



NC DEPARTMENT OF
**HEALTH AND
HUMAN SERVICES**

ROY COOPER • Governor

KODY H. KINSLEY • Secretary

MARK PAYNE • Director, Division of Health Service Regulation

MEMORANDUM

DATE: April 1, 2022

TO: Interested Parties

FROM: Nadine Pfeiffer, Rule Review Manager *NP*

RE: Proposed Readoption 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, 27 rules are being proposed for readoption for radiation protection.

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

10A NCAC 15 .1301	Purpose and Scope <u>Well Logging, Wireline-Service Operations, and Substance Tracer Studies: Requirements for Licensees</u> (Readopt)
10A NCAC 15 .1302	Definitions (Readopt as a Repeal)
10A NCAC 15 .1303	Written Agreements Required (Readopt as a Repeal)
10A NCAC 15 .1304	Limits On Levels Of Radiation (Readopt as a Repeal)
10A NCAC 15 .1305	Storage Precautions (Readopt as a Repeal)
10A NCAC 15 .1306	Transport Precautions (Readopt as a Repeal)
10A NCAC 15 .1307	Radiation Survey Instruments (Readopt as a Repeal)
10A NCAC 15 .1308	Leak Testing Of Sealed Sources (Readopt as a Repeal)
10A NCAC 15 .1309	Quarterly Inventory (Readopt as a Repeal)
10A NCAC 15 .1310	Utilization Records (Readopt as a Repeal)
10A NCAC 15 .1311	Design: Performance: And Certification Criteria (Readopt as a Repeal)
10A NCAC 15 .1312	Labeling (Readopt as a Repeal)
10A NCAC 15 .1313	Inspection And Maintenance (Readopt as a Repeal)
10A NCAC 15 .1314	Training Requirements (Readopt as a Repeal)
10A NCAC 15 .1315	Operating And Emergency Procedures (Readopt as a Repeal)
10A NCAC 15 .1316	Personnel Monitoring (Readopt as a Repeal)
10A NCAC 15 .1317	Security (Readopt as a Repeal)
10A NCAC 15 .1318	Handling Tools (Readopt as a Repeal)
10A NCAC 15 .1319	Subsurface Tracer Studies (Readopt as a Repeal)

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OFFICE OF THE DIRECTOR

LOCATION: 809 Ruggles Drive, Edgerton Building, Raleigh, NC 27603

MAILING ADDRESS: 809 Ruggles Drive, 2701 Mail Service Center, Raleigh, NC 27699-2701

<https://info.ncdhhs.gov/dhsr/> • TEL: 919-855-3750 • FAX: 919-733-2757

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10A NCAC 15 Radiation Protection (continued)

10A NCAC 15 .1320	Particle Accelerators (Readopt as a Repeal)
10A NCAC 15 .1321	Radiation Surveys (Readopt as a Repeal)
10A NCAC 15 .1322	Documents And Records Required At Field Stations (Readopt as a Repeal)
10A NCAC 15 .1323	Documents And Records Required At Temporary Jobsites (Readopt as a Repeal)
10A NCAC 15 .1324	Notification Of Incidents: Abandonment: And Lost Sources (Readopt as a Repeal)
10A NCAC 15 .1325	Subjects In Training Courses For Logging Supervisors (Readopt as a Repeal)
10A NCAC 15 .1326	Energy Compensation Sources (Readopt as a Repeal)
10A NCAC 15 .1327	Tritium Neutron Generator Target Sources (Readopt as a Repeal)

In accordance with G.S. 150B-21.3A(d)(2), a fiscal analysis was prepared for the rule with substantive change. Approval of the fiscal analysis for these rules was obtained from the Office of State Budget and Management on January 3, 2022 in accordance with G.S. 150B-21.4.

The proposed rule text is attached to this memo. The rules were published in today's April 1, 2022 edition of the N.C. Register that can be found on the Office of Administrative Hearings web site at <https://www.oah.nc.gov/documents/nc-register>.

A public hearing is scheduled for May 17, 2022 at 10:00 a.m. in Room 104, Brown Building, 801 Biggs 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 April 1, 2022 through May 31, 2022, close of business. Comments will also be accepted in person at the public hearing. The proposed effective date of these rules is October 1, 2022.

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
 Lisa Corbett, General Counsel, DHHS
 James Albright, Radiation Protection Section
 David Crowley, Chief, Radiation Protection Section
 Dr. Carmine Plott, PhD, CHP, Chair, N.C. Radiation Protection Commission