



NC DEPARTMENT OF
**HEALTH AND
HUMAN SERVICES**

ROY COOPER • Governor
KODY H. KINSLEY • Secretary
MARK PAYNE • Director, Division of Health Service Regulation

MEMORANDUM

DATE: September 1, 2023
TO: Interested Parties
FROM: Nadine Pfeiffer, Rule Review Manager *NP*
RE: Proposed Readoption/Amendment/Repeal of Radiation Protection Rules
10A NCAC 15

GS 150B-21.2 requires a rule-making body to notify certain individuals of its intent to adopt a rule. It also requires notification of the date, time and location of the public hearing on the rule and any fiscal analysis that has been prepared in connection with the proposed rule. As a result of the periodic review of the rules in Chapter 10A NCAC 15, 257 rules determined as “Necessary With Substantive Public Interest” are required to be readopted. At this time, 7 rules are proposed for readoption, 1 rule is proposed for amendment and 16 rules are proposed for repeal.

The North Carolina Radiation Protection Commission has submitted form OAH 0300 to the Codifier of Rules, Office of Administrative Hearings, indicating its intent to proceed with the following rule-making actions:

10A NCAC 15 Radiation Protection:

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| 10A NCAC 15 .0501 | Purpose and Scope <u>Industrial Radiographic Operations of Electronic Radiation Machines for Non-Human Use</u> (Amend) |
| 10A NCAC 15 .0502 | Definitions (Repeal) |
| 10A NCAC 15 .0503 | Equipment Radiation Level Limits (Repeal through Readoption) |
| 10A NCAC 15 .0504 | Radiographic Exposure Devices and Storage Containers (Repeal through Readoption) |
| 10A NCAC 15 .0505 | Storage, Labels, add Transportation Precautions (Repeal through Readoption) |
| 10A NCAC 15 .0506 | Survey Instruments (Repeal) |
| 10A NCAC 15 .0507 | Leak Testing and Replacement of Sealed Sources (Repeal through Readoption) |
| 10A NCAC 15 .0508 | Quarterly Inventory (Repeal through Readoption) |
| 10A NCAC 15 .0509 | Utilization Logs (Repeal) |
| 10A NCAC 15 .0510 | Limitations (Repeal) |
| 10A NCAC 15 .0511 | Inspection and Maintenance (Repeal) |
| 10A NCAC 15 .0512 | Personnel Monitoring (Repeal) |
| 10A NCAC 15 .0513 | Operating and Emergency Procedures (Repeal) |
| 10A NCAC 15 .0514 | Security (Repeal) |
| 10A NCAC 15 .0515 | Radiation Surveys and Survey Records (Repeal) |

NC DEPARTMENT OF HEALTH AND HUMAN SERVICES • DIVISION OF HEALTH SERVICE REGULATION

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10A NCAC 15 Radiation Protection:

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|-------------------|--|
| 10A NCAC 15 .0516 | Posting (Repeal) |
| 10A NCAC 15 .0517 | Supervision of Radiographers' Assistants (Repeal) |
| 10A NCAC 15 .0519 | Subjects to be Covered During Instruction of Radiographers (Repeal) |
| 10A NCAC 15 .0520 | Permanent Radiographic Installation (Repeal) |
| 10A NCAC 15 .0521 | Performance Requirements for Radiography Equipment (Repeal through Readoption) |
| 10A NCAC 15 .0522 | Reporting Requirements (Repeal) |
| 10A NCAC 15 .0523 | Records of Industrial Radiography (Repeal) |
| 10A NCAC 15 .0524 | Specific License for Industrial Radiography (Repeal through Readoption) |
| 10A NCAC 15 .0525 | Radiographer Certification (Repeal) |

Approval of the fiscal analysis for these rules was obtained from the Office of State Budget and Management on May 18, 2023 in accordance with G.S. 150B-21.4.

The proposed rule text is attached to this memo. The rules were published in today's September 1, 2023 edition of the N.C. Register which can be found at the Office of Administrative Hearings web site at <https://www.oah.nc.gov/rules-division/north-carolina-register>.

A public hearing is scheduled for October 25, 2023 at 2:00 p.m. in Room 026, Edgerton Building, 809 Ruggles Drive, Raleigh, NC 27603. The building is in the Dorothea Dix Park. Ms. Nadine Pfeiffer, DHSR Rule-Review Manager, is accepting public comments on these rules and fiscal analysis from September 1, 2023 through October 31, 2023, close of business. Comments will also be accepted in person at the public hearing. The proposed effective date of these rules is May 1, 2024.

A copy of the proposed rules, fiscal analysis, and instructions for submitting comment can be found at the Division of Health Service Regulation web site at <https://info.ncdhhs.gov/dhsr/ruleactions.html>.

Should you have questions related to this memorandum or the proposed rule and fiscal note, please feel free to contact the Radiation Protection Section at (919) 814-2250.

Enclosures

cc: Mark Payne, Director, Health Service Regulation
Emery Milliken, Deputy Director, DHSR
Raj Premakumar, Assistant General Counsel, DHHS
Denise Cloninger, Radiation Protection Section
Regina Kissinger, Radiation Protection Section
Louis Brayboy, Acting Chief, Radiation Protection Section
Dr. Carmine Plott, PhD, CHP, Chair, N.C. Radiation Protection Commission