TO:    Office of State Budget & Management  
FROM:    Megan Lamphere, DHSR Rule-making Coordinator  
DATE:  July 6, 2012  
RE:    Federal Certification for Radiation Protection Rule Amendments  

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  

Rules 15A NCAC 11 .0104, .0105, .0117, .0301, .0303, .0304, .0305, .0309, .0317, .0318,  
.0321, .0322, .0325, .0326, .0328, .0331, .0333, .0334, .0338, .0352, .0358, .0361, .0362, .1004,  
.1604, .1626, .1633, and .1648 are proposed for amendment in order to be compatible with  
federal regulations in compliance with North Carolina’s agreement with the U.S. Nuclear  
Regulatory Commission. These rules apply to business entities in North Carolina that require the  
use of radioactive materials.  

Regulation by the State of North Carolina of source material, byproduct material, and special  
nuclear material in quantities not sufficient to form a critical mass is subject to the provisions of  
the "Agreement Between the United States Atomic Energy Commission and the State of North  
Carolina for Discontinuance of Certain Commission Regulatory and Responsibility within the  
State Pursuant to Section 274 of the Atomic Energy Act of 1954, as Amended" under provisions  
of Public Law 86-373, as amended, and 10 CFR Part 150. The “United States Atomic Energy  
Commission” is now called the “United States Nuclear Regulatory Commission (USNRC). The  
amendment of the above-named rules is necessary to comply with the Agreement and federal  
regulations, as the state is inspected regularly by the USNRC to ensure the compatibility of its  
regulations.