



North Carolina Department of Health and Human Services  
Division of Health Service Regulation

Pat McCrory  
Governor

Richard O. Brajer  
Secretary

Mark Payne, Director  
Health Service Regulation

**MEMORANDUM**

**DATE:** October 3, 2016  
**TO:** Interested Parties  
**FROM:** Nadine Pfeiffer, Rule-making Coordinator *NP*  
**RE:** Proposed Amendment of Radiation Protection Rules  
10A NCAC 15, Radioactive Materials Control Rules

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 rules are being revised to be compatible with the U.S. Nuclear Regulatory Commission's standards for the radioactive materials health and safety program.

The North Carolina Radiation Protection Commission has submitted form OAH 0300 to the Codifier of Rules, Office of Administrative Hearings, indicating its intent to amend the following 30 rules:

10A NCAC 15 .0302, .0304, .0305 - .0310, .0316, .0317, .0327 - .0332, .0335, .0337, .0338, .0343, .0344, .0353 - .0355, .0357, .0359, .0521, .1004, .1613, .1645, and .1653.

In accordance with G.S. 150B-21.4, certification and approval of the fiscal note for these rules was obtained from the Office of State Budget and Management on September 8, 2016.

The proposed rule text was published in today's October 3, 2016 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 November 18, 2016 at 10:00 a.m. in Room 131, Wright Building, 1201 Umstead Drive, Raleigh, NC 27603. The building is located on the Dorothea Dix campus. The Commission is accepting public comments on these rules and fiscal note from October 3, 2016 – December 2, 2016. Comments will also be accepted in person at the public hearing. The proposed effective date of these rules is March 1, 2017.



**Office of the Director**

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

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A copy of the proposed rules, fiscal note, and instructions for submitting comments can be found at the Division of Health Service Regulation web site at [www2.ncdhhs.gov/dhsr/ruleactions.html](http://www2.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.

Attachment

cc: Dr. Carmine Plott, Chair, N.C. Radiation Protection Commission  
Mark Payne, Director, Health Service Regulation  
Joel Johnson, Assistant General Counsel, DHHS  
Lee Cox, Chief, Radiation Protection Section  
Emery Milliken, Deputy Director, DHSR