MEMORANDUM

DATE:        April 1, 2022

TO:          Interested Parties

FROM:        Nadine Pfeiffer, 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, 27 rules are being proposed for readoption for radiation protection.

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 .1301 Purpose and Scope Well Logging, Wireline-Service Operations, and Substance Tracer Studies: Requirements for Licensees (Readopt)
10A NCAC 15 .1302 Definitions (Readopt as a Repeal)
10A NCAC 15 .1303 Written Agreements Required (Readopt as a Repeal)
10A NCAC 15 .1304 Limits On Levels Of Radiation (Readopt as a Repeal)
10A NCAC 15 .1305 Storage Precautions (Readopt as a Repeal)
10A NCAC 15 .1306 Transport Precautions (Readopt as a Repeal)
10A NCAC 15 .1307 Radiation Survey Instruments (Readopt as a Repeal)
10A NCAC 15 .1308 Leak Testing Of Sealed Sources (Readopt as a Repeal)
10A NCAC 15 .1309 Quarterly Inventory (Readopt as a Repeal)
10A NCAC 15 .1310 Utilization Records (Readopt as a Repeal)
10A NCAC 15 .1311 Design: Performance: And Certification Criteria (Readopt as a Repeal)
10A NCAC 15 .1312 Labeling (Readopt as a Repeal)
10A NCAC 15 .1313 Inspection And Maintenance (Readopt as a Repeal)
10A NCAC 15 .1314 Training Requirements (Readopt as a Repeal)
10A NCAC 15 .1315 Operating And Emergency Procedures (Readopt as a Repeal)
10A NCAC 15 .1316 Personnel Monitoring (Readopt as a Repeal)
10A NCAC 15 .1317 Security (Readopt as a Repeal)
10A NCAC 15 .1318 Handling Tools (Readopt as a Repeal)
10A NCAC 15 .1319 Subsurface Tracer Studies (Readopt as a Repeal)
In accordance with G.S. 150B-21.3A(d)(2), a fiscal analysis was prepared for the rule with substantive change. Approval of the fiscal analysis for these rules was obtained from the Office of State Budget and Management on January 3, 2022 in accordance with G.S. 150B-21.4.

The proposed rule text is attached to this memo. The rules were published in today’s April 1, 2022 edition of the N.C. Register that can be found on the Office of Administrative Hearings web site at [https://www.oah.nc.gov/documents/nc-register](https://www.oah.nc.gov/documents/nc-register).

A public hearing is scheduled for May 17, 2022 at 10:00 a.m. in Room 104, Brown Building, 801 Biggs 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 April 1, 2022 through May 31, 2022, close of business. Comments will also be accepted in person at the public hearing. The proposed effective date of these rules is October 1, 2022.

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](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  
Lisa Corbett, General Counsel, DHHS  
James Albright, Radiation Protection Section  
David Crowley, Chief, Radiation Protection Section  
Dr. Carmine Plott, PhD, CHP, Chair, N.C. Radiation Protection Commission