



NC DEPARTMENT OF  
**HEALTH AND  
HUMAN SERVICES**

**ROY COOPER** • Governor

**KODY H. KINSLEY** • Secretary

**MARK PAYNE** • Director, Division of Health Service Regulation

**MEMORANDUM**

**TO:** Office of State Budget & Management

**FROM:** Nadine Pfeiffer, DHSR Rule-making Coordinator *NP*

**DATE:** May 16, 2023

**RE:** Federal Certification for Radiation Protection Rule Readoptions, Amendment, Repeals

**Rule-making Coordinator's Certificate**

As Required by GS 150B-19.1(g)  
For Proposed Permanent and Temporary Rules Adopted to  
Implement a Federal Law or which upon Receipt of Federal Funds is Conditioned

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The attached rule-making package applies to rules 10A NCAC 15 .0501-0517, and .0519-.0525. These rules are proposed for readoption, amendment, and repeal for all registrants who conduct industrial radiography using electronic radiation machines for non-human use in the State.

The readoption, amendment, and repeal of these rules are necessary to come into compliance with the federal regulations in 10 CFR 34 that govern the use of radioactive material for industrial radiography. The federal regulations are being incorporated by reference into one rule for amendment, Rule 10A NCAC 15 .0501.

The specific federal regulations for Rule .0501 are: 10 CFR 34.1, 34.3, 34.25, 34.31(a), 34.33, 34.35(c), 34.41, 34.42, 34.43, 34.45 (a)(1) through (a)(3), (a)(5), (a)(7) through (a)(11), (a)(13), and (b), 34.46, 34.47, 34.49, 34.51, 34.53, 34.61, 34.65, 34.71, 34.73, 34.75, 34.79, 34.81, 34.83, 34.85, 34.87, 34.89(a), (b)(1 through 10), and Appendix A to Part 34 that include General Provisions; Specific Licensing Requirements; Equipment; Radiation Safety Requirements; Security, Records, Notifications; and Exemptions.

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

**OFFICE OF THE DIRECTOR**

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