b) and (c) and 31.6(a).
2. Requirements in 10 Code of Federal Regulations 31 that apply to "byproduct material" also apply to naturally occurring or accelerator-produced radioactive material.
3. Where the words "NRC", "commission", "nuclear regulatory commission", "United States nuclear regulatory commission", or "director of nuclear material safety and safeguards" appear in 10 Code of Federal Regulations part 31, substitute the words "North Dakota state department of health" except when used in 10 Code of Federal Regulations 31.8(c)(2) and 31.11(d)(2).
4. Reporting required in 10 Code of Federal Regulations 31.5(c)(5), 31.5(c)(8)(ii), 31.5(c)(9)(i), 31.5(c)(11), and 31.5(c)(14) shall be submitted to the North Dakota state department of health as follows:
  - a. By mail addressed to: Radiation Control Program, North Dakota Department of Health, 918 East Divide Avenue, Second Floor, Bismarck, ND 58501-1947.
  - b. By hand delivery to: Radiation Control Program, North Dakota Department of Health, 915 East Divide Avenue, Second Floor, Bismarck, ND.
  - c. By electronic submission to [ram@nd.gov](mailto:ram@nd.gov). Electronic submissions must be made in a manner that enables the North Dakota state department of health to receive, read, authenticate, distribute, and archive the submission, and process and retrieve it a single page at a time.
5. North Dakota state form number 8423, "certificate - in vitro testing with radioactive material under general license", must be used instead of nuclear regulatory commission form 483 as specified in 10 Code of Federal Regulations part 31.
6. References in 10 Code of Federal Regulations part 31 to specific licenses issued by an agreement state also include specific licenses issued by the United States nuclear regulatory commission.

**History:** Effective January 1, 2011; amended effective October 1, 2016.

**General Authority:** NDCC 23-20.1-04

**Law Implemented:** NDCC 23-20.1-03, 23-20.1-04