10A NCAC 15 .0207 is readopted with changes as published in 39:10 NCR 629-642 as follows:

10A NCAC 15 .0207 ~~ISSUANCE OF NOTICE OF REGISTRATION~~ ADDITIONAL REQUIREMENTS to provide services

~~(a) The agency shall issue a notice of registration upon a determination that an applicant:~~

~~(1) is qualified by reason of education, training or experience in the use and hazards of radiation sources described in the application for registration;~~

~~(2) has facilities and equipment which meet the requirements in these Rules;~~

~~(3) has established a radiation protection program, appropriate to the registered activities, which assures compliance with radiation protection requirements in these Rules; and~~

~~(4) meets the applicable requirements in this Chapter.~~

~~(b) The agency may, by registration condition or order, when not in conflict with any law, waive any requirement in these Rules or impose requirements with respect to the registrant's receipt, possession, use and transfer of radiation machines as the agency deems appropriate or necessary for compliance with the rules in this Chapter. Such additional requirements are subject to appeal under 15A NCAC 1B .0200.~~

~~(c) The agency may refuse to grant a registration required in Rules .0203 and .0205 of this Section to any applicant who does not possess adequate qualifications or equipment or satisfy the applicable requirements in this Chapter; provided that, before any order is entered denying an application for registration, the agency shall give notice and grant a hearing as provided in G.S. 150B.~~

(a) A person applying for registration [~~of]~~ to perform Class - II or Class - IX services for diagnostic radiation output measurements, Class - V area radiation surveys and shielding evaluations for diagnostic radiographic and fluoroscopy facilities, or Class -VII therapeutic area radiation survey or verification [~~calibration~~]services pursuant to Rule .0205 of this Section shall meet the following additional requirements:

(1) [~~The applicant shall~~] have radiation survey and radiation measurement equipment appropriate to the services requested for authorization;

(2) [~~The applicant shall~~] ensure that the equipment in Subparagraph (a)(1) of this Rule is calibrated [~~at least every 12 months by a person registered to provide such services pursuant to Rule .0205 of this Section, except as provided in Subparagraph (a)(3) of this Rule. The agency may approve less frequent calibration of equipment used, provided the applicant satisfies to the agency that the proposed frequency and procedures will provide equivalent or better assurance of proper calibration.~~] according to the manufacturer or the American Association of Physicists in Medicine (AAPM) standards;

~~[(3) The applicant may perform the equipment calibrations required in Subparagraph (a)(2) of this Rule provided that:~~

~~(A) such calibrations are current and traceable to the National Institute of Standards and Technology;~~

~~(B) calibration procedures are approved by the agency;~~

~~(C) radiation sources used for such calibration are licensed or registered as required by the rules in this Chapter; and~~

~~(D) the equipment is labeled to indicate the date of calibration and records of the calibration are maintained.~~

~~(4) The applicant shall submit:~~

~~(A) a description of the procedures that will be used in performing area radiation surveys including a list of all guides and references to the employed;~~

~~(B) a copy of all forms, reports, and documents that will be supplied to customers;~~

~~(C) samples of three different types of surveys;~~

~~(D) samples of three reports of diagnostic radiation output measurements; and~~

~~(E) samples of three therapeutic kV imaging calibration reports.~~

~~(b) A person applying for registration of diagnostic radiographic, fluoroscopic, and therapeutic facility and shielding design services shall meet the following additional requirements:~~

~~(1) The applicant shall submit examples of the facility and shielding design which will be provided to registrants.~~

~~(2) The applicant shall submit examples of the calculations, which will be performed as part of the facility and shielding design, along with any guides, occupancy factor rationales, and workload estimation rationales, that will be used.~~

~~(3) The applicant shall ensure that the facility and shielding design services provided to registrants of the agency meet the requirements in this Chapter.]~~

(3) submit the following for agency review prior to registration:

(1) a description of the procedures that will be used in performing area radiation surveys including a list of all guides and references to the employed;

(2) a copy of all forms, reports, and documents that will be supplied to registrants;

(3) samples of surveys for each modality requested for registration;

(4) samples of reports of diagnostic radiation output measurements for each modality requested for registration; and

(5) samples of calibration reports for each therapeutic and kV imaging modality requested for registration.

(b) A person applying for registration to perform Class -IX equipment calibrations shall meet the following requirements:

(1) ensure such calibrations are current and traceable to the National Institute of Standards and Technology;

(2) license or register radiation sources used for such calibration as required by the rules in this Chapter;

(3) label the equipment to indicate the date of calibration; and

(4) maintain records of the calibration.

(c) A person applying for registration to perform Class III - shielding designs for diagnostic radiographic facilities, Class IV - shielding designs for diagnostic fluoroscopy facilities, and Class -VII therapeutic facilities and shielding design services shall meet the following additional requirements:

(1) submit examples of the facility and shielding design which will be provided to registrants;

(2) submit any technical guides, methodology, occupancy factor rationales, and workload estimation rationales that will be used; and

(3) ensure that the facility and shielding design services provided to registrants meet the requirements in this Chapter.

History Note: Authority G.S. 104E‑7;

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