



**North Carolina Department of Health and Human Services
Division of Health Service Regulation
Office of the Director**

Pat McCrory
Governor

Aldona Z. Wos, M.D.
Ambassador (Ret.)
Secretary DHHS

Drexdal Pratt
Division Director

MEMORANDUM

DATE: March 30, 2015
TO: Interested Parties
FROM: Nadine Pfeiffer, Rule-making Coordinator *NP*
RE: Proposed Amendment, Adoption and Repeal of Radiation Protection Section Rules
10A NCAC 15 Radiation Protection

GS 150B-21.2 requires a rule-making body to notify certain individuals of its intent to amend a permanent rule and adopt new rules. It also requires notification of the date, time and location of the public hearing on the rule and any fiscal note that has been prepared in connection with the proposed rule.

The rule changes are being made to simplify compliance with regulations on the use of electronic analytical and industrial x-ray machines for facilities which will increase safety for facility radiation workers and citizens. These changes are necessary to address the growing number of facilities utilizing electronic x-ray machines for non-medical purposes. 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 .0502 Definitions (Amend)
- 10A NCAC 15 .0518 Radiation Machines (Repeal)
- 10A NCAC 15 .0801 Purpose and Scope (Amend)
- 10A NCAC 15 .0802 Definitions (Amend)
- 10A NCAC 15 .0803 Equipment Requirements (Amend)
- 10A NCAC 15 .0804 Area Requirements (Amend)
- 10A NCAC 15 .0805 Operating Requirements (Amend)
- 10A NCAC 15 .0806 Personnel Requirements (Amend)
- 10A NCAC 15 .0807 Permanent Radiographic Installations and Industrial Radiography RGDS (Adopt)
- 10A NCAC 15 .0808 Applicable Rules for Bomb Detection RGDS (Adopt)

In accordance with G.S. 150B-21.4, the Commission obtained approval of the fiscal note for these rules from the Office of



<http://www.ncdhhs.gov/dhst/>

Phone: 919-855-3750 / Fax: 919-733-2757

Location: 809 Ruggles Drive v Dorothea Dix Hospital Campus v Raleigh, N.C. 27603

Mailing Address: 2701 Mail Service Center • Raleigh, North Carolina 27699-2701

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State Budget and Management on December 22, 2014.

The proposed rule text will be published in the May 1, 2015 edition of the N.C. Register which can be found at the Office of Administrative Hearings web site at <http://www.ncoah.com/rules/register>.

A public hearing is scheduled for May 27, 2015 at 10:00 a.m. in Room 131, Wright Building, 1201 Umstead Drive, Raleigh, NC 27603. The building is located on the Dorothea Dix Hospital campus. The Commission is accepting public comments on these rules and fiscal note from May 1, 2015 – June 30, 2015. Comments will also be accepted in person at the public hearing. The proposed effective date of these rules is October 1, 2015.

A copy of the proposed rules, fiscal note, and instructions for submitting comment can be found at the Division of Health Service Regulation web site at www.ncdhhs.gov/dhsr/ruleactions.html. If you have questions related to the proposed rule and fiscal note please contact the Radiation Protection Section at (919) 814-2250.

Should you have any questions regarding this memorandum please feel free to contact me at 855-3811.

cc: Dr. Carmine Plott, Chair, N.C. Radiation Protection Commission
Drexdal Pratt, Director, Division of Health Service Regulation
Emery Milliken, General Counsel, N.C. Department of Health & Human Services
Lee Cox, Chief, Radiation Protection Section