



NC DEPARTMENT OF  
**HEALTH AND  
HUMAN SERVICES**

**ROY COOPER** • Governor  
**KODY H. KINSLEY** • Secretary  
**MARK PAYNE** • Director, Division of Health Service Regulation

**MEMORANDUM**

**DATE:** October 16, 2023  
**TO:** Interested Parties  
**FROM:** Taylor Corpening, Rule Review Manager  
**RE:** Proposed Readoption of Radiation Protection Rules  
10A NCAC 15

GS 150B-21.2 requires a rule-making body to notify certain individuals of its intent to adopt a rule. It also requires notification of the date, time and location of the public hearing on the rule and any fiscal analysis that has been prepared in connection with the proposed rule. As a result of the periodic review of the rules in Chapter 10A NCAC 15, 257 rules determined as “Necessary With Substantive Public Interest” are required to be readopted. At this time, 54 rules are proposed for readoption.

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 Rules proposed for readoption:  
10A NCAC 15 .0301 - .0302, .0304 - .0305, and .0307 - .0310

10A NCAC 15 Radiation Protection Rules proposed for repeal through readoption:  
10A NCAC 15 .0303, .0312, .0314 - .0315, .0317 - .0322, .0324, .0327 - .0335, .0337 - .0344, .0348, .0351 - .0365, and .0701 - .0702

Approval of the fiscal analysis for these rules was obtained from the Office of State Budget and Management on July 25, 2023 in accordance with G.S. 150B-21.4.

The proposed rule text is attached to this memo. The rules were published in today’s October 16, 2023 edition of the N.C. Register which can be found at the Office of Administrative Hearings web site at <https://www.oah.nc.gov/rules-division/north-carolina-register>.

A public hearing is scheduled for December 6, 2023 at 10:00 a.m. in Room 026, Edgerton Building, 809 Ruggles Drive, Raleigh, NC 27603. The building is in the Dorothea Dix Park. Ms. Nadine Pfeiffer, DHSR Rule-Review Manager, is accepting public comments on these rules and fiscal analysis from October 16, 2023 through December 15, 2023, close of business. Comments will also be accepted in person at the public hearing. The proposed effective date of these rules is May 1, 2024.

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

**OFFICE OF THE DIRECTOR**

LOCATION: 809 Ruggles Drive, Edgerton Building, Raleigh, NC 27603  
MAILING ADDRESS: 2701 Mail Service Center, Raleigh, NC 27699-2701  
<https://info.ncdhhs.gov/dhsr/> • TEL: 919-855-3750 • FAX: 919-733-2757

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A copy of the proposed rules, fiscal analysis, and instructions for submitting comment can be found at the Division of Health Service Regulation web site at <https://info.ncdhhs.gov/dhsr/ruleactions.html>.

Should you have questions related to this memorandum or the proposed rule and fiscal note, please feel free to contact the Radiation Protection Section at (919) 814-2250.

Enclosures

cc: Mark Payne, Director, Health Service Regulation  
Emery Milliken, Deputy Director, DHSR  
Raj Premakumar, Assistant General Counsel, DHHS  
James Albright, Radiation Protection Section  
Louis Brayboy, Acting Chief, Radiation Protection Section  
Dr. Carmine Plott, PhD, CHP, Chair, N.C. Radiation Protection Commission