G.S. 150B-21.3A Report for 15A NCAC 010, Environmental Health

Agency - Department of Health and Human Services
Comment Period - April 15 - June 21, 2024

| Comment Period - | April 15 - June 21, 2 | 024 | | | | | | | | | | |
|-------------------|--|--------------------|---------------------------|---|--|--|-----------------------------|--|---|---|---|-----------------------|
| Date Submitted to | APO -August 29, 20 | 24 | | | | | | | | | | |
| Subchapter | Rule Section | Rule Citation | Rule Name | Date and Last Agency Action on the Rule | Agency Determination [150B- 21.3A(c)(1)a] | Required to Implement or Conform to Federal Regulation [150B- 21.3A(d1)] | Federal Regulation Citation | Public Comment Received [150B- 21.3A(c)(1)] | Agency Determination Following Public Comment [150B-21.3A(c)(1)] | RRC Determination of Public Comments [150B-21.3A(c)(2) | RRC Final Determination of Status of Rule for Report to APO [150B- 21.3A(c)(2)] | OAH Next Steps |
| SUBCHAPTER 010 - | SECTION .0100 - | 15A NCAC 010 .0101 | SCOPE OF DELEGATED | Pursuant to G.S. 150B-21.3A, rule | | | | | | | | |
| ENVIRONMENTAL | DELEGATION OF | | AUTHORITY | is necessary without substantive | | | | | | | | |
| HEALTH | AUTHORITY TO | | | public interest Eff. February 16, | | | | | | | | |
| | ENFORCE THE | | | 2019 | Necessary | No | | Yes | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | COMMISSION FOR | | | | | | | | | | | |
| | PUBLIC HEALTH | | | | | | | | | | | |
| | SANITATION PHIES | 15A NCAC 010 .0102 | FLIGIBILITY FOR DELEGATIO | N Pursuant to G.S. 150B-21.3A. rule | | | | | | | | |
| | | 13A NCAC 010 .0102 | OF AUTHORITY | is necessary without substantive | | | | | | | | |
| | | | | public interest Eff. February 16, | Necessary | No | | Yes | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| 1 | | | | 2019 | | | | | | | | |
| | | 15A NCAC 010 .0103 | DELEGATION OF AUTHORITY | Y Pursuant to G.S. 150B-21.3A, rule | | | | | | | | |
| | | | | is necessary without substantive | Necessary | No | | Yes | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | | | public interest Eff. February 16, | , | | | | , | | , | 3 - 1, 11-11-1 |
| | | 15A NCAC 010 .0104 | LARSED DELEGATIONS | 2019 Pursuant to G.S. 150B-21.3A. rule | | | | | | | | |
| | | 13A NCAC 010 .0104 | LAI SED DELEGATIONS | is necessary without substantive | | | | | | | | |
| | | | | public interest Eff. February 16, | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | | | 2019 | | | | | | | | |
| | | 15A NCAC 010 .0105 | | Pursuant to G.S. 150B-21.3A, rule | | | | | | | | |
| | | | CONTRACTORS | is necessary without substantive | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | | | public interest Eff. February 16, | recessory | | | | recessary | no comments with ment | recessary and must be readopted | rigency must reduce |
| | | | | 2019 | | + | | | | | | |
| | | 15A NCAC 010 .0106 | EVALUATION | Pursuant to G.S. 150B-21.3A, rule | | | | | | | | |
| | | | | is necessary without substantive public interest Eff. February 16, | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | | | 2010 | | | | | | | | |
| | | 15A NCAC 010 .0107 | DENIAL, SUSPENSION AND | Pursuant to G.S. 150B-21.3A, rule | | | | | | | | |
| | | | REVOCATION | is necessary without substantive | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | | | public interest Eff. February 16, | Necessary | NO | | NO | Necessary | No comments with ment | Necessary and must be readopted | Agency must readopt |
| | | | | 2019 | | | | | | | | |
| | | 15A NCAC 010 .0108 | RE-AUTHORIZATION | Pursuant to G.S. 150B-21.3A, rule | | | | | | | | |
| | | | | is necessary without substantive | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | | | public interest Eff. February 16, | | | | | <u> </u> | | | |
| | | 15A NCAC 010 .0109 | APPEALS PROCEDURES | 2019 Pursuant to G.S. 150B-21.3A, rule | | + | | + | 1 | | | |
| | | 13A NCAC 010 .0103 | , ii . E. i.E II.OCEDORES | is necessary without substantive | | | | | | | | |
| | | | | public interest Eff. February 16, | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |

| Agency | Rule | Name | Type of Comment | Comment | Agency Response |
|--------------|---------------|--------------|-----------------|---------------------|---------------------------------|
| Conv all col | lumns in this | row to the | Select One | | |
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| new rows | yenow cen | and paste m | | | |
| Departme | 15A | SCOPE OF | Public | Should | This comment will be taken into |
| nt of | NCAC | DELEGATED | Comment | change | consideration during the |
| Health | 010 | AUTHORITY | as defined | these | readoption process. |
| and | .0101 | | in G.S. | rules so | |
| Human | | | 150B- | that | |
| Services | | | 21.3A(a)(5) | inspector | |
| | | | | s can | |
| | | | | operate | |
| | | | | in any | |
| | | | | county so | |
| | | | | that | |
| | | | | mobile | |
| | | | | food units | |
| | | | | and cross | |
| | | | | county | |
| | | | | workload | |
| | | | | sharing would be | |
| | | | | | |
| | | | | a possibility | |
| | | | | possibility | |
| | 15A | SCOPE OF | Public | We | This comment will be taken into |
| | NCAC | DELEGATED | Comment | should be | consideration during the |
| | 010 | AUTHORITY | as defined | able to | readoption process. |
| | .0101 | | in G.S. | work in | |
| | | | 150B- | other | |
| | | | 21.3A(a)(5) | counties | |
| | | | | with one | |
| | | | | authoriza | |
| | | | | tion. We | |
| | | | | could | |
| | | | | better | |
| | | | | achieve | |
| | | | | 100% as a | |
| | | | | state that | |
| | | | | way and | |
| | | | | inspect | |
| | | | | our own | |
| | | | | mobile | |
| | | | | food | |
| | | | | units. | |

| 15A NCAC 010 | ELIGIBILITY FOR DELEGATION | Public Comment as defined | Is this the time to remove | This comment will be taken into consideration during the readoption process. |
|--------------------|----------------------------------|---------------------------------|----------------------------|--|
| .0102 | OF AUTHORITY | in G.S. 150B- | food authoriza | |
| | | 21.3A(a)(5) | tion and replace | |
| | | | with fda standardi | |
| | | | zation?! | |
| 15A NCAC | ELIGIBILITY FOR | Public Comment | Is this the time to | This comment will be taken into consideration during the |
| 010 | DELEGATION | as defined | remove | readoption process. |
| .0102 | OF AUTHORITY | in G.S. 150B- | food | |
| | AUTHORITY | 21.3A(a)(5) | authoriza tion and | |
| | | 21.3A(a)(3) | replace | |
| | | | with fda | |
| | | | standardi | |
| | | | zation?! | |
| 15A | DELEGATION | Public | Should | This comment will be taken into |
| NCAC | OF | Comment | remove | consideration during the |
| 010 | AUTHORITY | as defined | authoriza | readoption process. |
| .0103 | | in G.S. 150B- | tion card | |
| | | 21.3A(a)(5) | requirem ent since | |
| | | 21.37(a)(3) | Jeff | |
| | | | Jackson | |
| | | | can't | |
| | | | seem to | |
| | | | get this | |
| | | | done. | |