

**26 NCAC 05 .0115 EXTENSIONS OF THE PERIOD FOR REVIEW**

(a) An agency may submit a request for an extension pursuant to G.S. 150B-21.10(3) to respond to Requests for Technical Changes and make rule revisions in response thereto or to rebut RRC staff opinions, at or before the RRC meeting at which the agency's rules are reviewed.

(b) In exercising its discretion to grant the extension and the length of the extension, the RRC shall consider the complexity of Request for Technical Changes or staff recommendations for objection, the complexity of the rules, the RRC's current and projected agenda, the circumstances proffered by the agency as to the necessity for an extension, RRC staff availability and counsel, and public comment in its determination whether to grant the request. Any rule subject to an extension shall be reviewed at the second regularly scheduled meeting following the extension unless:

(1) ~~the agency provides written notice to RRC staff of the agency's intent that the rule be reviewed at the first regularly scheduled meeting following the extension; and~~

(2) ~~the agency submits to RRC staff written responses to all Requests for Technical Changes no later than 10 business days prior to the first regularly scheduled RRC meeting following the extension.~~

(c) For rules subject to an extension, the agency shall submit to RRC staff all written responses to Requests for Technical Changes and RRC staff opinions, or revised rules no later than the second Friday prior to the RRC meeting to which the review is extended. Submission of written notice pursuant to Subparagraph (b)(1) of this Rule shall not prevent an agency from subsequently informing RRC staff in writing of the agency's intention to have its rules reviewed at the second regularly scheduled meeting following the extension.

~~(d) An agency shall submit responses to all of RRC staff's Requests for Technical Changes no later than 10 business days prior to the second regularly scheduled meeting following the extension.~~

*History Note: Authority G.S. 143B-30.1;  
Eff. June 1, 2023;  
Amended Eff. September 1, 2024.*