

1 10A NCAC 15 .0903 is proposed for readoption with substantive changes as follows:

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3 **10A NCAC 15 .0903 REQUIREMENTS FOR ISSUANCE OF A LICENSE FOR ACCELERATORS**

4 (a) Application for use of a particle accelerator will be approved only if the agency determines that:

5 (1) The applicant and the applicant's particle accelerator operators are qualified by reason of training
6 and experience to use the accelerator in such a manner as to minimize danger to public health and
7 safety or property;

8 (2) The applicant's proposed equipment, facilities, operating and emergency procedures are adequate to
9 protect health and minimize danger to public health and safety or ~~property;property, and~~

10 (3) ~~The applicant has appointed a radiation safety officer;~~The applicant's management has appointed a
11 Radiation Safety Officer who agrees, in writing, to be responsible for implementing the radiation
12 protection program. The applicant, through the Radiation Safety Officer, shall ensure that radiation
13 safety activities are being performed in accordance with approved procedures and the requirements
14 of this Section.

15 ~~(4) The applicant has established a radiation safety committee to approve that the operation of the~~
16 ~~particle accelerator is in accordance with applicable radiation protection Sections of this Chapter;~~
17 ~~and~~

18 ~~(5) The applicant for the use of a particle accelerator in the healing arts shall be a physician licensed to~~
19 ~~practice medicine in the state of North Carolina. The individuals designated on the application as~~
20 ~~users shall have substantial training and experience in deep therapy techniques or in the use of~~
21 ~~particle accelerators to treat humans.~~

22 (4) The applicant for therapeutic use of a particle accelerator for medical use on humans shall meet the
23 additional requirements of Section .1900 of this Chapter and:

24 (A) be a board-certified physician licensed as outlined in Rule .1903(c)(1) of Section .1900 of
25 this Chapter and licensed to practice medicine in the state of North Carolina; and,

26 (B) have a board-certified physicist outlined in Rule .1903(d) of Section .1900 of this Chapter.

27 (5) The applicant for therapeutic use of a particle accelerator for veterinary use on animals shall meet
28 the additional requirements of Section .2000 of this Chapter.

29 (b) Applications required by (a) of this Rule shall be made on forms provided by the agency. Applications and
30 supporting material shall be submitted to the agency via email to Licensing.ram@dhhs.nc.gov unless directed
31 otherwise by the agency:

32 (1) Persons applying for new accelerator licenses, or for the renewal of existing accelerator licenses,
33 shall submit an Application for Accelerator License. The instructions for completing the application
34 printed on the application form shall be followed. The following information shall appear on the
35 application:

36 (A) legal business name and mailing address;

- 1 (B) physical address(es) where accelerators shall be used or possessed. The application shall
2 indicate if accelerators shall be used at temporary jobsites;
- 3 (C) the name, telephone number, and e-mail address of the Radiation Safety Officer;
- 4 (D) the name, telephone number, and e-mail address of the individual to be contacted about the
5 application. If this individual is same as the Radiation Safety Officer, the application may
6 so state;
- 7 (E) the application shall indicate if the application is for a new license, or for the renewal of an
8 existing license, by marking the corresponding check box;
- 9 (F) if the application is for the renewal of an existing license, the license number shall be
10 provided on the application;
- 11 (G) applicants shall indicate the type and category of license as shown on the form by marking
12 the corresponding check box; and
- 13 (H) the printed name, title, and signature of the certifying official. The certifying official shall
14 be an individual employed by the business or licensee, who is authorized by the licensee
15 to sign license applications on behalf of the business or licensee.
- 16 (2) Persons applying for an amendment to an existing license shall submit an Application for
17 Amendment of Radioactive Materials and Accelerator Licenses. The instructions for completing the
18 application printed on the application form shall be followed. The following information shall
19 appear on the application:
- 20 (A) the license number;
- 21 (B) amendment number of the current license;
- 22 (C) expiration date of the license;
- 23 (D) licensee name as it currently appears on the license;
- 24 (E) the name, telephone number, and e-mail address of the Radiation Safety Officer;
- 25 (F) the name, telephone number, and e-mail address of the individual to be contacted about the
26 application. If this individual is same as the Radiation Safety Officer, item 5b on the
27 application may be left blank;
- 28 (G) applicants shall provide a description of the action requested by marking the corresponding
29 checkbox in item 6a. If the check box next to "Other" is marked in item 6a, provide a brief
30 description of the action requested in the space provided in item 6b;
- 31 (H) explanation of the action requested; and
- 32 (I) the printed name, title, and signature of the certifying official. The certifying official shall
33 be an individual employed by the business or licensee who is authorized by the licensee to
34 sign license applications on behalf of the business or licensee.

35 (3) Applications specified in this Rule are available at: [www.ncradiation.net/rms/rmsforms2.htm\(Rev01\).htm](http://www.ncradiation.net/rms/rmsforms2.htm(Rev01).htm)

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37 *History Note: Authority G.S. 104E-7;*

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