



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 3, 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, 53 rules are proposed for readoption, one rule is proposed for amendment and four 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 Rule proposed for readoption:
10A NCAC 15 .1601

10A NCAC 15 Radiation Protection Rules proposed for repeal through readoption:
10A NCAC 15 .1004, .1007-.1008, .1602-.1649, .1653

10A NCAC 15 Radiation Protection Rule proposed for amendment:
10A NCAC 15 .1001

10A NCAC 15 Radiation Protection Rules proposed for repeal:
10A NCAC 15 .1002-.1003, .1005-.1006

Approval of the fiscal analysis for these rules was obtained from the Office of State Budget and Management on January 4, 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 April 3, 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/documents/north-carolina-register>.

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

OFFICE OF THE DIRECTOR

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AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

A public hearing is scheduled for May 1, 2023 at 10:00 a.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 April 3, 2023 through June 2, 2023, close of business. Comments will also be accepted in person at the public hearing. The proposed effective date of these rules is October 1, 2023.

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, Deputy 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