

1 10A NCAC 15 .0104 is proposed for amendment as follows:

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3 **10A NCAC 15 .0104 INCORPORATION BY REFERENCE**

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5 ~~(a) For purposes of the rules in this Chapter, the following rules, standards, and other requirements are hereby~~  
6 ~~incorporated by reference including any subsequent amendments and editions:~~

7 ~~(1) The following parts of 21 CFR Subchapter J:~~

8 ~~(A) Part 1000, "General;"~~

9 ~~(B) Subpart A 1000.1, "General Provisions – General;"~~

10 ~~(C) Subpart A 1000.3(a) through (j),(k),(l), and (n) through (t), "Definitions;"~~

11 ~~(D) Subpart A 1000.15, "Examples of electronic products subject to the Radiation Control for Health and Safety~~  
12 ~~Act of 1968;"~~

13 ~~(E) Part 1002, "Records and Reports;"~~

14 ~~(F) Subpart A 1002.1(a) and (c)(4), "Applicability;"~~

15 ~~(G) Subpart D 1002.31, "Preservation and inspection of records;"~~

16 ~~(H) Part 1003, "Notification of Defects of Failures to Comply;"~~

17 ~~(I) Subpart A 1003.1, "Applicability;"~~

18 ~~(J) Subpart A 1003.2, "Defect in an electronic product;"~~

19 ~~(K) Subpart C 1003.21, "Notification by the manufacturer to affected persons;"~~

20 ~~(L) Part 1010, "Performance Standards for Electronic Products – General;"~~

21 ~~(M) Subpart A 1010.1, "Scope;"~~

22 ~~(N) Subpart A 1010.2(a),(b), and (d), "Certification;"~~

23 ~~(O) Subpart A 1010.3, "Identification;"~~

24 ~~(P) Subpart A 1010.4(a) and (d), "Variances;"~~

25 ~~(Q) Part 1020, "Performance Standards for Ionizing Radiation Emitting Products;"~~

26 ~~(R) Section 1020.20, "Cold-cathode gas discharge tubes;"~~

27 ~~(S) Section 1020.30, "Diagnostic x ray systems and their main components;"~~

28 ~~(T) Section 1020.31, "Radiographic equipment;"~~

29 ~~(U) Section 1020.32, "Fluoroscopic equipment;" and~~

30 ~~(V) Section 1020.33, "Computed tomography (CT) equipment."~~

31 ~~(2) "Agreement Between the United States Atomic Energy Commission and the State of North Carolina for~~  
32 ~~Discontinuance of Certain Commission Regulatory Authority and Responsibility within the State Pursuant to Section~~  
33 ~~274 of the Atomic Energy Act of 1954, as Amended," signed July 21, 1964.~~

34 ~~(b) The rules, standards and other requirements incorporated by reference in Paragraph (a) of this Rule are available~~  
35 ~~free of charge at:~~

36 ~~(1) [https://www.ecfr.gov/current/title\\_21/chapter\\_I/subchapter\\_J](https://www.ecfr.gov/current/title_21/chapter_I/subchapter_J) for Part (a)(1)(A) through (a)(1)(V) of this Rule,~~  
37 ~~and~~

1 ~~(2) — <https://www.nrc.gov/cdn/nmss/pdf/ncagreements.pdf> for the agreement between the NRC and the State of~~  
2 ~~North Carolina.~~

3 The "Agreement Between the United States Atomic Energy Commission and the State of North Carolina for  
4 Discontinuance of Certain Commission Regulatory Authority and Responsibility within the State Pursuant to Section  
5 274 of the Atomic Energy Act of 1954, as Amended," signed July 21, 1964, hereinafter known as the "Agreement,"  
6 is hereby incorporated by reference including subsequent amendments and editions. A copy of the Agreement is  
7 available free of charge at <https://www.nrc.gov/cdn/nmss/pdf/ncagreements.pdf>.

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9 *History Note: Authority G.S. 104E-7(a)(2); 104E-15(a) and (b)(1); 104E-25(b); 150B-19(5)(b); 150B-21.6;*  
10 *Eff. February 1, 1980;*  
11 *Amended Eff. November 1, 1989; June 1, 1989; October 1, 1984;*  
12 *Transferred and Recodified from 10 NCAC 03G .2204 Eff. January 4, 1990;*  
13 *Amended Eff. January 1, 1994; May 1, 1992;*  
14 *Temporary Amendment Eff. August 20, 1994, for a Period of 180 Days or until the permanent rule*  
15 *becomes effective, whichever is sooner;*  
16 *Amended Eff. October 1, 2013; November 1, 2007; May 1, 2006; January 1, 2005; August 1, 2002;*  
17 *April 1, 1999; August 1, 1998; May 1, 1995;*  
18 *Transferred and Recodified from 15A NCAC 11 .0104 Eff. February 1, 2015;*  
19 *Readopted Eff. May 1, ~~2025-2025~~;*  
20 *Amended Eff. October 1, 2026.*