

1 10A NCAC 15 .0208 is proposed for amendment as follows:

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3 **10A NCAC 15 .0208 ~~PRIOR NOTIFICATION OF TRANSFER~~ OUT-OF-STATE RADIATION**
4 **MACHINES AND RADIATION GENERATION DEVICES**

5 ~~(a) Persons registered pursuant to Rule .0203 of this Section shall notify the agency in writing prior to transfer of a~~
6 ~~registered radiation machine to another person required to be registered pursuant to Rule .0203(a) of this Section.~~
7 ~~This Rule does not prohibit transfer without prior notification to sales and service companies registered pursuant to~~
8 ~~Rule .0205 of this Section.~~

9 ~~(b) The notification shall include:~~

10 ~~(1) the name and address of the transferee, and~~

11 ~~(2) the manufacturer, model number and serial number of the radiation machine to be transferred.~~

12 ~~(a) No person shall bring any radiation machine or radiation generating device into the state, for any temporary use,~~
13 ~~unless such person has given a written notice to the agency at least five working days prior to use in the state. The~~
14 ~~notice shall include the type of radiation machine; the nature, duration, and scope of use; and the exact location(s)~~
15 ~~where the radiation machine or radiation generating device will be used. If, for a specific case, the five working day~~
16 ~~period would impose an undue hardship on the person, he or she may, upon application to the agency, obtain~~
17 ~~permission to proceed sooner.~~

18 ~~(b) A person bringing a radiation machine or radiation generating device into this state, for any temporary use, shall~~
19 ~~meet the following requirements:~~

20 ~~(1) complete the registration process in accordance with Rules .0203, .0204, and .0205 of this Section~~
21 ~~prior to beginning operations in this state;~~

22 ~~(2) supply the agency with other information the agency may reasonably request; and~~

23 ~~(3) comply with the Rules of this Chapter.~~

24 ~~(c) The out of state registrant shall maintain with the radiation machine or radiation generating device, when located~~
25 ~~and used in this state, the following:~~

26 ~~(1) the current notice of registration from this agency;~~

27 ~~(2) a copy of the notice submitted to the agency in accordance with Paragraph (a) of the Rule;~~

28 ~~(3) the shielding design, if required, in accordance with Rule .0204(c)(1)(A) of this Section; and~~

29 ~~(4) a copy of the out of state registrant's operating and safety procedure.~~

30 ~~(d) An inspection may be conducted by an authorized representative of the agency on any radiation machine or~~
31 ~~radiation generating device used in this state.~~

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33 *History Note: Authority G.S. 104E-7;*

34 *Eff. February 1, 1980;*

35 *Transferred and Recodified from 15A NCAC 11 .0208 Eff. February 1, 2015;*

36 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. June 22,*
37 *2019. 2019;*

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Amended Eff. May 1, 2025.