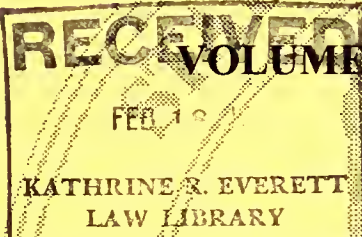


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# ***NORTH CAROLINA REGISTER***



**VOLUME 12 • ISSUE 16 • Pages 1472 - 1605**  
**February 16, 1998**

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Contested Case Decisions

## **PUBLISHED BY**

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# NORTH CAROLINA REGISTER



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This issue contains documents officially filed  
through January 26, 1998.

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# NORTH CAROLINA REGISTER

## Publication Schedule

(August 1997 - May 1998)

FILING DEADLINES			NOTICE OF RULE-MAKING PROCEEDINGS		NOTICE OF TEXT (either column A or column B)						
volume and issue number	issue date	last day for filing	60 <sup>th</sup> day	earliest register issue for publication of text	earliest date for public hearing	A. non-substantial economic impact			B. substantial economic impact		
						end of required comment period	deadline to submit to RRC for review at next RRC meeting	first legislative day of the next regular session	end of required comment period	deadline to submit to RRC for review at next RRC meeting	first legislative day of the next regular session
12-03	08/01/97	07/11/97	09/30/97	10/01/97	08/18/97	09/02/97	09/22/97	05/11/98	09/30/97	10/20/97	05/11/98
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## EXPLANATION OF THE PUBLICATION SCHEDULE

This Publication Schedule is prepared by the Office of Administrative Hearings as a public service and the computation of time periods are not to be deemed binding or controlling. Time is computed according to 26 NCAC 2C .0302 and the Rules of Civil Procedure, Rule 6.

GENERAL	FILING DEADLINES	NOTICE OF RULE-MAKING PROCEEDINGS	NOTICE OF TEXT
<p>The North Carolina Register shall be published twice a month and contains the following information submitted for publication by a state agency:</p> <ul style="list-style-type: none"> <li>(1) temporary rules;</li> <li>(2) notices of rule-making proceedings;</li> <li>(3) text of proposed rules;</li> <li>(4) text of permanent rules approved by the Rules Review Commission;</li> <li>(5) notices of receipt of a petition for municipal incorporation, as required by G.S. 120-165;</li> <li>(6) Executive Orders of the Governor;</li> <li>(7) final decision letters from the U.S. Attorney General concerning changes in laws affecting voting in a jurisdiction subject of Section 5 of the Voting Rights Act of 1965, as required by G.S. 120-30.9H;</li> <li>(8) orders of the Tax Review Board issued under G.S. 105-241.2; and</li> <li>(9) other information the Codifier of Rules determines to be helpful to the public.</li> </ul>	<p><b>ISSUE DATE:</b> The Register is published on the first and fifteen of each month if the first or fifteenth of the month is not a Saturday, Sunday, or State holiday for employees mandated by the State Personnel Commission. If the first or fifteenth of any month is a Saturday, Sunday, or a holiday for State employees, the North Carolina Register issue for that day will be published on the day of that month closest to (either before or after) the first or fifteenth respectively that is not a Saturday, Sunday, or holiday for State employees.</p> <p><b>LAST DAY FOR FILING:</b> The last day for filing for any issue is 15 days before the issue date excluding Saturdays, Sundays, and holidays for State employees.</p>	<p><b>END OF COMMENT PERIOD TO A NOTICE OF RULE-MAKING PROCEEDINGS:</b> This date is 60 days from the issue date. An agency shall accept comments on the notice of rule-making proceeding until the text of the proposed rules is published, and the text of the proposed rule shall not be published until at least 60 days after the notice of rule-making proceedings was published.</p> <p><b>EARLIEST REGISTER ISSUE FOR PUBLICATION OF TEXT:</b> The date of the next issue following the end of the comment period.</p>	<p><b>EARLIEST DATE FOR PUBLIC HEARING:</b> The hearing date shall be at least 15 days after the date a notice of the hearing is published.</p> <p><b>END OF REQUIRED COMMENT PERIOD</b></p> <ul style="list-style-type: none"> <li>(1) <b>RULE WITH NON-SUBSTANTIAL ECONOMIC IMPACT:</b> An agency shall accept comments on the text of a proposed rule for at least 30 days after the text is published or until the date of any public hearings held on the proposed rule, whichever is longer.</li> <li>(2) <b>RULE WITH SUBSTANTIAL ECONOMIC IMPACT:</b> An agency shall accept comments on the text of a proposed rule published in the Register and that has a substantial economic impact requiring a fiscal note under G.S. 150B-21.4(b1) for at least 60 days after publication or until the date of any public hearing held on the rule, whichever is longer.</li> </ul> <p><b>DEADLINE TO SUBMIT TO THE RULES REVIEW COMMISSION:</b> The Commission shall review a rule submitted to it on or before the twentieth of a month by the last day of the next month.</p> <p><b>FIRST LEGISLATIVE DAY OF THE NEXT REGULAR SESSION OF THE GENERAL ASSEMBLY:</b> This date is the first legislative day of the next regular session of the General Assembly following approval of the rule by the Rules Review Commission. See G.S. 150B-21.3, Effective date of rules.</p>

**COMPUTING TIME:** In computing time in the schedule, the day of publication of the North Carolina Register is not included. The last day of the period so computed is included, unless it is a Saturday, Sunday, or State holiday, in which event the period runs until the preceding day which is not a Saturday, Sunday, or State holiday.

**EXECUTIVE ORDER NO. 127  
NORTH CAROLINA BOARD OF ETHICS**

WHEREAS, the people of North Carolina entrust public power to elected and appointed officials for the purpose of furthering the public, not private or personal, interest; and

WHEREAS, to maintain the public trust it is essential that government function honestly and fairly, free from all forms of impropriety, threats, favoritism, and undue influence; and

WHEREAS, elected and appointed officials must maintain and exercise the highest standards of duty to the public in carrying out the responsibilities and functions of their positions; and

WHEREAS, acceptance of authority granted by the people to elected and appointed officials imposes a commitment of fidelity to the public interest and such power cannot be used to advance narrow interest for oneself other persons or groups; and

WHEREAS, self interest, partiality and prejudice have no place in decision making for the public good; and

WHEREAS, Public Officials must exercise their duties responsibly with skillful judgment and energetic dedication; and

WHEREAS, Public Officials must exercise discretion with sensitive information pertaining to public and private persons and activities; and

WHEREAS, to maintain the integrity of North Carolina's state government, those entrusted with authority must exercise it for the good of the public and treat every citizen with courtesy, attentiveness and respect; and

WHEREAS, because many public officials serve on a part-time basis, it is inevitable that conflicts of interest and appearances of conflict will occur. Often these conflicts are unintentional and slight, but at every turn those who represent the people of this State must be certain that it is the interests of the people, and not their own, that are being served. Officials should be prepared to remove themselves immediately from decisions, votes, or processes where even the appearance of a conflict of interest exists; and

WHEREAS, the State of North Carolina is committed to the responsible exercise of authority by persons of honor and good will in their government, by adopting a stronger procedure to prevent the occurrence of conflicts of interest in government and to resolve conflicts when they do occur.

NOW, THEREFORE, by the power vested in me as Governor by the Constitution and laws of the State of North

Carolina, **IT IS ORDERED:**

**Section 1. Rescission of Executive Order No. 1.**

Executive Order Number 1, dated January 9, 1993, and all subsequent amendments thereto are hereby rescinded. All records, including Statements of Economic Interest and other resources of the North Carolina Board of Ethics created pursuant to Executive Order Number 1, are transferred to the North Carolina Board of Ethics created herein.

**Section 2. North Carolina Board of Ethics.**

There is hereby established the North Carolina Board of Ethics ("Board"). The Board shall consist of seven persons appointed by the Governor. Those individuals now serving on the Board of Ethics created by Executive Order Number 1 are appointed, effective immediately, as members of the Board created by this Order. To provide for staggered terms, the Governor shall designate three members to serve initial terms of two years, two members to serve initial terms of three years, and two members to serve initial terms of four years. Thereafter, each member shall serve a term of four years. No member shall be removed from the Board absent misfeasance, malfeasance, or nonfeasance as determined by the Governor. The Governor shall, from time to time, designate one of the members as Chair. The members shall receive no compensation, but shall receive reimbursement for any necessary expenses incurred in connection with the performance of their duties pursuant to North Carolina law and procedure. Vacancies on the Board shall be filled for the remainder of the term by appointment of the Governor.

**Section 3. Persons Subject to this Executive Order.**

The following persons are subject to this Executive Order and to the jurisdiction of the Board and shall hereafter be referred to as "Public Officials."

- a. All employees in the Office of the Governor.
- b. The heads of all principal State agencies who are appointed by the Governor.
- c. The chief deputy or chief administrative assistant to each of the aforesaid heads of principal State agencies.
- d. All "confidential" assistants or secretaries to the aforesaid agency heads (or to the aforesaid chief deputies and assistants of agency heads) as defined in North Carolina General Statute § 126-5(c)(2).
- e. All employees in policy-making positions as designated by the Governor pursuant to the State Personnel Act as defined in North Carolina General Statute § 126-5(b), and all "confidential" secretaries to these individuals.
- f. Any other employees or appointees in the principal State agencies, except in those Agencies headed by an elected official other than the Governor, as may be designated by the Governor or by the Board with the Governor's consent, to the extent such designation does not conflict with the State Personnel Act.
- g. The members appointed by the Governor to boards, commissions, and councils, except those boards, commissions,



and councils which, in the Board's opinion, perform solely advisory functions.

h. Individuals made subject to this Executive Order pursuant to Section 9 below.

i. Members of the Board.

The departments, boards, commissions, councils, and other State entities identified above in which Public Officials serve are hereafter collectively referred to as "Agencies" (or "Agency" as context may require).

#### **Section 4. Duties and Powers of the Board.**

a. The Board shall provide reasonable assistance to Public Officials in complying with the terms of this Order.

b. The Board shall develop readily understandable forms, policies, and procedures to accomplish the purposes of this Order.

c. The Board shall review all Statements of Economic Interest filed by prospective and actual Public Officials to evaluate whether:

1. the Statements conform with the terms of this Order;
2. the Statements comply with the Board's forms, policies, and procedures; and,
3. the financial interests and other information reported reveals an actual or potential conflict of interest.

d. The Board shall prepare a written evaluation of each Statement of Economic Interest. The Board shall submit written evaluations:

1. to the Public Official who submitted the Statement;
2. to the head of the Agency in which the Public Official serves;
3. to the Governor for gubernatorial appointees and employees in Agencies under the Governor's authority; and,
4. to the appointing or hiring authority for those Public Officials subject to this Order pursuant to the provisions of Section 9 below.

The Board shall make every reasonable effort to prepare and submit evaluations of prospective Public Officials as promptly as possible.

e. Any person may file a complaint with the Board regarding the actions of any Public Official. A complaint shall:

1. contain the name, address, and telephone number of the individual filing the complaint; and,
2. include a summary of the facts giving rise to the complaint.

A Public Official against whom a complaint is filed, and all other individuals against whom allegations are made in a complaint, shall be given an opportunity to file a written response with the Board. The Board shall give full and fair consideration to all complaints and responses received.

f. The Board shall have full authority to investigate filed complaints. The Board also is authorized to unilaterally initiate investigations upon the request of any Board member if, in the Board member's discretion, there is reason to believe that a Public Official has or may have violated this Executive Order. In determining whether there is reason to believe that a violation has or may have occurred, a Board member can take

general notice of available information even if not formally provided to the Board in the form of a complaint. As provided in Section 11 of this Order, the Board may utilize the services of hired investigators when conducting investigations.

Public Officials shall promptly and fully cooperate with the Board in any Board related investigations. Failure to cooperate fully with the Board in any investigation shall be grounds for sanctions as set forth in Section 10 of this Order.

g. The Board shall render formal and binding opinions of its findings and recommendations made pursuant to complaints or Board investigations. Formal and binding opinions issued by the Board shall be published periodically. The Board shall forward a copy of formal and binding opinions to:

1. the Public Official whose conduct is at issue;
2. the complainant (if applicable);
3. the head of the Agency in which the Public Official serves;
4. the Governor for all gubernatorial appointees and employees within Agencies under the Governor's authority; and,
5. the official responsible for hiring or making the appointment of the person investigated.

h. The Board shall render advisory opinions as may be requested by any Public Official, any individual not otherwise a Public Official who is responsible for the supervision or appointment of someone who is a Public Official, and those individuals designated in Sections 5 and 6 who happen not to be Public Officials. The request shall be in writing and relate prospectively to real or reasonably-anticipated fact settings or circumstances. The Board shall issue advisory opinions having prospective application only. Staff to the Board may issue advisory opinions under such circumstances and procedures as may be prescribed by the Board.

i. The Board shall interpret the provisions of this Order and such interpretations shall be binding on all Public Officials. Any conflict between a provision in this Order and other North Carolina law (such as the North Carolina Administrative Code, North Carolina General Statutes, and State Constitution) shall be resolved in favor of the law.

j. The Board shall submit a report annually to the Governor on its activities and generally on the subject of public disclosure, ethics, and conflicts of interest. The report shall include recommendations for administrative and legislative action.

k. The Board shall meet, at the call of the Chair, to carry out its duties.

l. The Board shall perform such other duties as may be necessary to accomplish the purposes of this Order.

#### **Section 5. Duties of the Heads of State Agencies.**

a. The head of each State Agency (which term includes the chair of each board, commission and council subject to this Order) shall maintain familiarity with the reports, opinions, newsletters, and other communications from the Board of Ethics pertaining to actual and potential conflicts of interest of Public Officials. When an actual or potential conflict of interest is cited by the Board of Ethics in regard to a Public

Official sitting on a board, commission, or council, then the conflict shall be recorded in the minutes of the applicable board, commission, or council and such notation shall be duly brought to the attention of the membership of that board, commission, or council by the entity's chair on a regular basis.

b. The head of each State Agency shall take all reasonable steps to ensure that Public Officials within the Agency continually monitor their personal affairs to avoid taking any action which results in a conflict of interest or appearance of conflict. The chair of any board, commission, or council which is an Agency under this Order shall take any action which is reasonably necessary to ensure compliance with this provision. At the beginning of any official meeting of a board, commission, or council, the chair shall remind the members of their duty to avoid conflicts of interest and appearances of conflict. The chair also shall inquire as to whether there is any known conflict of interest or appearance of conflict with respect to any matters before the board, commission or council.

c. Legal counsel employed by or assigned to Agencies shall advise Public Officials on ethical considerations in carrying out Public Officials' duties of service for the public good. Legal counsel so engaged may consult with the Board of Ethics, seek the Board's assistance or advice, and refer Public Officials and others to the Board of Ethics as appropriate.

#### **Section 6. Ethics Education and Awareness Program.**

a. The Board of Ethics shall initiate and maintain oversight of educational programs designed to instill in all Public Officials:

1. a keen and continuing awareness of the ethical obligations of Public Officials; and
2. sensitivity to situations that might result in real or potential conflicts of interest or appearances of conflict.

b. The Board shall develop a workshop/seminar program which shall be presented periodically to all Agency heads and their chief deputies or assistants. The program shall stress the Rules of Conduct for Public Officials as set out below and provide attendees with practical tools to aid in identifying and neutralizing real or potential conflicts of interest.

c. With the assistance of the Board, each Agency shall develop in-house educational programs and procedures tailored to meet the Agency's particular needs for ethical education, conflict identification and avoidance.

d. Each Agency head shall designate an ethics liaison who shall maintain active communication with the Board on all agency ethical issues. The ethics liaison shall continuously assess and advise the Board of any issues or conduct which might reasonably be expected to result in a conflict of interest and seek advice and rulings from the Board as to their appropriate resolution.

e. The Board shall publish a newsletter containing copies of the Board's opinions, policies, procedures, and interpretive bulletins as issued from time to time. The newsletter shall be distributed to all Public Officials.

f. The head of each State Agency shall maintain familiarity with and stay knowledgeable of reports from the Board of

Ethics regarding actual and potential conflicts which involve Public Officials in his or her Agency.

g. The head of each State Agency shall periodically remind Public Officials under the head's authority of their duties to the public under the Rules of Conduct herein, including the duty of each Public Official to continually monitor, evaluate, and manage his or her personal, financial, and professional affairs to ensure the absence of conflicts of interest or appearances of conflict.

h. The Board shall prepare a compilation of relevant North Carolina laws, including provisions from the North Carolina Constitution, General Statutes and Administrative Rules, that set forth ethical standards applicable to Public Officials. The compilation also shall include the text of this Order (including any amendments which from time to time may be adopted), policies and procedures adopted by the Board, and any other ethics-related information deemed by the Board to be necessary and appropriate for inclusion. This compilation shall be published and provided to Public Officials.

#### **Section 7. Rules of Conduct for Public Officials.**

Public Officials shall perform their official duties in a manner to promote the best interests of the public. To help ensure the proper performance of their duties, the following Rules of Conduct are adopted.

##### **a. Conflicts of Interest**

1. A Public Official shall not knowingly use his or her position in any manner which will result in financial benefit, direct or indirect, to the Public Official, the Official's family, or an individual with whom or business with which the Public Official is associated.
  - (a) This provision shall not apply to financial and other benefits derived by a Public Official that he or she would enjoy to an extent no greater than that which other citizens of North Carolina would or could enjoy.
  - (b) This provision shall not apply to financial and other benefits rightfully gained by a Public Official pursuant to the proper performance of his or her official duties or State employment.
2. A Public Official shall not, directly or indirectly, knowingly ask, accept, demand, exact, solicit, seek, assign, receive, or agree to receive anything of value for himself or herself, or for another person, in return for being influenced in the discharge of his or her official responsibilities, other than that which is received by the Public Official from the State for acting in his or her official capacity.
3. A Public Official shall not solicit or receive personal financial gain, other than that received by the Public Official from the State for acting in his or her official capacity, for advice or assistance given in the course of carrying out the Public Official's duties.
4. A Public Official shall not use or disclose information gained in the course of, or by reason of, his or her official responsibilities in a way that would affect a personal financial interest of the Public



Official, a member of the Official's family, or a person with whom or business with which the Public Official is associated.

A Public Official shall not improperly use or disclose any information deemed confidential by North Carolina law and therefore not a public record.

5. A Public Official shall not cause the employment, appointment, promotion, transfer, or advancement of a family member to a State or local office or position which the Public Official supervises or manages. A Public Official shall not participate in an action relating to the disciplining of a member of the Public Official's family.

b. Appearances of Conflict

1. A Public Official shall make every effort to avoid even the appearance of a conflict of interest. An appearance of conflict exists when a reasonable person would conclude from the circumstances that the Public Official's ability to protect the public interest, or perform public duties, is compromised by personal interests. An appearance of conflict could exist even in the absence of a true conflict of interest.
2. A Public Official shall recuse himself or herself from any proceeding in which the Public Official's impartiality might reasonably be questioned due to the Official's familial, personal, or financial relationship with a participant in the proceeding. A "participant" includes, but is not limited to, an owner, shareholder, partner, employee, or agent of a business entity involved in the proceeding. If a Public Official is uncertain whether the relationship justifies recusal, then the Official shall disclose the relationship to the person presiding over the proceeding. The presiding officer then shall determine the extent to which, if any, the Public Official will be permitted to participate. If the affected Public Official is the person presiding, then the vice chair or such other substitute presiding officer shall make the determination.

c. Other Rules of Conduct

1. A Public Official shall make a due and diligent effort before taking any action (such as voting or participating in discussions with other Public Officials on a board, commission, or council) to determine whether he or she has a conflict of interest or appearance of conflict.
2. A Public Official shall continually monitor, evaluate, and manage his or her personal, financial, and professional affairs to ensure the absence of conflicts of interest and appearances of conflicts.
3. A Public Official shall not accept honoraria except in accordance with the State Budget Manual, Office of State Budget and Management, Section 5.
4. A Public Official shall obey all other civil and administrative requirements and criminal statutes governing conduct of State government appointees and employees provided by law.

Section 8. Statement of Economic Interest.

a. Prior to commencement of State service, each of the following prospective Public Officials shall file with the Board of Ethics a sworn Statement of Economic Interest ("Statement"):

1. Each prospective Public Official being considered for appointment by the Governor to a board, commission, or council.
2. Each prospective Public Official being considered for State employment to a position which is anticipated to have annual compensation in excess of \$40,000 per year.
3. Each prospective Public Official being considered for appointment or State employment whose proposed position is determined by the Board to be particularly susceptible to conflicts of interest.
4. Each prospective Public Official designated under the provisions of Section 9 below to be subject to the Statement filing requirements herein.
5. Prospective Members of the Board.

A prospective Public Official required to file a Statement as provided herein shall not be appointed or employed prior to submission by the Board of Ethics of the Board's evaluation of the Statement in accordance with Section 4.d above.

b. Between April 15 and May 15 of each succeeding year after the persons identified in "a" above are appointed or employed, an updated Statement shall be filed with the Board.

c. The Statement shall contain:

1. The name, home address, occupation, employer and business address of the person filing.
2. A list of each asset and liability of whatever nature of the filing prospective or actual Public Official, and his or her spouse, with a value of at least \$10,000. The valuation of each asset or liability listed shall be indicated pursuant to the following categories:

At least \$10,000 but less than \$50,000;  
At least \$50,000 but less than \$100,000;  
At least \$100,000 but less than \$500,000;  
At least \$500,000 but less than \$1,000,000;  
In excess of \$1,000,000.

This list shall contain, but shall not be limited to, the following. (As used herein, "Public Official" shall include prospective and actual Public Officials.)

- (a) All North Carolina real estate owned wholly or in part by the Public Official or the Official's spouse.
  - (1) The listing shall include specific descriptions adequate to determine the location of each parcel.
  - (2) The listing shall include the specific interest held by the Public Official and spouse in each identified parcel.
- (b) Real estate that is currently leased or rented to the State.



- (c) Personal property sold to or bought from the State within the preceding two years.
  - (d) Personal property currently leased or rented to the State.
  - (e) The name of each publicly-owned company in which the value of securities held exceeds \$10,000.
  - (f) The name of each non-publicly-owned company or business entity in which the value of securities or other equity interests held exceeds \$10,000. This subsection (f) includes, but is not limited to, interests held in partnerships, limited partnerships, joint ventures, limited liability companies or partnerships, and closely held corporations. For each non-publicly-owned company or business entity listed pursuant to this subsection (f), the filing Public Official shall indicate whether the listed company/entity owns securities or equity interests exceeding a value of \$10,000 in any other companies or entities. If so, then the other companies or entities shall also be listed with a brief description of the business activity of each.
  - (g) If the filing Public Official, his or her spouse, or dependent children are the beneficiary of a trust created, established or controlled by the Public Official, then the name and address of the trustee and a description of the trust shall be provided. To the extent such information is available to the Public Official, the Statement also shall include a list of businesses in which the trust has an ownership interest exceeding \$10,000.
  - (h) The filing Public Official shall make a good faith effort to list any individual or business entity with which the filing Public Official has a financial or professional relationship provided:
    - (1) a reasonable person would conclude that the nature of the financial or professional relationship presents a conflict of interest or the appearance of a conflict of interest for the Public Official; or,
    - (2) a reasonable person would conclude that any other financial or professional interests of the individual or business entity would present a conflict of interest or appearance of a conflict of interest for the Public Official.

For each individual or business entity listed under this subsection, the filing Public Official shall describe the financial or professional relationship and provide an explanation of why the individual or business entity has been listed.
  - (i) A list of all other assets and liabilities with a valuation of at least \$10,000, including bank accounts and debts.
  - (j) A list of each source (not specific amounts) of income (including capital gains) shown on the most recent federal and state income tax returns of the person filing where \$10,000 or more was received from such source.
  - (k) If the Public Official is a practicing attorney, an indication of whether he or she, or the law firm with which the Public Official is affiliated, earned legal fees during any single year of the past five years in excess of ten thousand dollars (\$10,000) from any of the following categories of legal representation:
    - (1) Criminal Law;
    - (2) Utilities regulation or representation of regulated utilities;
    - (3) Corporation Law;
    - (4) Taxation;
    - (5) Decedent's estates;
    - (6) Labor Law;
    - (7) Insurance Law;
    - (8) Administrative Law;
    - (9) Real property;
    - (10) Admiralty;
    - (11) Negligence (representing plaintiffs);
    - (12) Negligence (representing defendants); or
    - (13) Local Government.
  - (l) A list of all non-publicly owned businesses with which, during the past five years, the Public Official has been associated, indicating the time period of such association and the relationship with each business as an officer, employee, director, partner, or owner. The list also shall indicate whether or not each does business with, or is regulated by, the State and the nature of the business, if any, done with the State.
  - (m) A list of all gifts of a value of more than \$200 received during the twelve months preceding the date of the Statement from sources other than the Public Official's family, and a list of all gifts valued in excess of \$100 received from any source having business with, or regulated by, the State.
  - (n) A list of all bankruptcies filed during the preceding five years by the Public Official, the Official's spouse, or any entity in which the Public Official or spouse has been associated financially. A brief summary of the facts and circumstances regarding each listed bankruptcy shall be provided.
3. In addition to the foregoing, the filing Public Official shall provide in his or her Statement any other information which a reasonable person would

conclude is necessary either to carry out the purposes of this Order or to fully disclose any potential conflict of interest or appearance of conflict. If a Public Official is uncertain of whether particular information is necessary, then the Public Official shall consult the Board for guidance.

4. Each Statement of Economic Interest shall contain a sworn certification by the filing Public Official that he or she has read the Statement and that, to the best of his or her knowledge and belief, the Statement is true, correct, and complete. The Public Official's sworn certification also shall provide that he or she has not transferred, and will not transfer, any asset, interest, or other property for the purpose of concealing it from disclosure while retaining an equitable interest therein.
- c. The Board shall issue a form for such Statements of Economic Interest no later than February 1, 1998, and shall revise the form from time to time as necessary to carry out the purposes of this Executive Order.
- d. All Public Officials currently serving who submitted a Statement of Economic Interest under Executive Order Number 1 shall resubmit a new Statement in accordance with the provisions of this Order. These Statements shall be resubmitted within thirty days of the Public Official's receipt of the form described in "c" above. Between April 15 and May 15 of each succeeding year, Public Officials under this subsection shall file an updated Statement with the Board.

#### **Section 9. Other Principal State Agencies and Legislative Officials.**

Each of the elected heads of the Council of State agencies (Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, State Superintendent of Public Instruction, Attorney General, Commissioner of Agriculture, Commissioner of Labor, and Commissioner of Insurance), the Board of Governors of the University of North Carolina System, the President Pro Tempore of the North Carolina Senate, and the Speaker of the North Carolina House of Representatives may and hereby are invited to participate in this Executive Order. Those desirous of participating shall notify the Chair of the Board in writing. The notification shall specify the employees (exempt from the State Personnel Act) and appointees who shall become Public Officials under this Order. The notification also shall specifically identify those appointees and employees who shall submit a Statement of Economic Interest. All services of the Board available to the Governor under this Order shall be available to each of the heads of the participating Agencies. All services of the Board available to Public Officials under this Order shall be available to those brought within the coverage of this Order under this Section.

#### **Section 10. Sanctions.**

- a. Public Officials serving on boards, commissions, or

#### councils.

The North Carolina General Statutes provide that certain appointees to boards, commissions, and councils may be removed from office for misfeasance, malfeasance, or nonfeasance. The failure of any Public Official serving on a board, commission, or council to comply with this Order is hereby deemed to be misfeasance, malfeasance, or nonfeasance as used in the General Statutes. In the event of misfeasance, malfeasance, or nonfeasance, the offending Public Official shall be subject to removal from the board, commission, or council of which he or she is a member. For gubernatorial appointees, the Governor shall determine whether to remove the Public Official. For all other appointees, the appointing authority shall exercise the discretion of whether to remove the offending Public Official.

- b. Public Officials serving as State employees.

The provisions within this Executive Order are hereby deemed to be written work rules. The failure of any Public Official to comply with this Order shall be a violation of a written work rule thereby permitting disciplinary action as allowed by North Carolina law, including termination from employment. Except for State employees brought under the terms of this Order pursuant to Section 9, the Governor shall make all final decisions on the manner in which offending Public Official State employees shall be disciplined. For State employees subject to this Order pursuant to Section 9, the elected or appointed head of the Agency in which the Public Official State employee works shall determine whether and what disciplinary action shall be taken.

- c. Sanctions issued by the Board of Ethics

If the Board of Ethics determines, after proper review and investigation, that such action is appropriate, the Board may issue any of the following sanctions against a Public Official.

1. Warning. The Board may issue a warning if a non-serious violation of this Order has been committed about which the offending Public Official neither had knowledge nor reasonably could be expected to have known.
2. Reprimand. The Board may issue a reprimand if a non-serious violation of this Order has been committed about which the offending Public Official knew or should have known.
3. Censure. The Board may issue a censure if a serious violation of this Order has been committed, regardless of whether the offending Public Official knew or should have known of the violation.

- d. Recommendations by the Board of Ethics.

If the Board of Ethics determines, after proper review and investigation, that such action is appropriate, the Board may recommend any action it deems necessary, including removal of the Public Official from his or her State position, to properly address and rectify any violation of this Order by a Public Official. The Board of Ethics shall make referrals to appropriate law enforcement agencies for investigation if possible criminal conduct is discovered. As it deems necessary and proper, the Board may make referrals to appropriate State officials for investigation of wrongful conduct by State

employees or appointees regardless of whether the individual is a Public Official under this Order.

**Section 11. Board Staff, Offices, and Funding.**

a. The Board shall have a minimum staff of three, one Executive Director who shall be an attorney, and two administrative assistants. One of the administrative assistants also shall function as a research associate to the Executive Director. The other administrative assistant shall provide clerical assistance to the Executive Director and other Board staff.

b. The Board shall engage the services of private investigators as needed to carry out the purposes of this Executive Order.

c. All State agencies subject to this Executive Order shall

provide reasonable assistance upon request of the Board to carry out the purposes of this Order.

d. The Board and its staff, for administrative purposes only, shall be located in the Department of Administration.

e. The State Budget Officer is directed to identify sufficient funds from lawfully appropriate sources to ensure that all provisions of this Executive Order are fully carried out.

**Section 12. Effective Date.**

This Executive Order is effective immediately and shall remain in effect until rescinded.

Done in the Capital City of Raleigh, North Carolina, this the 16th day of January, 1998.



*This Section contains public notices that are required to be published in the Register or have been approved by the Codifier of Rules for publication.*

#### MUNICIPAL INCORPORATIONS

On January 7, 1998, the Joint Legislative Commission on Municipal Incorporations received a petition requesting the incorporation of the Town of Hemby Bridge in Union County. A copy of the petition is available from Gerry Cohen, Commission Counsel, 401 Legislative Office Building, 300 North Salisbury Street, Raleigh, NC 27603-5925, phone 919-733-6660, fax 919-715-5459, e-mail GERRY.C@MS.NCGA.STATE.NC.US

G.S. 120-165(A) provides "The Commission shall publish in the *North Carolina Register* notice that it has received the petition."

U.S. Department of Justice

Civil Rights Division

BLL:DHH:DCB:jdp  
DJ 166-012-3  
97-3887

*Voting Section  
P.O. Box 66128  
Washington, D.C. 20035-6128*

December 31, 1997

Susan K. Nichols, Esq.  
Special Deputy Attorney General  
P.O. Box 629  
Raleigh, North Carolina 27602-0629

Dear Ms. Nichols:

This refers to Title 8, Chapter 4 (1976) of the Administrative Code, which regulates the use of voting equipment and specifies the ballot format for the State of North Carolina, submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act, 42 U.S.C. 1973c. We received your submission on December 9, 1997.

The Attorney General does not interpose any objection to the specified changes. However, we note that Section 5 expressly provides that the failure of the Attorney General to object does not bar subsequent litigation to enjoin the enforcement of the changes. In addition, as authorized by Section 5, we reserve the right to reexamine this submission if additional information that would otherwise require an objection comes to our attention during the remainder of the sixty-day review period. see the Procedures for the Administration of Section 5 (28 C.F.R. 51.41 and 51.43).

Since the Section 5 status of Title 8, Chapter 4, is before the court in Sutherland v. Hunt, we are providing a copy of this letter to the court and counsel of record in that case.

Sincerely,

Bill Lann Lee  
Acting Assistant Attorney General  
Civil Rights Division

By:

Elizabeth Johnson  
Chief, Voting Section

cc: The Honorable James A. Beaty, Jr.  
District Court Judge

Robert N. Hunter Jr., Esq.

U.S. Department of Justice

Civil Rights Division

BLL:VLO:DCB:emr  
DJ 166-012-3  
97-2246

*Voting Section  
PO. Box 66128  
Washington, D.C. 20035-6128*

January 2, 1998

Michael Crowell, Esq.  
Tharrington Smith  
P. O. Box 1151  
Raleigh, North Carolina 27602-1151

Dear Mr. Crowell:

This refers to the 1997 redistricting plan for Craven County, North Carolina, submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act, 42 U.S.C. 1973c. We received your response to our September 29, 1997, request for additional information on November 3, 1997.

The Attorney General does not interpose any objection to the specified change. However, we note that Section 5 expressly provides that the failure of the Attorney General to object does not bar subsequent litigation to enjoin the enforcement of the change. See the Procedures for the Administration of Section 5 (28 C.F.R. 51.41).

Sincerely,

Bill Lann Lee  
Acting Assistant Attorney General  
Civil Rights Division

By:

Elizabeth Johnson  
Chief, Voting Section



*An agency may choose to publish a rule-making agenda which serves as a notice of rule-making proceedings if the agenda includes the information required in a notice of rule-making proceedings. The agency must accept comments on the agenda for at least 60 days from the publication date. Statutory reference: G.S. 150B-21.2.*

**TITLE 15A - DEPARTMENT OF ENVIRONMENT  
AND NATURAL RESOURCES**

This supplemental agenda will serve as the notice of rule-making proceedings for the following rule-making bodies from February 16, 1998 through April 17, 1998: Environmental Management Commission - to rules codified in 15A NCAC 2D & 2Q; Commission for Health Services - to rules codified in 15A NCAC 18A; and Department of Environment and Natural Resources - to rule codified in 15A NCAC 10.

**DENR Regulatory Agenda Index - January 26, 1998**

**AIR QUALITY**

<u>APA #</u>	<u>SUBJECT</u>	<u>RULE CITATION #</u>
E2385	Air Curtain Burners	15A NCAC 2D .1903, .1904
E2386	Exclusionary Rule for Peak Shavers	15A NCAC 2Q .0808 (New Rule)
E2387	Definitions	15A NCAC 2Q .0103
E2388	Reporting and Recordkeeping	15A NCAC 2D .1204
E2389	Information	15A NCAC 2Q .0107
E2440	Control of Emissions from Incinerators	15A NCAC 2D .1200
E2441	Ozone ambient air quality standard	15A NCAC 2D .0405
E2442	PM10 & PM2.5 ambient air quality standards	15A NCAC 2D .0409 and .0410 (new) and 2D .0101 (possibly)
E2443	Definitions	15A NCAC 2Q .0103
E2444	Activities Exempted from Permit Requirements	15A NCAC 2Q .0102
E2445	Petition for Alternative Controls	15A NCAC 2D .0952

**ENVIRONMENTAL HEALTH/PUBLIC WATER SUPPLY**

<u>APA #</u>	<u>SUBJECT</u>	<u>RULE CITATION #</u>	
A3474	Delegation of Authority to Enforce Rules	15A NCAC 10 .0101 - .0109	These rules will be filed as temporary rules.
H6835	Water Supplies	15A NCAC 18A .1720 (c)(2)(L)	This rule will be filed as a temporary rule.

**ENVIRONMENTAL HEALTH/HEALTH SERVICES**

<u>APA #</u>	<u>SUBJECT</u>	<u>RULE CITATION #</u>
H6836	An Act to Enhance and Improve Child Care in North Carolina	15A NCAC 18A .2801 - .2836

**DENR Regulatory Agenda - January 26, 1998**

APA #: A3474  
 SUBJECT: Delegation of Authority to Enforce Rules  
 RULE CITATION #: 15A NCAC 10 .0101 - .0109  
 STATUTORY AUTHORITY: G.S. 130A-4

DIVISION/SECTION: ENVIRONMENTAL HEALTH/PUBLIC WATER SUPPLY

DIVISION CONTACT: Malcolm Blalock

DIVISION CONTACT TEL#: (919)715-0929

DATE INITIATED: 1/22/98

DURATION OF RULE: Temporary 3/1/98

TYPE OF RULE:

STAGE OF DEVELOPMENT: Draft Rule Stage

GOV LEVELS AFFECTED: None

REASON FOR ACTION :

These rules will replace rules which are currently in effect that have been targeted by the Rules Review Commission to be invalidated at it's February meeting. The proposals were originally adopted by the Commission for Health Services (November 14, 1997) and considered by the Rules Review Commission on January 15, 1998. The Rules Review Commission objected to all of the rules except .2305, .2306, and .2309 on the basis that the Commission for Health Services does not have the statutory authority to adopt rules governing the delegation of authority to enforce it's rules.

Because there must be a rational basis for granting or denying authorization for a local health department environmental health specialist to enforce the Commission's rules, the proposed rules must be adopted as temporary rules.

SCOPE/NATURE/SUMMARY :

The proposed rules regulate the delegation of authority for local health department environmental health specialists to enforce rules of the Commission for Health Services as an agent of the State.

The proposed rules specifically set the requirements for the scope of delegated authority, set the eligibility requirements for delegations to be made, set the requirements regarding lapsed delegations, set the requirements for agents serving as contractors, set the conditions for denial suspension or revocations, set the requirements for re-authorization, and the appeals process.

APA #: E2385

SUBJECT: Air Curtain Burners

RULE CITATION #: 15A NCAC 2D .1903, .1904

STATUTORY AUTHORITY: G.S. 143-215.3(a)(1); 143-215.107(a)(5), (10); 143-215.66; 143-215.108

DIVISION/SECTION: AIR QUALITY

DIVISION CONTACT: Thomas Allen

DIVISION CONTACT TEL#: (919)733-1489

DATE INITIATED: 9/15/97

DURATION OF RULE: Permanent

TYPE OF RULE:

STAGE OF DEVELOPMENT: Concept Stage

GOV LEVELS AFFECTED: None

REASON FOR ACTION :

To revise the opacity standard in 15A NCAC 2D .1904, Air Curtain Burners, and to revise requirements for temporary air curtain burners.

SCOPE/NATURE/SUMMARY :

Rule 15A NCAC 2D .1904 currently requires air curtain burners to meet a 5 percent opacity standard except during start-up. Recent experience with air curtain burners suggests that this opacity standard may be too low. Consideration is being given to raising it.

Other changes being considered for this rule deals with temporary air curtain burners. Consideration is being given to exempt temporary air curtain burners that do not require a permit and that comply with Subparagraph (b)(2) of 15A NCAC 2D .1903, Permissible Open Burning Without a Permit, from the opacity standards and the need to have a certified opacity reader. The rationale for this change is that such burning could be done without an air curtain burner. However, air curtain burners, even if they do not comply with the opacity standard of 15A NCAC 2D .1904, will usually burn material cleaner than open burning.

APA #: E2386

SUBJECT: Exclusionary Rule for Peak Shavers

RULE CITATION #: 15A NCAC 2Q .0808 (New Rule)

STATUTORY AUTHORITY: G. S. 143-215.3(a)(1); 143-215.107(a)(10); 143-215.65; 143-215.108  
DIVISION/SECTION: AIR QUALITY  
DIVISION CONTACT: Thomas Allen  
DIVISION CONTACT TEL#: (919)733-1489  
DATE INITIATED: 9/15/97  
DURATION OF RULE: Permanent  
TYPE OF RULE:  
STAGE OF DEVELOPMENT: Concept Stage  
GOV LEVELS AFFECTED: Local  
REASON FOR ACTION :

To adopt an exclusionary rule for peak shaving generators so that they can avoid Title V permit procedures and requirements without having to take permit restrictions.

**SCOPE/NATURE/SUMMARY :**

A new rule may be added to Section 15A NCAC 2Q .0800, Exclusionary Rules, to add an exclusionary rule for peak shaving generators. As an alternative, Rule 15A NCAC 2Q .0807, Emergency Generators, may be amended to incorporate peak shaving generators. The purpose of exclusionary rules is to define certain types of facilities as small based on throughput or usage. A facility that is below the level specified in an applicable exclusionary rule and complies with the requirements of the rule can avoid the Title V permitting process without having to take permit limits.

The level specified for peak shaving generators may be either in terms of energy production or fuel usage. If energy productions is used, the level would be set at about 6,500,000 kw-hr in any 12-month period. (Note: This number may change upon further evaluation.) If fuel consumption is used, the levels would be similar to those in 15A NCAC 2Q .0807.

APA #: E2387

SUBJECT: Definitions  
RULE CITATION #: 15A NCAC 2Q .0103  
STATUTORY AUTHORITY: G.S. 143-215.3(a)(1)' 143-215.107(a)(4); 143-215.108  
DIVISION/SECTION: AIR QUALITY  
DIVISION CONTACT: Thomas Allen  
DIVISION CONTACT TEL#: (919)733-1489  
DATE INITIATED: 9/15/97  
DURATION OF RULE: Permanent  
TYPE OF RULE:  
STAGE OF DEVELOPMENT: Concept Stage  
GOV LEVELS AFFECTED: None  
REASON FOR ACTION :

To add a definition for sawmill to Rule 15A NCAC 2Q .0103, Definition.

**SCOPE/NATURE/SUMMARY :**

Rule 15A NCAC 2Q .0102, Activities Exempted from Permit Requirements, exempts sawmills that saw no more than 2,000,000 board feet per year. A disagreement has arisen over what a sawmill is; the term is not currently defined in the rules.

The definition being considered would define a sawmill as a place or operation where logs are sawed into lumber and that consists of one or more of these activities: debarking, sawing, and sawdust handling. Activities that are not considered part of a sawmill include sanding, planing, routing, lathing, and drilling.

Debarking, sawing, and sawdust handling were the activities considered in developing the exemption level. Other activities were not considered. Therefore, these are the types of activities that should be exempted under the sawmill exemption. If the definition of sawmill is extended to cover other types of activities, the exemption level in 15A NCAC 2A .0102 may have to be reduced.

APA #: E2388

SUBJECT: Reporting and Recordkeeping  
RULE CITATION #: 15A NCAC 2D .1204  
STATUTORY AUTHORITY: G.S. 143-215.3(a)(1); 143-215.107(a)(4), (5)  
DIVISION/SECTION: AIR QUALITY



DIVISION CONTACT: Thomas Allen  
DIVISION CONTACT TEL#: (919)733-1489  
DATE INITIATED: 9/15/97  
DURATION OF RULE: Permanent  
TYPE OF RULE:  
STAGE OF DEVELOPMENT: Concept Stage  
GOV LEVELS AFFECTED: None  
REASON FOR ACTION :

To correct the test method referenced in Rule 15A NCAC 2D .1204, Reporting and Recordkeeping, for mercury.

SCOPE/NATURE/SUMMARY :

The test method for mercury referenced in Rule 15A NCAC 2D .1204 for municipal waste combustors is incorrect. The rule needs to be amended to reference the correct test methods, which are Methods 101 and 101A of 40 CFR Part 61, Appendix B.

APA #: E2389

SUBJECT: Confidential Information  
RULE CITATION #: 15A NCAC 2Q .0107  
STATUTORY AUTHORITY: G.S. 143-215.3(a)(1); 143-215.3C  
DIVISION/SECTION: AIR QUALITY  
DIVISION CONTACT: Thomas Allen  
DIVISION CONTACT TEL#: (919)733-1489  
DATE INITIATED: 9/15/97  
DURATION OF RULE: Permanent  
TYPE OF RULE:  
STAGE OF DEVELOPMENT: Concept Stage  
GOV LEVELS AFFECTED: None  
REASON FOR ACTION :

To revise Rule 15A NCAC 2Q .0107, Confidential Information to allow more time to make confidentiality determination.

SCOPE/NATURE/SUMMARY :

Rule 15A NCAC 2Q .0107 currently allows the Director of the Division of Air Quality 90 days to make a preliminary determination whether or not information should be treated as confidential. Consideration is being given to extend this period 180 days or some other period because of the number of requests received and to improve the quality of the determinations.

APA #: E2440

SUBJECT: Control of Emissions from Incinerators  
RULE CITATION #: 15A NCAC 2D .1200  
STATUTORY AUTHORITY: G.S. 143-215.3(a)(1); 143-215.107(a)(1), (3), (4), (5), (10);  
143-215.65;143-215.66  
DIVISION/SECTION: AIR QUALITY  
DIVISION CONTACT: Thom Allen  
DIVISION CONTACT TEL#: (919)733-1489  
DATE INITIATED: 12/22/97  
DURATION OF RULE: Permanent  
TYPE OF RULE:  
STAGE OF DEVELOPMENT: Concept Stage  
GOV LEVELS AFFECTED: Local State  
REASON FOR ACTION :

To adopt new federal requirements for existing medical waste incinerators.

SCOPE/NATURE/SUMMARY :

Section 15A NCAC 2D .1200, Control of Emissions from Incinerators, is proposed to be amended to incorporate new federal requirements for medical waste incinerators. These requirements are in 40 CFR 60, Subpart Ce, Emission Guidelines and Compliance Schedules for Hospital, Medical, and Infectious Waste Incinerators (HMIWI), promulgated September 15, 1997. They apply to HMIWI built on or before June 20, 1996.

A state plan needs to be submitted within one year of the promulgation date of EPA's final rule. The plan is to include provisions to implement and enforce the emission guidelines. To accomplish this, the current medical waste incinerator

rules are proposed to be amended to incorporate the emission limits, operating practices, operator training and certification, compliance and performance testing, reporting and recordkeeping, compliance schedules, and other requirements of the emission guidelines.

APA #: E2441

SUBJECT: Ozone ambient air quality standard  
RULE CITATION #: 15A NCAC 2D .0405  
STATUTORY AUTHORITY: G.S. 143-215.3(a)(1); 143-215.107(a)(3)  
DIVISION/SECTION: AIR QUALITY  
DATE INITIATED: 12/22/97  
DURATION OF RULE: Permanent  
TYPE OF RULE:  
STAGE OF DEVELOPMENT: Concept Stage  
DIVISION CONTACT: Thom Allen  
DIVISION CONTACT TEL#: (919)733-1489  
GOV LEVELS AFFECTED: None  
REASON FOR ACTION :

To adopt the new National Air Quality Standard for Ozone.

**SCOPE/NATURE/SUMMARY :**

The Environmental Protection Agency promulgated a new ambient air quality standard for ozone in the July 18, 1997, Federal Register. The new standard is 0.08 parts per million (ppm), daily maximum eight-hour average. Compliance with the standard is met at an ambient air quality monitoring site when the three-year average of the annual fourth-highest daily maximum eight-hour average ozone concentration is less than or equal to 0.08 ppm. Rule 15A NCAC 2D .0405, Ozone, is proposed to be amended to replace the current standard of 0.12 ppm, maximum hourly average, with the new 0.08 ppm, daily maximum eight-hour average.

APA #: E2442

SUBJECT: PM10 & PM2.5 ambient air quality standards  
RULE CITATION #: 15A NCAC 2D .0409 and .0410 (new) and 2D .0101 (possibly)  
STATUTORY AUTHORITY: G.S. 143-215.3(a)(1); 143-215.107(a)(3)  
DIVISION/SECTION: AIR QUALITY  
DIVISION CONTACT: Thom Allen  
DIVISION CONTACT TEL#: (919)733-1489  
DATE INITIATED: 12/22/97  
DURATION OF RULE: Permanent  
TYPE OF RULE:  
STAGE OF DEVELOPMENT: Concept Stage  
GOV LEVELS AFFECTED: None  
REASON FOR ACTION :

To adopt the new National Ambient Air Quality Standard for PM2.5, fine particulate matter, and to revise method for determining compliance with the ambient air quality standard for PM10, coarse particulate matter.

**SCOPE/NATURE/SUMMARY :**

The Environmental Protection Agency promulgated new ambient air quality standards for particulate matter in the July 18, 1997, Federal Register. These new standards are for particulate matter with an aerodynamic diameter of 2.5 microns or less, which is generally referred to as PM2.5 or fine particulate matter. The new PM2.5 standards are 15 micrograms per cubic meter based on the three-year average of annual arithmetic average mean PM2.5 concentrations from single or multiple community-oriented monitors and 65um/m3 based on the three-year average of the 98th percentile of 24-hour PM2.5 concentrations at each population-oriented monitor within an area.

Rule 15A NCAC 2D .0409, Particulate Matter, would be amended to change the way that compliance with the PM10 standards is determined. (PM10 is particulate matter with an aerodynamic diameter of 10 microns or less.) Compliance with the PM10 standard will be based on the 99th percentile of 24-hour PM10 concentration at each monitor.

Rule 15A NCAC 2D .0101, Definitions, may be amended to add definitions related with the new PM2.5 standards.

APA #: E2443

SUBJECT: Definitions

RULE CITATION #: 15A NCAC 2Q .0103  
STATUTORY AUTHORITY: G.S. 143-215.3(a)(1); 143-212;143-213  
DIVISION/SECTION: AIR QUALITY  
DIVISION CONTACT: Thom Allen  
DIVISION CONTACT TEL#: (919)733-1489  
DATE INITIATED: 12/22/97  
DURATION OF RULE: Permanent  
TYPE OF RULE:  
STAGE OF DEVELOPMENT: Concept Stage  
GOV LEVELS AFFECTED: None  
REASON FOR ACTION :

To add a definition to 15A NCAC 2Q .0103, Definitions, to define particulate matter as PM10.

SCOPE/NATURE/SUMMARY :

Rule 15A NCAC 2Q .0103 defines terms used in the permitting procedure rules. The particulate matter of concern under the permitting rules is PM10 because PM10 is the particulate used to determine Title V permitting applicability. The definition would not change the fact that the emission standards in Subchapter 15A NCAC 2D, Air Pollution Control Requirements, are and will continue to be in terms of total suspended particulates.

APA #: E2444

SUBJECT: Activities Exempted from Permit Requirements  
RULE CITATION #: 15A NCAC 2Q .0102  
STATUTORY AUTHORITY: G.S. 143-215.3(a)(1); 143-215.107(a)(4); 143-215.108  
DIVISION/SECTION: AIR QUALITY  
DIVISION CONTACT: Thom Allen  
DIVISION CONTACT TEL#: (919)733-1489  
DATE INITIATED: 12/22/97  
DURATION OF RULE: Permanent  
STAGE OF DEVELOPMENT: Concept Stage  
GOV LEVELS AFFECTED: None  
REASON FOR ACTION :

To clarify and revise the permit exemption for perchloroethylene dry-cleaning and powder coating.

SCOPE/NATURE/SUMMARY :

Rule 15A NCAC 2Q .0102, Activities Exempted from Permit Requirements, would be amended to clarify and revise the permit exemption for perchloroethylene dry-cleaning and powder coating.

The perchloroethylene dry-cleaning exemption would be changed to exempt dry-cleaners that emit less than 13,000 pounds per year of perchloroethylene instead of exempting dry-cleaners that consume 13,000 pounds per year of perchloroethylene. Data show that dry-cleaners consume more perchloroethylene than they emit. (Under the toxic air pollutant rules, a source may emit up to 13,000 pounds per year of perchloroethylene without a permit under the air toxic rules.) The equivalent gallonage would be deleted to eliminate possible confusion.

The permit exemption for electrostatic dry powder coating operations suggests that a curing oven must be part of the operation to qualify for this exemption. The change would clarify that a curing oven is not required for this exemption. However, if a curing oven is part of the operation, it must have a heat input of less than 10,000,000 Btu per hour for the coating operation to qualify for this exemption. (10,000,000 Btu per hour is the size in the current rule.)

APA #: E2445

SUBJECT: Petition for Alternative Controls  
RULE CITATION #: 15A NCAC 2D .0952  
STATUTORY AUTHORITY: G.S. 143-215.3(a)(1); 143-215.107(a)(5)  
DIVISION/SECTION: AIR QUALITY  
DIVISION CONTACT: Thom Allen  
DIVISION CONTACT TEL#: (919)733-1489  
DATE INITIATED: 12/22/97  
DURATION OF RULE: Permanent  
TYPE OF RULE:  
STAGE OF DEVELOPMENT: Concept Stage



GOV LEVELS AFFECTED: None

**REASON FOR ACTION :**

To revise 15A NCAC 2D .0952, Petition for Alternative Controls, to make procedure contained in this Rule available to future ozone nonattainment areas without being amended each time a new area is declared nonattainment for ozone.

**SCOPE/NATURE/SUMMARY :**

Rule 15A NCAC 2D .0952 provides procedures whereby a source may petition the Director of the Division of Air Quality to use a control technology that differs from that required by an applicable rule in Section 15A NCAC 2D .0900, Volatile Organic Compounds. This Rule is a revision of earlier rule written for the original ozone nonattainment areas in the late 1970's. The current rule was written for the ozone nonattainment areas of the early 1990's and for the current ozone maintenance areas. In anticipation of new ozone nonattainment areas, an amendment to this rule is being considered to make it available to future ozone nonattainment areas without having to be amended every time a new ozone nonattainment area comes into being.

APA #: H6835

SUBJECT: Water Supplies

RULE CITATION #: 15A NCAC 18A .1720 (c)(2)(L)

STATUTORY AUTHORITY: G.S. 95-225; 130A-5(3); 130A-230; 130A-235; 130A-236; 130A-248; 130A-257

DIVISION/SECTION: ENVIRONMENTAL HEALTH/PUBLIC WATER SUPPLY

DIVISION CONTACT: Malcolm Blalock

DIVISION CONTACT TEL#: (919)715-0929

DATE INITIATED: 1/21/98

DURATION OF RULE: Temporary 3/1/98

TYPE OF RULE:

STAGE OF DEVELOPMENT: Draft Rule Stage

GOV LEVELS AFFECTED: None

**REASON FOR ACTION :**

The current rule creates a situation where a well constructed after July 1, 1993 which meets the setback requirements for a single family residence found in 15A NCAC 2C .0100 "Well Construction Standards" does not comply with the current rule as it applies to the regulation of family foster homes and therapeutic foster homes. The proposed amendment will make the setback requirements consistent in the two sets of rules.

**SCOPE/NATURE/SUMMARY :**

The proposed amendment will impact those wells drilled after July 1, 1993 which are located between 25 and 50 feet from a building foundation and are serving or proposed to serve a family foster home or therapeutic foster home.

The proposed amendment changes the requirement from 50 feet to 25 feet, making it consistent with other rules within DENR.

APA #: H6836

SUBJECT: An Act to Enhance and Improve Child Care in North Carolina

RULE CITATION #: 15A NCAC 18A .2801 - .2836

STATUTORY AUTHORITY: G.S. 110-85

DIVISION/SECTION: ENVIRONMENTAL HEALTH/Health Services

DIVISION CONTACT: Ed Norman

DIVISION CONTACT TEL#: (919)715-3293

DATE INITIATED: 1/26/98

DURATION OF RULE: Permanent

TYPE OF RULE:

STAGE OF DEVELOPMENT: Draft Rule Stage

GOV LEVELS AFFECTED: None

**SCOPE/NATURE/SUMMARY :**

These rules provide clarification and conformity with recently adopted legislation governing the Sanitation of Child Care Centers. New definitions that are used throughout these rules (15A NCAC .2801 - .2836) are provided under an amended 15A NCAC .2801. Clarification of two other major changes (domestic versus commercial kitchen equipment and the use of commercial hood ventilation systems when frying foods) under G.S. 110-85 are addressed in 15A NCAC 18A .2801 - Definitions and 15A NCAC 18A .2810 - Specifications for Kitchens.

A Notice of Rule-making Proceedings is a statement of subject matter of the agency's proposed rule making. The agency must publish a notice of the subject matter for public comment at least 60 days prior to publishing the proposed text of a rule. Publication of a temporary rule serves as a Notice of Rule-making Proceedings and can be found in the Register under the section heading of Temporary Rules. A Rule-making Agenda published by an agency serves as Rule-making Proceedings and can be found in the Register under the section heading of Rule-making Agendas. Statutory reference: G.S. 150B-21.2.

## TITLE 15A - DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

### CHAPTER 2 - ENVIRONMENTAL MANAGEMENT

**Notice of Rule-making Proceedings** is hereby given by the DENR - Environmental Management Commission in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.

**Citation to Existing Rules Affected by this Rule-Making:** 15A NCAC 2B .0308. Other rules may be proposed in the course of the rule-making process.

**Authority for the rule-making:** G.S. 143-214.1; 143-215.1; 143-215.3(a)(1)

**Statement of the Subject Matter:** Proposed reclassification of Lookout Shoals Lake in Alexander, Catawba, and Iredell Counties from Class WS-V to Class WS-IV and WS-IV CA (Critical Area).

**Reason for Proposed Action:** The City of Statesville has requested that Lookout Shoals Lake in Alexander, Catawba, and Iredell Counties (Catawba River Basin) be reclassified to the appropriate water supply classification based on the location that has been chosen for a new water supply intake for Statesville. The selected intake site is just inside Iredell County, approximately two miles south of where Alexander, Catawba, and Iredell Counties share a common border. Lookout Shoals Lake currently carries the primary classifications WS (Water Supply) - V and WS-IV and the supplemental classification B (Primary Recreation). The Division of Water Quality proposes to reclassify Lookout Shoals Lake to WS-IV and WS-IV CA (Critical Area; defined as the area ½ half mile and draining to a water supply intake). The supplemental B classification would not be affected. The City of Hickory and Alexander, Catawba, and Iredell Counties have land use jurisdiction within the affected area. The proposed reclassification to Classes WS-IV and WS-IV CA would require the affected local governments to revise their drinking water supply maps within 120 days after receiving notice by the State that the reclassification has become effective. Once the reclassification becomes effective the state would apply the appropriate requirements that affect the permitting of landfills, residual application sites and wastewater discharges within the

adopted Critical and Protected Areas. The effective date of the reclassification is expected to be April 1, 1999.

**Comment Procedures:** The purpose of the announcement is to encourage those interested in this proposal to provide written comments. It is very important that all interested and potentially affected persons or parties make their views known to the Environmental Management Commission (EMC) whether in favor or opposed to any and all provisions of the proposal being noticed. Written comments may be submitted to: Liz Kovaschitz, DENR/Division of Water Quality, Planning Branch, P.O. Box 29535, Raleigh, NC 27626-0535. (919) 733-5083, extension 572.

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### CHAPTER 7 - COASTAL MANAGEMENT

**Notice of Rule-making Proceedings** is hereby given by the ENR - Coastal Resources Commission in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rules it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.

**Citation to Existing Rules Affected by this Rule-Making:** 15A NCAC 7H .0308, .1705. Other rules may be proposed in the course of the rule-making process.

**Authority for the rule-making:** G.S. 113A-107; 113A-113(b); 113A-124

**Statement of the Subject Matter:** Replacement of permitted sandbags and temporary erosion control for a large structure and multiple buildings on the same property.

**Reason for Proposed Action:** The proposed rules will allow replacement of sandbags within their permitted dimensions within the time period originally authorized by a CAMA permit, the incremental protection of a large structure and the protection of multiple buildings on the same property. This action is in response to a contested case hearing decision involving replacement of sandbags that were protecting several oceanfront structures.

**Comment Procedures:** Contact Charles Jones, 151-B Hwy 24, Morehead City, NC 28570, (919) 808-2808.



*This Section contains the text of proposed rules. At least 60 days prior to the publication of text, the agency published a Notice of Rule-making Proceedings. The agency must accept comments on the proposed rule for at least 30 days from the publication date, or until the public hearing, or a later date if specified in the notice by the agency. The required comment period is 60 days for a rule that has a substantial economic impact of at least five million dollars (\$5,000,000). Statutory reference: G.S. 150B-21.2.*

**TITLE 21 - OCCUPATIONAL LICENSING  
BOARDS**

**CHAPTER 50 - BOARD OF EXAMINERS OF  
PLUMBING, HEATING AND FIRE  
SPRINKLER CONTRACTORS**

**N**otice is hereby given in accordance with G.S. 150B-21.2 that the State Board of Examiners of Plumbing, Heating and Fire Sprinkler intends to amend rules cited as 21 NCAC 50 .0301, .0306, .0404 - .0405, .0510, .1102, .1104; adopt .0511. Notice of Rule-making Proceedings was published in the Register on October 1, 1997.

**Proposed Effective Date:** June 11, 1998

**A Public Hearing** will be conducted at 8:30 a.m. on March 3, 1998 at the State Board of Examiners of Plumbing, Heating and Fire Sprinkler Contractors, 3801 Wake Forest Road, Suite 201, Raleigh, NC 27609.

**Reason for Proposed Action:**

**21 NCAC 50 .0301** - 1997 General Assembly created a new license category. This Rule is being rewritten to accommodate this change.

**21 NCAC 50 .0306** - H.B. 408 and S.B. 996 required the provision of a different license classification for persons engaged in fuel piping to plumbing or heating equipment. Licenses are to be issued beginning April 15, 1998. This Rule specified the experience requirement for the fuel piping license, consistent with the existing rule for plumbing or heating license and reorganizes the text of the rule.

**21 NCAC 50 .0404** - 1997 General Assembly created a new license classification. This change accommodates the legislation and simplifies the text without change of meaning.

**21 NCAC 50 .0405** - Rule change clarifies without change in interpretation.

**21 NCAC 50 .0510** - 1997 General Assembly created a different license category. This Rule is being rewritten to accommodate the change and simplify the text.

**21 NCAC 50 .0511** - The 1997 General Assembly, by HB 408 and SB 996 created a different license classification for fuel piping. This Rule defines the term fuel piping and the scope of the work included within this category so as to carry out the legislative mandate.

**21 NCAC 50 .1102** - 1997 General Assembly created a new license category. This Rule is being rewritten to accommodate this change.

**21 NCAC 50 .1104** - 1997 General Assembly amended G.S. 25-3-506 to change the allowable charge for returned checks. This

*Rule is designed to rely upon the maximum set by the General Assembly, reducing future rule-making.*

**Comment Procedures:** Written comments may be submitted to the Board on or before, March 18, 1998, at State Board of Examiners of Plumbing, Heating and Fire Sprinkler Contractors, 3801 Wake Forest Rd., Suite 201, Raleigh, NC 27609, Attn: T. L. Phillips, Executive Director. Persons who commented at or after the prior hearing on these rules on November 19, 1997, should understand the Board will consider those comments as well.

**Fiscal Note:** These Rules do not affect the expenditures or revenues of state or local government funds. These Rules do not have a substantial economic impact of at least five million dollars (\$5,000,000) in a 12-month period.

**SECTION .0300 - EXAMINATIONS**

**.0301 QUALIFICATIONS DETERMINED  
BY EXAMINATION**

(a) In order to determine the qualifications of an applicant, the Board shall provide a written examination in the following categories:

Plumbing Contracting, Class I  
Plumbing Contracting, Class II  
Heating, Group No. 1 - Contracting, Class I  
Heating, Group No. 1 - Contracting, Class II  
Heating, Group No. 2 - Contracting, Class I  
Heating, Group No. 3 - Contracting, Class I  
Heating, Group No. 3 - Contracting, Class II  
Fuel Piping

(b) Each applicant shall be required to read, interpret and provide written answers to all parts of the examinations required by G.S. 87-21(b), except during oral examinations provided pursuant to G.S. 87-21(b).

(c) Applicants for licensure as a fire sprinkler contractor other than pursuant to G.S. 87-21(h) must submit evidence of current certification by the National Institute for Certification and Engineering Technology (NICET) for Fire Protection Engineering Technician, Level III, subfield of Automatic Sprinkler System Layout as the prerequisite for licensure. Current certification by NICET is in lieu of separate examination conducted by the Board.

*Authority G.S. 87-18; 87-21(a); 87-21(b).*

**.0306 APPLICATIONS: ISSUANCE OF  
LICENSE**

(a) All applicants for regular examinations shall file an



application in the office of the executive secretary on or before the date set out on the examination application form, which date shall be no more than 60 days prior to the examination.

(b) Applicants for each plumbing or heating examination shall present evidence at the time of application on forms provided by the Board to establish two years on-site full-time experience in the installation, maintenance, service or repair of plumbing or heating systems related to the category for which license is sought, whether or not license was required for the work performed. One year of experience in the design or installation of fuel piping is required for fuel piping license. Practical experience should directly involve plumbing, heating or fuel piping and may include work as a field superintendent, project manager, journeyman, mechanic or plant stationary operator directly involved in the installation, maintenance, service or repair of such systems. Work as a local government inspector of plumbing or heating systems while qualified by the Code Officials Qualification Board, work as a field representative of this Board or work by a graduate of an ABET accredited engineering or engineering technology program with direct on-site involvement with plumbing or heating system construction, construction supervision, plant engineering or operation may utilize such work as evidence of practical experience; provided that Board members and employees may not sit for examination during their tenure with the Board. After review, the Board may request additional evidence. Up to one-half the experience may be in academic or technical training directly related to the field of endeavor for which examination is requested. The Board shall pro rate part-time work of less than 40 hours per week or part-time academic work of less than 15 semester or quarter hours or work which involves the kinds of work set out hereafter only part of the time. ~~Practical experience should directly involve plumbing or heating systems and may include work as a field superintendent, project manager, journeyman, mechanic or plant stationary operator directly involved in the installation, maintenance, service or repair of such systems. Work as a local government inspector of plumbing or heating systems while qualified by the Code Officials Qualification Board, work as a field representative of this Board or work by a graduate of an ABET accredited engineering or engineering technology program with direct on-site involvement with plumbing or heating system construction, construction supervision, plant engineering or operation may utilize such work as evidence of practical experience; provided that Board members and employees may not sit for examination during their tenure with the Board.~~

(c) Applicants who obtain a license will receive a certificate issued by the Board, bearing the license number assigned to the qualifying individual.

(d) Fire Sprinkler contractors will meet experience requirements in accordance with NICET examination criteria.

Authority G.S. 87-18; 87-21(b).

## SECTION .0400 - GENERAL PROCEDURES

### .0404 ACTIVE EMPLOYMENT

(a) In each separate place of business or branch thereof operated by a contractor licensed by the Board, there shall be on active on-site employment a person licensed in accordance with the provisions of G.S. 87, Article 2 and whose duties are to supervise all installations falling within his license qualification.

(b) Separate place of business or branch thereof shall mean any office or facility of any kind:

- (1) from which ~~plumbing, heating or fire sprinkler business work requiring license~~ is solicited or conducted;
- (2) from which ~~plumbing, heating or fire sprinkler contracts for work requiring license~~ are negotiated or entered into; or
- (3) from which requests for ~~plumbing, heating or fire sprinkler work or service requiring a license work requiring license~~ are received and accepted.

(c) A temporary ~~field office facility~~ used solely to conduct the ~~plumbing, heating or fire sprinkler business work requiring license~~ involved in an existing contract or contracts entered into by the main license office and from which no new business is solicited or conducted shall not be deemed a separate place of business or branch thereof.

Authority G.S. 87-18; 87-21(a)(5); 87-21(a)(6); 87-26.

### .0405 MULTIPLE LICENSES

(a) In order to maintain the identity of firms, a licensee shall qualify only one place of business with his personal qualifications.

(b) A licensee may be listed on only one license at any given time, whether the license is issued in the name of the individual or in the name of a firm.

(c) The licensee may, upon deletion of his name and qualifications from a firm license, reinstate his personal license, either as an individual or in the name of some other corporation, partnership, or business that has a trade name, upon compliance with G.S. 87-26.

Authority G.S. 87-18; 87-21(a)(5); 87-21(a)(6); 87-26.

## SECTION .0500 - POLICY STATEMENTS AND INTERPRETATIVE RULES

### .0510 LICENSE REQUIREMENTS GENERALLY

An individual may not perform any work which is within the scope of G.S. 87-21(a)(1), 87-21(a)(2), 87-21(a)(3), 87-21(a)(4), ~~or 87-21(a)(11), or 87-21(b)(2)~~, and not otherwise excluded by G.S. 87-21(c) ~~or 87-25~~, for any other individual, firm, body corporate or body politic no matter the form or arrangement of compensation unless ~~the individual or the principal providing general supervision of the work such person~~ has been issued the appropriate license by the Board.

Authority G.S. 87-18; 87-21(g)(5); 87-21(c).

# **.0511 FUEL PIPING**

The contracting or installation of fuel piping extending from an approved fuel source at or near the premises, to a point within the premises, requires either Plumbing, Heating Group 1, Heating Group 2, Heating Group 3, or Fuel Piping license, if such piping is or may be used partly or entirely to supply fuel to plumbing or heating systems or equipment or if, by the installation of such piping, the fuel supply to plumbing or heating systems or equipment within the meaning of G.S. 87-21(a) may be altered or affected. The term fuel refers to flammable gas, flammable liquefied gas, or flammable liquid as those terms are defined in Volume V of the North Carolina Building Code, and to combustible liquid so defined when used in a non-residential application. This provision does not alter the restriction of Class II license to single family detached residential dwellings.

Authority 87-21(a).

## **SECTION .1100 - FEES**

### **.1102 LICENSE FEES**

(a) ~~Except as set out in this Rule, The~~ the annual license fee for statewide plumbing and heating licenses issued by this Board in the name of an individual, corporation, partnership, or business with a trade name is seventy-five dollars (\$75.00).

(b) The annual license fee for plumbing and heating a licenses limited in ~~scope territory~~ to cities or towns of less than 10,000 population ~~and issued in the name of an individual, corporation, partnership or business with a trade name~~ is forty-five dollars (\$45.00).

(c) The annual license fee for an licensed individual who is not actively engaged in the business of ~~plumbing or heating contracting requiring license~~ by reason of full-time employment as a local government plumbing, heating or mechanical inspector and who holds qualifications from the Code Officials Qualification Board is fifteen dollars (\$15.00).

(d) The initial application fee for license as a fire sprinkler contractor is seventy-five dollars (\$75.00). The annual license fee for statewide licenses issued to a fire sprinkler contractor in the name of an individual, corporation, partnership or business with a trade name is two-hundred seventy-five dollars (\$275.00).

(e) The annual license fee for an individual whose qualifications are listed as the second or subsequent individual on a corporation, partnership, or business with a trade name under Paragraphs (a), (b) or (d) of this Rule is ten dollars (\$10.00).

Authority G.S. 87-18; 87-21; 87-22.

### **.1104 FEES FOR COPIES OF RECORDS AND RETURNED CHECKS**

The Board charges the following fees:

- |   |              |
|---|--------------|
| (1) copy of the Register of Licensees - | \$ 4.00 each |
| (2) copies of license -                 | 15.00        |
| (3) abstract of license record          | 15.00        |

- |  |   |
|--|---|
| (4) processing fee for returned checks - | <del>20.00</del> maximum allowed by law |
| (5) fee for each copy of Board rules -   | 10.00                                   |

Authority G.S. 25-3-512; 87-18; 150B-19.

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## **CHAPTER 56 - BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS**

**N**otice is hereby given in accordance with G.S. 150B-21.2 that the Board of Registration for Professional Engineers and Land Surveyors intends to amend rules cited as 21 NCAC 56 .0103 - .0104, .0401, .0403, .0501 - .0503, .0505, .0601 - .0603, .0606, .0701 - .0702, .0901 - .0902, .1102 - .1106, .1201, .1203, .1205, .1301 - .1302, .1403, .1409, .1411, .1602 - .1604, .1703 - .1705, .1711 and repeal .0404 - .0405. Notice of Rule-making Proceedings was published in the Register on October 15, 1997.

Proposed Effective Date: August 1, 1998

A Public Hearing will be conducted at 9:00 a.m. on March 12, 1998 at 3620 Six Forks Road, Suite 300, Raleigh, NC 27609.

### **Reason for Proposed Action:**

21 NCAC 56 .0104 - To clarify Board seal.

21 NCAC 56 .0401, .0403 - .0405 - To revise records storage procedures.

21 NCAC 56 .0502, .0505 .0602, .0606 - To revise fees.

21 NCAC 56 .0503 - To clarify Board policy on examination requirements.

21 NCAC 56 .0701 - To clarify Board policy on Standards of Professional Conduct.

21 NCAC 56 .0901 - To clarify Board policy on Resident professionals.

21 NCAC 56 .1002 - To clarify Board policy on Temporary permits.

21 NCAC 56 .1203 - To align rule-making comment procedures with G.S. 150B.

21 NCAC 56 .1002 - .1003, .1103 - .1104 - To clarify Board policy on Sealing requirements.

21 NCAC 56 .1301 - .1302 - To clarify Board policy on Improper practice review and settlement conferences.

21 NCAC 56 .1403 - To clarify Board policy on settlement conferences.

21 NCAC 56 .1602, .1604 - To clarify Board policy on The Standards of Practice Land Surveying.

To make grammatical corrections, and to make the rules gender neutral.

**Comment Procedures:** Submit comments in writing to the Rule-making Coordinator, David S. Tuttle, Board Counsel, North Carolina State Board of Registration for Professional Engineers and Land Surveyors, 3620 Six Forks Road, Suite



300, Raleigh, NC 27609, Written statements must be delivered no later than March 18, 1998. Oral statements will be accepted at the hearing.

**Fiscal Note:** 21 NCAC 56 .0502, .0505, .0602, .0606 - These Rules affect the expenditures or revenues of state government funds but do not affect local government funds. All other rules do not affect the expenditures or revenues of state or local government funds. These Rules do not have a substantial economic impact of at least five million dollars (\$5,000,000) in a 12-month period.

## SECTION .0100 - ORGANIZATION OF BOARD

### .0103 ORGANIZATION

(a) Secretary. The secretary elected by the Board has final authority and responsibility in the operation of the Board office subject to policies and directives as established by the full Board or these rules. The secretary may assign to the executive secretary those day-to-day administrative and operational duties as are approved by majority vote of the full Board. Authorization by the secretary for the disbursement of funds by the executive secretary must be in writing and have the unanimous approval of the Board.

(b) Board Committees. The Board shall be organized into ~~a~~ an engineering committee and a land surveying committee. The engineering committee shall consist of ~~the~~ four engineer members and one public member. The land surveying committee shall consist of the three land surveyor members and one public member. The Board ~~chairman~~ chairperson shall appoint the ~~chairman~~ chairperson of each committee and appoint the public member to each committee.

(c) Executive Secretary. The day-to-day operations of the Board office shall be the responsibility of the executive secretary under the direction of the secretary subject to policies and directives as established by the Board or these rules. The executive secretary may be authorized by the Board or the secretary to represent the Board before professional or governmental organizations when such representation serves to further and support the purposes of the Board and is made within the expressed policies of the Board or these Rules.

*Authority G.S. 89C-4 through 89C-11.*

### .0104 DESCRIPTION OF SEAL

The official seal adopted by the Board is the Seal of the State of ~~North Carolina~~ North Carolina with the inscription of the Board name on the perimeter.

*Authority G.S. 89C-10(b).*

## SECTION .0400 - RECORDS AND REPORTS OF BOARD: RETENTION AND DISPOSITION

### .0401 RECORDS OF BOARD PROCEEDINGS

Records of all proceedings of the Board such as rule-making proceedings, declaratory rulings and contested cases and all other permanent records are retained at the office of the Board ~~and are not or~~ disposed of or may be transferred from that office.

*Authority G.S. 89C-10(a); 89C-12.*

### .0403 APPLICATION FILES

Application files are reviewed on an annual basis. If an application has been pending for one year or more, notice will be given to the applicant of the status of the application file. If after notice the applicant does not wish to pursue the application or does not reply to the Board's inquiry within 30 days after such notice, the file will be ~~transferred to the State Records Center maintained by the Department of Cultural Resources in Raleigh, North Carolina.~~ destroyed.

*Authority G.S. 89C-10(a); 89C-12.*

### .0404 DESTRUCTION OF APPLICATION FILES

~~Inactive application files transferred to the State Records Center of the Department of Cultural Resources will be destroyed two years after the notice of intended transfer unless they are reactivated within two years after said notice.~~

*Authority G.S. 89C-10(a); 89C-12.*

### .0405 REACTIVATION OF APPLICATION FILE

~~Upon written request within two years of the date of notice of intended transfer, and payment of required application fees, the Board will reactivate the application file. After two years, the applicant is required to file a new application.~~

*Authority G.S. 89C-10(a); 89C-12.*

## SECTION .0500 - PROFESSIONAL ENGINEER

### .0501 REQUIREMENT FOR LICENSING

(a) Education. The education of an applicant shall be considered in determining eligibility for licensing as a Professional Engineer. The following terms used by the Board for the specific educational requirements to be eligible to be licensed as a Professional Engineer are defined by the Board as follows:

- (1) Engineering Curriculum of Four or more Years Approved by the Board is defined as a curriculum that has been accredited by the Accreditation Board for Engineering and Technology (ABET). This curriculum is incorporated by reference including subsequent amendments and editions. This material is available for inspection at the office of the North Carolina State Board of Registration for Professional Engineers and Land Surveyors, 3620 Six Forks Road, Suite 300, Raleigh, North Carolina 27609. Copies may be obtained at the Board office at a cost



of five dollars (\$5.00) per copy.

- (2) Engineering or Related Science Curriculum of Four or more Years Other than Ones Approved by the Board is defined as a curriculum, although not accredited by ABET, of physics, math, chemistry and engineering technology which contains engineering or scientific principles.
- (3) Equivalent Education Satisfactory to the Board:
  - (A) A ~~bachelors~~ bachelor's degree in Engineering Technology shall be considered equivalent to an engineering or related science curriculum of four or more years other than one approved by the Board.
  - (B) An associate degree in an engineering related curriculum with an additional two years of progressive engineering experience shall be considered equivalent to an engineering or related science curriculum of four or more years other than one approved by the Board.
  - (C) A diploma from an accredited high school with an additional four years of progressive engineering experience shall be considered equivalent to an engineering or related science curriculum of four or more years other than one approved by the Board.
  - (D) Foreign degrees may be considered as recommended by the National Council of Examiners for Engineering and Surveying (NCEES) in its publications; provided however, maximum equivalency granted shall be that of an engineering or related science curriculum of four or more years other than one approved by the Board. The NCEES publications are incorporated by reference including subsequent amendments and editions. This material is available for inspection at the office of The North Carolina State Board of Registration for Professional Engineers and Land Surveyors, 3620 Six Forks Road, Suite 300, Raleigh, North Carolina 27609. Copies may be obtained at the Board's office at a cost of five dollars (\$5.00) per copy.
- (b) Experience:
  - (1) General. The experience of an applicant shall be considered in determining whether an applicant is eligible to be licensed as a Professional Engineer.
  - (2) Required Experience. In evaluating the work experience required the Board may consider the total experience record, and the progressive nature of the record. (Not less than half of required engineering experience shall be of a professional grade and character, and shall be performed under the responsible charge of a registered Professional Engineer.)
  - (3) Definition. The terms "progressive engineering experience" or "progressive experience on

engineering projects" mean that during the period of time in which an applicant has made a practical utilization of ~~his acquired knowledge~~ knowledge, ~~he has shown~~ continuous improvement, growth and development have been shown in ~~his the~~ utilization of that knowledge as revealed in the complexity and technical detail of ~~his the~~ work product or work record. The applicant must show ~~that he has~~ continuously assumed continuous assumption of greater individual responsibility for ~~his the~~ work product over that period of time.

- (4) Specific Credit for Experience. In evaluating progressive engineering ~~experience~~ experience, the Board may give credit for experience in the following areas of work:
  - (A) Graduate schooling or research in an approved engineering curriculum - maximum two years;
  - (B) Progressive land surveying - maximum two years;
  - (C) Teaching of science or engineering subjects at the graduate level in an approved engineering curriculum - maximum two years.
- (5) Experience Not Considered:
  - (A) Experience obtained prior to graduation while receiving education for which credit is given toward registration, unless such experience is obtained in a co-op program in an engineering curriculum approved by the Board.
  - (B) Experience obtained in a foreign country unless performed under direct supervision of a ~~registered~~ Professional Engineer registered with a member Board of the National Council of Examiners for Engineering and Surveying (NCEES).

*Authority G.S. 89C-10; 89C-13.*

**.0502 APPLICATION PROCEDURE: INDIVIDUAL**

- (a) General. A person desiring to become licensed as a Professional Engineer must make application to the Board on a form prescribed and furnished by the Board.
- (b) Request. A request for an appropriate application form may be made at the Board address.
- (c) Applicable Forms:
  - (1) Student Form. This form requires the applicant to set forth ~~his~~ personal history, ~~his~~ educational background, provide character references, and furnish a photograph for identification purposes. The form is for use by those graduating, or those having graduated, from an engineering curriculum approved by the Board as follows:
    - (A) Students graduating in the same semester or quarter in which the fundamentals of engineering examination is administered.
    - (B) Graduates with less than two years since graduation.
  - (2) Professional Engineer Form:

- (A) All persons, including comity applicants and graduates of an engineering curriculum approved by the Board with more than two years progressive engineering experience, shall apply for registration by using the Professional Engineer form. The submission of this form shall signify that the applicant seeks registration, and will result in seating for each examination required, when the applicant is so qualified. This form requires the applicant to set forth his personal and educational background, his engineering experience and his character references. A passport-type photograph for identification purposes is required.
- (B) Persons who have previously completed the fundamentals examination by use of the Student Form shall submit the Professional Engineer Form to request registration when qualified to take the final eight-hour examination.
- (3) Supplemental Form. Persons who initially applied for the fundamentals of engineering exam using the Professional Engineer form must supplement ~~their~~ the initial application upon applying for the principles and practice examination. The supplemental form requires that engineering experience from the date of the initial application until the date of the supplemental application be listed. Five references shall be submitted which are current to within one year of the examination date.
- (4) Reference Forms:
- (A) Persons applying to take the examination for fundamentals of engineering must submit to the Board names of three individuals who are familiar with the applicant's work, character and reputation. One of these individuals must be registered as a Professional Engineer. Persons applying to take the examination for principles and practices of engineering must submit to the Board names of five individuals who are familiar with the applicant's work, character and reputation. Two of these individuals must be registered Professional Engineers.
- (B) In addition to the applicant submitting names to the Board of individuals familiar with the applicant's work, character and reputation, those individuals listed are required to submit to the Board their ~~evaluation~~ evaluations of the applicant on forms supplied them by the applicant. Such information is considered confidential and shall not be released by the Board.
- (C) The reference form requires the individual evaluating the applicant to state the evaluating individual's profession, ~~his~~ knowledge of the applicant and ~~to state~~ other information concerning the applicant's engineering experience, character and reputation.
- (D) The reference forms shall be received by the applicant ~~when he receives his~~ with the application. The reference forms are then to be distributed by the applicant to the persons listed ~~by him~~ on ~~his~~ the application as references. It is the applicant's responsibility to see that the individuals listed as references return the reference forms to the Board prior to the filing deadline for the examination.
- (d) Fees:
- (1) Student Form. The examination fee for applicants applying for examination on the fundamentals of engineering using the student form is payable with the filing of the application. Once the applicant passes the examination on the fundamentals of engineering, the registration fee of one hundred dollars (\$100.00) and the examination fee for the principles and practice of engineering examination ~~is~~ are payable with the applicant's subsequent application for registration as a Professional Engineer using the Professional Engineer form.
- (2) Professional Engineer Form. The registration fee of one hundred dollars (\$100.00) and appropriate examination fee for applicants applying for the examination on the fundamentals of engineering or the principles and practice of engineering using the Professional Engineer form ~~is~~ are payable with the filing of the application.
- (3) Comity. The registration fee of one hundred dollars (\$100.00) for applicants for comity registration is payable with the filing of the application.
- (4) Examination. The examination fee for any applicant is payable with the filing of the application ~~in accordance with the following schedule: the amount of the actual cost of the examination plus an administrative fee of fifteen dollars (\$15.00).~~
- (A) Engineering Fundamentals \$40.00
- (B) Engineering Principles & Practice \$70.00
- (e) The Board shall accept the records maintained by the National Council of Examiners for Engineering and Surveying (NCEES) as evidence of registration in another state.

Authority G.S. 89C-10; 89C-13; 89C-14.

#### .0503 EXAMINATIONS

- (a) Fundamentals of Engineering. This eight-hour written examination is designed primarily to test the applicant's proficiency and knowledge of the fundamentals of engineering.
- (b) Principles and Practice of Engineering. This eight-hour written examination is designed to test the applicant's proficiency and knowledge of engineering principles and practices.
- (c) Examination Aids. Examinees may utilize examination aids as specified in published Board material furnished to



applicants.

(d) Preparation of Examination. The examinations in the fundamentals of engineering and in the principles and practice of engineering are national examinations promulgated by the National Council of Examiners for Engineering and Surveying (NCEES) of which the Board is a member.

(e) Examination Sequence. Before the applicant is permitted to be examined on the principles and practice of engineering, the applicant must successfully pass the examination on the fundamentals of ~~engineering~~ engineering, unless the applicant can evidence 20 years of progressive engineering experience and receives a waiver from the fundamentals of engineering exam by the Board. In no event is an applicant allowed to take both examinations at the same time or at the same scheduled examination date.

(f) Examination Filing Deadline. The applicant who wishes to take an examination must have ~~his~~ the completed application (which includes all necessary references, transcripts, and verifications) in the Board office prior to the Board-established deadline dates of August 1 for Fall examinations and January 2 for Spring examinations.

(g) Seating Notice. After approval of an application to take either the examination on the fundamentals of engineering or principles and practice, the applicant will be sent a seating notice. This notice will inform the applicant of the date, time and location of the examination and the seat ~~to which he is~~ number assigned.

(h) Unexcused Absences. After a seating notice has been issued for a scheduled examination by the Board, and the applicant fails to appear, that applicant's record will reflect "unexcused absence" unless the absence was for official jury duty or the applicant was not physically able to be present, as indicated by a doctor's certificate.

(i) Oral Interview. During the examination on the principles and practice of engineering, the applicant may be interviewed by Board members. The purpose of the interview is to augment the evidence submitted in an application with regard to education or experience.

(j) Re-Examination. A person who has failed an examination is allowed to apply to take the examination again at the next regularly scheduled examination ~~period~~ period by making written request and submitting the required exam fee. A person having a combined record of three failures or unexcused absences will not be allowed to take that examination again until a written appeal is made to the Board and qualifications for examination are reviewed and reaffirmed by the Board. The applicant must demonstrate to the Board that actions have been taken to improve the applicant's chances for passing the exam.

*Authority G.S. 89C-10; 89C-13 through 89C-15.*

#### **.0505 EXPIRATIONS AND RENEWALS OF CERTIFICATES**

(a) Professional Engineer Registration. An annual renewal fee of ~~thirty-five forty~~ forty dollars (~~\$35.00~~ \$40.00) for certificates of registration for Professional Engineers shall be payable to

the Board. The Board will send to each registered Professional Engineer a form which requires the registrant to provide the Board with ~~his both the business and residential address addresses, and to affix the registrant's North Carolina Professional Engineer's seal thereupon.~~ The completed form for renewal of certificate along with the required fee is to be forwarded to the Board.

(b) Engineer-In-Training Certificate. The Engineer-In-Training certificate does not expire and, therefore, does not have to be renewed.

*Authority G.S. 89C-10; 89C-17.*

### **SECTION .0600 - LAND SURVEYOR**

#### **.0601 REQUIREMENT FOR LICENSING**

(a) Education. The following terms used by the Board for the specific education requirements to be eligible to be licensed as a Registered Land Surveyor are defined by the Board as follows:

- (1) B.S. in Surveying or Other Equivalent Curricula. These degrees must contain a minimum of 45 semester hours, or their quarter-hour equivalents, of subjects directly related to the practice of surveying. Of the 45 semester hours, a minimum of 12 semester hours of surveying fundamentals, 12 semester hours of applied surveying practice and 12 semester hours of advanced or theoretical surveying courses ~~is~~ are required. The remainder of the required surveying courses may be elective-type courses directly related to surveying.
- (2) Associate Degree in Surveying Technology. This ~~degrees~~ degree must contain a minimum of 30 quarter hours, or semester-hour equivalents, of subjects directly related to the practice of surveying. Appropriate courses in surveying practices, subdivision design and planning, surface drainage and photogrammetry must be successfully completed.

(b) Experience:

- (1) Definition. As used in the North Carolina Engineering and Land Surveying Act the term "progressive practical surveying experience" means that during the period of time in which an applicant has made a practical utilization of ~~his~~ the knowledge of the principles of geometry and trigonometry in determining the form, boundaries, position and extent of the earth's surface, ~~he has shown~~ continuous improvement, growth and development in ~~his~~ the utilization of that knowledge ~~have been shown.~~ shown. In addition, the applicant must show ~~that he has continuously assumed the continuous assumption~~ of greater individual responsibility for his the work product over that period of time.
- (2) Experience Accepted. In order to have experience adequate to comply with the requirements of the law, the applicant's work experience must be concerned with land surveying and is normally gained while



working under the responsible charge of a Registered Land Surveyor.

- (3) Other Experience. Work done in the following areas ~~require~~ requires evidence to the Board of its equivalency to land surveying:

- (A) construction layout,
- (B) engineering surveying,
- (C) part-time surveying work.

(c) Exhibits, Drawings, Plats:

- (1) Required Exhibit Before Fundamentals of Land Surveying Examination. The applicant must submit, along with ~~his~~ the application, an actual plat or an example plat which discloses that the applicant is knowledgeable in the elements of good mapping practices.

- (2) Required Exhibit Before Principles and Practices of Land Surveying Examination:

- (A) General. The applicant must submit, along with ~~his~~ the application, an actual plat of a boundary survey of an actual project which discloses that the applicant is knowledgeable of the contents of the Standards of Practice for Land Surveying in North Carolina (Section .1600) and also is able to apply this knowledge by preparing a plat in accordance with the various legal and professional requirements of land surveying.

- (B) Physical Requirement. The map submitted must be a clean, ~~clear~~ clear, legible print of an original map in the file of a Registered Land Surveyor.

- (3) Specific Requirements. The specific details that will be evaluated are those applicable to the particular project as described in the Standards of Practice for Land Surveying in North Carolina (Section .1600) and as described in G.S. 47-30. In addition, the exhibit shall contain a statement that the field work, calculation and mapping ~~was~~ were performed by the applicant under the supervision of a Registered Land Surveyor, attested to by the Registered Land Surveyor.

- (4) Requirements for Comity Applicant. The map submitted by an applicant under comity may be a sample plat of a project or work performed in ~~his~~ the state of registration which will be evaluated in accordance with legal requirements of North Carolina.

Authority G.S. 89C-10; 89C-13; 47-30.

**.0602 APPLICATION PROCEDURE: INDIVIDUAL**

(a) General. A person desiring to become a Registered Land Surveyor must make application to the Board on a form prescribed and furnished by the Board.

(b) Request. A request for the application form may be made at the Board address.

(c) Application Form. All persons applying to be licensed

as a Registered Land Surveyor shall apply using the standard application form. This form requires the applicant to set forth ~~his~~ his personal background, plus ~~his~~ his educational background, ~~his~~ his land surveying experience, and ~~his~~ his references. A passport-type photograph for identification purposes is required also.

(d) Supplemental Form. Persons who initially applied for registration as a land surveyor, but were not eligible initially to be admitted to the examination for principles and practice of land surveying, must supplement their initial application applications upon ultimately applying for the second examination. The applicant must supplement ~~his~~ the initial application by using the supplemental form, which requires ~~him~~ to list his the listing of land surveying experience from the date of the initial ~~application~~ application to the date of the supplemental application. Five references shall be submitted which are current to within one year of the examination date.

(e) Reference Forms:

- (1) Persons applying to take the examination for the fundamentals of land surveying or the examination for principles and practice must submit to the Board names of individuals who are familiar with the applicant's work, character and reputation. The names are submitted by the applicant on the application form.

- (2) Persons applying for the fundamentals of land surveying examination must submit three references, one of which must be a Registered Land Surveyor. Persons applying for the principles and practice examination must submit five references, two of which must be ~~a~~ a Registered Land ~~Surveyor~~ Surveyors.

- (3) In addition to the applicant submitting names to the Board of such individuals, those individuals listed are required to submit to the Board their evaluation evaluations of the applicant on reference forms supplied them by the applicant. Such information is considered confidential and will not be released by the Board.

- (4) The reference form requires the individual evaluating the applicant to state the evaluating individual's profession, ~~his~~ his knowledge of the applicant and other information concerning the applicant's land surveying experience, character and reputation.

- (5) The reference ~~form~~ forms will be received by the applicant ~~when he receives his~~ along with the application for registration. The reference forms are then to be distributed by the applicant to the persons listed ~~by him~~ on his the application as references. It is the applicant's responsibility to see that the individuals listed as references return the forms to the Board prior to the filing deadline for the examination applied for by the applicant.

(f) Fees:

- (1) Regular. The registration fee of one hundred dollars (\$100.00) and appropriate examination fee for those applying for registration based upon examination, experience, character and exhibit ~~is~~ are payable with

the filing of the application.

- (2) Comity. The registration fee of one hundred dollars (\$100.00) and appropriate examination fee for those applying for registration based upon comity is are payable with the filing of the application.
- (3) Examination. The examination fee for any applicant is payable with the filing of the application in accordance with the following schedule: the amount of the actual cost of the examination plus an administrative fee of fifteen dollars (\$15.00).
  - (A) ~~Land Surveying Fundamentals~~ \$50.00
  - (B) ~~Land Surveying Principles & Practice~~ \$60.00

*Authority G.S. 89C-10; 89C-13; 89C-14.*

### **.0603 EXAMINATIONS**

(a) Fundamentals of Land Surveying. This eight-hour written examination is designed primarily to test the applicant's proficiency and knowledge of the fundamentals of land surveying.

(b) Principles and Practice of Land Surveying. This eight-hour written examination is designed to test the applicant's proficiency and knowledge of land surveying practices and procedures generally and specifically within North Carolina.

(c) Examination Aids. Examinees may utilize examination aids as specified in published Board material furnished to applicants.

(d) Preparation of Examination. The examination in the fundamentals of land surveying and six hours of the examination in the principles and practice of land surveying are national examinations promulgated by the National Council of Examiners for Engineering and Surveying (NCEES) of which the Board is a member. The two-hour North Carolina portion of the principles and practice of land surveying examination is prepared and graded by the Board.

(e) Examination Filing Deadline. The applicant who wishes to take an examination must have ~~his~~ the completed application (which includes all necessary references, transcripts, and verifications) in the Board office prior to the Board-established deadline dates of August 1 for Fall examinations and January 2 for Spring examinations.

(f) Seating Notice. After approval of an application the applicant will receive a seating notice. This notice will inform the applicant of the date, time and location of the examination and the seat ~~to which he is~~ number assigned.

(g) Unexcused Absences. After a seating notice for a scheduled examination has been issued by the Board, and the applicant fails to appear, the applicant's record will reflect "unexcused absence" unless the absence was for official jury duty or the applicant was not physically able to be present, as indicated by a doctor's certificate.

(h) Oral Interview. During the examination on the principles and practice of land surveying, the applicant may be interviewed by Board members. The purpose of the interview is to augment the evidence submitted in an application with regard to education or experience.

(i) Re-Examination. A person who has failed an examination is allowed to apply to take the examination again at the next regularly scheduled examination period. A person having a combined record of three failures or unexcused absences will not be allowed to take that examination again until a written appeal is made to the Board and the qualifications for examination are reviewed and reaffirmed by the Board. The applicant must demonstrate to the Board that actions have been taken to improve the applicant's chances for passing the exam.

*Authority G.S. 89C-10; 89C-15.*

### **.0606 EXPIRATIONS AND RENEWALS OF CERTIFICATES**

(a) Registered Land Surveyor Registration. An annual renewal fee of ~~thirty-five~~ forty dollars (~~\$35.00~~ \$40.00) for certificates of registration for Registered Land Surveyors shall be payable to the Board. The Board will send each Registered Land Surveyor a form which requires the registrant to provide to the Board ~~his~~ the business and residential ~~address~~ addresses, ~~and to affix the registrant's North Carolina Registered Land Surveyor's seal thereupon.~~ The completed form for renewal of certificate along with any required fee is to be forwarded to the Board.

(b) Surveyor in Training Certificate. The Surveyor In Training certificate does not expire and, therefore, does not have to be renewed.

*Authority G.S. 89C-17.*

## **SECTION .0700 - STANDARDS OF PROFESSIONAL CONDUCT**

### **.0701 RULES OF PROFESSIONAL CONDUCT**

(a) In order to safeguard the life, health, property and welfare of the public and to establish and maintain a high standard of integrity, skills, and practice in the profession of engineering and land surveying, the following rules of professional conduct are promulgated in accordance with G.S. 89C-20 and shall be binding upon every person holding a certificate of registration as a Professional Engineer or Registered Land Surveyor (registrant), and on all partnerships or corporations or other legal entities authorized to offer or perform engineering or land surveying services in this state. All persons registered under the provisions of Chapter 89C of the General Statutes are charged with having knowledge of the existence of the rules of professional conduct, and shall be deemed to be familiar with their several provisions and to understand them.

(b) The Professional Engineer and Registered Land Surveyor shall conduct ~~his~~ the practice in order to protect the public health, safety and welfare. ~~He~~ The registrant shall at all times recognize ~~his~~ the primary obligation to protect the public in the performance of ~~his~~ the professional duties. If ~~his~~ the ~~registrant's~~ engineering or land surveying judgment is overruled under circumstances where the safety, health and



welfare of the public are endangered, ~~he~~ the registrant shall inform ~~his~~ the employer, the contractor and the appropriate regulatory agency of the possible consequences of the situation.

(c) The Professional Engineer and Registered Land Surveyor shall perform his services only in areas of ~~his~~ the registrant's competence and:

- (1) Shall undertake to perform engineering and land surveying assignments only when qualified by education or experience in the specific technical field of professional engineering or land surveying involved.
- (2) May accept an assignment requiring education or experience outside of ~~his~~ the registrant's own field of competence, but only to the extent that ~~his~~ the services are restricted to those phases of the project in which ~~he~~ the registrant is qualified. All other phases of such project shall be performed by qualified associates, consultants, or employees.
- (3) Shall not affix ~~his~~ the signature or seal to any engineering or land surveying plan or document dealing with subject matter for which ~~he~~ the registrant lacks competence by virtue of education or experience, nor to any such plan or document not prepared under ~~his~~ the registrant's direct supervisory control. Direct supervisory control (responsible charge) requires a registrant or employee to carry out all client ~~contracts~~ contracts, provide internal and external financial control, oversee employee training, and exercise control and supervision over all job requirements to include research, planning, design, field supervision and work product review. A registrant shall not contract with a non-registered individual to provide these professional services. Research, such as title searches and soil testing, may be contracted to a non-registered individual, provided that individual is qualified and/or licensed to provide such service and provided the registrant reviews the work. The Professional Engineer and Registered Land Surveyor may affix ~~his~~ the seal and signature to drawings and documents depicting the work of two or more professionals provided ~~he~~ it is ~~designates~~ designated by a note under ~~his~~ the seal the specific subject matter for which ~~he~~ each is responsible.

(d) The Professional Engineer and Registered Land Surveyor shall issue public statements only in an objective and truthful manner and:

- (1) Shall be objective and truthful in all professional reports, statements or testimony. ~~He~~ The registrant shall include all relevant and pertinent information in such reports, statements or testimony.
- (2) When serving as an expert or technical witness before any court, commission, or other tribunal, shall express an opinion only when it is founded upon adequate knowledge of the facts in issue, upon a background of technical competence in the subject matter, and upon honest conviction of the accuracy

and propriety of ~~his~~ the registrant's testimony.

- (3) Will issue no statements, criticisms, or arguments on engineering or land surveying matters connected with public policy which are inspired or paid for by an interested party, or parties, unless ~~he~~ the registrant has prefaced ~~his~~ the comment by explicitly identifying ~~himself~~ the registrant's name, by disclosing the identities of the party or parties on whose behalf ~~he~~ the registrant is speaking, and by revealing the existence of any pecuniary interest ~~he~~ the registrant may have in the instant matters.
- (4) Shall not attempt to injure, maliciously or falsely, directly or indirectly, the professional reputation, prospects, practice or employment of another engineer or land surveyor, nor ~~shall~~ he indiscriminately criticize another engineer or land surveyor's work in public. If ~~he~~ the registrant believes that another engineer or land surveyor is guilty of misconduct or illegal practice, ~~he shall~~ present such information shall be presented to the North Carolina State Board of Registration.

(e) The Professional Engineer and Registered Land Surveyor shall avoid conflicts of interest and:

- (1) Shall promptly inform ~~his~~ the employer or client of any business association, interests, or circumstances which could influence ~~his~~ the judgment or the quality of ~~his~~ the services.
- (2) Shall not accept compensation, financial or otherwise, from more than one party for services on the same project, or for services pertaining to the same project, unless the circumstances are fully disclosed to, and agreed to, by all interested parties.
- (3) Shall not solicit or accept financial or other valuable considerations from material or equipment suppliers for specifying their products.
- (4) Shall not solicit or accept gratuities, directly or indirectly, from contractors, their agents, or other parties dealing with ~~his~~ the client or employer in connection with work for which ~~he is~~ the registrant is responsible.
- (5) When in public service as a member, advisor, or employee of a governmental body or department, shall not participate in considerations or actions with respect to services provided by ~~him~~ the registrant or ~~his~~ the registrant's organization in private engineering and land surveying practices.
- (6) Shall not solicit or accept an engineering or land surveying contract from a governmental body on which a principal or officer of ~~his~~ the registrant's organization serves as a member.
- (7) Shall not attempt to supplant another engineer or land surveyor in a particular employment after becoming aware that the other has been selected for the employment.

(f) The Professional Engineer and Registered Land Surveyor shall solicit or accept work only on the basis of ~~his~~ the qualifications and:



- (1) Shall not offer to pay, either directly or indirectly, any commission, political contribution, gift, or other consideration in order to secure work, exclusive of securing salaried positions through employment agencies.
- (2) Shall compete for employment on the basis of professional qualification and competence to perform the work. ~~He shall~~ Shall not solicit or submit proposals for professional services containing a false, fraudulent, misleading, deceptive or unfair statement or claim regarding the cost, quality or extent of services to be rendered.
- (3) Shall not falsify or permit misrepresentation of ~~his~~ ~~or his associates'~~ academic or professional qualifications. ~~He shall~~ Shall not misrepresent his degree of responsibility in or for the subject matter of prior assignments. Brochures or other presentations incident to the solicitation of employment shall not misrepresent pertinent facts concerning employers, employees, associates, joint ~~venturers~~ ventures, or ~~his or their~~ past accomplishments with the intent and purpose of enhancing ~~his~~ qualifications and ~~his~~ work.

(g) The Professional Engineer and Registered Land Surveyor shall perform ~~his~~ services in an ethical and lawful manner and:

- (1) Shall not knowingly associate with or permit the use of ~~his~~ the registrant's name or firm name in a business venture by any person or firm which ~~he~~ the registrant knows, or has reason to believe, is engaging in business or professional practices of a fraudulent or dishonest nature.
- (2) If ~~he~~ the registrant has knowledge or reason to believe that another person or firm may be in violation of any of these provisions or of the North Carolina Engineering and Land Surveying Act, shall present such information to the Board in writing and shall cooperate with the Board in furnishing such further information or assistance as may be required by the Board. The registrant shall timely respond to all inquiries and correspondence from the Board and shall timely claim correspondence from the U. S. Postal Service, or other delivery service, sent to the registrant from the Board.

(h) A Professional Engineer or Registered Land Surveyor whose professional registration is revoked or suspended by another jurisdiction, shall be subject to discipline by the Board if the registrant's action violates Chapter 89C of the North Carolina General Statutes or these rules.

*Authority G.S. 89C-17; 89C-20.*

#### **.0702 RULES OF CONDUCT OF ADVERTISING**

(a) The Professional Engineer or Registered Land Surveyor shall not make exaggerated, misleading, deceptive or false statements or claims about ~~his~~ professional qualifications, experience or performance in ~~his~~ brochures, correspondence, listings, or other public communications.

(b) The prohibitions listed in Paragraph (a) of this Rule include, but are not limited to, the use of statements containing a material misrepresentation of fact or omitting a material fact necessary to keep the statement from being misleading; statements intended or likely to create an unjustified expectation; and statements containing a prediction of future success.

(c) Consistent with the foregoing, the Professional Engineer or Registered Land Surveyor may advertise for recruitment of personnel.

(d) Consistent with the foregoing, the Professional Engineer or Registered Land Surveyor may prepare articles for the lay or technical press. Such articles shall not imply credit to the author for work performed by others.

*Authority G.S. 89C-20.*

### **SECTION .0900 - BUSINESS ORGANIZATIONS: GENERAL**

#### **.0901 OFFICES**

(a) Professional Engineering Services. Every firm, partnership, corporation or limited liability company which performs or offers to perform engineering services in the State of North Carolina shall have a resident registered Professional Engineer in responsible charge in each separate office in which professional engineering services are performed or offered to be performed.

(b) Land Surveying Services. Every firm, ~~partnership~~ partnership, corporation or limited liability company which performs or offers to perform land surveying services in the State of North Carolina shall have a resident Registered Land Surveyor in responsible charge in each separate office in which land surveying services are performed or offered to be performed.

(c) Resident. A resident registered Professional Engineer or Registered Land Surveyor as used in this Rule, means a licensee who spends a majority of ~~his~~ the licensee's normal working time in said place of business. Such time shall not be less than a majority of the operating hours of the business. A registered Professional Engineer or Registered Land Surveyor can be the resident licensee at only one place of business at one time.

(d) No firm, partnership, corporation or limited liability company shall practice, or offer to ~~practice practice, or market~~ either land surveying or ~~engineering, engineering~~ unless there is a registered resident for that service in responsible charge at that said place of business. Advertisements, signs, letterheads, business cards, directories, or any other form of representation shall avoid any reference to any service that cannot be provided under the responsible charge of a properly qualified resident professional.

*Authority G.S. 57C-2.01; 89C-10; 89C-24.*

#### **.0902 TITLES OF BUSINESS ORGANIZATIONS**

(a) Companies, partnerships, corporations, limited liability companies or any other business organization providing professional engineering or land surveying services in North Carolina shall not practice under a name that is misleading. Except as provided below, the title of engineering or land surveying companies, partnerships, corporations, limited liability companies or any other business organization organized primarily to provide such professional services shall not contain the name of an individual not registered to provide the professional services offered or eligible for registration under the provisions of G.S. 89C-13.

(b) A firm may include in its title the name or names of one or more deceased or retired former members of the firm, provided that the firm ~~submit~~ submits a letter of request and explanation with its application to the Board, and that the Board finds as a fact that the use of the name is not misleading.

(c) A business organization shall not change its title, or operate under an assumed name, without first applying to the Board for a determination that the proposed title meets the requirements of Paragraph (a) of this Rule. Requests for name changes shall be made in writing on ~~a form~~ forms provided by the Board for this purpose.

*Authority G.S. 55B-5; 57C-2.01; 89C-10; 89C-24.*

## **SECTION .1100 - SEAL**

### **.1102 DESIGN**

The standard design of the seal shall be two concentric circles in which North Carolina and the name of the registrant ~~is~~ are placed within the outermost circle and in which the registration number of the registrant and either "Professional Engineer" or "Registered Land Surveyor," is placed within the innermost circle. The size shall be as directed by the Board.

*Authority G.S. 89C-10; 89C-16.*

### **.1103 STANDARD CERTIFICATION REQUIREMENTS**

(a) Certification. The seal of a registrant on a map, drawing, plan, specification, plat, or report shall signify that it is the final work of the registrant unless the work is stamped or clearly marked as "preliminary work" as follows:

- (1) "Preliminary - Do not use for construction",
- (2) "Progress Drawings - Do not use for construction",
- (3) "Preliminary Plat - Not for recordation, conveyances, or sales",
- (4) "Final Drawing - Not released for ~~construction~~ construction",
- (5) "Final Drawing - For Review Purposes Only".

(b) Certification of Final Drawings. Certification is not required for "preliminary work." All other drawings or maps shall conform to the following:

- (1) Certification is required on reproducibles or original drawings.
- (2) The seal may be a rubber stamp, embossed seal, computer-generated seal, or other facsimile found

acceptable to the Board that becomes a permanent addition to a plan sheet or map.

- (3) The registrant's written signature must be placed over, or near, the seal on the original document. A facsimile signature is not acceptable.
- (4) The date of signing must be annotated on the original document.
- (5) All sheets of engineering and surveying drawings must be sealed.
- (6) The name and address of the registrant's firm will be included on each sheet of engineering drawings. For surveys, the registrant's name and address will be included on the first sheet of the survey or title sheet.

(c) Certification of Specifications and Reports. Certification is not required for "preliminary work." All other specifications and reports shall conform to the following:

- (1) Certification is required on original specifications.
- (2) The seal may be a rubber stamp, or other facsimile.
- (3) The registrant's written signature must be placed over, or near, the seal on the original document. A facsimile signature is not acceptable.
- (4) The date of signing must be annotated on the original document.
- (5) The title sheet of engineering specifications or other reports must be sealed and bear the name and address of the registrant's firm. The title sheet of any survey report or written description of property will include the name and address of the Registered Land Surveyor.

(d) Electronically transmitted drawings. Drawings that are transmitted electronically to a client or a governmental agency shall have the computer-generated seal removed from the original file. The electronic media shall have the following inserted in lieu of the signature and date: This document originally issued and sealed by (name of sealer), (registration number), on (Date of sealing). This media shall not be considered a certified document.

*Authority G.S. 89C-10; 89C-16.*

### **.1104 CERTIFICATION WITH TEMPORARY PERMIT**

All plans, specifications, plats, and reports issued by a person holding temporary registration in North Carolina, and for use in North Carolina, shall be stamped with the registrant's seal from the state ~~in which he is~~ where permanently registered and in good standing. Directly beneath this seal, the registrant will note the North Carolina Temporary Permit Number, his written signature, and the date of signing. A facsimile signature is not acceptable.

*Authority G.S. 89C-10; 89C-16; 89C-25.*

### **.1105 FIRM SEAL**

The use of a seal by a firm is not required for certification. A firm seal is not authorized for use in lieu of the required seal of a Professional Engineer or Registered Land Surveyor. When



a firm seal is used, it does not relieve the individual registrant of the requirements and responsibilities pertaining to his the individual's seal.

*Authority G.S. 89C-10; 89C-16; 89C-24.*

**.1106 CERTIFICATION OF STANDARD DESIGN PLANS**

Standard design plans must initially be prepared and sealed by a Professional Engineer properly registered in the state of origin of such plans. Standard design plans may then be reviewed by a North Carolina Professional Engineer for code conformance, design adequacy, and site adaption for the specific application within North Carolina. The Professional Engineer who is registered in North Carolina assumes responsibility for such standard designs. Standard plans, which bear the seal of a Professional Engineer who is registered in another state, shall be sealed by the North Carolina resident Professional Engineer who is assuming responsibility. ~~He should affix his In addition to the seal, and a statement substantially should be included~~ as follows: "These plans have been properly examined by the undersigned. I have determined that they comply with existing local North Carolina codes, and have been properly site adapted for use in this area."

*Authority G.S. 89C-10; 89C-16.*

**SECTION .1200 - RULE-MAKING PROCEDURES**

**.1201 PETITIONS**

(a) Any person wishing to submit a petition requesting the adoption, amendment or repeal of a rule by the Board should send the petition to the executive secretary at the Board's office in Raleigh, North Carolina.

(b) The petition should contain the following information:

- (1) either a draft of the proposed rule or a summary of its contents;
- (2) reason for proposal;
- (3) effect on existing rules;
- (4) any data supporting proposal;
- (5) effect of the proposed rule on existing practices in the area involved, including cost factors;
- (6) names of those most likely to be affected by the proposed rule, with addresses if reasonably known; and
- (7) name and address of each petitioner.

(c) A review committee made up of one member of the Board, the executive secretary and the legal counsel for the Board, on behalf of the Board, will determine, based on a study of the facts stated in the petition, whether the public interest will be served by granting it. It will consider all the contents of the submitted petition, plus any additional information it deems relevant.

(d) The executive secretary, on behalf of the review committee, will make a recommendation to the Board for the denial of the petition or the institution of rule-making

proceedings, as the case may be.

(e) Within 120 days of submission of the petition, the Board will render a final decision. However, the Board will not be required to meet in order to render a decision but such decision may be reached by communication among and between the members and the executive secretary by letter, telephone or any other convenient means of communication.

(f) If the decision is to deny the petition, the executive secretary, on behalf of the Board, will notify the petitioner in writing, stating the reasons ~~therefor~~: therefore. If the decision is to grant the petition, the Board will initiate a rule-making proceeding.

*Authority G.S. 89C-10.*

**.1203 HEARINGS**

(a) Unless otherwise stated in a particular rule-making notice, hearings before the Board will be held in the Board office.

(b) Any person desiring to present oral data, views, or arguments on the proposed rule must, at least five days before the hearing, file a notice with the Board. Notice may be waived or a failure to give notice may be excused by the Board within its discretion.

(c) Any person permitted to make an oral presentation is encouraged to submit a written copy of the presentation to the executive secretary prior to or at the hearing. A request to make an oral presentation should contain a brief summary of the individual's views with respect thereto, and a statement of the length of time the individual intends to speak. Presentations may not exceed 10 minutes unless, upon request, either before or at the hearing, the Board grants an extension of time, within its discretion.

(d) Upon receipt of a request to make an oral presentation the executive secretary will acknowledge receipt of the request, and inform the person making the request of the imposition of any limitations deemed necessary to the end of a full and effective public hearing on the proposed rule.

(e) Any person may file a written submission containing data, comments or ~~arguments~~, arguments after publication of a rule-making notice ~~up to, and including, the day of the hearing and within 10 days, following the hearing unless a longer period is stated in the particular notice or an extension of time is granted for good cause following notice: as allowed by G.S. 150B-21.2(f).~~ Written submissions, except when otherwise stated in the particular rule-making notice, should be sent to the Board. Such submissions should clearly state the proposed rule(s) to which the comments are addressed.

(f) Upon receipt of such written comments, prompt acknowledgment will be made.

(g) The presiding officer at the hearing shall have complete control of the proceedings, including extensions of any time requirements, recognition of speakers, time allotments for presentations, direction of the flow of the discussion and the management of the hearing. The presiding officer, at all times, shall take care that each person participating in the hearing is given a fair opportunity to present views, data and comments.



(h) A record of all rule-making proceedings will be maintained at the Board's office.

*Authority G.S. 89C-10.*

### **.1205 DECLARATORY RULINGS**

(a) Any person substantially affected by a statute administered or rule promulgated by the Board may request a declaratory ruling as to ~~either~~ whether or how the statute or rule applies to a given factual situation or whether a particular agency rule is valid.

(b) The Board will have the power to make such declaratory rulings. All requests for declaratory rulings shall be written and mailed to the Board.

(c) All requests for a declaratory ruling must include the following information:

- (1) name and address of petitioner;
- (2) statute or rule to which petition relates;
- (3) concise statement of the manner in which petitioner is aggrieved by the rule or statute or its potential application to ~~him~~; petitioner;
- (4) a statement of whether an oral hearing is desired, and if so, the reasons for such an oral hearing.

(d) Whenever the Board believes for good cause that the issuance of a declaratory ruling is undesirable, it may refuse to do so. When good cause is deemed to exist, the Board will notify the petitioner of its decision in writing stating reasons for the denial of a declaratory ruling.

(e) Where a declaratory ruling is deemed appropriate, the Board will issue the ruling within 60 days of receipt of the petition.

(f) A declaratory ruling procedure may consist of written submissions, oral hearings, or such other procedure as may be appropriate in a particular case.

*Authority G.S. 89C-10.*

## **SECTION .1300 - BOARD DISCIPLINARY PROCEDURES**

### **.1301 IMPROPER PRACTICE BY A REGISTRANT**

(a) General. Alleged improper practice by a registrant shall be subject to Board investigation and disciplinary action by the Board if necessary.

(b) Preferring Charges. Any person who believes that any licensed Professional Engineer, Registered Land Surveyor or firm holding a certificate of authorization is in violation of the provisions of G.S. 89C or these Rules may prefer charges against that person or firm by setting forth in writing those charges and swearing to their authenticity. The charges are to be filed at the Board's office in Raleigh, North Carolina.

(c) Preliminary Review:

- (1) Upon receipt of a properly filed charge, an investigation shall be initiated.
- (2) A written notice and explanation of the charge shall be forwarded to the person or firm against whom the charge is made and a response is requested of the

person or firm so charged to show compliance with all lawful requirements for retention of the license. Notice of the charge and of the alleged facts or alleged conduct shall be given personally or by certified mail, return receipt requested.

(3) In the discretion of the executive secretary, a field investigation may be performed.

(4) After preliminary evidence has been obtained, the matter shall be referred to the Board's review committee which is made up of the following individuals:

- (A) one member of the Board,
- (B) the legal counsel of the Board, and
- (C) the executive secretary of the Board.

(5) Upon review of the available evidence, the review committee shall present to the Board a written recommendation that:

- (A) The charge be dismissed as unfounded or trivial;
- (B) When the charge is admitted as true, the Board ~~accept~~ accepts the admission of guilt by the person charged and orders ~~him~~ that person not to commit in the future the specific act or acts admitted ~~by him and, also, and also~~ not to violate any of the ~~acts of misconduct specified in the law~~ provisions of the Board Rules or the statutes at any time in the future;
- (C) The charge, whether admitted or denied, be presented to the full Board for a hearing and determination by the Board on the merits of the charge in accordance with the substantive and procedural requirements of the provisions of Section .1400 of this Chapter and the provisions of G.S. 150B; or
- (D) Whether the charge is admitted or denied, the Board give notice to the registrant of a ~~decision without hearing~~ contemplated action as set out in Rule .1403(b).

(d) Board Decision. Notice of the decision by the Board on recommendations of the review committee shall be given to the party against whom the charges have been brought and the party submitting the charge. Though it is ~~not forbidden~~ to do so, the Board is not required to notify the ~~parties~~ of the reasons of the Board in making its determination.

(e) Settlement Conference. When the Board issues a citation for hearing or notice of a ~~decision without hearing, contemplated action~~, the registrant may request in writing a settlement conference to pursue resolution of the issue(s) through informal procedures. ~~If~~ If, after the completion of a settlement ~~conference~~ conference, the registrant and Board's settlement committee do not agree to a resolution of the dispute for the full Board's consideration, the original administrative proceeding shall commence. During the course of the settlement conference, no sworn testimony shall be taken nor shall any witnesses be cross-examined.

- (1) The Board's settlement committee shall be made up of the following individuals:

as well as all deeds and plats recorded after the date of the deed or plat upon which the survey is being based.

(c) Except as provided in Paragraph (d) of the Rule, metal stakes or materials of comparable permanence shall be placed at all corners.

(d) Where a corner ~~or important point~~ falls in a right-of-way, in a tree, in a stream, or on a fence post, boulder, stone, etc., one or more monuments or metal stakes shall be placed in the boundary line so that the inaccessible point may be located accurately on the ground and the map. Corners of a property line on a road right-of-way or margin shall be monumented at the points of entry and exit. The intermediate corners need not be monumented if, due to proximate location to the entry and exit points, they may be confused with the entry and exit points.

(e) The results of a survey when reported to the user of that survey, whether in written or graphic form, shall be prepared in a clear and factual manner. All reference sources shall be identified. Artificial monuments called for in such reports shall be described as found or set. When no monument is found or set for points described in Paragraph (d) of this Rule, shown in such reports, that fact shall be noted.

(f) Where the results of a survey are reported in the form of a plat or a written description, one or more corners shall, by a system of azimuths or courses and distances, be accurately tied to and coordinated with a horizontal control monument of some United States or State Agency survey system, such as the North Carolina Geodetic Survey, where such monument is within 2000 feet of the subject property, right-of-way, easement or other surveyed entity. Where the North Carolina grid system coordinates of said monument are on file in the North Carolina Department of ~~Environment, Health, Environment~~ and Natural Resources, the coordinates of both the referenced corner or point and the monument(s) shall be shown in X (easting) and Y (northing) coordinates on the plat or in the written description or document. The coordinates shall be identified as based on 'NAD 83', indicating North American Datum of 1983 or as 'NAD 27' indicating North American Datum of 1927. The tie lines to the monuments must be sufficient to establish true north or grid north bearings for the plat or description if the monuments exist in pairs. Control monuments within a previously recorded subdivision may be used in lieu of grid control. In the interest of bearing consistency with previously recorded plats, existing bearing control may be used where practical. In the absence of Grid Control, other natural or artificial monuments or ~~land marks~~ landmarks shall be used. In all cases, the tie lines shall be sufficient to accurately reproduce the subject lands from the control or reference points used.

(g) Area is to be computed by double meridian distance or equally accurate method and shown on the face of the plat, written description or other document. Area computations by estimation, by planimeter, by scale, or by copying from another source are not acceptable methods, except in the case of tracts containing inaccessible areas and in these areas the method of computation will be clearly stated.

*Authority G.S. 89C-10; 89C-21.*

## **.1603 CLASSIFICATION OF BOUNDARY SURVEYS**

(a) General. Boundary surveys are defined as surveys made to establish or to retrace a boundary line on the ground, or to obtain data for constructing a map or plat showing a boundary line. For the purpose of this Rule the term refers to all surveys, including "loan" or "physical" surveys, which ~~involves~~ involve the determination or depiction of property lines. For the purpose of specifying minimum allowable surveying standards for boundary surveys, four general classifications of lands in North Carolina are established from the standpoint of their real value, tax value, or location. Each map shall contain a statement of the calculated ratio of precision before adjustments.

(b) Local Control Network Surveys (Class AA). Local control network surveys are traverse networks utilizing permanent points for the purpose of establishing local horizontal control networks for future use of local surveyors. For Class AA boundary surveys in North Carolina, the angular error of closure shall not exceed ten seconds times the square root of the number of angles turned. The ratio of precision shall not exceed an error of closure of one foot per 20,000 feet of perimeter of the parcel of land (1:20,000).

(c) Urban Land Surveys (Class A). Urban surveys include lands which normally lie within a town or city. For Class A boundary surveys in North Carolina, the angular error of closure shall not exceed 20 seconds times the square root of the number of angles turned. The ratio of precision shall not exceed an error of closure of one foot per 10,000 feet of perimeter of the parcel of land (1:10,000).

(d) Suburban Land Surveys (Class B). Suburban surveys include lands in or surrounding the urban properties of a town or city. For Class B boundary surveys in North Carolina, the angular error of closure shall not exceed 25 seconds times the square root of the number of angles turned. The ratio of precision shall not exceed an error of closure of one foot per 7,500 feet of perimeter of the parcel of land (1:7,500).

(e) Rural and Farmland Surveys (Class C). Rural and farmland surveys include lands located in rural areas of North Carolina and generally outside the suburban properties. For Class C boundary surveys in North Carolina, the angular error of closure shall not exceed 30 seconds times the square root of the number of angles turned. The ratio of precision shall not exceed an error of closure of one foot per 5,000 feet of perimeter of the parcel of land (1:5,000).

*Authority G.S. 89C-10; 89C-21.*

## **.1604 MAPPING REQUIREMENTS FOR BOUNDARY SURVEYS**

(a) The size of a map shall be such that all details can be shown clearly.

(b) Any lines which are not actually surveyed must be clearly indicated on the map and a statement included revealing the source of information from which the line is derived.

(c) Any revision on a map after a surveyor's seal is affixed shall be noted and dated.



(d) All surveys based on the North Carolina grid system shall contain a statement identifying the coordinate system used as the North American Datum of 1983 ("NAD 83") or the North American Datum of 1927 ("NAD 27").

(e) All plats (maps), unless clearly marked as "Preliminary Plat - Not for recordation, conveyances, or sales" shall be sealed, signed and dated by the Registered Land Surveyor and shall contain the following:

- (1) An accurately positioned north arrow coordinated with any bearings shown on the plat. Indication shall be made as to whether the north index is true, magnetic, North Carolina grid ('NAD 83' or 'NAD27'), or is referenced to old deed or plat bearings. If the north index is magnetic or referenced to old deed or plat bearings, the date and the source (if known) such index was originally determined shall be clearly indicated.
- (2) The azimuth or courses and distances of every property line surveyed shall be shown. Distances shall be in feet or meters and decimals thereof. The number of decimal places shall be appropriate to the class of survey required.
- (3) All plat lines shall be horizontal or grid measurements. All lines shown on the plat shall be correctly plotted to the scale shown. Enlargement of portions of a plat are acceptable in the interest of clarity, where shown as inserts. Where the North Carolina grid system is used the grid factor shall be shown on the face of the plat. If grid distances are used, it must be shown on the plat.
- (4) Where a boundary is formed by a curved line, the following data must be given: actual survey data, or as a traverse of bearings and distances around the curve. If standard curve data is used the bearing and distance of the long chord (from point of curvature to point of tangency) must be shown on the face of the plat.
- (5) Where a subdivision of land is set out on the plat, all streets and lots shall be accurately plotted with dimension lines indicating widths and all other information pertinent to retracing all lines in the field. This shall include bearings and distances **sufficient to form a continuous closure of the entire perimeter.**
- (6) Where control corners have been established in compliance with G.S. 39-32.1, 39-32.2, 39-32.3, and 39-32.4, as amended, the location and information as required in the **reference referenced** statute shall be plotted on the plat. All other corners which are marked by monument or natural object shall be so identified on all plats, and where practical all corners of adjacent owners along the boundary lines of the subject tract which are marked by monument or natural object shall be shown.
- (7) The surveyor shall show one of the following where they could be determined:
  - (A) The names of adjacent land owners; or

(B) The lot, block, parcel and subdivision designations; or

(C) Other legal reference where applicable.

- (8) All visible and apparent rights-of-way, easements, watercourses, utilities, roadways, and other such improvements shall be accurately located where crossing or forming any boundary line of the property shown.
- (9) Tie lines as required and defined in Rule .1602(f) of this Section shall be clearly and accurately shown on the face of the plat, whether or not the plat is to be recorded.
- (10) A vicinity map (location map) shall appear on the face of the plat.
- (11) Each map shall contain the property designation, name of owner or prospective owner, location (including township, county, and state), and the date or dates the survey was conducted. In addition each map will contain a scale of the drawing listed in words or ~~figures~~; figures; a bar-graph when required or ~~necessary~~; necessary; the name, address, registration number, and seal of the ~~surveyor~~; surveyor; the title ~~source~~; source; and a legend depicting nomenclature.

*Authority G.S. 89C-10; 89C-21.*

## SECTION .1700 - CONTINUING PROFESSIONAL COMPETENCY

### .1703 REQUIREMENTS

Every registrant is required to obtain 15 PDH units during the renewal period. If a registrant exceeds the annual requirement in any renewal period, a maximum of 15 PDH units may be carried forward into the subsequent renewal period. Selection of courses and activities which meet the requirements of Rule .1702 Item (4) of this Section is the responsibility of the registrant. Registrants have the option of selecting courses other than those offered by sponsors. Post evaluation of courses offered by other than sponsors as defined in Rule .1702 Item (6) of this Section could result in non-acceptance. PDH units may be earned as follows:

- (1) **Completion of college courses.**
- (2) Completion of continuing education courses.
- (3) Completion of correspondence, televised, videotaped, audiotaped, and other short courses/tutorials.
- (4) Presenting or attending seminars, in-house courses, workshops, or professional or technical presentations made at meetings, conventions or conferences.
- (5) Teaching or instructing in Items (1) through (4) of this Rule.
- (6) Authoring published papers, articles, or books.
- (7) Active participation in professional or technical societies.
- (8) Patents.
- (9) Authoring exam questions accepted for use in the



national engineering or land surveying exam.

Authority G.S. 89C-10(a); 89C-17.

#### **.1704 UNITS**

The conversion of other units of credit to PDH units is as follows:

- |     |   |              |
|-----|---|--------------|
| (1) | 1 College or unit semester hour   | 45 PDH       |
| (2) | 1 College or unit quarter hour  | 30 PDH       |
| (3) | 1 Continuing Education Unit   | 10 PDH       |
| (4) | 1 Hour of professional development in course work, seminars, or professional or technical presentations made at meetings, conventions or conferences. | 1 PDH        |
| (5) | For teaching in Items (1) - (4) of this Rule, PDH credits are doubled*.   |              |
| (6) | Each published paper, article or book.  | 10 PDH       |
| (7) | Active participation in professional and technical society. (Each organization.)  | 2 PDH        |
| (8) | Each patent   | 10 PDH       |
| (9) | <u>Each question used.</u>  | <u>5 PDH</u> |

\*Teaching credit is valid for teaching a course or seminar for the first time only. Teaching credit does not apply to full-time faculty, faculty, as defined by the institution where a registrant is teaching.

Authority G.S. 89C-10(a); 89C-17.

#### **.1705 DETERMINATION OF CREDIT**

The Board of Registration has final authority with respect to approval of courses, sponsors, credit, PDH value for courses, and other methods of earning credit.

- (1) Credit for college or community college courses will be based upon course credit established by the college.
- (2) Credit for seminars and ~~workshops~~, workshops will be based on one PDH unit for each hour of attendance. Attendance at programs presented at professional and technical society meetings will earn PDH units for the actual time of each program.
- (3) Credit determination for published papers, articles and books and obtaining patents is the responsibility of the registrant.
- (4) Credit for active participation in professional and technical societies (limited to 2 PDH per organization), requires that a licensee serve as an officer or actively participate in a committee of the organization. PDH credits are not earned until the end of each year of service is completed.

Authority G.S. 89C-10(a); 89C-17.

#### **.1711 FORMS**

All ~~renewal~~ Renewal applications ~~will~~ may require the completion of a continuing education form specified by the board outlining PDH credit claimed. The registrant must

supply sufficient detail on the form to permit audit verification, must certify and sign the continuing education form, and submit the form with the renewal application and fee.

Authority G.S. 89C-10(a); 89C-17.

### **TITLE 26 - OFFICE OF ADMINISTRATIVE HEARINGS**

**N**otice is hereby given in accordance with G.S. 150B-21.2 that the Office of Administrative Hearings intends to adopt rules cited as 26 NCAC 4 .0201 - .0204 and amend .0101. Notice of Rule-making Proceedings was published in the Register on December 15, 1997.

**Proposed Effective Date:** August 1, 1998

**A Public Hearing** will be conducted at 10:00 a.m. on March 19, 1998 at 422 N. Blount Street, Hearing Room 102, Raleigh, NC.

**Reason for Proposed Action:** The Office of Administrative Hearings adopted these as temporary rules and intends to adopt these as permanent rules to implement Section 2 of SL 1997-520 which granted the authority to the Civil Rights Division of the Office of Administrative Hearings to investigate and to determine probable cause in alleged political discrimination complaints.

**Comment Procedures:** Any interested person may present their views either orally or in writing at the hearing. Any other written comments should be directed to Susana Honeywell, Rule-making Coordinator, by mail to: PO Drawer 27447, Raleigh, NC 27611-7447 or faxed to: 733-3407. All comments must be received by noon on March 19, 1998.

**Fiscal Note:** These Rules do not affect the expenditures or revenues of state or local government funds. These Rules do not have a substantial economic impact of at least five million dollars (\$5,000,000) in a 12-month period.

### **CHAPTER 4 - CIVIL RIGHTS DIVISION**

#### **SECTION .0100 - GENERAL**

##### **.0101 INTRODUCTION**

(a) ~~The Equal Employment Opportunity Commission (EEOC) has designated the North Carolina State Office of Administrative Hearings as a 706 Deferral Agency. The North Carolina General Assembly has designated the Office of Administrative Hearings as the State's 706 Deferral Agency in G.S. 7A-759.~~

(b) ~~The Office of Administrative Hearings (OAH) accepts deferral by the EEOC of the following classes of charges filed with the EEOC in North Carolina: All charges alleging race, color, sex, religion, age or national origin discrimination in~~

employment, or retaliation for opposition to such alleged discrimination, filed by previous and current state employees or applicants for employment who were or are subject to North Carolina General Statutes Section 126-16 and which have been filed with the EEOC within the time limits set forth in 29 C.F.R. 1601.13 and 29 C.F.R. 1626.7(b);

(c) The Civil Rights Division is the unit within the Office of Administrative Hearings charged with the responsibility of carrying out the investigations and conciliations of deferred charges;

(d) The Civil Rights Division will shall process all deferred charges in accordance with applicable administrative rules, policies, guidelines and standards promulgated by EEOC;

(e) ~~The~~ the Federal regulations implementing Title VII of the Civil Rights Act of 1964 or 1964, the Age Discrimination in Employment Act or Act, and the Americans with Disabilities Act both and which are published in 29 C.F.R., Parts 900 through 1899 are adopted and are hereby incorporated by reference to include subsequent amendments. Copies of 29 C.F.R., Parts 900 through 1899 are available at a cost of twenty-one dollars (\$21.00) from the Government Printing Office, Superintendent of Documents, Attn. New Orders, PO Box 371954, Pittsburgh, PA 15250-7954, and shall govern the processing of deferred charges. This adoption is in accordance with G.S. 150B-14(c);

Authority G.S. 7A-751; 7A-759.

## SECTION .0200 - POLITICAL DISCRIMINATION COMPLAINTS

### .0201 DEFINITIONS

In addition to the definitions in G.S. 126-14.2, the following definitions apply to this Section:

- (1) "Complainant" means a state employee or applicant for initial state employment who files a political discrimination complaint with the Civil Rights Division of the Office of Administrative Hearings according to G.S. 126-14.4.
- (2) "Complaint" means a proceeding pursuant to this Section to resolve a dispute between an agency and another person that involves alleged political discrimination.
- (3) "File or filing" a political discrimination complaint means to place the paper or document to be filed into the care, custody and acceptance of the Civil Rights Division.
- (4) "No Probable Cause Determination" means the Civil Rights Division concludes that a violation of G.S. 126-14.2 has not occurred.
- (5) "Probable Cause Determination" means the Civil Rights Division concludes that a violation of G.S. 126-14.2 has occurred.
- (6) "Respondent" means a state, county, or local agency or department subject to Chapter 126 against whom a political discrimination complaint is filed.
- (7) "Serve or Service" means personal delivery or

delivery by first class United States Postal Service Mail or a licensed overnight express mail service, postage prepaid and addressed to the person to be served at his or her last known address. Service by mail or overnight express mail is complete upon placing the item to be served, enclosed in a wrapper addressed to the person to be served in an official depository of the United States Postal Service or upon delivery, postage prepaid and wrapped in a wrapper addressed to the person to be served to an agent of the overnight express mail service.

- (8) "Third Party" means the person who has been allegedly hired or promoted in violation of G.S. 126-14.2.

Authority G.S. 7A-751; 126-14.4; 150B-2.

### .0202 CONTENT AND FILING PROCEDURES

(a) Forms for filing political discrimination complaints may be obtained from the Civil Rights Division, PO Drawer 27447, Raleigh, NC 27611-7447 or 919-733-0431. Any person wishing to file a complaint of alleged political discrimination shall address the complaint to:

Director of Civil Rights Division  
PO Drawer 27447  
Raleigh, NC 27611-7447

(b) The complainant may file a political discrimination complaint and related documents by facsimile (fax) transmission during regular office hours as defined in 26 NCAC 1.0102. The faxed complaints and documents will be deemed a "filing" within the meaning of 26 NCAC 4.0201(3) provided the original complaint or documents are received by the Civil Rights Division within five business days following the faxed transmission.

(c) The complaint shall include the following information:

- (1) Full name, address and telephone number (work and home) of person making the complaint;
- (2) Full name, address and telephone number of the agency against whom the complaint is made (the respondent);
- (3) The basis of the complaint (hiring or promotion);
- (4) The date the alleged discrimination occurred;
- (5) The name(s) of the individual(s) hired or promoted;
- (6) A statement disclosing the particulars of the employment decision;
- (7) The signature of the person making the complaint; and
- (8) The date the complainant signed the complaint.

Authority G.S. 7A-751; 126-14.4.

### .0203 TIME

Unless otherwise provided in the Rules of the Office of Administrative Hearings or in a specific statute, time computations in political discrimination complaints before the Civil Rights Division shall be governed by G.S. 1A-1.

Rule 6.

*Authority G.S. 7A-751; 126-14.4.*

**.0204 INITIAL DETERMINATION**

The initial determination of probable cause or no probable cause shall be issued by the Director of the Civil Rights Division within 30 days of the filing of the complaint and forwarded to the complainant, respondent and the third party.

*Authority G.S. 7A-751; 126-14.4.*



*The Codifier of Rules has entered the following temporary rule(s) in the North Carolina Administrative Code. Pursuant to G.S. 150B-21.1(e), publication of a temporary rule in the North Carolina Register serves as a notice of rule-making proceedings unless this notice has been previously published by the agency.*

## TITLE 7 - DEPARTMENT OF CULTURAL RESOURCES

**Rule-making Agency:** USS North Carolina Battleship Commission

**Rule Citation:** 7 NCAC 5 .0203

**Effective Date of Temporary Rule:** March 1, 1998

**Proposed Effective Date for Permanent Rule:** August 1, 1998

**Findings Reviewed and Approved by:** Beecher R. Gray

**Authority for the rule-making:** G.S. 143B-73

A public hearing will be conducted at 10:00 a.m. on March 19, 1998 at the Captain's Cabin, Battleship North Carolina, Eagle Island, Wilmington, NC.

**Reason for Proposed Action:** To increase the admissions rates to tour the Battleship North Carolina. Notice of Rulemaking Proceedings was published in the Register on January 2, 1997.

**Comment Procedures:** Provide comments in writing to Director, Battleship North Carolina, PO Box 480, Wilmington, NC 28402-0480 no later than 30 days of the publication of this temporary change. Public Hearing on the proposed changes to be held in the Captain's Cabin onboard the Battleship North Carolina, Wilmington, NC at 10:00 a.m. on March 19, 1998.

## CHAPTER 5 - U.S.S. NORTH CAROLINA BATTLESHIP COMMISSION

### SECTION .0200 - USE REGULATIONS

#### .0203 ADMISSION PRICES

(a) The admission price for the Battleship U.S.S. North Carolina is ~~six dollars (\$6.00)~~ eight dollars (\$8.00) for persons age 12 and over, ~~three dollars (\$3.00)~~ four dollars (\$4.00) for children age 6 through 11, ~~one dollar and fifty cents (\$1.50)~~ two dollars (\$2.00) per student for organized school groups in grades kindergarten through 6, and ~~three dollars (\$3.00)~~ four dollars (\$4.00) per student for organized school groups in grades 7 through 12.

(b) There is no charge for children under 6.

(c) Classroom teachers, aides, and chaperones accompanying students in class field trips will be admitted without charge at the rate of one teacher/aide/chaperone for each 10 students.

(d) Four groups under auspices of bona fide travel agents

~~will be offered a 20 percent discount. Four directors and drivers will be admitted without charge.~~

~~(e) Any organized group of 20 or more will be offered a 10 percent discount when tickets are purchased by a single source.~~

*History Note:* Authority G.S. 143B-73;

*Eff.* February 1, 1976;

*Readopted Eff.* December 1, 1977;

*Amended Eff.* January 1, 1993; January 1, 1990; June 1, 1989; February 1, 1987;

*Temporary Amendment Eff.* January 1, 1997;

*Amended Eff.* April 1, 1997;

*Temporary Amendment Eff.* January 1, 1997 Expired on September 29, 1997;

*Temporary Amendment Eff.* March 1, 1998.

## TITLE 15A - DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

**Rule-making Agency:** Department of Environment and Natural Resources

**Rule Citation:** 15A NCAC 1N .0101 - .0103, .0201 - .0203, .0301 - .0304, .0401 - .0403, .0501 - .0503, .0601 - .0606, .0701 - .0705, .0801 - .0802, .0901 - .0902

**Effective Date:** January 31, 1998

**Findings Reviewed and Approved by:** Beecher R. Gray

**Authority for the rule-making:** G.S. 159G-5(d); 159G-15

**Reason for Proposed Action:** To establish procedures and criteria for making low interest loans from the Drinking Water State Revolving Fund (DWSRF).

**Comment Procedures:** Comments, statements, data, and other information may be submitted in writing after publication of this issue of the North Carolina Register. Copies of the proposed rules and application packages may be obtained by contacting Sid Harrell in the Public Water Supply Section at (919) 733-2321. Written comments may be submitted to Jessica G. Miles, P.E., Section Chief, Public Water Supply Section, Division of Environmental Health, PO Box 29536, Raleigh, NC 27626-0536.

## CHAPTER 1 - DEPARTMENTAL RULES

### SUBCHAPTER 1N - DRINKING WATER TREATMENT FUND RULES

**SECTION .0100 - GENERAL PROVISIONS**

**.0101 PURPOSE**

Loans for public water systems from the Drinking Water Treatment Revolving Loan fund established by G.S. 159G-5(d) shall be made in accordance with this Subchapter.

*History Note: Authority G.S. 159G-5; 159G-15;  
Temporary Adoption Eff. January 31, 1998.*

**.0102 DEFINITIONS**

The following definitions shall apply to this Subchapter:

- (1) "Act" means the N.C. Drinking Water Act, G.S. 130A-311 et. seq;
- (2) "Division" means the Division of Environment Health, Department of Environment and Natural Resources;
- (3) "Fund" means the Drinking Water Treatment Revolving Loan fund established by G.S. 159G-5(d);
- (4) "Intended Use Plan" means an annual plan to identify the proposed uses of the amount available in the state revolving fund;
- (5) "MCL" means maximum contaminant level which is the permissible level of a contaminant in water which is delivered to any user of a public water system;
- (6) "Receiving agency" means the Division of Environmental Health.

*History Note: Authority G.S. 159G-5; 159G-15;  
Temporary Adoption Eff. January 31, 1998.*

**.0103 APPLICABLE PROCEDURES**

Loans from the Fund will be made in accordance with guidelines found in the "Drinking Water State Revolving Fund Program Guidelines," published by the United States Environmental Protection Agency, Office of Water, on February 28, 1997 (EPA 816-R-97-005) which is hereby incorporated by reference including any subsequent amendments and additions. This material is available for inspection at the Department of Environment and Natural Resources, Division of Environmental Health, 2728 Capital Boulevard, Raleigh, North Carolina. Free copies may be obtained from the U.S. Environmental Protection Agency by telephoning 1-800-426-4791. The guidelines are also available on-line at <http://www.epa.gov.OWDWD/regs/intro.html>.

*History Note: Authority G.S. 159G-5; 159G-15;  
Temporary Adoption Eff. January 31, 1998.*

**SECTION .0200 - AVAILABILITY OF LOANS**

**.0201 AVAILABILITY OF LOANS**

(a) Loans are available only for projects that appear on the state approved intended use plan submitted to the U.S. Environmental Protection Agency and that are in compliance with the requirements of this Subchapter.

(b) During any fiscal year 15 percent of the annual allocation

shall be available solely for providing assistance to public water systems which regularly serve fewer than 10,000 persons to the extent such funds can be obligated for eligible projects.

(c) During any fiscal year a maximum of five percent of the annual allocation may be used for loans for project planning purposes only.

*History Note: Authority G.S. 159G-5; 159G-15;  
Temporary Adoption Eff. January 31, 1998.*

**.0202 LOAN RESTRICTIONS**

(a) Loans shall not be used for the acquisition of real property or interests therein, unless the acquisition is integral to a project authorized under this Subchapter and the purchase is from a willing seller.

(b) Except as provided in Paragraph (c) of this Rule no assistance shall be provided to a public water system that does not have the technical, managerial, and financial capacity to ensure compliance with the requirements of the Act or to a public water system that is in significant non-compliance with any requirement of the Act or with a variance authorized under the Act as evidenced by administrative penalty, administrative order or court action against the water system. A determination of technical, managerial, and financial capacity will be based upon a review of finances, compliance with applicable public health, environmental and utility laws, and the experience and certification level of the water system operator as evidenced by the submission of a business plan as required by Section .0400 of this Subchapter.

(c) A public water system in significant non-compliance with the Act may receive assistance if the assistance will ensure compliance with the Act. A public water system that does not have technical, managerial, and financial capacity may receive assistance if the owner or operator shall agree to undertake feasible and appropriate changes in operation of the water system that will ensure the system will achieve technical, managerial, and financial capacity over the long-term.

(d) Each applicant shall establish a dedicated source of revenue or demonstrate that there is adequate security for repayment of the loan.

(e) Funding will be limited to the most cost-effective solution for the compliance or public health problem identified in a proposed project.

(f) Funding will be limited to the eligible portions of a project containing ineligible segments.

(g) Funding shall not be available for federally owned public water systems.

*History Note: Authority G.S. 159G-5; 159G-15;  
Temporary Adoption Eff. January 31, 1998.*

**.0203 ADMINISTRATIVE EXPENSES**

Agreement to a debt instrument by a loan applicant shall include payment of a two percent closing fee which is an ineligible project cost. These monies shall accrue to be used only for the reasonable costs of administering the Fund.



*History Note: Authority G.S. 159G-5; 159G-15;  
Temporary Adoption Eff. January 31, 1998.*

## SECTION .0300 - ELIGIBILITY REQUIREMENTS

### .0301 DETERMINATION OF ELIGIBILITY

- (a) Eligibility of applicants shall be determined in accordance with G.S. 159G-3(2) and G.S. 159G-9.
- (b) Applications shall be returned to ineligible applicants.
- (c) An application may not be filed after the award of a construction contract on a project, except when an applicant is subject to an administrative order issued by the Division or a legally enforceable deadline.

*History Note: Authority G.S. 159G-5; 159G-15;  
Temporary Adoption Eff. January 31, 1998.*

### .0302 ELIGIBLE PROJECTS

(a) Projects that will facilitate compliance with the North Carolina Drinking Water Act or federal Safe Drinking Water Act or further health protection under the criteria of Rule .0602 of this Subchapter shall be eligible for funding under this Subchapter. Eligible projects include those that:

- (1) Rehabilitate or develop sources to replace contaminated sources of drinking water;
- (2) Install or upgrade treatment to meet state or federal regulations;
- (3) Install or upgrade eligible storage to prevent entry of microbiological contamination;
- (4) Install or replace transmission or distribution pipes to prevent contamination;
- (5) Consolidate or restructure water systems; or
- (6) Purchase capacity in another water system.

(b) Types of projects which are not eligible for funding are:

- (1) Dams or rehabilitation of dams;
- (2) Water rights, except if the water rights are owned by a system that is being purchased through consolidation as part of a capacity development strategy;
- (3) Reservoirs, except for finished water reservoirs and those reservoirs that are part of treatment process and are located on the property where the treatment facility is located;
- (4) Laboratory fees for monitoring;
- (5) Operation and maintenance expenses;
- (6) Projects needed mainly for fire protection; or
- (7) Projects primarily intended to serve future growth.

*History Note: Authority G.S. 159G-5; 159G-15;  
Temporary Adoption Eff. January 31, 1998.*

### .0303 ELIGIBLE PROJECT COSTS

(a) Project construction costs eligible for a loan under this Subchapter are limited to:

- (1) Planning, including system and needs assessment, the preparation of a local water supply plan and the preparation of a business plan;

- (2) Environmental assessment reports, including all federal cross-cutters;
- (3) Design;
- (4) Construction;
- (5) Legal, fiscal, and administrative costs;
- (6) Contingency costs; and
- (7) Land acquisition integral to the project.

(b) Loans may be up to 100 percent of allowable construction project costs.

(c) Loans made for project planning purposes only are available for acute, immediate, and chronic health hazards as determined in Rule .0602 of this Subchapter.

*History Note: Authority G.S. 159G-5; 159G-15;  
Temporary Adoption Eff. January 31, 1998.*

### .0304 MAXIMUM LOAN AMOUNT

The maximum principal amount of loan commitment from any fiscal year's allocation made to an applicant shall be three million dollars (\$3,000,000), except that the maximum amount of loan commitment from any fiscal year's allocation for a project planning purposes only loan shall be twenty-five thousand dollars (\$25,000).

*History Note: Authority G.S. 159G-5; 159G-15;  
Temporary Adoption Eff. January 31, 1998.*

## SECTION .0400 - APPLICATIONS

### .0401 FILING DEADLINES

Applications for loans shall be postmarked or delivered to the Division of Environmental Health on or before September 30 of each year in order to be approved for loan funds available during the following fiscal year, except February 13, 1998, for FY 96/97 SRF funds.

*History Note: Authority G.S. 159G-5; 159G-15;  
Temporary Adoption Eff. January 31, 1998.*

### .0402 APPLICATION PROCEDURES

(a) Applications for loans shall be submitted on forms provided by the Division and shall be accompanied by all documents such as the Preliminary Engineering Report (PER), assurances, and other information required by the instructions for completing and filing the applications. Information concerning any grant or loan funds from any other source for which the applicant has applied shall be disclosed on the application.

(b) Every application shall be accompanied by an adopted resolution or other documentation as required by G.S. 159G-9(4). The resolution or documentation shall be certified or attested to as a true and correct copy as adopted.

(c) An applicant shall furnish additional information upon the request of the Division.

(d) A project shall not receive a priority rating unless the application contains sufficient information on the day of rating for the receiving agency to review and assign priority points in



accordance with Section .0600 of this Subchapter.

(e) An application may be withdrawn from consideration upon request of the applicant but if resubmitted shall be considered as a new application.

*History Note: Authority G.S. 159G-5; 159G-15;  
Temporary Adoption Eff. January 31, 1998.*

#### **.0403 PROJECT SCHEDULE AND RESOLUTION**

Every application shall be accompanied by a project schedule specifying dates for milestone events including:

- (1) business plan submittal as required by the Division;
- (2) plans and specifications submission and approval;
- (3) a rate schedule submittal;
- (4) bid opening and award;
- (5) construction start; and
- (6) project completion.

*History Note: Authority G.S. 159G-5; 159G-15;  
Temporary Adoption Eff. January 31, 1998.*

### **SECTION .0500 - REVIEW AND ASSIGNMENT OF PRIORITIES**

#### **.0501 PRIORITY REVIEW PERIOD**

The priority review period shall be from October 1 until June 30 of the following year, except that for FY 96/97 Funds it shall be from February 14 until September 30, 1998.

*History Note: Authority G.S. 159G-5; 159G-15;  
Temporary Adoption Eff. January 31, 1998.*

#### **.0502 ASSIGNMENT OF PRIORITIES**

(a) During each review period the Division will assign a priority rating to each eligible application for inclusion in the state intended use plan; the priority rating shall be determined in accordance with the rating criteria and points contained in Section .0600 of this Subchapter.

(b) The Division may exercise discretionary authority to establish a priority rating when two or more applications receive the same number of priority points. The project receiving the most points for public health and compliance shall receive the greater priority. If the public health points awarded the projects are equal, the project with the smaller population shall receive the greater priority. If points are still equal, the project with the greatest financial need as determined in accordance with Rule .0605 of this Subchapter shall receive the higher ranking.

(c) Only the eligible portions of a project containing ineligible segments will receive a priority rating.

(d) The Division may assign a different priority rating to each substantially independent part of a proposed project.

(e) Any applications that are not awarded assistance during a review period will be held over and considered for a second review in accordance with G.S. 159G-10(d).

*History Note: Authority G.S. 159G-5; 159G-15;*

*Temporary Adoption Eff. January 31, 1998.*

#### **.0503 INTENDED USE PLAN**

A state intended use plan containing the priority rating of each eligible project will be prepared by the Division. The intended use plan will include a comprehensive priority list identifying which projects are intended to be funded in the current year and in future years. The projects that are expected to be funded in the current year will be so noted. The priority rating of eligible projects will be published and an opportunity for public hearing will be provided before funds are awarded.

*History Note: Authority G.S. 159G-5; 159G-15;  
Temporary Adoption Eff. January 31, 1998.*

### **SECTION .0600 - PRIORITY CRITERIA**

#### **.0601 GENERAL CRITERIA**

(a) In determining the priority to be assigned each eligible application the Division will consider whether the project will:

- (1) Address the most serious risk to human health.
- (2) Facilitate compliance with the N.C. Drinking Water Act or the federal Safe Drinking Water Act, and
- (3) Assist systems most in need on a per household basis.

(b) The total priority points received will be the sum of all points awarded for each categorical element.

*History Note: Authority G.S. 159G-5; 159G-15;  
Temporary Adoption Eff. January 31, 1998.*

#### **.0602 PUBLIC HEALTH AND COMPLIANCE**

Public health and compliance points may be awarded to a project based on the following criteria. A proposed project shall be necessary to facilitate compliance with the N.C. Drinking Water Act or the federal Safe Drinking Water Act and to alleviate the type of public health concern for which points are awarded. A project will receive only points in the highest sub-category for which it may qualify:

- (1) Acute/Imminent Health Hazards. A maximum of 150 points will be awarded to projects that propose to eliminate any one or more of the following acute, ongoing health hazards to the consumer:
  - (a) Projects that address documented nitrate, nitrite or fecal coliform MCL violations, or contaminant levels in drinking water which constitute acute health risks as defined in 40 C.F.R 141.32(a)(1)(iii) which is incorporated by reference at 15A NCAC 18C .1523; or
  - (b) Projects that eliminate any contaminant in the public water system that poses an acute risk or imminent hazard to public health as determined by the State Health Director or a health risk assessment from the Division of Epidemiology, Department of Health and Human Services in accordance with G.S. 130A-2(3).

- (2) Immediate Health Hazards. A maximum of 100 points will be awarded to projects that propose to eliminate any one or more of the following immediate health hazards to the consumer:
  - (a) Projects that address surface water treatment technique violations occurring for two or more consecutive months;
  - (b) Projects that resolve any microbiological MCL problems for a water system with three or more microbiological MCL violations during the previous 12 months;
  - (c) Projects that propose filtration for a surface water source or for a well that is determined to be under the direct influence of surface water by the Department that does not currently have filtration;
  - (d) Projects that address the inability of a public water system to inactivate giardia and viruses in accordance with 15A NCAC 18C .2001; or
  - (e) Projects that address documented recurrent water outages or low pressure below the requirements of 15A NCAC 18C .0901. Only problems that affect human consumption of drinking water will be considered for award of points under this criteria.
- (3) Chronic Health Hazards. A maximum of 60 points will be awarded to projects that propose to eliminate any one or more of the following chronic health hazards to the consumer:
  - (a) Projects that address exceedances of the lead and copper action levels under 15A NCAC 18C .1507;
  - (b) Projects that address violations of inorganic or organic chemical or contaminant MCLs under 15A NCAC 18C .1510, .1517, and .1518;
  - (c) Projects that address violations of radiological contamination MCLs under 15A NCAC 18C .1520 and .1521; or
  - (d) Projects that address a chronic health hazard as determined by the State Health Director or a health risk assessment from the Division of Epidemiology, Department of Health and Human Services.
- (4) Potential Health Hazards. A maximum of 40 points will be awarded to projects that propose to eliminate any one or more of following potential health hazards to the consumer:
  - (a) Projects that address low chlorine residuals in the distribution system;
  - (b) Projects that address periodic violations of an MCL;
  - (c) Projects for line installation or extensions to areas with poor water quality or limited quantity;
  - (d) Projects to develop new sources of water, to augment existing sources, or to expand treatment capacity to meet current demand

- when the average daily demand for the previous 12 months equals or exceeds the available water supply as calculated in local water supply plans prepared in accordance with G.S. 143-355(l) or the maximum day demand for the previous 12 months equals or exceeds the approved water treatment plant design capacity; or
  - (e) Projects to provide disinfection for a system that currently does not have disinfection.
- (5) System Improvements. A maximum of 20 points will be awarded for projects that will provide any one or more of the following general system improvements when needed for public health purposes:
    - (a) Projects that replace water supply production or treatment equipment that is undersized, malfunctioning or has exceeded its useful life;
    - (b) Projects that replace undersized or leaking water lines;
    - (c) Projects that address other water quality concerns such as iron, manganese, taste, and odor;
    - (d) Projects to bring existing facilities to current design standards which affect water quality such as treatment, chemical storage and application, pumping facilities, finished storage, distribution systems;
    - (e) Projects that eliminate dead ends and provide looping in a distribution system;
    - (f) Projects that increase water storage capacity;
    - (g) Projects to develop new sources of water, to augment existing sources, or to expand treatment capacity to meet current demand when the average daily demand for the previous 12 months exceeds 80 percent of the available water supply as calculated in local water supply plans prepared in accordance with G.S. 143-355(l) or the maximum day demand for the previous 12 months exceeds 80 percent of the approved water treatment plant design capacity; or
    - (h) Projects for installation or upgrade of water treatment plant waste disposal facilities.

*History Note: Authority G.S. 159G-5; 159G-15; Temporary Adoption Eff. January 31, 1998.*

#### **.0603 CONSOLIDATION**

A maximum of 10 points will be awarded in this categorical element for projects that propose to improve water system reliability by interconnecting with an existing water system, by purchasing systems in whole or in part, or by purchasing water capacity from other systems, as follows:

- (1) Projects that propose consolidation to provide water service to an existing community whose water supply cannot meet the rules governing public water systems



- at 15A NCAC 18C, 10 points:
- (2) Projects that propose consolidation of existing water systems will be awarded 5 points;
  - (3) Projects where consolidation is not physically feasible, 5 points.

*History Note: Authority G.S. 159G-5; 159G-15;  
Temporary Adoption Eff. January 31, 1998.*

#### **.0604 RELIABILITY**

A maximum of 5 points will be awarded in this categorical element to projects that propose to increase the reliability of the water system; points may be awarded for both Items (1) and (2) of this Rule up to the maximum, as follows:

- (1) Projects that provide redundancy to critical treatment or delivery functions, such as interconnection, 3 points;
- (2) Projects that provide emergency backup electrical power source, 3 points if not awarded points in Item (1) of this Rule.

*History Note: Authority G.S. 159G-5; 159G-15;  
Temporary Adoption Eff. January 31, 1998.*

#### **.0605 AFFORDABILITY**

Points for affordability will be determined by comparing the projected monthly residential user cost at the completion of the project with the median household income (MHI). User cost shall be calculated from water rates based on a maximum of 4,500 gallons. The median household income shall be determined in the service area of the water system. If median household income data is not available for the service area, data from the nearest comparable community area shall be used. The Division may use county-wide median household income data if data for the service area or nearest comparable community area are not available. Points will be awarded on the following scale:

- Rates = 0% to .25% MHI  
0 points
- Rates = 0.26% to .50% MHI  
5 points
- Rates = .51% to .75% MHI  
20 points
- Rates = .76% to 1.0% MHI  
40 points
- Rates = 1.01% or greater MHI  
50 points.

*History Note: Authority G.S. 159G-5; 159G-15;  
Temporary Adoption Eff. January 31, 1998.*

#### **.0606 SOURCE PROTECTION AND MANAGEMENT**

The maximum value to be given for source protection and management categorical elements is 10 points. Points shall only be awarded for existing activities or programs that efficiently protect the public health, as follows:

- (1) Participation in source water protection activities; points may be awarded in Sub-Items (a) and (b) of this Item up to the maximum, as follows:
  - (a) Voluntary water supply watershed protection activities, 5 points, or
  - (b) Voluntary wellhead protection program, 5 points.
- (2) Efficient water use, as shown by the applicant's establishment and administration of the described programs; points may be awarded in Sub-Items (a), (b), and (c) of this Item up to the maximum, as follows:
  - (a) Water loss reduction program which includes water audits, comprehensive metering, and hidden leak detection, 3 points;
  - (b) Cross-connection control program, 3 points;
  - (c) Demand management strategies, such as a water conservation incentive rate structure, incentives for new or replacement installation of low flow faucets, showerheads and toilets, or a water reclamation or reuse system, 3 points.

*History Note: Authority G.S. 159G-5; 159G-15;  
Temporary Adoption Eff. January 31, 1998.*

### **SECTION .0700 - AWARD, COMMITMENT AND DISBURSEMENT OF LOANS**

#### **.0701 DETERMINATION OF AWARDS AND BYPASS PROCEDURES**

(a) All funds appropriated for a fiscal year and all other funds accruing from loan principal repayments, interest payments, interest earned on funds, excess funds not awarded in the previous priority review period, and any other source, will be available for loans during the priority review period.

(b) Of the funds available at the beginning of a priority review period, five percent will be set aside for potential adjustments under Rule .0703 of this Section. Any funds set aside for this purpose that are not used to adjust loans during a priority review period will return to the account for the next priority review period.

(c) The funds available in a priority review period will be awarded in descending order of priority rating considering Rule .0201(b) of this Subchapter except for projects that are not ready to proceed. A project shall be funded unless at the time of binding agreement:

- (1) Project plans and specifications are not approved by the receiving agency;
- (2) Any environmental assessment or impact statement required is not complete and approved;
- (3) One hundred percent funding necessary for the project is not committed; or
- (4) The receiving agency is unable to determine from review of the business plan and other information whether the applicant can meet capacity development requirements as required by the Division.



*History Note: Authority G.S. 159G-5; 159G-15;  
Temporary Adoption Eff. January 31, 1998.*

#### **.0702 CERTIFICATION OF ELIGIBILITY**

(a) The receiving agency shall create a certificate of eligibility for each applicant for which a loan has been made.

(b) The certificate of eligibility shall indicate that the applicant meets all eligibility criteria and that all other requirements of the Act have been met.

(c) The certificate of eligibility shall also indicate the amount and the fiscal year of the loan commitment.

*History Note: Authority G.S. 159G-5; 159G-15;  
Temporary Adoption Eff. January 31, 1998.*

#### **.0703 CRITERIA FOR LOAN ADJUSTMENTS**

Upon receipt of bids, a loan commitment may be adjusted as follows:

(1) The loan commitment may be decreased, provided the project cost as bid is less than the estimated project cost, and the receiving agency approves the loan commitment decrease;

(2) The loan commitment may be increased a maximum of 10 percent by the receiving agency provided: the project cost as bid is greater than the estimated project cost; the project as bid is in accordance with the project for which the loan commitment was made; the receiving agency has reviewed the bids and determined that substantial cost savings would not be available through project revisions without jeopardizing the integrity of the project; and adequate funds are available in the Fund. Increases greater than 10 percent of the loan commitment require approval by the Local Government Commission.

*History Note: Authority G.S. 159G-5; 159G-15;  
Temporary Adoption Eff. January 31, 1998.*

#### **.0704 DISBURSEMENT OF LOANS**

(a) Disbursement of loan monies shall be made at intervals as work progresses and expenses are incurred. No disbursement shall be made until the receiving agency receives satisfactory documentation of incurred costs. At no time shall disbursement exceed the allowable costs which have been incurred at that time.

(b) No disbursement shall be made until the receiving agency receives documentation of compliance with the verifiable percentage goal for participation by minority businesses in accordance with G.S. 143-128(c) and any eligible federal and state laws.

(c) The receiving agency will authorize the Controller's Office of the Department of Environment and Natural Resources to make loan disbursements.

*History Note: Authority G.S. 159G-5; 159G-15;  
Temporary Adoption Eff. January 31, 1998.*

#### **.0705 TERMINATION OF LOANS**

Loan commitments may be terminated by the receiving agency when recipients do not meet project schedules, if they fail to award contracts within one year, or if they fail to comply with applicable federal requirements.

*History Note: Authority G.S. 159G-5; 159G-15;  
Temporary Adoption Eff. January 31, 1998.*

### **SECTION .0800 - LOAN REPAYMENTS**

#### **.0801 INTEREST RATES**

The interest rate to be charged on loans under this Subchapter will be set in each priority review period at the lesser of four percent per annum or one half the prevailing national market rate as derived from the Bond Buyer's 20-Bond Index in accordance with G.S. 159G-4(c).

*History Note: Authority G.S. 159G-5; 159G-15;  
Temporary Adoption Eff. January 31, 1998.*

#### **.0802 REPAYMENT OF PRINCIPAL AND INTEREST**

(a) The debt instrument setting the terms and conditions of repayment of loans under this Subchapter will be established after the receipt of bids. Adjustments to the loan may be made only under Rule .0703 of this Subchapter.

(b) The maximum maturity on any construction loan shall not exceed 20 years.

(c) The maximum maturity on any project planning loan shall not exceed 5 years.

(d) Interest on the debt instrument shall begin to accrue on the original date that a project's contracts are scheduled to be completed. Extensions of this deadline are not allowed.

(e) All principal payments will be made annually on or before May 1 or November 1. The first principal payment is due not earlier than six months after the date of completion of the project.

(f) All interest payments will be made semiannually on or before May 1 and November 1 of each year. The first interest payment is due not earlier than six months after the date of completion of the project.

(g) All principal and interest payments shall be made payable to the Fund.

*History Note: Authority G.S. 159G-5; 159G-15;  
Temporary Adoption Eff. January 31, 1998.*

### **SECTION .0900 - INSPECTION AND AUDIT OF PROJECTS**

#### **.0901 INSPECTION**

Inspection of a project to which a loan has been committed may be made by the receiving agency to determine the percentage of completion of the project for disbursements, and for compliance with all applicable laws and rules.

*History Note: Authority G.S. 159G-5; 159G-15;*

Temporary Adoption Eff. January 31, 1998.

**.0902 AUDIT**

All projects to which a loan has been committed will be audited in accordance with G.S. 159-34 and the United States Environmental Protection Office of Water (4606) Drinking Water State Revolving Fund Program Guidelines, EPA 816-R-97-005 February (28) 1997 which is incorporated in Rule .0103 of this Subchapter.

*History Note: Authority G.S. 159G-5; 159G-15;*

Temporary Adoption Eff. January 31, 1998.

\* \* \* \* \*

**Rule-making Agency:** NC Wildlife Resources Commission

**Rule Citation:** 15A NCAC 10F .0305

**Effective Date of Temporary Rule:** March 1, 1998

**Proposed Effective Date of Permanent Rule:** April 1, 1999

**Findings Reviewed and Approved by:** Julian Mann III

**Authority for the rule-making:** G.S. 75A-3; 75A-15

A Public Hearing will be conducted at 10:00 a.m. on March 6, 1998 at the Archdale Building, Room 332, 512 N. Salisbury Street, Raleigh, NC 27603.

**Reason for Proposed Action:** To correct an error of omission for designating placement and maintenance of markers needed to regulate boat speed in congested areas. Notice of Rulemaking Proceedings was published in the Register on November 14, 1997.

**Comment Procedures:** The North Carolina Wildlife Resources Commission has the authority to adopt temporary rules pursuant to S.L. 1997-0403. Interested persons may present their views either orally or in writing at the March 6, 1998 public hearing. In addition, the record of hearing will be open for receipt of written comments from February 16, 1998 to March 18, 1998. Such written comments must be delivered or mailed to the NC Wildlife Resources Commission, 512 N. Salisbury Street, Raleigh, NC 27604-1188.

**CHAPTER 10 - WILDLIFE RESOURCES  
AND WATER SAFETY**

**SUBCHAPTER 10F - MOTORBOATS AND  
WATER SAFETY**

**SECTION .0300 - LOCAL WATER  
SAFETY REGULATIONS**

**.0305 BRUNSWICK COUNTY**

(a) Regulated Areas. This Rule applies to the waters and portions of waters described as follows:

- (1) Lockwoods Folly River. An area on that portion of the Lockwood Folly River beginning 1500 feet north of the boat ramp at the end of State Road 1123 and extending downstream to a point 800 feet south of said boat ramp and the portion of Mill Creek beginning at its intersection with the Lockwood Folly River and extending upstream for 100 feet.
- (2) Calabash River. An area located on the Calabash River beginning 100 feet west of the Billy Cox Landing and extending 100 feet east of Captain Harry's Landing.
- (3) State Port Authority Small Boat Harbor. Beginning at the Intracoastal Waterway on the easterly side of the North Carolina State Port Authority Small Boat Harbor; thence runs along and with the easterly boundary of the said boat harbor basin and along the northerly boundary and westerly boundary thereof to a point at the intersection of the westerly boundary of said boat harbor with the highwater mark of the Intracoastal Waterway; runs thence in an easterly direction with the highwater mark of the Intracoastal Waterway to the place and point of beginning, and being the entire small boat harbor in Southport.
- (4) Shallotte River. The portion of the Shallotte River beginning at its intersection with the Intracoastal Waterway and extending from the northern boundary of the Intracoastal Waterway for a distance of 500 feet to the north, to be marked by appropriate markers.
- (5) Big Davis Creek. That part of Big Davis Creek within 100 yards of Sportsman Inn at Blue Water Point Marina near Long Beach.
- (6) Town of Ocean Isle Beach. Those waters in the canals, both natural and concrete, which are located on the south side of the Intracoastal Waterway in the Town of Ocean Isle Beach.
- (7) Town Creek. The 200 yard portion of Town Creek lying in Town Creek Colony as delineated by no wake zone markers.

(b) Speed Limit. No person shall operate any motorboat or vessel at greater than no-wake speed within any of the regulated areas described in Paragraph (a) of this Rule.

(c) Placement and Maintenance of Markers. Subject to the approval of the United States Coast Guard and the United States Army Corps of Engineers, the following agencies are designated suitable agencies for the placement and maintenance of markers implementing this Rule:

- (1) The Board of Aldermen of Varnamtown as to areas indicated in Paragraph (a), Subparagraph (1) of this Rule.
- (2) The Board of Commissioners of Brunswick County as to areas indicated in Paragraph (a), Subparagraphs (2) - (7) ~~(2) - (6)~~ of this Rule.

*History Note: Authority G.S. 75A-3; 75A-15;*



*Eff. February 1, 1976;  
Amended Eff. April 1, 1997; July 1, 1994; July 1, 1993;  
January 1, 1989; January 1, 1987;  
Temporary Amendment Eff. March 1, 1998.*

\*\*\*\*\*

**Rule-making Agency:** *NC Wildlife Resources Commission*

**Rule Citation:** *15A NCAC 10F .0330, .0339*

**Effective Date:** *February 1, 1998*

**Findings Reviewed and Approved by:** *Julian Mann III*

**Authority for the rule-making:** *G.S. 75A-3; 75A-15*

**Reason for Proposed Action:**

*15A NCAC 10F .0330 - To correct an error of omission for designating placement and maintenance of markers needed to regulate boat speed in congested areas.*

*15A NCAC 10F .0339 - McDowell County Board of Commissioners initiated the no-wake zone pursuant to G.S. 75A-15, to protect public safety in the area by restricting vessel speed.*

**Comment Procedures:** *The North Carolina Wildlife Resources Commission has the authority to adopt temporary rules pursuant to S.L. 1997-0403. These temporary rules are adopted following the public hearing and public comment period established for permanent rule adoption. A public hearing was held on December 18, 1997 for the permanent rules and the record of hearing for public comment was closed on December 31, 1997. The submissions for permanent rule are on file with the Rules Review Commission.*

**SECTION .0300 - LOCAL WATER  
SAFETY REGULATIONS**

**.0330 CARTERET COUNTY**

(a) Regulated Areas. This Rule applies to the following waters in Carteret County:

- (1) the waters of Money Island Slough beginning at the east end of Money Island near the Anchorage Marina Basin and ending at the west end of Money Island where Brooks Avenue deadends at the slough;
- (2) the waters of Taylor Creek located within the territorial limits of the Town of Beaufort;
- (3) the waters of Pelletier Creek beginning at the entrance to Pelletier Creek at the Intracoastal Waterway and ending at U.S. Highway 70;
- (4) the waters of Bogue Sound in Morehead City between Sugar Loaf Island and the seawall on the south side of Evans, Shepard and Shackelford Streets and bounded on the east by the State Ports Authority and on the west by the eastern right-of-way margin of South 13th Street extended;

- (5) the waters of Gallant's Channel from the US 70 crossing over the Grayden Paul bridge to Taylor's Creek;
- (6) the waters of Cedar Island Bay and Harbor from U.S. 70 to Cedar Island Bay Channel Light 8;
- (7) the waters of Radio Island Creek;
- (8) the waters of the Newport River beginning at the north side of the Beaufort Drawbridge and ending at marker #6;
- (9) the waters of Spooners Creek beginning 100 feet south of the bulkhead area in the entrance to Spooners Creek and extending approximately 500 feet up Spooners Creek to a point on the north side of the first fork to the east as indicated by the appropriate markers;
- (10) the waters of Taylor's Creek from the eastern end of the current no wake zone eastward to Channel Marker #1A.

(b) Speed Limit. It is unlawful to operate a motorboat or vessel at a speed greater than no-wake speed while on the waters of the regulated areas designated in Paragraph (a) of this Rule.

(c) Placement and Maintenance of Markers. The Board of Commissioners of Carteret County, with respect to the regulated areas designated in Subparagraphs (1), (3), (5), (6), (7), (8), (9) and (10) of Paragraph (a) of this Rule, and the Board of Commissioners of the Town of Beaufort, with respect to the regulated area designated in Subparagraph (2) of Paragraph (a) of this Rule, and the Board of Commissioners of Morehead City, with respect to Subparagraph (4) of Paragraph (a) of this Rule, are designated as suitable agencies for placement and maintenance of the markers implementing this Rule, subject to the approval of the United States Coast Guard and the United States Army Corps of Engineers.

*History Note: Authority G.S. 75A-3; 75A-15;  
Eff. March 4, 1979;  
Amended Eff. October 1, 1997; May 1, 1995; June 1, 1994;  
February 1, 1994; July 1, 1993;  
Temporary Amendment Eff. February 1, 1998.*

**.0339 MCDOWELL COUNTY**

(a) Regulated Areas. This Rule applies to the following waters located on Lake James in McDowell County:

- (1) that area adjacent to the shoreline of the McDowell Wildlife Club property;
- (2) that area adjacent to the shoreline of the Marion Moose Club property;
- (3) that area known as Morgan Cove;
- (4) that area within 50 yards of the shoreline at the New Manna Baptist Youth Camp;
- (5) that area within 50 yards of the shoreline at Burnett's Landing;
- (6) the cove area adjacent to the State Park swimming area;
- (7) the cove area adjacent to the State Park picnic area and dock;



- (8) that area within 50 yards of camping areas in the Lake James State Park as designated by the appropriate markers;
- (9) that area within 50 yards of the boat launching ramp at the Marion Lake Club;
- (10) that area within 50 yards in either direction from the marina docks in Plantation Point Cove;
- (11) that designated area of Goodman's Landing Cove within 50 yards of the swimming area and boat docks of Goodman's Campground;
- (12) that area beginning at the rock shoals located at Deerfield Campground downstream for a distance of approximately 200 yards as delineated by appropriate markers;
- (13) that area as delineated by appropriate markers along the ~~north~~ shoreline of the development known as Lakeview Pointe.

(b) Speed Limit. No person shall operate any motorboat or vessel at greater than no-wake speed within any of the regulated areas described in Paragraph (a) of this Rule.

(c) Restricted Swimming Areas. No person operating or responsible for the operation of any vessel, surfboard or waterskis shall permit the same to enter any marked swimming area located on the regulated area.

(d) Placement and Maintenance of Markers. The Board of Commissioners of McDowell County is designated a suitable agency for placement and maintenance of the markers implementing this Rule.

*History Note: Authority G.S. 75A-3; 75A-15;*

*Eff. August 23, 1981;*

*Amended Eff. February 1, 1996; December 1, 1993; March 1, 1992; April 1, 1991;*

*Temporary Amendment Eff. February 1, 1998.*

*This Section includes the Register Notice citation to Rules approved by the Rules Review Commission (RRC) at its meeting of November 20, 1997 pursuant to G.S. 150B-21.17(a)(1) and reported to the Joint Legislative Administrative Procedure Oversight Committee pursuant to G.S. 150B-21.16. The full text of rules are published below when the rules have been approved by RRC in a form different from that originally noticed in the Register or when no notice was required to be published in the Register. The rules published in full text are identified by an \* in the listing of approved rules. Statutory Reference: G.S. 150B-21.17.*

*These rules unless otherwise noted, will become effective on the 31st legislative day of the 1998 Short Session of the General Assembly or a later date if specified by the agency unless a bill is introduced before the 31st legislative day that specifically disapproves the rule. If a bill to disapprove a rule is not ratified, the rule will become effective either on the day the bill receives an unfavorable final action or the day the General Assembly adjourns. Statutory reference: G.S. 150B-21.3.*

## APPROVED RULE CITATION

REGISTER CITATION TO THE  
NOTICE OF TEXT

4	NCAC 19L	.0403*	11:14 NCR 1113
4	NCAC 19L	.0407	11:14 NCR 1113
4	NCAC 19L	.0501 - .0502*	11:14 NCR 1113
4	NCAC 19L	.0706*	11:14 NCR 1113
4	NCAC 19L	.0802	11:14 NCR 1113
4	NCAC 19L	.0901*	11:14 NCR 1113
4	NCAC 19L	.0906*	11:14 NCR 1113
4	NCAC 19L	.0907	11:14 NCR 1113
4	NCAC 19L	.1002*	11:14 NCR 1113
4	NCAC 19L	.1004*	11:14 NCR 1113
4	NCAC 19L	.1301 - .1302*	11:14 NCR 1113
4	NCAC 19L	.1701 - .1702*	11:14 NCR 1113
4	NCAC 19L	.1801 - .1803*	11:14 NCR 1113
10	NCAC 03D	.2001*	11:29 NCR 2189
10	NCAC 03D	.2101 - .2102*	11:29 NCR 2190
10	NCAC 03D	.2105 - .2106*	11:29 NCR 2201
10	NCAC 03D	.2201*	11:29 NCR 2203
10	NCAC 03D	.2303*	11:29 NCR 2204
10	NCAC 03R	.3002	12:04 NCR 246
10	NCAC 03R	.3051 - .3054	12:04 NCR 246
10	NCAC 03R	.3055*	12:04 NCR 254
10	NCAC 03R	.3056 - .3059	12:04 NCR 256
10	NCAC 03R	.3060*	12:04 NCR 258
10	NCAC 03R	.3061	12:04 NCR 258
10	NCAC 03R	.3063	12:04 NCR 258
10	NCAC 03R	.3065	12:04 NCR 258
10	NCAC 03R	.3067 - .3072	12:04 NCR 259
10	NCAC 03R	.3075 - .3078	12:04 NCR 261
10	NCAC 03R	.3079*	12:04 NCR 265
10	NCAC 03R	.3080	12:04 NCR 265
10	NCAC 03R	.3082 - .3088	12:04 NCR 266
13	NCAC 07A	.0302*	12:03 NCR 171
13	NCAC 07A	.0708*	12:03 NCR 172
13	NCAC 07F	.0101*	12:03 & 12:05 NCR 172 & 354
13	NCAC 07F	.0102	12:03 NCR 205
13	NCAC 07F	.0201*	12:02 & 12:03 NCR 60 & 171
13	NCAC 07F	.0301*	12:03 NCR 206
13	NCAC 07F	.0426	12:03 NCR 207
13	NCAC 07F	.0501 - .0502*	12:03 NCR 207
15A	NCAC 07H	.0406*Amended Eff. 12-1-97	not required, G.S. 150B-21.5(a2)
15A	NCAC 07M	.0301*	11:11 NCR 925

15A	NCAC	07M	.0302	11:11 NCR 926
15A	NCAC	07M	.0304 - .0305	11:11 NCR 929
15A	NCAC	07M	.0306*	11:11 NCR 930
15A	NCAC	07M	.0307 - .0308	11:11 NCR 930
15A	NCAC	07M	.0309*	11:11 NCR 931
15A	NCAC	08F	.0102*	11:28 NCR 2124
15A	NCAC	08F	.0201*	11:28 NCR 2125
15A	NCAC	08F	.0403*	11:28 NCR 2127
15A	NCAC	18A	.1938*	12:02 NCR 64
15A	NCAC	18A	.1958*	12:02 NCR 66
17	NCAC	04B	.0109*Repealed Eff. 12-1-97	not required, G.S. 150B-21.5(b)(1)
17	NCAC	04B	.0203*Repealed Eff. 12-1-97	not required, G.S. 150B-21.5(b)(1)
17	NCAC	04B	.0308 - .0309*Amended Eff. 12-1-97	not required, G.S. 150B-21.5(a)
17	NCAC	04B	.0615*	not required, G.S. 150B-1
17	NCAC	04B	.0901 - .0902*Repealed Eff. 12/01/97	not required, G.S. 150B-21.5(b)(1)
17	NCAC	04B	.1302*Repealed Eff. 12/01/97	not required, G.S. 150B-21.5(b)(1)
17	NCAC	04B	.1305 - .1306*Repealed Eff. 12/01/97	not required, G.S. 150B-21.5(b)(1)
17	NCAC	04B	.1401 - .1407*Repealed Eff. 12/01/97	not required, G.S. 150B-21.5(b)(1)
17	NCAC	04B	.1601 - .1602*Repealed Eff. 12/01/97	not required, G.S. 150B-21.5(b)(1)
17	NCAC	04B	.1703 - .1706*Repealed Eff. 12/01/97	not required, G.S. 150B-21.5(b)(1)
17	NCAC	04B	.1709*Repealed Eff. 12/01/97	not required, G.S. 150B-21.5(b)(1)
17	NCAC	04B	.1803 - .1810*Repealed Eff. 12/01/97	not required, G.S. 150B-21.5(b)(1)
17	NCAC	04B	.2002*Repealed Eff. 12/01/97	not required, G.S. 150B-21.5(b)(1)
17	NCAC	04B	.2113 - .2114*Repealed Eff. 12/01/97	not required, G.S. 150B-21.5(b)(1)
17	NCAC	04B	.2116 - .2117*Repealed Eff. 12/01/97	not required, G.S. 150B-21.5(b)(1)
17	NCAC	04B	.2209*Repealed Eff. 12/01/97	not required, G.S. 150B-21.5(b)(1)
17	NCAC	04B	.2302 - .2303*Repealed Eff. 12/01/97	not required, G.S. 150B-21.5(b)(1)
17	NCAC	04B	.2401 - .2402*Repealed Eff. 12/01/97	not required, G.S. 150B-21.5(b)(1)
17	NCAC	04B	.3001 - .3002*Repealed Eff. 12/01/97	not required, G.S. 150B-21.5(b)(1)
17	NCAC	04B	.3004*Repealed Eff. 12/01/97	not required, G.S. 150B-21.5(b)(1)
17	NCAC	04B	.3006*Repealed Eff. 12/01/97	not required, G.S. 150B-21.5(b)(1)
17	NCAC	04B	.3101 - .3102*Repealed Eff. 12/01/97	not required, G.S. 150B-21.5(b)(1)
17	NCAC	04B	.3401 - .3404*Repealed Eff. 12/01/97	not required, G.S. 150B-21.5(b)(1)
17	NCAC	04B	.3406 - .3414*Repealed Eff. 12/01/97	not required, G.S. 150B-21.5(b)(1)
17	NCAC	04B	.3501 - .3502*Repealed Eff. 12/01/97	not required, G.S. 150B-21.5(b)(1)
17	NCAC	04B	.3601 - .3602*Repealed Eff. 12/01/97	not required, G.S. 150B-21.5(b)(1)
17	NCAC	04B	.3702*Repealed Eff. 12/01/97	not required, G.S. 150B-21.5(b)(1)
17	NCAC	04B	.3704*Repealed Eff. 12/01/97	not required, G.S. 150B-21.5(b)(1)
17	NCAC	04B	.3902*Repealed Eff. 12/01/97	not required, G.S. 150B-21.5(b)(1)
17	NCAC	04B	.4001*Repealed Eff. 12/01/97	not required, G.S. 150B-21.5(b)(1)
17	NCAC	04B	.4003 - .4005*Repealed Eff. 12/01/97	not required, G.S. 150B-21.5(b)(1)
17	NCAC	04B	.4007 - .4014*Repealed Eff. 12/01/97	not required, G.S. 150B-21.5(b)(1)
17	NCAC	04B	.4101 - .4102*Repealed Eff. 12/01/97	not required, G.S. 150B-21.5(b)(1)
17	NCAC	04B	.4301*Amended Eff. 12/01/97	not required, G.S. 150B-21.5(a)
17	NCAC	04B	.4501 - .4521*Repealed Eff. 12/01/97	not required, G.S. 150B-21.5(b)(1)
17	NCAC	05B	.0403*Repealed Eff. 12/01/97	not required, G.S. 150B-21.5(b)(1)
17	NCAC	05B	.0503*Repealed Eff. 12/01/97	not required, G.S. 150B-21.5(b)(1)
17	NCAC	05C	.1801 - .1806*Repealed Eff. 12/01/97	not required, G.S. 150B-21.5(b)(1)
17	NCAC	07B	.0117*Amended Eff. 12/01/97	not required, G.S. 150B-21.5(a)(3)
17	NCAC	07B	.0123*	not required, G.S. 150B-1
17	NCAC	07B	.0404*	not required, G.S. 150B-1
17	NCAC	07B	.1123*	not required, G.S. 150B-1
17	NCAC	07B	.1703*	not required, G.S. 150B-1
17	NCAC	07B	.2101*	not required, G.S. 150B-1
17	NCAC	07B	.4003*	not required, G.S. 150B-1
17	NCAC	07B	.4009*	not required, G.S. 150B-1
21	NCAC	04B	.0202*	11:28 NCR 2129



21 NCAC 16I .0002\*  
21 NCAC 16R .0001\*

11:25 NCR 1916  
11:25 NCR 1916

## TITLE 4 - DEPARTMENT OF COMMERCE

### CHAPTER 19 - DIVISION OF COMMUNITY ASSISTANCE

#### SUBCHAPTER 19L - NORTH CAROLINA COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

#### SECTION .0400 - DISTRIBUTION OF FUNDS

##### .0403 SIZE AND USE OF GRANTS MADE TO RECIPIENTS

(a) There is no minimum grant amount which applicants may request or be awarded. Grant awards made to any one recipient shall not exceed the following amount in each grant category: Community Revitalization: Concentrated Needs subcategory - seven hundred fifty thousand dollars (\$750,000), Infrastructure subcategory - eight hundred fifty thousand dollars (\$850,000) Infrastructure subcategory - eight hundred fifty thousand dollars (\$850,000), and Scattered Site subcategory - four hundred thousand dollars (\$400,000) Housing Development - two hundred fifty thousand dollars (\$250,000); Urgent Needs - six hundred thousand dollars (\$600,000); Contingency - six hundred thousand dollars (\$600,000); Community Empowerment implementation grant - seven hundred fifty thousand dollars (\$750,000). Applicants shall not have a project or combination of projects under active consideration for funding which exceeds one million two hundred fifty thousand dollars (\$1,250,000), except for Urgent Needs projects and one demonstration project. Applicants in the Community Revitalization category shall choose to apply for either a concentrated needs award, or an infrastructure award, or a scattered site award, but no more than one from the same HUD allocation.

(b) No local government may receive more than a total of one million two hundred fifty thousand dollars (\$1,250,000) in CDBG funds in the period that the state distributes its annual HUD allocation of CDBG funds; except that local governments may also receive up to six hundred thousand dollars (\$600,000) for a project that addresses Urgent Needs and funds for one demonstration project in addition to other grants awarded during the same time period.

(c) Community Revitalization basic category applicants may spend a portion of their total grant amount to finance local option activities. Up to 15 percent may be spent on eligible activities which do not need to be directly related to proposed projects except in the infrastructure subcategory. Alternatively, up to 25 percent may be spent on eligible activities that contribute to comprehensive development of the main project area in a Concentrated Needs grant. Job creation activities are not eligible local option activities unless they are part of the 25 percent alternative. Local option activities will not be

competitively rated by the Division, but may be limited to specific eligible activities. Each local option project must show that:

- (1) At least fifty-one percent of the CDBG funds proposed for each activity will benefit low- and moderate-income persons, except that CDBG funds may be used for acquisition, disposition, or clearance of vacant units to address the national objective of prevention or elimination of slums or blight; and
- (2) CDBG funds proposed for each activity will address the national objective of benefiting low- and moderate-income persons, or aid in the prevention or elimination of slums or blight.

(d) The Division may review grant requests to determine the reasonableness and appropriateness of all proposed administrative and planning costs. Notwithstanding Rule .0910 of this Subchapter, grantees may not increase their approved planning and administrative budgets without prior Division approval. In no case, may applicants budget and expend more than 18 percent of the sum of funds requested and program income for administrative and planning activities for each project, except that demonstration funds may be awarded for projects limited to planning activities only in which case all funds will be spent for planning and administration.

(e) Applicants may spend CDBG funds in those areas in which the applicant has the legal authority to undertake project activities.

(f) Grants to specific recipients will be provided in amounts commensurate with the size of the applicant's program. In determining appropriate grant amounts for each applicant, the Division may consider an applicant's need, proposed activities, all proposed administrative and planning costs, and ability to carry out the proposed activities.

*History Note: Authority G.S. 143B-10; 143B-431; 24 C.F.R. 570.483; 42 U.S.C. 5301;*

*Eff. July 1, 1982;*

*Amended Eff. August 1, 1998; February 1, 1996; March 1, 1995; June 1, 1994; June 1, 1993; June 1, 1992.*

#### SECTION .0500 - COMMUNITY REVITALIZATION PROJECTS

##### .0501 DESCRIPTION

(a) The Community Revitalization category includes activities in which a majority of funds is directed towards improving, preserving or developing residential areas. All eligible CDBG activities may be undertaken for the purpose of community revitalization.

Applications for funding may involve single or multiple activities, addressing one or more needs in the area except for infrastructure and scattered site subcategories which addresses one need.

All community revitalization activities, except for scattered site activities, must be carried out within defined project areas.

Community Revitalization funds shall be distributed to eligible units of local government on a competitive basis. Community Revitalization projects shall be evaluated against other Community Revitalization project proposals.

(b) The Community Revitalization category includes a subcategory for scattered site housing activities which are directed towards one hundred per cent low and moderate income benefit or the prevention or elimination of slums or blight. Scattered site projects are limited to housing rehabilitation, acquisition, disposition, clearance, and relocation activities.

Scattered site activities may be carried out in any location throughout the applicant's jurisdiction and need not be carried out in an area of concentrated need.

Up to 5 percent of the total project cost may be contributed from local or non-local funds in scattered site housing rehabilitation projects.

Scattered site funds shall be distributed to eligible units of local government on a competitive basis, and projects shall be evaluated against other scattered site project proposals.

(c) The Community Revitalization category includes a subcategory for public infrastructure projects within a definable project area. Projects will be evaluated against other infrastructure project proposals.

*History Note: Authority G.S. 143B-10; 143B-431; 42 U.S.C.A. 5301; 24 C.F.R. 570.483;*

*Eff. July 1, 1982;*

*Amended Eff. August 1, 1998; March 1, 1995; June 1, 1994; June 1, 1993; October 1, 1990.*

## **.0502 ELIGIBILITY REQUIREMENTS**

(a) Applications for concentrated needs subcategory funds must show that:

- (1) At least 51 percent of the CDBG funds proposed for each project will benefit low- and moderate-income persons, except that CDBG funds proposed for local option activities may be used for acquisition, disposition, or clearance of vacant units to address the national objective of prevention or elimination of slums or blight; and
- (2) CDBG funds proposed for each activity will meet a national objective as specified in HUD regulations previously incorporated by reference, except that funds shall not be used to meet the national objective of urgent need which is covered by Rule .0801 of this Subchapter.

Applications that do not meet these eligibility requirements shall not be rated or funded. In designing projects which meet these requirements, applicants must ensure that activities do not benefit moderate-income persons to the exclusion of low-income persons.

(b) Applicants for scattered site subcategory funds must show that:

- (1) Rehabilitation activities of occupied and vacant units

must benefit 100 percent low and moderate income persons; and

- (2) CDBG funds proposed for acquisition, clearance, and disposition of vacant units will address the national objective of preventing or eliminating slums or blight.

(c) Applicants shall have the capacity to administer a CDBG program. The Division may examine the following areas to determine capacity:

- (1) audit and monitoring findings on previously funded Community Development Block Grant programs, and the applicant's fiscal accountability as demonstrated in other state or federal programs or local government financial reports; and
- (2) the rate of expenditure of funds and accomplishments in previously funded CDBG programs. Applicants that show a lack of capacity will not be rated or funded.

*History Note: Authority G.S. 143B-10; 143B-431; 42 U.S.C.A. 5301; 24 C.F.R. 570.483;*

*Eff. July 1, 1982;*

*Amended Eff. August 1, 1998; March 1, 1995; June 1, 1994; June 1, 1993; September 1, 1990.*

## **SECTION .0700 - DEMONSTRATION PROJECTS**

### **.0706 DEFINITION**

Demonstration grants are provided to assist local governments to develop innovative strategies for addressing specific community development needs and priorities.

*History Note: Authority G.S. 143-323; 143B-10; 42 U.S.C.A. 5301; 24 C.F.R. 570.489;*

*Eff. August 1, 1998.*

## **SECTION .0900 - GRANT ADMINISTRATION**

### **.0901 GRANT AGREEMENT**

(a) Upon approval of the application by the Division, a written grant agreement shall be executed between the recipient and the Division. These Rules, the approved application, and any subsequent amendments to the approved application shall become a part of the grant agreement.

(b) The grant agreement in its original form and all modifications thereto shall be kept on file in the office of the recipient in accordance with Rule .0911 of this Section.

(c) The Division may condition the grant agreement until the recipient demonstrates compliance with all applicable laws and regulations. In the case of Housing Development and Community Empowerment projects the grant agreement may be conditioned until legally binding commitments have been obtained from all participating entities.

(d) Neither CDBG nor non-CDBG funds involved in a project may be obligated, nor may any conditioned project activities begin until the Division releases in writing any and all applicable conditions on the project. Recipients may incur



costs prior to release of conditions with prior Division approval in accordance with Rule .0908 of this Section.

*History Note: Authority G.S. 143B-10; 143B-431; 24 C.F.R. 570.483;*

*Eff. July 1, 1982;*

*Amended Eff. August 1, 1998; June 1, 1994; June 1, 1993; September 1, 1990; May 1, 1998.*

#### **.0906 FINANCIAL MANAGEMENT SYSTEMS**

Recipient financial management systems shall provide for accurate, current and complete disclosure of the financial results of each grant program in accordance with fiscal control and reporting requirements set forth in G.S. 159, Article III, the Local Government Budget and Fiscal Control Act. Recipients shall meet the following requirements:

- (1) All grant funds shall be expended in accordance with a budget ordinance or project ordinance adopted under G.S. 159-8 and G.S. 159-13.2 respectively;
- (2) A recipient may deposit or invest all or part of the cash balance of any grant fund; however, all interest earned shall be returned to the Department in accordance with Rule .0907(c) of this Section;
- (3) Investment deposits shall be secured as provided in G.S. 159-31(b);
- (4) The recipient shall designate as its official depositories one or more banks or trust companies in the State in accordance with G.S. 159-31(a);
- (5) All budgetary accounting for appropriations of grant funds shall be in accordance with the procedures for incurring obligations and disbursements as set forth in G.S. 159-28;
- (6) Each recipient shall establish an accounting system in accordance with G.S. 159-26;
- (7) The recipient's finance officer, and each officer, employee, or agent who handles or has in his custody more than one hundred dollars (\$100.00) of grant funds at any time, or who handles or has access to the recipient's inventories, shall be bonded in accordance with G.S. 159-29;
- (8) Each recipient shall maintain records that identify adequately the source and application of funds for grant-supported activities. These records shall contain information pertaining to federal awards and authorizations, obligations, unobligated balances, assets, liabilities, outlays, and income;
- (9) A system for procedures for procurement and property management shall be provided in accordance with Rule .0908 and Rule .0909 of this Section;
- (10) All cash receipts must be deposited with, or to the credit of, the finance officer. This includes program revenues, reimbursements of travel, vendor payments or other items previously recorded as expenditures, and all other grant monies from the Department;
- (11) Recipients must develop a systematic method to assure timely and appropriate resolution of audit

findings and recommendations;

- (12) Recipients shall require subgrantees to adopt the standards set forth in this Rule;
- (13) Recipients shall comply with the Office of Management and Budget Circular A-87, entitled Cost Principles for State and Local government, which is incorporated in these Rules by reference including subsequent amendments and editions. A copy of this circular is available from the Division of Community Assistance, Raleigh, North Carolina. In applying OMB A-87 the term "federal agency" shall mean the Department;
- (14) Recipients shall record the receipt and expenditure of project revenues from taxes, special assessments, evies, fines, etc., in accordance with generally accepted accounting principles;
- (15) Subrecipients shall comply with the Office of Management and Budget Circular A-110, entitled Uniform Administrative Requirements for Grants and other Agreements with Institutions of Higher Education, Hospitals, and other Nonprofit Organizations which is incorporated in these Rules by reference including subsequent amendments and editions. A copy of this circular is available from the Division of Community Assistance, Raleigh, North Carolina.

*History Note: Authority G.S. 14-234; 143B-10; 143B-431; 24 C.F.R. 570.489; 24 C.F.R. 570.496; 42 U.S.C.A. 5304(b), (d), (e);*

*Eff. July 1, 1982;*

*Amended Eff. August 1, 1998; June 1, 1994; June 1, 1993; September 1, 1991; September 1, 1990.*

#### **SECTION .1000 - COMPLIANCE REQUIREMENTS**

##### **.1002 CITIZEN PARTICIPATION**

(a) Each applicant and recipient shall provide citizens with an adequate opportunity for meaningful involvement on a continuing basis and for participation in the planning, implementation and assessment of the program. Each applicant and recipient shall provide adequate information to citizens, hold public hearings, provide for timely responses to citizens' complaints, and certify that it is following a detailed Citizen Participation Plan as in (b) through (h) of this Rule. All public hearings shall be held by the governing board of the applicant or recipient.

(b) Citizen participation in the application process.

(1) Each applicant for CDBG funds shall:

- (A) Solicit and respond in a timely manner to views and proposals of citizens, particularly low- and moderate-income persons, members of minority groups, and residents of blighted areas where activities are proposed. Applicants shall respond in writing to written citizen comments. Responses shall be made within ten calendar days of receipt of the



citizen comment.

- (B) Provide technical assistance to facilitate citizen participation, where requested. The technical assistance shall be provided to groups representative of persons of low- and moderate-income that request such assistance in developing proposals. The level and type shall be determined by the applicant.
- (C) Provide adequate notices of public hearings in a timely manner to all citizens and in such a way as to make them understandable to non-English speaking persons. Hearings must be held at times and locations convenient to potential or actual beneficiaries and with accommodations for the handicapped. A notice of the public hearing shall be published at least once in the nonlegal section of a newspaper having general circulation in the area. The notice shall be published not less than ten days nor more than 25 days before the date fixed for the hearing. The notice of public hearing to obtain citizens' views after the application has been prepared, but prior to the submission of the application to the Division, shall contain a description of the proposed project(s) including the proposed project location, activities to be carried out, and the total costs of activities.
- (D) Schedule hearings to obtain citizens' views and to respond to citizen proposals at times and locations which permit broad participation, particularly by low- and moderate-income persons, members of minority groups, handicapped persons, and residents of blighted neighborhoods and project areas.
- (E) Conduct one public hearing during the planning process to allow citizens the opportunity to express views and proposals prior to formulation of the application, except that applicants in the Urgent Needs category are exempt from holding this public hearing.
- (F) Conduct one public hearing after the application has been prepared but prior to submission of the application to the Division.
- (2) Submitting objections to the Division.
  - (A) Persons wishing to object to the approval of an application by the Division shall submit to the Division their objections in writing. The Division shall consider objections made only on the following grounds:
    - (i) The applicant's description of the needs and objectives is plainly inconsistent with available facts and data,
    - (ii) The activities to be undertaken are plainly inappropriate to meeting the needs and objectives identified by the

applicant, and

- (iii) The application does not comply with the requirements of this Subchapter or other applicable laws.
- (B) All objections shall include an identification of the requirements not met. In the case of objections made on the grounds that the description of needs and objectives is plainly inconsistent with significant, generally available facts and data, the objection shall include the facts and data upon which the objection is based.

(c) Citizen Participation Plan. Recipients shall develop and adopt, by resolution of their governing board, a written citizen participation plan developed in accordance with all provisions of this Rule and which:

- (1) provides for and encourages citizen participation with particular emphasis on participation by persons of low- and moderate-income who are residents of slum and blight areas and of areas in which CDBG funds are proposed to be used;
- (2) provides citizens with reasonable and timely access to local meetings, information, and records relating to the recipient's proposed and actual use of funds;
- (3) provides for technical assistance to groups representative of persons of low- and moderate-income that request such assistance in accordance with Part (b)(1)(B) of this Rule;
- (4) provides for public hearings to obtain citizen views and to respond to proposals and questions at all stages of the community development program in accordance with Paragraphs (b), (f), and (g) of this Rule;
- (5) provides a procedure for developing timely written responses to written complaints and grievances within ten calendar days of receipt of the complaint. The procedure shall include all provisions of Paragraph (d) of this Rule; and
- (6) identifies how the needs of non-English speaking residents will be met in the case of public hearings where a significant number of non-English speaking residents can be reasonably expected to participate.

(d) The recipient shall develop and adopt a written complaint procedure to respond to citizen complaints involving the CDBG program. The complaint procedure shall be applicable through the life of the grant and available to the general public. It shall specify that the recipient will respond in writing to written citizen complaints within ten calendar days of receipt of the complaint. The procedure shall include a phone number for further information or clarification on the complaint procedure and shall identify any local procedures or appeals process that would normally be used by the recipient to address citizen complaints. The complaint procedure shall also state that if a citizen lodging a complaint is dissatisfied with the local response, then that person may direct the complaint to the North Carolina Division of Community Assistance.

(e) Citizen participation during program implementation.

Citizens shall have the opportunity to comment on the implementation of a Community Development Program throughout the term of the program. Recipients shall solicit and respond to the views and proposals of citizens in the same manner as in Part (b)(1)(A) of this Rule.

(f) Citizen participation in the program amendment process.

(1) Recipient procedures.

(A) Recipients proposing amendments which require prior Division approval in accordance with Rule .0910 of this Subchapter shall to conduct one public hearing prior to submission of the amendment to the Division in the same manner as in Part (b)(1)(C) of this Rule.

(B) Each recipient shall respond to citizen objections and comments in the same manner as in Part (b)(1)(A) of this Rule.

(2) Submitting Objections to the Division.

(A) Persons wishing to object to the approval of an amendment by the Division shall make such objection in writing. The Division shall consider objections made only on the following grounds:

(i) The recipient's description of needs and objectives is plainly inconsistent with available facts and data,

(ii) The activities to be undertaken are plainly inappropriate to meeting the needs and objectives identified by the recipient, and

(iii) The amendment does not comply with the requirements of this Section or other applicable laws and regulations.

(B) All objections shall include an identification of the requirements not met. In the case of objections made on the grounds that the description of needs and objectives is plainly inconsistent with significant, generally available facts and data, the objection shall include the facts and data upon which the objection is based.

(g) Citizen participation in the program closeout process.

(1) Recipients shall conduct one public hearing to assess program performance during the grant closeout process and prior to the actual closeout of the grant in the same manner as in Part (b)(1)(C) of this Rule.

(2) Recipients shall continue to solicit and respond to citizen comment in the same manner as in Part (b)(1)(A) of this Rule until such time as the grant program is closed.

(h) Persons may submit written comments to the Division at any time concerning the applicant's or recipient's failure to comply with the requirements contained in this Subchapter.

(i) All records of public hearings, citizens' comments, responses to comments and other relevant documents and papers shall be kept in accordance with Rule .0911 of this Subchapter. All program records shall be accessible to citizens

in accordance with Rule .0911(b) of this Subchapter.

*History Note: Authority G.S. 143B-10; 143B-431; 42 U.S.C.A. 5304(a)(2); 24 C.F.R. 570.486;*

*Eff. July 1, 1982;*

*Amended Eff. August 1, 1998; June 1, 1993; September 1, 1990; May 1, 1988; March 1, 1984.*

#### **.1004 ENVIRONMENTAL REVIEW**

(a) Applicants and recipients shall comply with the policies of the National Environmental Policy Act of 1969 and all other applicable provisions of Federal and State law which further the purposes of such act (as specified in 24 C.F.R. Part 58). This Subchapter incorporates by reference 24 CFR Part 58, including subsequent amendments and editions. Copies of this federal regulation are available for public inspection from the Division of Community Assistance. Single copies are available from this Division in Raleigh, North Carolina, for one dollar (\$1.00) each.

(b) Applicants and recipients shall assume the responsibilities for environmental review, decision-making, and other actions which would otherwise apply to the Secretary, under NEPA and other provisions of law which further the purposes of NEPA in accordance with section 104(f)(4) of Title I of the Housing and Community Development Act of 1974, as amended and the implementing regulations at 24 C.F.R. Part 58.

(c) Applicants and recipients shall meet the requirements of the following Federal laws and regulations:

(1) The National Environmental Policy Act of 1969 ("NEPA", 42 U.S.C. 4321 et seq., P.L. 91-190) which establishes national policy, goals, and procedures for protecting, restoring and enhancing environmental quality;

(2) Environmental Review Procedures for Title I Community Development Block Grant Programs, (24 C.F.R. Part 58), which sets forth the procedures for carrying out the environmental responsibilities under NEPA;

(3) Executive Order 11988, Floodplain Management, May 24, 1977 (42 F.R. 26951 et seq.);

(4) Executive Order 11990, Protection of Wetlands, May 24, 1977 (42 F.R. 26961 et seq.);

(5) The Coastal Zone Management Act of 1972, (16 U.S.C. 1451 et seq.), as amended;

(6) The Safe Drinking Water Act of 1974 (42 U.S.C. 201, 300(f) et seq., and 21 U.S.C. 349), as amended, particularly concerning sole source aquifers;

(7) The Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), as amended;

(8) The Wild and Scenic Rivers Act of 1968 (16 U.S.C. 1271 et seq.), as amended;

(9) The Clean Air Act (42 U.S.C. 7401 et seq.);

(10) The Fish and Wildlife Coordination Act of 1958 as amended, (16 U.S.C. 661 et seq);

(11) The Federal Water Pollution Control Act (P.L.



92-500);

- (12) HUD environmental criteria and standards (24 C.F.R. Part 51), and the Council on Environmental Quality Standards at 40 C.F.R. Part 1500-1508;
- (13) The National Historic Preservation Act of 1966 (16 U.S.C. 470 et seq.) as amended;
- (14) Procedures for the Protection of Historic and Cultural Properties, 36 CFR 800;
- (15) Executive Order 11593, Protection and Enhancement of the Cultural Environment. May 13, 1971 (36 F.R. 8921 et seq.);
- (16) The Reservoir Salvage Act of 1960 (16 U.S.C. 469 et seq.); as amended by the Archaeological and Historic Preservation Act of 1974; and
- (17) The Flood Disaster Protection Act of 1973 (42 U.S.C. 4001 et seq.), as amended.

(d) The recipient shall meet the requirements of the following State laws and rules where they are applicable to the provisions of this Subchapter:

- (1) Chapter 113A of the General Statutes of North Carolina, entitled Pollution Control and Environment;
- (2) G.S. 143-215.108 which designates the Environmental Management Commission as the issuing authority for air quality permits;
- (3) G.S. 143-215.1 which governs water pollution permits and designates the Environmental Management Commission as the issuing authority;
- (4) G.S. 121-12, Protection of Properties on the National Register, which requires consideration of project impact on any property listed in the National Register; and
- (5) G.S. 70-1 through 70-3, Indian Antiquities laws, which urges private landowners to refrain from excavation and other actions leading to the destruction of Indian archaeological sites on their property. It also requires local governments to report the discovery of artifacts and refrain from further excavation or construction when excavating or constructing on public lands.

(e) The recipient shall obtain all air pollution and water pollution permits for a CDBG program pursuant to Paragraph (d) of this Rule.

(f) All records and data shall be maintained pursuant to Rule .0911 of this Subchapter.

*History Note: Authority G.S. 143-215.1; 143-215.108; 143B-10; 143B-431; 24 C.F.R. Part 58; 24 C.F.R. 570.487; 42 U.S.C.A. 4321 through 4370; 42 U.S.C.A. 5304(b)(4); Eff. July 1, 1982; Amended Eff. August 1, 1998; June 1, 1993; September 1, 1990; May 1, 1988; October 1, 1984.*

## **SECTION .1300 - HOUSING DEVELOPMENT PROJECTS**

### **.1301 DESCRIPTION**

Grants under this category shall support the development of housing opportunities for low- and moderate-income persons. The Division may limit the use of program funds to specific eligible activities.

*History Note: Authority G.S. 143B-10; 143B-431; 24 C.F.R. 570.483; Eff. March 1, 1986; Amended Eff. August 1, 1998; May 1, 1992.*

### **.1302 ELIGIBILITY REQUIREMENTS**

(a) Applications for Housing Development funds must show that:

- (1) At least 51 percent of the CDBG funds proposed for each project will benefit low- and moderate-income persons; and
- (2) CDBG funds proposed for each activity shall meet a national objective as specified in HUD regulations previously incorporated by reference, except that funds shall not be used to meet the national objective of urgent need which is covered by Rule .0801 of this Subchapter.

Applicants that do not meet these requirements will not be rated or funded.

(b) Applicants shall have the capacity to administer a Community Development Block Grant Program. The Division may examine the following areas to determine capacity:

- (1) audit and monitoring findings on previously funded Community Development Block Grant Programs, and the applicant's fiscal accountability as demonstrated in other state or federal Programs or local government financial reports; and
- (2) the rate of expenditure of funds in previously funded Community Development Block Grant Programs.

*History Note: Authority G.S. 143B-10; 143B-431; 24 C.F.R. 570.482; 24 C.F.R. 570.483; Eff. March 1, 1986; Amended Eff. August 1, 1998; June 1, 1994; June 1, 1993; September 1, 1990; April 1, 1990.*

## **SECTION .1700 - COMMUNITY EMPOWERMENT PROJECTS**

### **.1701 DESCRIPTION**

Grants under the Community Empowerment Category shall improve self-sufficiency and economic opportunities for low- and moderate-income persons.

*History Note: Authority G.S. 143B-10; 143B-431; 24 C.F.R. 570.483; Eff. March 1, 1995; Amended Eff. August 1, 1998.*

### **.1702 ELIGIBILITY REQUIREMENTS**

(a) Applications for Community Empowerment funds must show that:



- (1) At least 51 percent of the CDBG funds proposed for each project will benefit low- and moderate-income persons; and
  - (2) CDBG funds proposed for each activity shall meet a national objective as specified in HUD regulations previously incorporated by reference, except that funds shall not be used to meet the national objective of urgent need which is covered by Rule .0801 of this Subchapter.
  - (3) The project includes at least one dollar (\$1.00) of non-CDBG funds to match each dollar of CDBG funds requested, except for projects in counties designated by the Secretary of Commerce as Tier One Enterprise Areas as defined in G.S. 105-130.40(c) or areas designated by the federal government as Enterprise Zones.
- (b) Applicants shall have the capacity to administer a CDBG program. The Division may examine the following areas to determine capacity:
- (1) audit and monitoring findings on previously funded Community Development Block Grant programs, and the applicant's fiscal accountability as demonstrated in other state or federal programs or local government financial reports; and
  - (2) the rate of expenditure of funds and accomplishments in previously funded CDBG programs.

Applicants that show a lack of capacity will not be rated or funded.

*History Note: Authority G.S. 143B-10; 143B-431; 24 C.F.R. 570.482; 24 C.F.R. 570.483; Eff. March 1, 1995; Amended Eff. August 1, 1998.*

## SECTION .1800 - NORTH CAROLINA DEVELOPMENT LOAN FUND

### .1801 GENERAL

(a) The North Carolina Development Loan Fund is a loan program for non-entitlement communities participating in the Small Cities Community Development Block Grant program to access the Department of Housing and Urban Development's Section 108 Guaranteed Loan Program. The funds under this program are loaned to units of local governments for projects meeting one of the national objectives of benefitting low and moderate income persons, eliminating slums and blight or addressing a community's urgent needs, as defined in the Housing and Community Development Act of 1974 as amended.

(b) The Division shall review applications from local governments to the Department of Housing and Urban Development under the Development Loan Fund program. The review and approval must be made to pledge future state CDBG allocation as additional collateral for the Development Loan fund program.

(c) The Division shall review applications for projects with housing, commercial and mixed use components. The

Commerce Finance Center shall review and approve economic development projects.

*History Note: Authority G.S. 143B-431; 153A-376; 160A-456; 24 C.F.R. 570 Subpart M; Eff. August 1, 1998.*

### .1802 ELIGIBLE ACTIVITIES

(a) This section incorporates by reference as eligible activities those activities described in the Housing and Community Development Act of 1974, as amended, including subsequent amendments and editions under Section 108 and in 24 CFR 570.703.

(b) G.S. 143B-431(d)(3) - further limits eligibility by finding that hotels, motels, private recreational facilities, private entertainment facilities and convention centers are ineligible for Development Loan Funds.

(c) Copies of these sections of state and federal law and regulation are available for public inspection from the Division of Community Assistance.

*History Note: Authority G.S. 143B-431; 24 C.F.R. 570.703; Eff. August 1, 1998.*

### .1803 ELIGIBILITY REQUIREMENTS

(a) Applications for Development Loan Funds must show that:

- (1) All activities are eligible under state and federal regulations; and
- (2) Development Loan Funds proposed for each activity meet a national objective as specified by HUD regulations incorporated by prior reference; and
- (3) The applicant has the capacity to administer a Development Loan Fund project.

(b) The Division must make the following findings prior to an award:

- (1) A loan loss reserve is in place equal to 10% of the amount of the outstanding balance.
- (2) The approved loan may not take the total amount of outstanding obligations under the Development Loan Fund to more than twice the amount of the annual CDBG allocation.

*History Note: Authority G.S. 143B-431; 24 C.F.R. 570 Subpart M; Eff. August 1, 1998.*

## TITLE 10 - DEPARTMENT OF HEALTH AND HUMAN SERVICES

### CHAPTER 3 - FACILITY SERVICES

#### SUBCHAPTER 3D - RULES AND REGULATIONS GOVERNING AMBULANCE SERVICE AND TRAUMA SYSTEMS

## SECTION .2000 - GENERAL INFORMATION

## .2001 DEFINITIONS

The following definitions apply throughout this Subchapter:

- (1) "Advanced Life Support Professional (ALS Professional)" means a certified emergency medical dispatcher, emergency medical technician, emergency medical technician-intermediate, or emergency medical technician-paramedic whether working on a paid or volunteer basis.
- (2) "Advanced Life Support Program (ALS Program)" means a program of prehospital emergency medical care whereby definitive medical care is delivered to a victim of sudden injury or illness by appropriately educated and certified ALS professionals operating under the direction of a sponsor hospital.
- (3) "Ambulance Call Report" means a written or electronic record of out-of-hospital activities pertaining to the care of an individual patient.
- (4) "Bypass" means the transport of an Emergency Medical Services patient past a normally used Emergency Medical Services receiving facility for the purposes of accessing a designated trauma center or a higher level trauma center.
- (5) "Contingencies" means conditions placed on a hospital's designation which, if unmet, can result in the loss or amendment of a hospital's designation.
- (6) "Continuous Quality Improvement (CQI)" means a system in which outcome data is used to modify the process of patient care and prevent repetition of adverse events.
- (7) "Deficiencies" are criteria for a trauma center's designation as specified in Section .2100 of this Subchapter that are determined to be unsatisfactory which can serve as the basis for the denial of a trauma center designation or renewal.
- (8) "Department" means the North Carolina Department of Health and Human Services.
- (9) "Diversion" means that a hospital of its own volition reroutes a trauma patient to a trauma center.
- (10) "E-Code" is a numeric identifier that defines the cause of injury, taken from the International Classification of Diseases (ICD).
- (11) "Hospital" means a licensed facility as defined in G.S. 131E-176.
- (12) "Level I Trauma Center" is a regional resource trauma center that has the capability of providing leadership, research and total care for every aspect of injury from prevention to rehabilitation.
- (13) "Level II Trauma Center" is a hospital that provides definitive trauma care regardless of the severity of injury, but may not be able to provide the same comprehensive care as a Level I trauma center, and does not have trauma research as a primary objective.
- (14) "Level III Trauma Center" is a hospital that provides prompt assessment, resuscitation, emergency operations, and stabilization and arranges for hospital transfer as needed to a Level I or II trauma center.
- (15) "NCOEMS" means the North Carolina Office of Emergency Medical Services.
- (16) "Regional Advisory Committee (RAC)" is a group representing trauma care providers and the community, affiliated with a Level I or II trauma center, for the purpose of regional trauma planning, establishing, and maintaining a coordinated trauma system.
- (17) "Request for Proposal (RFP)" is a standardized state document that must be completed by each hospital seeking initial or renewal trauma center designation.
- (18) "Transfer Agreement" means a formal written agreement between two agencies specifying the appropriate transfer of patient populations delineating the conditions and methods of transfer.
- (19) "Trauma Center" is a hospital facility designated by the state of North Carolina and distinguished by its ability to immediately manage, on a 24-hour basis, the severely injured patient or those at risk for severe injury.
- (20) "Trauma Center Criteria" means essential or desirable characteristics to define Level I, II or III trauma centers.
- (21) "Trauma Center Designation" means a formalized process of approval in which a hospital voluntarily seeks to have its trauma care capabilities and performance evaluated by experienced on-site reviewers.
- (22) "Trauma Minimum Data Set" means the basic data required of all hospitals for submission to the trauma statewide database.
- (23) "Trauma Patient" is a person who has sustained acute injury and by means of a standardized field triage criteria (anatomic, physiologic and mechanism of injury) is judged to be at significant risk of mortality or major morbidity.
- (24) "Trauma Protocols" are standards for practice in a variety of situations within the trauma system.
- (25) "Trauma Registry" is an OEMS maintained database to provide information for analysis and evaluation of the quality of patient care, including epidemiological and demographic characteristics of trauma patients.
- (26) "Trauma Service" means a clinical service established by the medical staff that has oversight of and responsibility for the care of the trauma patient.
- (27) "Trauma System" means an integrated network that ensures that acutely injured patients are expeditiously taken to hospitals appropriate for their level of injury.
- (28) "Trauma Team" means a group of health care professionals organized to provide coordinated and timely care to the trauma patient.
- (29) "Triage" is a predetermined schematic for patient distribution based upon established medical needs.
- (30) "Weaknesses" are significant areas of concern identified in conjunction with a hospital's request for



trauma center designation or renewal. A significant number or magnitude of weaknesses can result in denial of a hospital's request for initial or renewal trauma center designation.

*History Note: Authority G.S. 131-162;*

*Eff. August 1, 1998.*

## SECTION .2100 - TRAUMA CENTER STANDARDS AND APPROVAL

### .2101 LEVEL I TRAUMA CENTER CRITERIA

(a) To receive designation as a Level I Trauma Center, a hospital shall have the following:

- (1) a trauma service which has been operational for at least six months prior to application;
- (2) membership in and inclusion of all trauma patient records in the North Carolina Trauma Registry for at least six months prior to submitting an RFP application;
- (3) a trauma medical director who is a board certified general surgeon. The trauma medical director must:
  - (A) have a minimum of three years clinical experience on a trauma service and/or trauma fellowship training;
  - (B) serve on the center's trauma service;
  - (C) participate in providing care to patients with life-threatening or urgent injuries;
  - (D) participate in the North Carolina Chapter of the American College of Surgeons' Committee on Trauma;
  - (E) remain a current provider in the American College of Surgeons' Advanced Trauma Life Support Course and in the provision of trauma related instruction to other health care personnel; and
  - (F) be involved with trauma research and the publication of results and presentations;
- (4) a full-time trauma nurse coordinator (TNC) who is a registered nurse, licensed by the North Carolina Board of Nursing;
- (5) a full-time trauma registrar (TR) who has a working knowledge of medical terminology, is able to operate a personal computer, and has demonstrated the ability to extract data from the medical record;
- (6) clinical services in General Surgery, Neurologic Surgery, Orthopedic Surgery, Emergency Medicine, and Anesthesiology;
- (7) response of a trauma team to provide evaluation and treatment of a trauma patient 24-hours-per-day that includes:
  - (A) an in house Post Graduate Year 4 or senior general surgical resident, at a minimum, who is a member of that hospital's surgical residency program and responds within 20 minutes of notification;
  - (B) a trauma attending who responds within 20

minutes of notification and participates in therapeutic decisions and is present at all operative procedures;

- (C) an emergency physician who is present in the emergency department 24-hours-per-day who is either board certified or prepared in emergency medicine (by the American Board of Emergency Medicine or the American Osteopathic Board of Emergency Medicine) or board certified or eligible by the American Board of Surgery, American Board of Family Practice, or American Board of Internal Medicine and practices emergency medicine as his primary specialty. This physician serves as a designated member of the trauma team until the arrival of the trauma surgeon;
- (D) neurosurgery and orthopaedic surgery specialists who are never simultaneously on call at another Level II or higher trauma center, who are available within 30 minutes of notification as long as there is either an in-house attending neurosurgeon/orthopedic surgeon; a Post Graduate Year 2 or higher in-house neurosurgery/orthopedic surgery resident or an in-house trauma surgeon or emergency physician as long as the institution can document management guidelines and annual continuing medical education for neurosurgical/orthopedic emergencies. There must be a specified written back-up on the call schedule whenever the neurosurgical/orthopedist is simultaneously on call at a hospital other than the trauma center;
- (E) An in-house anesthesiologist or a Post Graduate Year 4 anesthesiology chief resident as long as an anesthesiologist on call is advised and promptly available within 20 minutes;
- (8) a written credentialing process established by the department of surgery to approve attending general surgeons covering the trauma service. These surgeons must have a minimum of board certification in general surgery within five years of completing residency;
- (9) two separate call schedules. One shall be for trauma, one for general surgery. In those instances where a physician may simultaneously be listed on both schedules, there must be a defined back-up surgeon listed on the trauma schedule. If a surgeon is simultaneously on call at more than one hospital, there must be a defined back-up listed on the trauma schedule. In addition, the hospital shall publish an on-call schedule for neurosurgeons, orthopedic surgeons and other major specialists;
- (10) standard written protocols relating to trauma care management must be formulated and routinely updated;



- (11) Criteria to ensure team activation within 20 minutes prior to patient arrival (in instances where the hospital has at least 20 minutes notification), trauma service admission, and evaluation of patients ~~w/~~ with multiple system or major injury based upon the earliest recognition of the following physiologic criteria:
- (A) Shock;
  - (B) Respiratory distress;
  - (C) airway compromise;
  - (D) spinal cord injury;
  - (E) unresponsiveness (Glasgow Coma Scale < 8) with potential for multiple injuries;
  - (F) revised trauma score less than or equal to eight (when in field);
- (12) prompt surgical consults that shall be initiated based upon the following criteria:
- (A) falls > 20 feet;
  - (B) pedestrian struck by motor vehicle;
  - (C) motor vehicle crash with:
    - (i) ejection (includes motorcycle);
    - (ii) rollover;
    - (iii) speed > 40 miles per hour; or
    - (iv) death at the scene;
  - (D) proximal amputations;
  - (E) burn plus trauma;
  - (F) vascular compromise;
  - (G) crush to chest or pelvis;
  - (H) two or more proximal long bone fractures; and
  - (I) gunshot wound to torso, neck, or proximal extremities;
- (13) within 30 minutes of notification, availability of services to include:
- (A) cardiac surgery;
  - (B) cardiology;
  - (C) hand surgery;
  - (D) infectious disease;
  - (E) internal medicine and subspecialties;
  - (F) microvascular surgery (replant/flaps);
  - (G) obstetric/gynecologic surgery;
  - (H) ophthalmic surgery;
  - (I) oral/maxillofacial surgery;
  - (J) pediatric surgery;
  - (K) pediatrics;
  - (L) plastic surgery;
  - (M) pulmonary medicine;
  - (N) radiology;
  - (O) thoracic surgery provided by a board certified thoracic surgeon or general trauma surgeon with thoracic surgical privileges; and
  - (P) urologic surgery;
- (14) an emergency department which has at a minimum;
- (A) a designated physician director who, if hired after January 1, 1992, is board certified or board prepared in emergency medicine (by the American Board of Emergency Medicine or the American Osteopathic Board of Emergency Medicine);
- (B) 24-hour-per-day staffing by physicians physically present in the Emergency Department who:
- (i) are either board certified or prepared in emergency medicine (by the American Board of Emergency Medicine or the American Osteopathic Board of Emergency Medicine) or board certified or eligible by the American Board of Surgery, American Board of Family Practice, or American Board of Internal Medicine;
  - (ii) are designated members of the trauma team; and
  - (iii) and practices emergency medicine as his primary specialty;
- (C) nursing personnel with experience in trauma care who continually monitor the trauma patient from hospital arrival to disposition to an intensive care unit, operating room, or patient care unit;
- (D) resuscitation equipment for patients of all ages to include:
- (i) airway control and ventilation equipment (laryngoscopes, endotracheal tubes, bag-mask resuscitators, pocket masks, and oxygen);
  - (ii) pulse oximetry;
  - (iii) end-tidal carbon dioxide determination equipment;
  - (iv) suction devices;
  - (v) electrocardiograph-oscilloscope-defibrillator;
  - (vi) apparatus to establish central venous pressure monitoring;
  - (vii) intravenous fluids and administration devices to include large bore catheters;
  - (viii) sterile surgical sets for airway control/cricothyrotomy, thoracotomy, vascular access, and chest decompression;
  - (ix) apparatus for gastric decompression;
  - (x) 24-hour-per-day X-ray capability;
  - (xi) two-way communication equipment for communication with the emergency transport system;
  - (xii) skeletal traction devices, including capability for cervical traction;
  - (xiii) arterial catheters;
  - (xiv) thermal control equipment for patients; and
  - (xv) thermal control equipment for blood and fluids;
- (15) an operating suite which is immediately available 24-hours-per-day and has at a minimum;
- (A) 24-hour-per-day immediate availability of in

- house staffing;
- (B) equipment for patients of all ages to include:
  - (i) cardiopulmonary bypass capability;
  - (ii) operating microscope;
  - (iii) thermal control equipment for patients;
  - (iv) thermal control equipment for blood and fluids;
  - (v) 24-hour-per-day X-ray capability including c-arm image intensifier;
  - (vi) endoscopes;
  - (vii) craniotomy instruments; and
  - (viii) capability of fixation of long-bone and pelvic fractures;
- (16) a postanesthetic recovery room or surgical intensive care unit which has at a minimum;
  - (A) 24-hour-per-day in house staffing by registered nurses and other essential personnel;
  - (B) equipment for patients of all ages to include:
    - (i) capability for continuous monitoring of temperature, hemodynamics, and gas exchange;
    - (ii) capability for continuous monitoring of intracranial pressure;
    - (iii) pulse oximetry;
    - (iv) end tidal carbon dioxide determination capability;
    - (v) thermal control equipment for patients; and
    - (vi) thermal control equipment for blood and fluids;
- (17) an intensive care unit for trauma patients which has at a minimum;
  - (A) a designated surgical director of trauma patients;
  - (B) a physician on duty in the intensive care unit 24-hours-per-day or immediately available from within the hospital as long as this physician is not the sole physician on call for the emergency department;
  - (C) maximum ratio of one nurse per two patients on each shift;
  - (D) equipment for patients of all ages to include:
    - (i) airway control and ventilation equipment (laryngoscopes, endotracheal tubes, bag-mask resuscitators and pocket masks);
    - (ii) oxygen source with concentration controls;
    - (iii) cardiac emergency cart;
    - (iv) temporary transvenous pacemaker;
    - (v) electrocardiograph-oscilloscope-defibrillator;
    - (vi) cardiac output monitoring capability;
    - (vii) electronic pressure monitoring capability;
    - (viii) mechanical ventilator;
    - (ix) patient weighing devices;
    - (x) pulmonary function measuring devices;
    - (xi) temperature control devices; and
    - (xii) intracranial pressure monitoring devices;
- (E) within 30 minutes of request, be able to perform blood gas measurements, hematocrit level, and chest X-ray studies;
- (18) acute hemodialysis capability;
- (19) physician-directed burn center staffed by nursing personnel trained in burn care or a written transfer agreement with a burn center;
- (20) acute spinal cord management capability or written transfer agreement with a designated spinal cord injury rehabilitation center when one exists within the region;
- (21) acute head injury management capability or written transfer agreement with a designated head injury center when one exists within the region;
- (22) radiological capabilities which has at a minimum:
  - (A) 24-hour-per-day in-house radiology technician;
  - (B) 24-hour-per-day in-house computerized tomography technician;
  - (C) sonography;
  - (D) nuclear scanning;
  - (E) computed tomography;
  - (F) angiography; and
  - (G) neuroradiology;
- (23) a rehabilitation service which provides at a minimum:
  - (A) a professional staff trained in rehabilitation care of critically injured patients;
  - (B) for major trauma patients, functional assessment and recommendations regarding short and long term rehabilitation needs within one week of the patient's admission to the hospital or as soon as hemodynamically stable;
  - (C) full in-house rehabilitation service or a written transfer agreement with a rehabilitation facility accredited by the Commission on Accreditation of Rehabilitation Facilities; and
  - (D) substance abuse evaluation and counseling capability;
- (24) 24-hour-per-day clinical laboratory service which must include at a minimum:
  - (A) standard analysis of blood, urine, and other body fluids;
  - (B) blood typing and cross-matching;
  - (C) coagulation studies;
  - (D) comprehensive blood bank or access to a community central blood bank with storage facilities;
  - (E) blood gases and pH determination;
  - (F) microbiology; and
  - (G) drug and alcohol screening capability;
- (25) a quality improvement program to include:

- (A) a state approved trauma registry;
  - (B) morbidity and mortality reviews;
  - (C) multidisciplinary trauma conference, at least quarterly, to include physicians, nurses, pre-hospital personnel, and a variety of other care givers which critiques individual cases and discusses educational issues related to trauma;
  - (D) utilization review;
  - (E) documentation and review of times and reasons for trauma related diversion of patients; and
  - (F) documentation and review of response times for trauma surgeons, neurosurgeons, anesthesiologists, and orthopedists;
- (26) an outreach program to include:
- (A) written transfer agreements to address the transfer and receipt of trauma patients;
  - (B) programs for physicians within the community and within the referral area (to include telephone and on-site consultations) about how to access the trauma center resources and refer patients within the system;
  - (C) development of a Regional Advisory Committee (RAC) as specified in Section .2302 of this Subchapter;
  - (D) development of regional criteria for coordination of trauma care;
  - (E) assessment of impact on trauma morbidity and mortality and on patient outcome; and
  - (F) assessment of trauma system operations at the regional level;
- (27) a program of trauma prevention and public education to include:
- (A) epidemiology research to include studies in injury control, collaboration with other institutions on research, monitoring progress of prevention programs, and consultation with qualified researchers on evaluation measures;
  - (B) surveillance methods to include trauma registry data, special Emergency Department and field collection projects;
  - (C) designation of a trauma prevention coordinator, which may be part of the trauma nurse coordinator effort; and
  - (D) outreach activities, program development, information resources and collaboration with existing national, regional, and state trauma programs;
- (28) a trauma research program designed to produce new knowledge applicable to the care of injured patients to include:
- (A) a designated trauma research director;
  - (B) regular meetings of a research group;
  - (C) if required, proposals reviewed by institutional review board;
  - (D) study designs which include the development and testing of clearly defined hypotheses;
  - (E) presentation of research material at local, regional, or national meetings; and
  - (F) publication of research material in peer-reviewed journals;
- (29) a documented continuing education program for staff physicians, nurses, allied health personnel, and community physicians to include:
- (A) an annual education program on the rehabilitation of major trauma patients for physicians, nurses and ancillary staff that deal in the early phase of care of these patients, including the efficacy of early rehabilitation interventions, long term sequelae of neurologic trauma, and long term functional prognosis of major trauma patients;
  - (B) assurance of:
    - (i) 20 hours of category I trauma related continuing medical education every two years for all attending general surgeons on the trauma service;
    - (ii) 20 hours of category I trauma related continuing medical education every two years for all emergency physicians;
    - (iii) 20 hours of category I trauma related continuing medical education (beyond in house in services) every two years for the trauma nurse coordinator;
    - (iv) eight hours of trauma registry related or trauma related continuing education each year, as deemed appropriate by the trauma nurse coordinator, for the trauma registrar;
    - (v) at least an 80% compliance rate for 16 hours of trauma related continuing education (as approved by the trauma nurse coordinator) every two years related to trauma care for RN's and LPN's in transport programs, emergency departments, primary intensive care units, primary trauma floors, and other areas deemed appropriate by the trauma nurse coordinator; and
    - (vi) eight contact hours of trauma related continuing education each year for physician assistants and mid-level practitioners routinely caring for trauma patients; and
- (30) an organ procurement program which includes medical and legal criteria for donation, role of organ procurement organizations and role of trauma care professionals.
- (b) Initial designation as a Level I Trauma Center is valid for a period of three years. Hospitals may be issued a renewal designation for four years by demonstrating continued compliance with all criteria specified in Subparagraph (a) of this Rule.



*History Note: Authority G.S. 131E-162;  
Eff. August 1, 1998.*

## **.2102 LEVEL II TRAUMA CENTER CRITERIA**

(a) To receive designation as a Level II Trauma Center, a hospital shall have the following:

- (1) a trauma service which has been operational for at least six months prior to application;
- (2) membership in and inclusion of all trauma patient records in the North Carolina Trauma Registry for at least six months prior to application;
- (3) a trauma medical director who is a board certified general surgeon. The trauma medical director must:
  - (A) have a minimum of three years clinical experience on a trauma service and/or trauma fellowship training;
  - (B) serve on the center's trauma service;
  - (C) participate in providing care to patients with life-threatening or urgent injuries;
  - (D) participate in the North Carolina Chapter of the American College of Surgeons' Committee on Trauma;
  - (E) remain a current provider in the American College of Surgeons' Advanced Trauma Life Support Course and in the provision of trauma related instruction to other health care personnel; and
- (4) a full-time trauma nurse coordinator (TNC) who is a registered nurse, licensed by the North Carolina Board of Nursing;
- (5) a full-time trauma registrar (TR) who has a working knowledge of medical terminology, is able to operate a personal computer, and has demonstrated the ability to extract data from the medical record;
- (6) clinical services in General Surgery, Neurologic Surgery, Orthopedic Surgery, Emergency Medicine, and Anesthesiology;
- (7) response of a trauma team to provide evaluation and treatment of a trauma patient 24-hours-per-day that includes:
  - (A) a trauma attending who responds within 20 minutes of notification and participates in therapeutic decisions and is present at all operative procedures;
  - (B) an emergency physician who is present in the emergency department 24-hours-per-day who is either board certified or prepared in emergency medicine (by the American Board of Emergency Medicine or the American Osteopathic Board of Emergency Medicine) or board certified or eligible by the American Board of Surgery, American Board of Family Practice, or American Board of Internal Medicine and practices emergency medicine as his primary specialty. This physician serves as a designated member of the trauma team until the arrival of the trauma surgeon;

- (C) neurosurgery and orthopedic surgery specialists who are never simultaneously on call at another Level II or higher trauma center, who are available within 30 minutes of notification as long as there is either an in-house attending neurosurgeon/orthopedic surgeon; a Post Graduate Year 2 or higher in-house neurosurgery/orthopedic surgery resident; or an in-house emergency physician or the on-call trauma surgeon as long as the institution can document management guidelines and annual continuing medical education for neurosurgical/orthopedic emergencies. There must be a specified written back-up on the call schedule whenever the neurosurgeon/orthopedic surgeon is simultaneously on call at a hospital other than the trauma center;
- (D) An in-house anesthesiologist or a Post Graduate Year 4 anesthesiology chief resident as long as an anesthesiologist on call is advised and promptly available within 20 minutes or an in-house CRNA under physician supervision, practicing in accordance with G.S. 90-171.20(7)e., pending the arrival of the anesthesiologist;
- (8) a written credentialing process established by the department of surgery to approve attending general surgeons covering the trauma service. These surgeons must have a minimum of board certification in general surgery within five years of completing residency;
- (9) two separate call schedules. One shall be for trauma, one for general surgery. In those instances where a physician may simultaneously be listed on both schedules, there must be a defined back-up surgeon listed on the trauma schedule. If a surgeon is simultaneously on call at more than one hospital, there must be a defined back-up listed on the trauma schedule. In addition, the hospital shall publish an on-call schedule for neurosurgeons, orthopedic surgeons and other major specialists;
- (10) standard written protocols relating to trauma care management must be formulated and routinely updated;
- (11) Criteria to ensure team activation within 20 minutes prior to patient arrival (in instances where the hospital has at least 20 minutes notification), trauma service admission, and evaluation of patients with multiple system or major injury based upon the earliest recognition of the following physiologic criteria:
  - (A) Shock;
  - (B) Respiratory distress;
  - (C) airway compromise;
  - (D) spinal cord injury;
  - (E) unresponsiveness (Glasgow Coma Scale < 8)

- with potential for multiple injuries;
- (F) revised trauma score less than or equal to eight (when in field);
- (12) prompt surgical consults that shall be initiated based upon the following criteria:
  - (A) falls > 20 feet;
  - (B) pedestrian struck by motor vehicle;
  - (C) motor vehicle crash with:
    - (i) ejection (includes motorcycle);
    - (ii) rollover;
    - (iii) speed > 40 miles per hour; or
    - (iv) death at the scene;
  - (D) proximal amputations;
  - (E) burn plus trauma;
  - (F) vascular compromise;
  - (G) crush to chest or pelvis;
  - (H) two or more proximal long bone fractures; and
  - (I) gunshot wound to torso, neck, or proximal extremities;
- (13) within 30 minutes of notification, availability of services to include:
  - (A) cardiology;
  - (B) internal medicine and subspecialties;
  - (C) obstetric/gynecologic surgery;
  - (D) ophthalmic surgery;
  - (E) oral/maxillofacial surgery;
  - (F) pediatrics;
  - (G) plastic surgery;
  - (H) pulmonary medicine;
  - (I) radiology;
  - (J) thoracic surgery provided by a board certified thoracic surgeon or general trauma surgeon with thoracic surgical privileges; and
  - (K) urologic surgery;
- (14) an emergency department which has at a minimum;
  - (A) a designated physician director who, if hired after January 1, 1992, is board certified or board prepared in emergency medicine (by the American Board of Emergency Medicine or the American Osteopathic Board of Emergency Medicine);
  - (B) 24-hour-per-day staffing by physicians physically present in the Emergency Department who:
    - (i) are either board certified or prepared in emergency medicine (by the American Board of Emergency Medicine or the American Osteopathic Board of Emergency Medicine) or board certified or eligible by the American Board of Surgery, American Board of Family Practice, or American Board of Internal Medicine;
    - (ii) are designated members of the trauma team; and
    - (iii) practice emergency medicine as their primary specialty;
- (C) nursing personnel with experience in trauma care who continually monitor the trauma patient from hospital arrival to disposition to an intensive care unit, operating room, or patient care unit;
- (D) resuscitation equipment for patients of all ages to include:
  - (i) airway control and ventilation equipment (laryngoscopes, endotracheal tubes, bag-mask resuscitators, pocket masks, and oxygen);
  - (ii) pulse oximetry;
  - (iii) end-tidal carbon dioxide determination equipment;
  - (iv) suction devices;
  - (v) electrocardiograph-oscilloscope-defibrillator;
  - (vi) apparatus to establish central venous pressure monitoring;
  - (vii) intravenous fluids and administration devices to include large bore catheters;
  - (viii) sterile surgical sets for airway control/cricothyrotomy, thoracotomy, vascular access, and chest decompression;
  - (ix) apparatus for gastric decompression;
  - (x) 24-hour-per-day X-ray capability;
  - (xi) two-way communication equipment for communication with the emergency transport system;
  - (xii) skeletal traction devices, including capability for cervical traction;
  - (xiii) arterial catheters;
  - (xiv) thermal control equipment for patients; and
  - (xv) thermal control equipment for blood and fluids;
- (15) an operating suite which is immediately available 24-hours-per-day and which has at a minimum;
  - (A) 24-hour-per-day immediate availability of in house staffing;
  - (B) equipment for patients of all ages to include:
    - (i) thermal control equipment for patients;
    - (ii) thermal control equipment for blood and fluids;
    - (iii) 24-hour-per-day X-ray capability including c-arm image intensifier;
    - (iv) endoscopes;
    - (v) craniotomy instruments; and
    - (vi) capability of fixation of long-bone and pelvic fractures;
- (16) a postanesthetic recovery room or surgical intensive care unit which has at a minimum;
  - (A) 24-hour-per-day in house staffing by registered nurses and other essential personnel;
  - (B) equipment for patients of all ages to include:

- (i) capability for continuous monitoring of temperature, hemodynamics, and gas exchange;
  - (ii) capability for continuous monitoring of intracranial pressure;
  - (iii) pulse oximetry;
  - (iv) end tidal carbon dioxide determination capability;
  - (v) thermal control equipment for patients; and
  - (vi) thermal control equipment for blood and fluids;
- (17) an intensive care unit for trauma patients which has at a minimum;
  - (A) a designated surgical director of trauma patients;
  - (B) a physician on duty in the intensive care unit 24-hours-per-day or immediately available from within the hospital as long as this physician is not the sole physician on call for the emergency department;
  - (C) maximum ratio of one nurse per two patients on each shift;
  - (D) equipment for patients of all ages to include:
    - (i) airway control and ventilation equipment (laryngoscopes, endotracheal tubes, bag-mask resuscitators and pocket masks);
    - (ii) oxygen source with concentration controls;
    - (iii) cardiac emergency cart;
    - (iv) temporary transvenous pacemaker;
    - (v) electrocardiograph-oscilloscope-defibrillator;
    - (vi) cardiac output monitoring capability;
    - (vii) electronic pressure monitoring capability;
    - (viii) mechanical ventilator;
    - (ix) patient weighing devices;
    - (x) pulmonary function measuring devices;
    - (xi) temperature control devices; and
    - (xii) intracranial pressure monitoring devices;
  - (E) within 30 minutes of request, be able to perform blood gas measurements, hematocrit level, and chest X-ray studies;
- (18) acute hemodialysis capability or utilization of a written transfer agreement;
- (19) physician-directed burn center staffed by nursing personnel trained in burn care or a written transfer agreement with a burn center;
- (20) acute spinal cord management capability or written transfer agreement with a designated spinal cord injury rehabilitation center when one exists within the region;
- (21) acute head injury management capability or written transfer agreement with a designated head injury center when one exists within the region;
- (22) radiological capabilities which has at a minimum:
  - (A) 24-hour-per-day in-house radiology technician;
  - (B) 24-hour-per-day in-house computerized tomography technician;
  - (C) sonography;
  - (D) computed tomography; and
  - (E) angiography;
- (23) a rehabilitation service which provides at a minimum:
  - (A) a professional staff trained in rehabilitation care of critically injured patients;
  - (B) for major trauma patients, functional assessment and recommendations regarding short and long term rehabilitation needs within one week of the patient's admission to the hospital or as soon as hemodynamically stable;
  - (C) full in-house rehabilitation service or a written transfer agreement with a rehabilitation facility accredited by the Commission on Accreditation of Rehabilitation Facilities; and
  - (D) substance abuse evaluation and counseling capability;
- (24) 24-hour-per-day clinical laboratory service which must include at a minimum:
  - (A) standard analysis of blood, urine, and other body fluids;
  - (B) blood typing and cross-matching;
  - (C) coagulation studies;
  - (D) comprehensive blood bank or access to a community central blood bank with storage facilities;
  - (E) blood gases and pH determination;
  - (F) microbiology; and
  - (G) drug and alcohol screening capability;
- (25) a quality improvement program to include:
  - (A) a state approved trauma registry;
  - (B) morbidity and mortality reviews;
  - (C) multidisciplinary trauma conference, at least quarterly, to include physicians, nurses, pre-hospital personnel, and a variety of other care givers which critiques individual cases and discusses educational issues related to trauma;
  - (D) utilization review;
  - (E) documentation and review of times and reasons for trauma related diversion of patients; and
  - (F) documentation and review of response times for trauma surgeons, neurosurgeons, anesthesiologists, and orthopedists;
- (26) an outreach program to include:
  - (A) written transfer agreements to address the transfer and receipt of trauma patients;
  - (B) programs for physicians within the community and within the referral area (to include telephone and on-site consultations) about how



- to access the trauma center resources and refer patients within the system;
- (C) development of a Regional Advisory Committee (RAC) as specified in Section .2302 of this Subchapter;
- (D) development of regional criteria for coordination of trauma care;
- (E) assessment of impact on trauma morbidity and mortality and on patient outcome; and
- (F) assessment of trauma system operations at the regional level;
- (27) a program of trauma prevention and public education to include:
  - (A) designation of a trauma prevention coordinator, which may be part of the trauma nurse coordinator effort; and
  - (B) outreach activities, program development, information resources and collaboration with existing national, regional, and state trauma programs;
- (28) a documented continuing education program for staff physicians, nurses, allied health personnel, and community physicians to include:
  - (A) an annual education program on the rehabilitation of major trauma patients for physicians, nurses and ancillary staff that deal in the early phase of care of these patients, including the efficacy of early rehabilitation interventions, long term sequelae of neurologic trauma, and long term functional prognosis of major trauma patients;
  - (B) assurance of:
    - (i) 20 hours of category I trauma related continuing medical education every two years for all attending general surgeons on the trauma service;
    - (ii) 20 hours of category I trauma related continuing medical education every two years for all emergency physicians;
    - (iii) 20 hours of category I trauma related continuing medical education (beyond in house in services) every two years for the trauma nurse coordinator;
    - (iv) eight hours per year trauma registry related or trauma related continuing education, as deemed appropriate by the trauma nurse coordinator, for the trauma registrar;
    - (v) at least an 80% compliance rate for 16 hours of trauma related continuing education (as approved by the trauma nurse coordinator) every two years related to trauma care for RN's and LPN's in transport programs, emergency departments, primary intensive care units, primary trauma floors, and other areas deemed

appropriate by the trauma nurse coordinator; and

- (vi) eight contact hours of trauma related continuing education each year for physician assistants and mid-level practitioners routinely caring for trauma patients; and

- (29) an organ procurement program which includes medical and legal criteria for donation, role of organ procurement organizations and role of trauma care professionals.

(b) Initial designation as a Level II Trauma Center is valid for a period of three years. Hospitals may be issued a renewal designation for four years by demonstrating continued compliance with all criteria specified in Subparagraph (a) of this Rule.

*History Note: Authority G.S. 131E-162;*

*Eff. August 1, 1998.*

## **.2105 INITIAL DESIGNATION PROCESS**

(a) A hospital interested in pursuing trauma center designation shall submit a letter of intent to the Office of Emergency Medical Services and request approval to submit an RFP based upon a review of the regional data. The Office of Emergency Medical Services shall procure the regional data to ascertain the hospital's ability to satisfy the justification of need information on trauma patient volume and severity of injury required in Rule .2104(a)(2)(A-C) of this subchapter. The Office of Emergency Medical Services shall notify the hospital in writing of its decision. The RAC shall also be notified of the approval so necessary changes in protocols can be considered.

(b) The Office of Emergency Medical Services shall review the RFP and provide comments to the State Emergency Medical Services Advisory Council.

(c) The State Emergency Medical Services Advisory Council shall make a recommendation to the Office of Emergency Medical Services to proceed with a site visit or identify documentation necessary prior to a site visit.

(d) If the State Emergency Medical Services Advisory Council does not recommend a site visit, and the Office of Emergency Medical Services concurs, the reasons shall be forwarded to the hospital in writing within thirty days of the decision. The Office of Emergency Medical Services shall specify a period of time, which shall be no longer than one year, during which the hospital shall address the concerns in writing and request reconsideration. If the hospital fails to respond within the required time period, it shall reapply for designation by following the process outlined in Rule .2104 of this subchapter.

(e) If the State Emergency Medical Services Advisory Council recommends the hospital for a site visit, and the Office of Emergency Medical Services concurs, the hospital shall be notified within thirty days and the site visit shall be conducted within six months of the recommendation. The site visit shall be scheduled on a date mutually agreeable to the hospital and

the Office of Emergency Medical Services.

(f) The composition of a Level I or II site survey team shall be as follows:

- (1) one out-of-state Fellow of the American College of Surgeons;
- (2) one in-state emergency physician, who is a member of the North Carolina College of Emergency Physicians;
- (3) one in-state trauma surgeon who is a member of the North Carolina Committee on Trauma;
- (4) one out-of-state trauma nurse coordinator;
- (5) the medical advisor of the Office of Emergency Medical Services; and
- (6) the Hospital Programs Specialist of the Office of Emergency Medical Services.

One physician, usually the one from out-of-state, shall be designated the primary reviewer. Any in-state reviewer (except the Office of Emergency Medical Services representatives) shall be from outside the planning region in which the hospital is located.

(g) The composition of a Level III site survey team shall be as follows:

- (1) one Fellow of the American College of Surgeons, who is a member of the North Carolina Committee on Trauma;
- (2) one emergency physician who is a member of the North Carolina College of Emergency Physicians;
- (3) a trauma nurse coordinator;
- (4) the medical advisor of the Office of Emergency Medical Services; and
- (5) the Hospital Programs Specialist of the Office of Emergency Medical Services.

All site team members for a Level III visit shall be from in-state, and all (except for the Office of Emergency Medical Services representatives) shall be from outside the planning region in which the hospital is located. One of the physicians shall be designated the primary reviewer.

(h) On the day of the site visit, the hospital shall make available all required patient medical charts.

(i) When a hospital is approved for a site visit, the Office of Emergency Medical Services shall notify the Regional Emergency Medical Services Councils within the primary catchment area of the proposed trauma center to allow for comment on the request for designation.

(j) All criteria defined in Rule .2101, 2102 or .2103 of this subchapter shall be met for initial designation at the level requested. No deficiencies shall be permitted.

(k) The reports of the site survey team and the staff recommendation shall be reviewed by the State Emergency Medical Services Advisory Council at its next regularly scheduled meeting which is more than 45 days following the site visit. Based upon the RFP, the site visit report, and the staff recommendation, the State Emergency Medical Services Advisory Council shall recommend to the Office of Emergency Medical Services that the request for trauma center designation be approved or denied.

(l) The hospital shall be notified, in writing, of the State

Emergency Medical Services Advisory Council's and OEMS' final recommendation within 30 days of the Advisory Council meeting.

(m) The final decision regarding trauma center designation shall be rendered by the Office of Emergency Medical Services. Contingencies on the designation, as well as required due dates and documentation, shall be specified at the time written notification is provided of the designation. Satisfaction of contingencies may require an additional site visit.

*History Note: Authority G.S. 131E-162; 143-509(3); Eff. August 1, 1998.*

## **.2106 RENEWAL DESIGNATION PROCESS**

(a) Prior to the end of the designation period, the Office of Emergency Medical Services shall forward to the hospital an RFP for completion. Simultaneously, the Office of Emergency Medical Services shall notify the Regional Emergency Medical Services Councils within the primary catchment area of the trauma center to allow for comment on the request for renewal.

(b) The RFP shall be submitted at least 30 days prior to the site visit in accordance with Rule .2104(b) of this subchapter.

(c) A site visit shall be conducted within 120 days prior to the end of the designation period. The site visit shall be scheduled on a date mutually agreeable to the hospital and the Office of Emergency Medical Services.

(d) The composition of a Level I or II site survey team shall be the same as that specified in Rule .2105(g) of this subchapter. One physician, usually the one from out-of-state, shall be designated the primary reviewer. Any in-state reviewer (except the Office of Emergency Medical Services representatives) shall be from outside the planning region in which the hospital is located.

(e) The composition of a Level III site survey team shall be the same as that specified in Rule .2105(h) of this subchapter. All site team members for a Level III visit shall be from in-state, and all (except for the Office of Emergency Medical Services representatives) shall be from outside the planning region in which the hospital is located. One of the physicians shall be designated the primary reviewer.

(f) On the day of the site visit, the hospital shall make available all required patient medical charts.

(g) The written reports of the site survey team and the staff recommendation shall be reviewed by the State Emergency Medical Services Advisory Council at its next regularly scheduled meeting which is more than 45 days following the site visit. Based upon the RFP, the site visit report, and the staff recommendation, the State Emergency Medical Services Advisory Council shall recommend to the Office of Emergency Medical Services that the request for trauma center renewal be approved or denied.

(h) The hospital shall be notified in writing of the State Emergency Medical Services Advisory Council's and OEMS' final recommendation within 30 days of the Advisory Council meeting.

(i) The final decision regarding trauma center renewal shall be rendered by the Office of Emergency Medical Services.



Contingencies on the renewal, as well as required due dates and documentation, shall be specified at the time written notification is provided of the renewal. Satisfaction of contingencies may require an additional site visit.

*History Note: Authority G.S. 131E-162; 143-509(3); Eff. August 1, 1998.*

## **SECTION .2200 - ENFORCEMENT**

### **.2201 DENIAL, PROBATION, VOLUNTARY WITHDRAWAL OR REVOCATION OF TRAUMA CENTER DESIGNATION**

(a) The Office of Emergency Medical Services may deny the designation of a trauma center for any of the following reasons:

- (1) failure to substantially comply with the requirements of section .2100 of this subchapter;
- (2) attempting to obtain a trauma center designation through fraud or misrepresentation; or
- (3) a significant number or magnitude of deficiencies or weaknesses to suggest that patient care may be compromised.

(b) The Office of Emergency Medical Services may amend any trauma center designation from a full designation to a probationary designation whenever the Office of Emergency Medical Services finds that:

- (1) the trauma center has substantially failed to comply with the provisions of NC General Statute 131E-162 and the rules adopted under that article; or
- (2) there is no reasonable probability the trauma center can remedy the deficiencies or weaknesses within a reasonable length of time; or
- (3) the trauma center fails to meet contingencies placed upon it at the time of its initial designation or renewal; or
- (4) there is no reasonable probability the trauma center shall be able to remain in compliance with the designation rules for the foreseeable future.

(c) The Office of Emergency Medical Services shall give the trauma center written notice of the amendment to the designation. This notice shall be given personally or by certified mail and shall set forth:

- (1) the length of the probationary designation (not to exceed one year);
- (2) the factual allegations;
- (3) the statutes or rules alleged to be violated; and
- (4) notice of the hospital's right to a contested case hearing on the amendment of the designation.

(d) The probationary designation shall be effective immediately upon its receipt by the trauma center and shall be posted in a prominent location at the primary business location of the trauma center, accessible to public view, in lieu of the full designation. The probationary designation shall remain in effect until:

- (1) the Office of Emergency Medical Services restores the trauma center to full designation status; or
- (2) the Office of Emergency Medical Services revokes

the designation.

(e) The Office of Emergency Medical Services may revoke a trauma center designation whenever the Office of Emergency Medical Services finds that the trauma center has substantially failed to comply with the provisions of NC General Statute 131E-162 and the rules adopted under that article and:

- (1) it is not reasonably probable that the trauma center can remedy the deficiencies within a reasonable length of time; or
- (2) although the trauma center may be able to remedy the deficiencies within a reasonable period of time, it is not reasonably probable that the trauma center shall be able to remain in compliance with designation rules for the foreseeable future; or
- (3) the trauma center fails to meet contingencies placed upon it at the time of its initial designation or renewal; or
- (4) failure to comply endangers the health, safety or welfare of the patients cared for in the trauma center.

(f) The Office of Emergency Medical Services may revoke a trauma center designation whenever it finds that the trauma center fails to resolve issues that resulted in a voluntary withdrawal of the designation.

(g) The issuance of a probationary designation is not a procedural prerequisite to the revocation of a designation pursuant to Subparagraph (e) of this Rule.

(h) With the Office of Emergency Medical Services' approval, a trauma center may voluntarily withdraw its designation for a maximum of one year by submitting a written request. This request shall include the reasons for withdrawal and a plan for resolution of the issues. To reactivate the designation, the facility shall provide written documentation of compliance that is acceptable to the Office of Emergency Medical Services. Voluntary withdrawal shall not affect the original expiration date of the trauma center's designation.

(i) In the event of a revocation or voluntary withdrawal, the Office of Emergency Medical Services shall provide written notification to all hospitals and Emergency Medical Services providers within the regional trauma network. The Office of Emergency Medical Services shall provide written notification to same if, and when, the voluntary withdrawal reverts to full designation.

*History Note: Authority G.S. 131E-162; Eff. August 1, 1998.*

## **SECTION .2300 - TRAUMA SYSTEM DESIGN**

### **.2303 REGIONAL TRAUMA SYSTEM POLICY DEVELOPMENT**

The RAC shall oversee the development of the regional trauma system to include:

- (1) public information and education programs to include system access and injury prevention;
- (2) written trauma system protocols to address the following:
  - (A) dispatch



(B) triage and treatment at the scene and in the emergency department and shall include:

- (i) Priority selection (for treatment and transport decisions) based upon anatomic, physiologic, and mechanism of injury factors; and
- (ii) Guidelines to facilitate the rapid assessment and initial resuscitation of the severely injured patient including primary and secondary survey. Criteria addressing management during transport should include continued assessment and management of airway, cervical spine, breathing, circulation, neurologic and secondary parameters, communication and documentation.

(C) transport and treatment which shall address:

- (i) guidelines to determine the appropriate mode of transport and level of care required to transport, considering patient condition, requirement for trauma center resources, family requests and capability of transferring entity.
- (ii) criteria addressing management during transport, to include continued assessment and stabilization of airway, cervical spine, breathing, circulation, neurologic and secondary parameters, medication protocols, communication and documentation.

(D) bypass procedures which define:

- (i) patient identification and selection based on anatomic, physiologic and mechanism of injury factors;
- (ii) circumstances and criteria for bypass decisions;
- (iii) time and distance criteria; and
- (iv) helicopter or ground unit use for transports which bypass closer facilities.

(E) diversion procedures which shall include delineation of specific factors such as hospital census and/or acuity, physician availability, staffing issues, disaster status, or transportation which would require routing of a patient to another trauma center. A plan to assist referring hospitals in locating care for the diverted patient shall be outlined and a system to track diversions shall be maintained.

- (3) transfer agreements (to include those with other hospitals, as well as specialty care facilities such as burn, pediatrics, spinal cord and rehabilitation) which shall outline mutual understandings between facilities to transfer/accept certain patients. These shall specify responsible parties, documentation requirements and minimum care requirements.

*History Note: Authority G.S. 131E-162;  
Eff. August 1, 1998.*

## CHAPTER 3 - FACILITY SERVICES

### SUBCHAPTER 3R - CERTIFICATE OF NEED REGULATIONS

#### SECTION .3000 - PLANNING POLICIES AND NEED DETERMINATIONS

##### .3055 REALLOCATIONS AND ADJUSTMENTS

###### (a) REALLOCATIONS.

- (1) Reallocations shall be made only to the extent that need determinations in 10 NCAC 3R .3057 through .3079 indicate that need exists after the inventories are revised and the need determinations are recalculated.
- (2) Beds or services which are reallocated once in accordance with this Rule shall not be reallocated again. Rather, the Medical Facilities Planning Section shall make any necessary changes in the next annual State Medical Facilities Plan.
- (3) Dialysis stations that are withdrawn, relinquished, not applied for or decertified shall not be reallocated. Instead, any necessary redetermination of need shall be made in the next scheduled publication of the Semiannual Dialysis Report.
- (4) Appeals of Certificate of Need Decisions on Applications. Need determinations of beds or services for which the CON Section decision has been appealed shall not be reallocated until the appeal is resolved.
  - (A) Appeals Resolved Prior to August 17: If an appeal is resolved in the calendar year prior to August 17, the beds or services shall not be reallocated by the CON Section; rather the Medical Facilities Planning Section shall make the necessary changes in the next annual State Medical Facilities Plan.
  - (B) Appeals Resolved on or After August 17: If the appeal is resolved on or after August 17 in the calendar year, the beds or services, except for dialysis stations, shall be made available for a review period to be determined by the CON Section, but beginning no earlier than 60 days from the date that the appeal is resolved. Notice shall be mailed by the Certificate of Need Section to all persons on the mailing list for the State Medical Facilities Plan, no less than 45 days prior to the due date for receipt of new applications.
- (5) Withdrawals and Relinquishments. Except for dialysis stations, a need determination for which a certificate of need is issued, but is subsequently withdrawn or relinquished, is available for a review period to be determined by the Certificate of Need

Section, but beginning no earlier than 60 days from:

- (A) the last date on which an appeal of the notice of intent to withdraw the certificate could be filed if no appeal is filed,
- (B) the date on which an appeal of the withdrawal is finally resolved against the holder, or
- (C) the date that the Certificate of Need Section receives from the holder of the certificate of need notice that the certificate has been voluntarily relinquished.

Notice of the scheduled review period for the reallocated services or beds shall be mailed by the Certificate of Need Section to all persons on the mailing list for the State Medical Facilities Plan, no less than 45 days prior to the due date for submittal of the new applications.

(6) Need Determinations for which No Applications are Received:

- (A) Services or Beds with Scheduled Review in the Calendar Year on or Before September 1: The Certificate of Need Section shall not reallocate the services or beds in this category for which no applications were received, because the Medical Facilities Planning Section will have sufficient time to make any necessary changes in the determinations of need for these services or beds in the next annual State Medical Facilities Plan.
- (B) Services or Beds with Scheduled Review in the Calendar Year After September 1: A need determination in this category for which no application has been received by the last due date for submittal of applications shall be available to be applied for in the second Category I review period in the next calendar year for the applicable HSA. Notice of the scheduled review period for the reallocated beds or services shall be mailed by the Certificate of Need Section to all persons on the mailing list for the State Medical Facilities Plan, no less than 45 days prior to the due date for submittal of new applications.

(7) Need Determinations not Awarded because Application Disapproved.

- (A) Disapproval in the Calendar Year prior to August 17: Need determinations or portions of such need determinations for which applications were submitted but disapproved by the Certificate of Need Section before August 17, shall not be reallocated by the Certificate of Need Section. Instead the Medical Facilities Planning Section shall make the necessary changes in the next annual State Medical Facilities Plan, if no appeal is filed.
- (B) Disapproval in the Calendar Year on or After August 17: Need determinations or portions of such need determinations for which

applications were submitted but disapproved by the Certificate of Need Section on or after August 17, shall be reallocated by the Certificate of Need Section, except for dialysis stations. A need in this category shall be available for a review period to be determined by the Certificate of Need Section but beginning no earlier than 95 days from the date the application was disapproved, if no appeal is filed. Notice of the scheduled review period for the reallocation shall be mailed by the Certificate of Need Section to all persons on the mailing list for the State Medical Facilities Plan, no less than 80 days prior to the due date for submittal of the new applications.

(8) Reallocation of Decertified ICF/MR Beds. If an ICF/MR facility's Medicaid certification is relinquished or revoked, the ICF/MR beds in the facility shall be reallocated by the Department of Human Resources, Division of Facility Services, Medical Facilities Planning Section pursuant to the provisions of the following Sub-parts. The reallocated beds shall only be used to convert five-bed ICF/MR facilities into six-bed facilities.

- (A) If the number of five-bed ICF/MR facilities in the mental health planning region in which the beds are located equals or exceeds the number of reallocated beds, the beds shall be reallocated solely within the planning region after considering the recommendation of the Regional Team of Developmental Disabilities Services Directors.
- (B) If the number of five-bed ICF/MR facilities in the mental health planning region in which the beds are located is less than the number of reallocated beds, the Medical Facilities Planning Section shall reallocate the excess beds to other planning regions after considering the recommendation of the Developmental Disabilities Section in the Division of Mental Health, Developmental Disabilities, and Substance Abuse Services. The Medical Facilities Planning Section shall then allocate the beds among the planning areas within those planning regions after considering the recommendation of the appropriate Regional Teams of Developmental Disabilities Services Directors.
- (C) The Department of Human Resources, Division of Facility Services, Certificate of Need Section shall schedule reviews of applications for these beds pursuant to Subparagraph (a)(5) of this Rule.

(b) CHANGES IN NEED DETERMINATIONS.

- (1) The need determinations in 10 NCAC 3R .3057 through .3079 shall be revised continuously



throughout the calendar year to reflect all changes in the inventories of:

- (A) the health services listed at G.S. 131E-176(16)f;
- (B) health service facilities;
- (C) health service facility beds;
- (D) dialysis stations;
- (E) the equipment listed at G.S. 131E-176(16)f1; and

(F) mobile medical equipment; as those changes are reported to the Medical Facilities Planning Section. However, need determinations in 10 NCAC 3R .3057 through .3079 shall not be reduced if the relevant inventory is adjusted upward 30 days or less prior to the first day of the applicable review period.

(2) Inventories shall be updated to reflect:

- (A) decertification of home health agencies or offices, intermediate care facilities for the mentally retarded, and dialysis stations;
- (B) delicensure of health service facilities and health service facility beds;
- (C) demolition, destruction, or decommissioning of equipment as listed at G.S. 131E-176(16)f1 and s;
- (D) elimination or reduction of a health service as listed at G.S. 131E-176(16)f;
- (E) psychiatric beds licensed pursuant to G.S. 131E-184(c);
- (F) certificates of need awarded, relinquished, or withdrawn, subsequent to the preparation of the inventories in the State Medical Facilities Plan; and
- (G) corrections of errors in the inventory as reported to the Medical Facilities Planning Section.

- (3) Any person who is interested in applying for a new institutional health service for which a need determination is made in 10 NCAC 3R .3056 through .3079 may obtain information about updated inventories and need determinations from the

Medical Facilities Planning Section.

- (4) Need determinations resulting from changes in inventory shall be available for a review period to be determined by the Certificate of Need Section, but beginning no earlier than 60 days from the date of the action identified in Paragraph (b) of this Rule. Notice of the scheduled review period for the need determination shall be mailed by the Certificate of Need Section to all persons on the mailing list for the State Medical Facilities Plan, no less than 45 days prior to the due date for submittal of the new applications.

*History Note:* Authority G.S. 131E-176(25); 131E-177(1); 131E-183(b);

*Temporary Adoption Eff. January 2, 1997;*

*See History Note to 10 NCAC 3R .3060 and North Carolina Register, 12:06 NCR 483 - 487;*

*Eff. August 1, 1998.*

### **.3060 OPEN HEART SURGERY SERVICES NEED DETERMINATIONS (REVIEW CATEGORY H)**

It is determined that there is a need for additional open heart surgery services from any hospital which acquired a heart-lung bypass machine prior to March 18, 1993 and which, nevertheless, is unable to use such machine in the provision of open heart surgery services because the hospital does not have a certificate of need authorizing it to provide open heart surgery services. It is further determined that the citizens served by, and residing in the general service areas of, such hospitals have a need for such additional open heart surgery services. These needs exist despite the capacity to provide open heart surgery services of any other hospital or hospitals in the State. There is no other need for additional open heart surgery services.

*History Note:* Authority G.S. 131E-176(25); 131E-177(1); 131E-183(b);

*Temporary Adoption Eff. January 2, 1997;*

*Temporary Amendment Eff. September 1, 1997;*

*Eff. August 1, 1998.*

*[But see the Order for Preliminary Injunction (captioned and quoted in part below) issued by Superior Court Judge Howard E. Manning, Jr. on September 5, 1997 and the text of the temporary rule .3060 as published in the North Carolina Register, 12:06 NCR 483 - 485.]* **.3060 OPEN HEART SURGERY SERVICES NEED DETERMINATIONS (REVIEW CATEGORY H)**

*Because over 95% of all of the citizens of North Carolina live within 45 miles of one or more open heart surgery services; because the preponderance of clinical research on open heart surgery services indicates that there is a positive relationship between the number of procedures performed by a surgical operating team and the percent of good patient outcomes resulting from the surgery; and because the benefits of greater geographic access do not outweigh the adverse affects caused by the duplication of existing open heart surgery services and the resulting decrease in the number of procedures the surgical operating team of this service would perform, it is therefore determined that there is no need for additional open heart surgery services:*

*It is determined that there is a need for additional open heart surgery services from any hospital which acquired a heart-lung bypass machine prior to March 18, 1993 and which, nevertheless, is unable to use such machine in the provision of open heart surgery services because the hospital does not have a certificate of need authorizing it to provide open heart surgery services. It is further determined that the citizens served by, and residing in the general service areas of, such hospitals have a need for such additional open heart surgery services. These needs exist despite the capacity to provide open heart surgery services of any other hospital or hospitals in the State. For the reasons set out in the 1997 State Medical Facilities Plan, there is no other need for*



***IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
97 CVS 9708***

**WAKE COUNTY**

***FRYE REGIONAL MEDICAL CENTER,  
INC.,***

***Plaintiff,***

***v.***

***JAMES B. HUNT, JR.,  
H. DAVID BRUTON, JR., SECRETARY OF  
THE NORTH CAROLINA DEPARTMENT  
OF HUMAN RESOURCES, and NORTH  
CAROLINA DEPARTMENT OF HUMAN  
RESOURCES,***

***Defendants,***

***and***

***CATAWBA MEMORIAL HOSPITAL,***

***Intervenor-Defendant.***

*[The ordered portion is quoted below]*

*WHEREFORE, it is hereby ORDERED, ADJUDGED AND DECREED that:*

1. *The effectiveness of the Governor's amendments to the State Medical Facilities Plan be and the same hereby is suspended and the Defendants Hunt, Bruton and the Department are hereby enjoined from applying, implementing, or taking any action whatsoever based upon the amendments or giving them any effect whatsoever, pending resolution of this case;*
2. *The amendments to the SMFP respecting the CON review schedules made by the Department and Governor be and the same hereby are suspended and the Defendants Hunt, Bruton and the Department are hereby enjoined from applying, implementing, or taking any action whatsoever based upon the amendments or giving them any effect whatsoever, pending the resolution of this case;*
3. *The pre-existing provisions of the 1997 SMFP setting forth the need determination regarding open heart surgery services be and the same are hereby reinstated, pending the resolution of this case;*
4. *The special review criteria in effect prior to the July 23, 1997 amendments shall remain in effect as if the memorandum and amendment from the Governor had not been issued, pending the resolution of this case;*
5. *As the Department was represented herein pursuant to G.S. 150B-21.1(c), any temporary rule, implementing the Governor's amendment, is hereby suspended and shall be given no effect and the pre-existing 1997 temporary rule shall remain in effect as written prior to the Governor's amendment, pending the resolution of this case.*

*The sole basis of my determination is my conclusion that the Governor has no authority, as matter of law, to amend the SMFP. I specifically do not reach the other factual and legal issues raised by the parties.*

*It is further ORDERED that no security is required of Frye during the pendency of this Order.*

*Further, pursuant to G.S. 1-277 and 7A-27 and Rule 54(b) of the Rules of Civil Procedure, because this action raises*

issues of first impression and the conclusion of law reached by the court herein in effect determines the action, I hereby certify this Order for immediate appeal by the Defendants to the North Carolina Court of Appeals because there is no just reason for delay and substantial rights of all parties are affected.

Finally, the Governor's Memorandum purports to provide Catawba with a window of opportunity to file a certificate of need application for open heart surgery services in 1997. If this Order is overturned on appeal, and it is ultimately found that the Governor properly amended the SMFP, the effect of this Order would be to deny Catawba the opportunity to have the Department consider its certificate of need application because of the passage of time during the pendency of the appeal. In order to afford Catawba that opportunity, it is further ORDERED, pursuant to Rule 62(c) of the North Carolina Rules of Civil Procedure, that the effect of this preliminary injunction be suspended during the pendency of Defendants' appeal of the Order. However, if this Court's conclusion of law as to the Governor's lack of authority is upheld, any such application will continue to be subject to the provisions of the SMFP in effect prior to the Governor's amendment. In the event that Defendants do not elect to appeal this preliminary injunction, this suspension shall be lifted, and the preliminary injunction shall remain in effect during the pendency of this action. The parties do not object to this Order being entered out of term, out of county or out of district.

SO ORDERED this 5<sup>th</sup> day of September, 1997.

s/Howard E. Manning, Jr.  
Superior Court Judge Presiding  
at Raleigh, Wake County  
3:15 p.m. 9/5/97

**.3079 INTERMEDIATE CARE BEDS FOR THE MENTALLY RETARDED NEED DETERMINATION  
(REVIEW CATEGORY C)**

Intermediate Care Beds for the Mentally Retarded. It is determined that the mental health planning areas listed in the following table need additional Intermediate Care Beds for the Mentally Retarded ("ICF/MR beds"). The table identifies the number of new child and adult ICF/MR beds needed by each of the listed planning areas. These new ICF/MR beds shall only be used to convert existing five-bed ICF/MR beds into six-bed facilities. The addition of the sixth bed must result in the reduction of "per client costs." There is no need for new ICF/MR facilities or for any additional ICF/MR beds in any other mental health planning areas, except as provided in Rule 10 NCAC 3R .3055(a)(8).

Mental Health Planning Area (Constituent Counties)	Need Determination	
	Child	Adult
3 (Alleghany, Ashe, Avery, Watauga, Wilkes)	0	4
14 (Forsyth, Stokes)	0	2
16 (Guilford)	0	2
21 (Davidson)	0	1
18 (Orange, Person, Chatham)	0	3
30 (Onslow)	0	1
24 (Cumberland)	0	1
37 (Pitt)	0	1

History Note: Authority G.S. 131E-176(25); 131E-177(1); 131E-183(b);  
Temporary Adoption Eff. January 2, 1997;  
Eff. August 1, 1998.

**TITLE 13 - DEPARTMENT OF LABOR**

## CHAPTER 7 - OFFICE OF OCCUPATIONAL SAFETY AND HEALTH

## SUBCHAPTER 7A - GENERAL RULES AND OPERATIONAL PROCEDURES

## SECTION .0300 - PROCEDURES

**.0302 COPIES AVAILABLE**

Copies of the applicable Code of Federal Regulations (CFR) Parts or sections and industry standards referred to in this Chapter are available for public inspection by contacting the North Carolina Department of Labor (NCDOL), Division of Occupational Safety and Health or the NCDOL Library. The following table provides acquisition locations and the costs of the applicable materials on the date that this Rule was adopted:

<u>Referenced Materials</u>	<u>Available for Purchase From</u>	<u>Cost</u>
29 CFR 1903; 29 CFR 1904; 29 CFR 1905; 29 CFR 1908; 29 CFR 1913.10	Division of Occupational Safety and Health	\$1/page requested
29 CFR 1910	Division of Occupational Safety and Health	\$15.90 each
29 CFR 1915, 29 CFR 1917	Division of Occupational Safety and Health	Single Copy: Free
29 CFR 1926	Division of Occupational Safety and Health	\$12.72 each
29 CFR 1928	Division of Occupational Safety and Health	Single Copy: Free
The above CFR Parts and other CFR Parts	U.S. Government Printing Office Washington, D.C. 20402 (202) 512-1800	\$34.00/Part
ANSI/NFPA 101-1991	National Fire Protection Association 1 Batterymarch Park Quincy, Massachusetts 02269 (617) 770-3000	\$44.50 each
ANSI standards	American National Standards Institute 11 West 42nd Street New York, New York 10036 (212) 642-4900	B30.9: \$100 Z9.2: \$ 55 Z41.1: \$ 40 Z87.1: \$ 35 Z88.2: \$ 50 Z89.2: \$ 35 Z229.1: \$ 45
Federal Specification QQ-P-416	Federal Supply Services Specification Section 470 East L'Enfant Plaza SW Suite 8100 Washington, D.C. 20407 (202) 619-8925	\$7.00 each
Schedule 30 Bureau of Mines	24 FR 245 pages 10201-10204, December 17, 1959 or Division of Occupational Safety and Health	\$1/page requested

*History Note: Authority 95-133; 150B-21.6;  
Eff. August 2, 1993;  
Amended Eff. July 1, 1998; June 1, 1994.*

## SECTION .0700 - RULES OF PRACTICE FOR VARIANCES: LIMITATIONS:



## VARIATIONS: TOLERANCES AND EXEMPTIONS

**.0708 VARIANCES AND OTHER RELIEF UNDER SECTION 95-132(b)**

Application for a Permanent Variance. Any employer, or class of employers, desiring a permanent variance authorized by G.S. 95-132(b) of the Act may file a written application with the Commissioner of the Department of Labor containing the information specified in 29 CFR 1905.11(b), which is incorporated by reference and shall automatically include any subsequent amendments thereto.

*History Note: Authority G.S. 95-132; 95-136;  
Eff. February 1, 1976;  
Amended Eff. June 8, 1977; September 20, 1976;  
Readopted Eff. September 30, 1977;  
Amended Eff. July 1, 1998; May 1, 1994.*

## SUBCHAPTER 7F - STANDARDS

## SECTION .0100 - GENERAL INDUSTRY STANDARDS

**.0101 GENERAL INDUSTRY**

The provisions for the Occupational Safety and Health Standards for General Industry, Title 29 of the Code of Federal Regulations Part 1910 promulgated as of October 4, 1997, and exclusive of subsequent amendments, are incorporated by reference except as follows:

- (1) Subpart H - Hazardous Materials, 29 CFR 1910.120, Hazardous waste operations and emergency response, §1910.120(q)(6) is amended by adding a new level of training:
- "(vi) First responder operations plus level. First responders at operations plus level are individuals who respond to hydrocarbon fuel tank leaks where the leaking tanks contain a hydrocarbon fuel which is used to propel the vehicle on which the tank is located. Only those vehicles designed for highway use or those used for industrial, agricultural or construction purposes are covered. First responders at the operations plus level shall have received at least training equal to first responder operations level and, in addition, shall receive training or have had sufficient experience to objectively demonstrate competency in the following areas and the employer shall so certify:
  - (A) Know how to select and use proper specialized personal protective equipment provided to the first responder at operations plus level;
  - (B) Understand basic hazardous materials terms as they pertain to hydrocarbon fuels;
  - (C) Understand hazard and risk assessment techniques that pertain to gasoline, diesel fuel, propane and other hydrocarbon fuels;
  - (D) Be able to perform control, containment, or confinement operations for gasoline, diesel fuel, propane and other hydrocarbon fuels within the capabilities of the available resources and personal protective equipment; and
  - (E) Understand and know how to implement decontamination procedures for hydrocarbon fuels."
- (2) Subpart I -- Personal Protective Equipment -- 29 CFR 1910.132, General requirements, is amended at 29 CFR 1910.132(b) to read:
 

"(b) *Equipment.* (1) *Employer-provided equipment.* It is the responsibility of the employer to provide, at no cost to the employee, all personal protective equipment which the employee does not wear off the jobsite for use off the job.

(2) *Employee-owned equipment.* Where employees provide their own protective equipment, the employer shall be responsible to assure its adequacy, including proper maintenance, and sanitation of such equipment."
- (3) Subpart R -- Special Industries -- incorporation by reference of final rule for 29 CFR 1910.269, Electric Power Generation, Transmission, and Distribution, including Appendices A through E, published in 59 FR (January 31, 1994) pages 4437 - 4475, all typographical and grammatical corrections to 1910.269 as published in 59 FR (June 30, 1994) pages 33660 - 33664, and the amendment to 1910.269(g)(2)(i) as published in 59 FR (August 9, 1994) page 40729, except that 29 CFR 1910.269(g)(2)(v) is amended to read:
 

"(v) Fall arrest equipment, work positioning equipment, or travel restricting equipment shall be used by employees working at elevated locations more than 4 feet (1.2 m) above the ground on poles, towers or similar structures if other fall protection has not been provided. A fall protection system as defined in 29 CFR 1926, Subpart M - *Fall Protection*, is required to be used by all employees when ascending, descending or changing locations on poles, towers or similar structures. However, the use of non-locking snap hooks with any fall protection system is prohibited as of July 1, 1995. Qualified employees may free climb wood poles if the employer can ensure (1) that the employee is able to comfortably and safely grip the pole with both hands while climbing, (2) that the pole is free from attachments or any configurations of attachments that will materially impair the ability of a qualified

employee to safely free climb the pole, (3) that the pole is otherwise free from impediments, contaminants or conditions of any type, including but not limited to ice, high winds or chemical treatments which materially impair the ability of a qualified employee to safely free climb the pole, and (4) that the employee is able to climb such structures without material physical impairments including over-exertion, lack of sleep or other physical stresses." 29 CFR 1910.269 as amended above is effective January 1, 1995, except that employers have until July 1, 1995, to implement the use of locking snap hooks, and employers have until January 1, 1996, to design and implement a system of fall protection for use by employees while ascending, descending or changing locations on towers. Also, 29 CFR 1910.269(a)(2) *Training* is effective January 31, 1995, and 29 CFR 1910.269(v)(11)(xii) is effective February 1, 1996.

(4) Subpart Z -- Toxic and Hazardous Substances:

(a) 29 CFR 1910.1000 Air Contaminants:

- (i) The equation in 29 CFR 1910.1000(d)(1)(i) is clarified to read as follows:  

$$E = (C_a T_a + C_b T_b + \dots + C_n T_n) / 8$$
- (ii) The equation in 29 CFR 1910.1000(d)(2)(i) is clarified to read as follows:  

$$E_m = (C_1/L_1) + (C_2/L_2) + \dots + (C_n/L_n)$$
- (iii) The permissible exposure limits as originally published in 54 FR (January 19, 1989) pages 2331-2983 are incorporated except as otherwise specified or noted in this Rule.
- (iv) Employee exposure to the toxic and hazardous substances listed in the following tables shall be limited to the specified values.

### PERMISSIBLE EXPOSURE LIMITS FOR AIR CONTAMINANTS

**Footnote (1) Regarding Styrene Only:** OSHNC recognizes that the permissible exposure limits for styrene may not be achievable solely through engineering and work practice controls for boat-building and operations comparable to boat building. Comparable operations are those that (1) employ the manual layup and sprayup process, (2) the manufactured items that utilize the same equipment and technology as that found in boat building, and (3) the same considerations of large part size, configuration interfering with air-flow control techniques, and resin usage apply. Examples of operations comparable to boat building would include the manufacture of large above-ground or below-ground storage tanks, large parts for recreational vehicles, and large duct work. Because it is impossible to define in advance every manual layup and sprayup process for which compliance may not be feasible solely through engineering and work practice controls, some guidelines concerning part size and configuration issues are necessary. The primary question for manual layup and sprayup operations is whether the part's size and configuration interfere with normal air-flow techniques. For operations making parts (such as tubs and vanities) that do not meet the guidelines described, beginning April 1, 1996, the hierarchy of controls specified in 29 CFR 1910.1000(e) shall apply to reduce styrene exposures to the new 50 ppm TWA and 100 ppm STEL. In consequence, the burden of proof shall be on the employer to show that engineering and work practice controls are not feasible for specific operations. However, with respect to boat-building operations the burden of proof shall be on OSHNC to prove that the level could be attained solely through engineering and work practice controls.

**Footnote (2) Regarding Acrylamide, Carbon Dioxide and Silica only:** The federal standards at 29 CFR 1910.1000 are adopted.

**Footnote (3) Regarding Subtilisins only:** PELs for this substance are not adopted.

TABLE Z-1 -- PERMISSIBLE EXPOSURE LIMITS (PELs) FOR AIR CONTAMINANTS

Substance	CAS #	TWA		STEL		Ceiling		Skin designation
		ppm	mg/m <sup>3</sup>	ppm	mg/m <sup>3</sup>	ppm	mg/m <sup>3</sup>	
Acetaldehyde	75-07-0	100	180	150	270	--	--	--
Acetic acid	64-19-7	see 1910.1000, Table Z-1						
Acetic anhydride	108-24-7	--	--	--	--	5	20	--
Acetone	67-64-1	750	1800	1000	2400	--	--	--
Acetonitrile	75-05-8	40	70	60	105	--	--	--
2-Acetylaminofluorene	53-96-3	see 1910.1014						
Acetylene dichloride; see 1,2-Dichloroethylene	79-27-6	see 1910.1000, Table Z-1						
Acetylene tetrabromide								

**APPROVED RULES**

Substance	CAS #	TWA		STEL		Ceiling		Skin designation
		ppm	mg/m <sup>3</sup>	ppm	mg/m <sup>3</sup>	ppm	mg/m <sup>3</sup>	
Acetylsalicylic acid (Aspirin)	50-78-2	--	5	--	--	--	--	--
Acrolein	107-02-8	0.1	0.25	0.3	0.8	--	--	--
Acrylamide	79-06-1			see 1910.1000, Table Z-1				
Acrylic acid	79-10-7	10	30	--	--	--	--	X
Acrylonitrile	107-13-1			see 1910.1045				
Aldrin	309-00-2			see 1910.1000, Table Z-1				
Allyl alcohol	107-18-6	2	5	4	10	--	--	X
Allyl chloride	107-05-1	1	3	2	6	--	--	--
Allyl glycidyl ether (AGE)	106-92-3	5	22	10	44	--	--	--
Allyl propyl disulfide	2179-59-1	2	12	3	18	--	--	--
<i>alpha</i> -Alumina	1344-28-1							
Total dust		--	10	--	--	--	--	--
Respirable fraction		--	5	--	--	--	--	--
Aluminum metal (as Al)	7429-90-5							
Metal								
Total dust				see 1910.1000, Table Z-1				
Respirable fraction				see 1910.1000, Table Z-1				
Aluminum metal (as Al)	7429-90-5							
Pyro powders		--	5	--	--	--	--	--
Welding fumes		--	5	--	--	--	--	--
Soluble salts		--	2	--	--	--	--	--
Alkyls		--	2	--	--	--	--	--
4-Aminodiphenyl	92-67-1			see 1910.1011				
2-Aminoethanol; see Ethanolamine								
2-Aminopyridine	504-29-0			see 1910.1000, Table Z-1				
Amitrole	61-82-5	--	0.2	--	--	--	--	--
Ammonia	7664-41-7	--	--	35	27	--	--	--
Ammonium chloride, Fume	12125-02-9	--	10	--	20	--	--	--
Ammonium sulfamate	7773-06-0							
Total dust		--	10	--	--	--	--	--
Respirable fraction		--	5	--	--	--	--	--
<i>n</i> -Amyl acetate	628-63-7			see 1910.1000, Table Z-1				
<i>sec</i> -Amyl acetate	626-38-0			see 1910.1000, Table Z-1				
Aniline and homologs	62-53-3	2	8	--	--	--	--	X
Anisidine ( <i>o</i> -, <i>p</i> -isomers)	29191-52-4			see 1910.1000, Table Z-1				
Antimony and compounds (as Sb)	7440-36-0			see 1910.1000, Table Z-1				
ANTU ( <i>alpha</i> -Naphthyl-thiourea)	86-88-4			see 1910.1000, Table Z-1				



Substance	CAS #	TWA		STEL		Ceiling		Skin design- nation
		ppm	mg/m <sup>3</sup>	ppm	mg/m <sup>3</sup>	ppm	mg/m <sup>3</sup>	
Arsenic, inorganic cmpds (as As)	Varies with compound			see 1910.1018				
Arsenic, organic cmpds (as As)	7440-38-2			see 1910.1000, Table Z-1				
Arsine	7784-42-1			see 1910.1000, Table Z-1				
Asbestos				see 1910.1001				
Atrazine	1912-24-9	--	5	--	--	--	--	--
Azinphos-methyl	86-50-0			see 1910.1000, Table Z-1				
Barium, soluble compounds (as Ba);	7440-39-3			see 1910.1000, Table Z-1				
Barium sulfate	7727-43-7							
Total dust		--	10	--	--	--	--	--
Respirable fraction		--	5	--	--	--	--	--
Benomyl	17804-35-2							
Total dust		--	10	--	--	--	--	--
Respirable fraction		--	5	--	--	--	--	--
Benzene	71-43-2	See 1910.1028 See 1910.1000 Table Z-2 for limits applicable in the operations or sectors excluded in 1910.1028						
Benzidine	92-87-5			see 1910.1010				
<i>p</i> -Benzoquinone; see Quinone								
Benzo(a)pyrene; see Coal tar pitch volatiles								
Benzoyl peroxide	94-36-0			see 1910.1000, Table Z-1				
Benzyl chloride	100-44-7			see 1910.1000, Table Z-1				
Beryllium and beryllium compounds (as Be);	7440-41-7	--	0.002	--	0.005 (30 min)	--	0.025	--
Biphenyl; see Diphenyl								
Bismuth telluride	1304-82-1							
Se-doped		--	5	--	--	--	--	--
Bismuth telluride	1304-82-1							
Undoped								
Total dust				see 1910.1000, Table Z-1				
Respirable fraction				see 1910.1000, Table Z-1				
Borates, tetra, sodium salts								
Anhydrous	1330-43-4	--	10	--	--	--	--	--
Decahydrate	1303-96-4	--	10	--	--	--	--	--
Pentahydrate	12179-04-3	--	10	--	--	--	--	--
Boron oxide	1303-86-2							
Total dust		--	10	--	--	--	--	--
Respirable fraction		--	5	--	--	--	--	--
Boron tribromide	10294-33-4	--	--	--	--	1	10	--

Substance	CAS #	TWA		STEL		Ceiling		Skin designation
		ppm	mg/m <sup>3</sup>	ppm	mg/m <sup>3</sup>	ppm	mg/m <sup>3</sup>	
Boron trifluoride	7637-07-2	see 1910.1000, Table Z-1						
Bromacil	314-40-9	1	10	--	--	--	--	--
Bromine	7726-95-6	0.1	0.7	0.3	2	--	--	--
Bromine pentafluoride	7789-30-2	0.1	0.7	--	--	--	--	--
Bromoform	75-25-2	see 1910.1000, Table Z-1						
Butadiene (1,3-Butadiene)	106-99-0	see 1910.1051; 1910.19(1)						
Butane	106-97-8	800	1900	--	--	--	--	--
Butanethiol; see Butyl mercaptan								
2-Butanone (Methyl ethyl ketone)	78-93-3	200	590	300	885	--	--	--
2-Butoxyethanol	111-76-2	25	120	--	--	--	--	X
<i>n</i> -Butyl acetate	123-86-4	150	710	200	950	--	--	--
<i>sec</i> -Butyl acetate	105-46-4	see 1910.1000, Table Z-1						
<i>tert</i> -Butyl acetate	540-88-5	see 1910.1000, Table Z-1						
Butyl acrylate	141-32-2	10	55	--	--	--	--	--
<i>n</i> -Butyl alcohol	71-36-3	--	--	--	--	50	150	X
<i>sec</i> -Butyl alcohol	78-92-2	100	305	--	--	--	--	--
<i>tert</i> -Butyl alcohol	75-65-0	100	300	150	450	--	--	--
Butylamine	109-73-9	see 1910.1000, Table Z-1						
<i>tert</i> -Butyl chromate (as CrO <sub>3</sub> )	1189-85-1	see 1910.1000, Table Z-1						
<i>n</i> -Butyl glycidyl ether (BGE)	2426-08-6	25	135	--	--	--	--	--
<i>n</i> -Butyl lactate	138-22-7	5	25	--	--	--	--	--
Butyl mercaptan (Butanethiol)	109-79-5	0.5	1.5	--	--	--	--	--
<i>o</i> - <i>sec</i> -Butylphenol	89-72-5	5	30	--	--	--	--	X
<i>p</i> - <i>tert</i> -Butyltoluene	98-51-1	10	60	20	120	--	--	--
Cadmium, fume and dust (as Cd)	7440-43-9	see 1910.1027						
Calcium carbonate	1317-65-3							
Total dust		see 1910.1000, Table Z-1						
Respirable fraction		see 1910.1000, Table Z-1						
Calcium cyanamide	156-62-7	--	0.5	--	--	--	--	--
Calcium hydroxide	1305-62-0	--	5	--	--	--	--	--
Calcium oxide	1305-78-8	see 1910.1000, Table Z-1						
Calcium silicate	1344-95-2							
Total dust		see 1910.1000, Table Z-1						
Respirable fraction		see 1910.1000, Table Z-1						
Calcium sulfate	7778-18-9							
Total dust		see 1910.1000, Table Z-1						
Respirable fraction		see 1910.1000, Table Z-1						

Substance	CAS #	TWA		STEL		Ceiling		Skin designation
		ppm	mg/m³	ppm	mg/m³	ppm	mg/m³	
Camphor, synthetic	76-22-2	see 1910.1000, Table Z-1						
Caprolactam	105-60-2							
Dust		--	1	--	3	--	--	--
Vapor		5	20	10	40	--	--	--
Captafol (Difolatan®)	2425-06-1	--	0.1	--	--	--	--	--
Captan	133-06-2	--	5	--	--	--	--	--
Carbaryl (Sevin®)	63-25-2	see 1910.1000, Table Z-1						
Carbofuran (Furadan®)	1563-66-2	--	0.1	--	--	--	--	--
Carbon black	1333-86-4	see 1910.1000, Table Z-1						
Carbon dioxide	124-38-9	see 1910.1000, Table Z-1						
Carbon disulfide	75-15-0	4	12	12	36	--	--	X
Carbon monoxide	630-08-0	35	40	--	--	200	229	--
Carbon tetrabromide	558-13-4	0.1	1.4	0.3	4	--	--	--
Carbon tetrachloride	56-23-5	2	12.6	--	--	--	--	--
Carbonyl fluoride	353-50-4	2	5	5	15	--	--	--
Catechol (Pyrocatechol)	120-80-9	5	20	--	--	--	--	X
Cellulose	9004-34-6							
Total dust		see 1910.1000, Table Z-1						
Respirable fraction		see 1910.1000, Table Z-1						
Cesium hydroxide	21351-79-1	--	2	--	--	--	--	--
Chlordane	57-74-9	see 1910.1000, Table Z-1						
Chlorinated camphene	8001-35-2	--	0.5	--	1	--	--	X
Chlorinated diphenyl oxide	55720-99-5	see 1910.1000, Table Z-1						
Chlorine	7782-50-5	0.5	1.5	1	3	--	--	--
Chlorine dioxide	10049-04-4	0.1	0.3	0.3	0.9	--	--	--
Chlorine trifluoride	7790-91-2	see 1910.1000, Table Z-1						
Chloroacetaldehyde	107-20-0	see 1910.1000, Table Z-1						
α-Chloroacetophenone (Phenacyl chloride)	532-27-4	see 1910.1000, Table Z-1						
Chloroacetyl chloride	79-04-9	0.05	0.2	--	--	--	--	--
Chlorobenzene	108-90-7	see 1910.1000, Table Z-1						
o-Chlorobenzylidene malononitrile	2698-41-1	--	--	--	--	0.05	0.4	X
Chlorobromomethane	74-97-5	see 1910.1000, Table Z-1						
2-Chloro-1,3-butadiene; see beta-Chloroprene								
Chlorodifluoromethane	75-45-6	1000	3500	--	--	--	--	--
Chlorodiphenyl (42% Chlorine) (PCB)	53469-21-9	see 1910.1000, Table Z-1						
Chlorodiphenyl (54% Chlorine) (PCB)	11097-69-1	see 1910.1000, Table Z-1						



Substance	CAS #	TWA		STEL		Ceiling		Skin designation
		ppm	mg/m <sup>3</sup>	ppm	mg/m <sup>3</sup>	ppm	mg/m <sup>3</sup>	
1-Chloro-2,3-epoxypropane; see Epichlorohydrin								
2-Chloroethanol; see Ethylene chlorohydrin								
Chloroethylene; see Vinyl chloride								
Chloroform (Trichloromethane)	67-66-3	2	9.78	--	--	--	--	--
bis(Chloromethyl) ether	542-88-1			see 1910.1008				
Chloromethyl methyl ether	107-30-2			see 1910.1006				
1-Chloro-1-nitropropane	600-25-9	2	10	--	--	--	--	--
Chloropentafluoroethane	76-15-3	1000	6320	--	--	--	--	--
Chloropicrin	76-06-2			see 1910.1000, Table Z-1				
<i>beta</i> -Chloroprene	126-99-8	10	35	--	--	--	--	X
<i>o</i> -Chlorostyrene	2039-87-4	50	285	75	430	--	--	--
<i>o</i> -Chlorotoluene	95-49-8	50	250	--	--	--	--	--
2-Chloro-6-trichloromethyl pyridine	1929-82-4							
Total dust				see 1910.1000, Table Z-1				
Respirable fraction				see 1910.1000, Table Z-1				
Chlorpyrifos	2921-88-2	--	0.2	--	--	--	--	X
Chromic acid and chromates (as CrO <sub>3</sub> )	Varies with compound	--	--	--	--	--	0.1	--
Chromium (II) compounds (as Cr)	Varies with compound			see 1910.1000, Table Z-1				
Chromium (III) compounds (as Cr)	Varies with compound			see 1910.1000, Table Z-1				
Chromium metal and insoluble salts (as Cr)	7440-47-3			see 1910.1000, Table Z-1				
Chrysene; see Coal tar pitch volatiles	218-01-9							
Clodolol	2971-90-6							
Total dust				see 1910.1000, Table Z-1				
Respirable fraction				see 1910.1000, Table Z-1				
Coal dust (less than 5% SiO <sub>2</sub> ), Respirable quartz fraction				see 1910.1000, Table Z-3				
Coal dust (greater than or equal to 5% SiO <sub>2</sub> ), Respirable quartz fraction				see 1910.1000, Table Z-3				
Coal tar Pitch volatiles (benzene soluble fraction), anthracene, BaP, phenanthrene, acridine, chrysene, pyrene	8007-45-2			see 1910.1000, Table Z-1				

Substance	CAS #	TWA		STEL		Ceiling		Skin designation
		ppm	mg/m <sup>3</sup>	ppm	mg/m <sup>3</sup>	ppm	mg/m <sup>3</sup>	
Cobalt metal, dust, and fume (as Co)	7440-48-4	--	0.05	--	--	--	--	--
Cobalt carbonyl (as Co)	10210-68-1	--	0.1	--	--	--	--	--
Cobalt hydrocarbonyl (as Co)	16842-03-8	--	0.1	--	--	--	--	--
Coke oven emissions		see 1910.1029						
Copper	7440-50-8							
Fume (as Cu)		see 1910.1000, Table Z-1						
Dusts and mists (as Cu)		see 1910.1000, Table Z-1						
Cotton dust (raw)	--	see 1910.1043; 1910.1000, Table Z-1						
Crag herbicide (Sesone),	136-78-7							
Total dust		--	10	--	--	--	--	--
Respirable fraction		--	5	--	--	--	--	--
Cresol, all isomers	1319-77-3	see 1910.1000, Table Z-1						
	95-48-7	see 1910.1000, Table Z-1						
	108-39-4	see 1910.1000, Table Z-1						
	106-44-5	see 1910.1000, Table Z-1						
Crotonaldehyde	123-73-9	see 1910.1000, Table Z-1						
	4170-30-3	see 1910.1000, Table Z-1						
Cruformate	299-86-5	--	5	--	--	--	--	--
Cumene	98-82-8	see 1910.1000, Table Z-1						
Cyanamide	420-04-2	--	2	--	--	--	--	--
Cyanides (as CN)	Varies with compound	--	5	--	--	--	--	X
Cyanogen	460-19-5	10	20	--	--	--	--	--
Cyanogen chloride	506-77-4	--	--	--	--	0.3	0.6	--
Cyclohexane	110-82-7	see 1910.1000, Table Z-1						
Cyclohexanol	108-93-0	50	200	--	--	--	--	X
Cyclohexanone	108-94-1	25	100	--	--	--	--	X
Cyclohexene	110-83-8	see 1910.1000, Table Z-1						
Cyclohexylamine	108-91-8	10	40	--	--	--	--	--
Cyclonite (RDX)	121-82-4	--	1.5	--	--	--	--	X
Cyclopentadiene	542-92-7	see 1910.1000, Table Z-1						
Cyclopentane	287-92-3	600	1720	--	--	--	--	--
Cyhexatin	13121-70-5	--	5	--	--	--	--	--
2,4-D (Dichlorophenoxyacetic acid)	94-75-7	see 1910.1000, Table Z-1						
Decaborane	17702-41-9	0.05	0.3	0.15	0.9	--	--	X
Demeton (Systox®)	8065-48-3	see 1910.1000, Table Z-1						
DDT; see Dichlorodiphenyl-trichloroethane								

Substance	CAS #	TWA		STEL		Ceiling		Skin desig- nation
		ppm	mg/m <sup>3</sup>	ppm	mg/m <sup>3</sup>	ppm	mg/m <sup>3</sup>	
DDVP; see Dichlorvos								
Diacetone alcohol (4-Hydroxy-4-methyl-2-pentanone)	123-42-2			see 1910.1000, Table Z-1				
1,2-Diaminoethane; see Ethylenediamine								
Diazinon	333-41-5	--	0.1	--	--	--	--	X
Diazomethane	334-88-3			see 1910.1000, Table Z-1				
Diborane	19287-45-7			see 1910.1000, Table Z-1				
1,2-Dibromo-3-chloropropane (DBCP)	96-12-8			see 1910.1044				
1,2-Dibromoethane; see Ethylene dibromide								
2-N-Dibutylaminoethanol	102-81-8	2	14	--	--	--	--	--
Dibutyl phosphate	107-66-4	1	5	2	10	--	--	--
Dibutyl phthalate	84-74-2			see 1910.1000, Table Z-1				
Dichloroacetylene	7572-29-4	--	--	--	--	0.1	0.4	--
<i>o</i> -Dichlorobenzene	95-50-1			see 1910.1000, Table Z-1				
<i>p</i> -Dichlorobenzene	106-46-7	75	450	110	675	--	--	--
3,3'-Dichlorobenzidine	91-94-1			see 1910.1007				
Dichlorodifluoromethane	75-71-8			see 1910.1000, Table Z-1				
1,3-Dichloro-5,5-dimethyl hydantoin	118-52-5	--	0.2	--	0.4	--	--	--
Dichlorodiphenyltrichloroethane (DDT)	50-29-3			see 1910.1000, Table Z-1				
1,1-Dichloroethane	75-34-3			see 1910.1000, Table Z-1				
1,2-Dichloroethane; see Ethylene dichloride								
1,2-Dichloroethylene	540-59-0			see 1910.1000, Table Z-1				
Dichloroethyl ether	111-44-4	5	30	10	60	--	--	X
Dichloromethane; see Methylene chloride								
Dichloromonofluoromethane	75-43-4	10	40	--	--	--	--	--
1,1-Dichloro-1-nitroethane	594-72-9	2	10	--	--	--	--	--
1,2-Dichloropropane; see Propylene dichloride								
1,3-Dichloropropene	542-75-6	1	5	--	--	--	--	X
2,2-Dichloropropionic acid	75-99-0	1	6	--	--	--	--	--
Dichlorotetrafluoroethane	76-14-2			see 1910.1000, Table Z-1				
Dichlorvos (DDVP)	62-73-7			see 1910.1000, Table Z-1				
Dicrotophos	141-66-2	--	0.25	--	--	--	--	X
Dicyclopentadiene	77-73-6	5	30	--	--	--	--	--



**APPROVED RULES**

Substance	CAS #	TWA		STEL		Ceiling		Skin design- nation
		ppm	mg/m <sup>3</sup>	ppm	mg/m <sup>3</sup>	ppm	mg/m <sup>3</sup>	
Dicyclopentadienyl iron	102-54-5							
Total dust		--	10	--	--	--	--	--
Respirable fraction		--	5	--	--	--	--	--
Dieldrin	60-57-1			see 1910.1000, Table Z-1				
Diethanolamine	111-42-2	3	15	--	--	--	--	--
Diethylamine	109-89-7	10	30	25	75	--	--	--
2-Diethylaminoethanol	100-37-8			see 1910.1000, Table Z-1				
Diethylene triamine	111-40-0	1	4	--	--	--	--	--
Diethyl ether; see Ethyl ether								
Diethyl ketone	96-22-0	200	705	--	--	--	--	--
Diethyl phthalate	84-66-2	--	5	--	--	--	--	--
Difluorodibromomethane	75-61-6			see 1910.1000, Table Z-1				
Diglycidyl ether (DGE)	2238-07-5	0.1	0.5	--	--	--	--	--
Dihydroxybenzene; see Hydroquinone								
Diisobutyl ketone	108-83-8	25	150	--	--	--	--	--
Diisopropylamine	108-18-9			see 1910.1000, Table Z-1				
4-Dimethylaminoazobenzene	60-11-7			see 1910.1015				
Dimethoxymethane; see Methylal								
Dimethylacetamide	127-19-5			see 1910.1000, Table Z-1				
Dimethylamine	124-40-3			see 1910.1000, Table Z-1				
Dimethylaminobenzene; see Xylidine								
Dimethylaniline ( <i>N,N</i> -Dimethylaniline)	121-69-7	5	25	10	50	--	--	X
Dimethylbenzene; see Xylene								
Dimethyl-1,2-dibromo-2,2- dichloroethyl phosphate	300-76-5	--	3	--	--	--	--	X
Dimethylformamide	68-12-2			see 1910.1000, Table Z-1				
2,6-Dimethyl-4-heptanone; see Diisobutyl ketone								
1,1-Dimethylhydrazine	57-14-7			see 1910.1000, Table Z-1				
Dimethylphthalate	131-11-3			see 1910.1000, Table Z-1				
Dimethyl sulfate	77-78-1	0.1	0.5	--	--	--	--	X
Dinitolmide (3,5-Dinitro- <i>o</i> -toluamide)	148-01-6	--	5	--	--	--	--	--
Dinitrobenzene (all isomers);								
<i>ortho</i>	528-29-0			see 1910.1000, Table Z-1				
<i>meta</i>	99-65-0			see 1910.1000, Table Z-1				

Substance	CAS #	TWA		STEL		Ceiling		Skin designation
		ppm	mg/m <sup>3</sup>	ppm	mg/m <sup>3</sup>	ppm	mg/m <sup>3</sup>	
<i>para</i>	100-25-4			see 1910.1000, Table Z-1				
Dinitro- <i>o</i> -cresol	534-52-1			see 1910.1000, Table Z-1				
Dinitrotoluene	121-14-2			see 1910.1000, Table Z-1				
Dioxane (Diethylene dioxide)	123-91-1	25	90	--	--	--	--	X
Dioxathion (Delnav®)	78-34-2	--	0.2	--	--	--	--	X
Diphenyl (Biphenyl)	92-52-4			see 1910.1000, Table Z-1				
Diphenylamine	122-39-4	--	10	--	--	--	--	--
Diphenylmethane diisocyanate;								
see	Methylene bisphenyl isocyanate							
Dipropyl ketone	123-19-3	50	235	--	--	--	--	--
Dipropylene glycol methyl ether	34590-94-8	100	600	150	900	--	--	X
Diquat	85-00-7	--	0.5	--	--	--	--	--
Di- <i>sec</i> -octyl phthalate (Di-(2-ethylhexyl) phthalate)	117-81-7	--	5	--	10	--	--	--
Disulfiram (Antabuse <sup>®</sup> )	97-77-8	--	2	--	--	--	--	--
Disulfoton	298-04-4	--	0.1	--	--	--	--	X
2,6-Di- <i>tert</i> -butyl- <i>p</i> -cresol	128-37-0	--	10	--	--	--	--	--
Diuron	330-54-1	--	10	--	--	--	--	--
Divinyl benzene	108-57-6	10	50	--	--	--	--	--
Emery	12415-34-8							
Total dust		--	10	--	--	--	--	--
Respirable fraction			5	--	--	--	--	--
Endosulfan	115-29-7			see 1910.1000, Table Z-1				
Endrin	72-20-8			see 1910.1000, Table Z-1				
Epichlorohydrin	106-89-8	2	8	--	--	--	--	X
EPN	2104-64-5			see 1910.1000, Table Z-1				
1,2-Epoxypropane;								
see Propylene oxide								
2,3-Epoxy-1-propanol;								
see Glycidol								
Ethanethiol;								
see Ethyl mercaptan								
Ethanolamine	141-43-5	3	8	6	15	--	--	--
Ethion	563-12-2	--	0.4	--	--	--	--	X
2-Ethoxyethanol (Cellosolve)	110-80-5			see 1910.1000, Table Z-1				
2-Ethoxyethyl acetate (Cellosolve acetate)	111-15-9			see 1910.1000, Table Z-1				
Ethyl acetate	141-78-6			see 1910.1000, Table Z-1				
Ethyl acrylate	140-88-5	5	20	25	100	--	--	X
Ethyl alcohol (Ethanol)	64-17-5			see 1910.1000, Table Z-1				

Substance	CAS #	TWA		STEL		Ceiling		Skin design- nation
		ppm	mg/m³	ppm	mg/m³	ppm	mg/m³	
Ethylamine	75-04-7			see 1910.1000, Table Z-1				
Ethyl amyl ketone (5-Methyl-3-heptanone)	106-68-3			see 1910.1000, Table Z-1				
Ethyl benzene	100-41-4	100	435	125	545	--	--	--
Ethyl bromide	74-96-4	200	890	250	1110	--	--	--
Ethyl butyl ketone (3-Heptanone)	106-35-4			see 1910.1000, Table Z-1				
Ethyl chloride	75-00-3			see 1910.1000, Table Z-1				
Ethyl ether	60-29-7	400	1200	500	1500	--	--	--
Ethyl formate	109-94-4			see 1910.1000, Table Z-1				
Ethyl mercaptan (Ethanethiol)	75-08-1	0.5	1	--	--	--	--	--
Ethyl silicate	78-10-4	10	85	--	--	--	--	--
Ethylene chlorohydrin	107-07-3	--	--	--	--	1	3	X
Ethylenediamine	107-15-3			see 1910.1000, Table Z-1				
Ethylene dibromide	106-93-4			see 1910.1000, Table Z-2				
Ethylene dichloride (1,2-Dichloroethane)	107-06-2	1	4	2	8	--	--	--
Ethylene glycol	107-21-1	--	--	--	--	50	125	--
Ethylene glycol dinitrate	628-96-6	--	--	--	0.1	--	--	X
Ethylene glycol methyl acetate; see Methyl cellosolve acetate								
Ethyleneimine	151-56-4			see 1910.1012				
Ethylene oxide	75-21-8			see 1910.1047				
Ethylidene chloride; see 1,1-Dichloroethane								
Ethylidene norbornene	16219-75-3	--	--	--	--	5	25	--
N-Ethylmorpholine	100-74-3	5	23	--	--	--	--	X
Fenamiphos	22224-92-6	--	0.1	--	--	--	--	X
Fensulfothion (Dasanit®)	115-90-2	--	0.1	--	--	--	--	--
Fenthion	55-38-9	--	0.2	--	--	--	--	X
Ferbam	14484-64-1							
Total dust		--	10	--	--	--	--	--
Respirable fraction		--	5	--	--	--	--	--
Ferrovanadium dust	12604-58-9	--	1	--	3	--	--	--
Fluorides (as F)	Varies with compound			see 1910.1000, Table Z-2				
Fluorine	7782-41-4			see 1910.1000, Table Z-1				
Fluorotrichloromethane (Trichlorofluoromethane)	75-69-4	--	--	--	--	1000	5600	--
Fonofos	944-22-9	--	0.1	--	--	--	--	X



Substance	CAS #	TWA		STEL		Ceiling		Skin designation
		ppm	mg/m³	ppm	mg/m³	ppm	mg/m³	
Formaldehyde	50-00-0			see 1910.1048				
Formamide	75-12-7	20	30	30	45	--	--	--
Formic acid	64-18-6			see 1910.1000, Table Z-1				
Furfural	98-01-1	2	8	--	--	--	--	X
Furfuryl alcohol	98-00-0	10	40	15	60	--	--	X
Gasoline	8006-61-9	300	900	500	1500	--	--	--
Germanium tetrahydride	7782-65-2	0.2	0.6	--	--	--	--	--
Glutaraldehyde	111-30-8	--	--	--	--	0.2	0.8	--
Glycerin (mist)	56-81-5							
Total dust		--	10	--	--	--	--	--
Respirable fraction		--	5	--	--	--	--	--
Glycidol	556-52-5	25	75	--	--	--	--	--
Glycol monoethyl ether; see 2-Ethoxyethanol								
Grain dust (oat, wheat, barley)	--			see 1910.1000, Table Z-1				
Graphite, natural respirable dust	7782-42-5	--	2.5	--	--	--	--	--
Graphite, synthetic	--							
Total dust		--	10	--	--	--	--	--
Respirable fraction		--	5	--	--	--	--	--
Guthion®; see Azinphos methyl								
Gypsum	7778-18-9							
Total dust				see 1910.1000, Table Z-1				
Respirable fraction				see 1910.1000, Table Z-1				
Hafnium	7440-58-6			see 1910.1000, Table Z-1				
Heptachlor	76-44-8			see 1910.1000, Table Z-1				
Heptane ( <i>n</i> -Heptane)	142-82-5	400	1600	500	2000	--	--	--
Hexachlorobutadiene	87-68-3	0.02	0.24	--	--	--	--	--
Hexachlorocyclopentadiene	77-47-4	0.01	0.1	--	--	--	--	--
Hexachloroethane	67-72-1			see 1910.1000, Table Z-1				
Hexachloronaphthalene	1335-87-1			see 1910.1000, Table Z-1				
Hexafluoroacetone	684-16-2	0.1	0.7	--	--	--	--	X
<i>n</i> -Hexane	110-54-3	50	180	--	--	--	--	--
Hexane isomers	Varies with compound	500	1800	1000	3600	--	--	--
2-Hexanone (Methyl <i>n</i> -butyl ketone)	591-78-6	5	20	--	--	--	--	--
Hexone (Methyl isobutyl ketone)	108-10-1	50	205	75	300	--	--	--
<i>sec</i> -Hexyl acetate	108-84-9			see 1910.1000, Table Z-1				
Hexylene glycol	107-41-5	--	--	--	--	25	125	--

**APPROVED RULES**

Substance	CAS #	TWA		STEL		Ceiling		Skin desig- nation
		ppm	mg/m <sup>3</sup>	ppm	mg/m <sup>3</sup>	ppm	mg/m <sup>3</sup>	
Hydrazine	302-01-2	0.1	0.1	--	--	--	--	X
Hydrogen bromide	10035-10-6	--	--	--	--	3	10	--
Hydrogen chloride	7647-01-0	see 1910.1000, Table Z-1						
Hydrogen cyanide	74-90-8	--	--	4.7	5	--	--	X
Hydrogen fluoride (as F)	7664-39-3	3	--	6	--	--	--	--
Hydrogen peroxide	7722-84-1	see 1910.1000, Table Z-1						
Hydrogen selenide (as Se)	7783-07-5	see 1910.1000, Table Z-1						
Hydrogen sulfide	7783-06-4	10	14	15	21	--	--	--
Hydrogenated terphenyls	61788-32-7	0.5	5	--	--	--	--	--
Hydroquinone	123-31-9	see 1910.1000, Table Z-1						
2-Hydroxypropyl acrylate	999-61-1	0.5	3	--	--	--	--	X
Indene	95-13-6	10	45	--	--	--	--	--
Indium and compounds (as In)	7440-74-6	--	0.1	--	--	--	--	--
Iodine	7553-56-2	see 1910.1000, Table Z-1						
Iodoform	75-47-8	0.6	10	--	--	--	--	--
Iron oxide, dust and fume (as Fe)	1309-37-1	see 1910.1000, Table Z-1						
Total particulate		see 1910.1000, Table Z-1						
Iron pentacarbonyl (as Fe)	13463-40-6	0.1	0.8	0.2	1.6	--	--	--
Iron salts (soluble) (as Fe)	Varies with compound	--	1	--	--	--	--	--
Isoamyl acetate	123-92-2	see 1910.1000, Table Z-1						
Isoamyl alcohol (Primary and secondary)	123-51-3	100	360	125	450	--	--	--
Isobutyl acetate	110-19-0	see 1910.1000, Table Z-1						
Isobutyl alcohol	78-83-1	50	150	--	--	--	--	--
Isooctyl alcohol	26952-21-6	50	270	--	--	--	--	X
Isophorone	78-59-1	4	23	--	--	--	--	--
Isophorone diisocyanate	4098-71-9	0.005	--	0.02	--	--	--	X
2-Isopropoxyethanol	109-59-1	25	105	--	--	--	--	--
Isopropyl acetate	108-21-4	250	950	310	1185	--	--	--
Isopropyl alcohol	67-63-0	400	980	500	1225	--	--	--
Isopropylamine	75-31-0	5	12	10	24	--	--	--
N-Isopropylaniline	768-52-5	2	10	--	--	--	--	X
Isopropyl ether	108-20-3	see 1910.1000, Table Z-1						
Isopropyl glycidyl ether (IGE)	4016-14-2	50	240	75	360	--	--	--
Kaolin	1332-58-7	see 1910.1000, Table Z-1						
Total dust		--	10	--	--	--	--	--
Respirable fraction		--	5	--	--	--	--	--
Ketene	463-51-4	0.5	0.9	1.5	3	--	--	--

Substance	CAS #	TWA		STEL		Ceiling		Skin desig- nation
		ppm	mg/m³	ppm	mg/m³	ppm	mg/m³	
Lead, inorganic (as Pb)	7439-92-1	see 1910.1025						
Limestone	1317-65-3							
Total dust		see 1910.1000, Table Z-1						
Respirable		see 1910.1000, Table Z-1						
Lindane	58-89-9	see 1910.1000, Table Z-1						
Lithium hydride;	7580-67-8	see 1910.1000, Table Z-1						
L.P.G. (Liquified petroleum gas)	68476-85-7	see 1910.1000, Table Z-1						
Magnesite	546-93-0							
Total dust		see 1910.1000, Table Z-1						
Respirable fraction		see 1910.1000, Table Z-1						
Magnesium oxide fume	1309-48-4							
Total dust		--	10	--	--	--	--	--
Respirable fraction		--	5	--	--	--	--	--
Malathion	121-75-5							
Total dust		--	10	--	--	--	--	X
Respirable fraction		--	5	--	--	--	--	X
Maleic anhydride	108-31-6	see 1910.1000, Table Z-1						
Manganese	7439-96-5							
Compounds (as Mn)		see 1910.1000, Table Z-1						
Manganese	7439-96-5							
Fume (as Mn)		--	1	--	3	--	--	--
Manganese cyclopentadienyl tricarbonyl (as Mn)	12079-65-1	--	0.1	--	--	--	--	X
Manganese tetroxide (as Mn)	1317-35-7	--	1	--	--	--	--	--
Marble	1317-65-3							
Total dust		see 1910.1000, Table Z-1						
Respirable fraction		see 1910.1000, Table Z-1						
Mercury (aryl and inorganic) (as Hg)	7439-97-6	--	--	--	--	--	0.1	X
Mercury (organo) alkyl compounds (as Hg)	7439-97-6	--	0.01	--	0.03	--	--	X
Mercury (vapor) (as Hg)	7439-97-6	--	0.05	--	--	--	--	X
Mesityl oxide	141-79-7	15	60	25	100	--	--	--
Methacrylic acid	79-41-4	20	70	--	--	--	--	X
Methanethiol; see Methyl mercaptan								
Methomyl (Lannate®)	16752-77-5	--	2.5	--	--	--	--	--
Methoxychlor	72-43-5							
Total dust		--	10	--	--	--	--	--



Substance	CAS #	TWA		STEL		Ceiling		Skin designation
		ppm	mg/m <sup>3</sup>	ppm	mg/m <sup>3</sup>	ppm	mg/m <sup>3</sup>	
Respirable fraction		--	5	--	--	--	--	--
2-Methoxyethanol; see Methyl Cellosolve®								
2-Methoxyethyl acetate; see Methyl Cellosolve® acetate								
4-Methoxyphenol	150-76-5	--	5	--	--	--	--	--
Methyl acetate	79-20-9	200	610	250	760	--	--	--
Methyl acetylene (Propyne)	74-99-7	see 1910.1000, Table Z-1						
Methyl acetylene- propadiene mixture (MAPP)	--	1000	1800	1250	2250	--	--	--
Methyl acrylate	96-33-3	see 1910.1000, Table Z-1						
Methylacrylonitrile	126-98-7	1	3	--	--	--	--	X
Methylal (Dimethoxymethane)	109-87-5	see 1910.1000, Table Z-1						
Methyl alcohol (Methanol)	67-56-1	200	260	250	310	--	--	X
Methylamine	74-89-5	see 1910.1000, Table Z-1						
Methyl amyl alcohol; see Methyl isobutyl carbinol								
Methyl <i>n</i> -amyl ketone	110-43-0	see 1910.1000, Table Z-1						
Methyl bromide	74-83-9	5	20	--	--	--	--	X
Methyl butyl ketone; see 2-Hexanone								
Methyl Cellosolve® (2-Methoxyethanol)	109-86-4	see 1910.1000, Table Z-1						
Methyl Cellosolve® acetate (2-Methoxyethyl acetate)	110-49-6	see 1910.1000, Table Z-1						
Methyl chloride	74-87-3	50	105	100	205	--	--	--
Methyl chloroform (1,1,1-Trichloroethane)	71-55-6	350	1900	450	2450	--	--	--
Methyl 2-cyanoacrylate	137-05-3	2	8	4	16	--	--	--
Methylcyclohexane	108-87-2	400	1600	--	--	--	--	--
Methylcyclohexanol	25639-42-3	50	235	--	--	--	--	--
<i>o</i> -Methylcyclohexanone	583-60-8	50	230	75	345	--	--	X
Methylcyclopentadienyl manganese tricarbonyl (as Mn)	12108-13-3	--	0.2	--	--	--	--	X
Methyl demeton	8022-00-2	--	0.5	--	--	--	--	X
4,4'-Methylene bis(2-chloro- aniline) (MBOCA)	101-14-4	0.02	0.22	--	--	--	--	X
Methylene bis(4-cyclohexyl- isocyanate)	5124-30-1	--	--	--	--	0.01	0.11	--
Methylene chloride	75-09-2	see 1910.1052						

Substance	CAS #	TWA		STEL		Ceiling		Skin designation
		ppm	mg/m <sup>3</sup>	ppm	mg/m <sup>3</sup>	ppm	mg/m <sup>3</sup>	
Methylenedianiline (4,4'-Methylenedianiline)	101-77-9			see 1910.1050; 1926.60				
Methyl ethyl ketone (MEK); see 2-Butanone								
Methyl ethyl ketone peroxide (MEKP)	1338-23-4	--	--	--	--	0.7	5	--
Methyl formate	107-31-3	100	250	150	375	--	--	--
Methyl hydrazine (Monomethyl hydrazine)	60-34-4	see 1910.1000, Table Z-1						
Methyl iodide	74-88-4	2	10	--	--	--	--	X
Methyl isoamyl ketone	110-12-3	50	240	--	--	--	--	--
Methyl isobutyl carbinol	108-11-2	25	100	40	165	--	--	X
Methyl isobutyl ketone; see Hexone								
Methyl isocyanate	624-83-9	see 1910.1000, Table Z-1						
Methyl isopropyl ketone	563-80-4	200	705	--	--	--	--	--
Methyl mercaptan	74-93-1	0.5	1	--	--	--	--	--
Methyl methacrylate	80-62-6	see 1910.1000, Table Z-1						
Methyl parathion	298-00-0	--	0.2	--	--	--	--	X
Methyl propyl ketone; see 2-Pentanone								
Methyl silicate	681-84-5	1	6	--	--	--	--	--
<i>alpha</i> -Methyl styrene	98-83-9	50	240	100	485	--	--	--
Methylene bisphenyl isocyanate (MDI)	101-68-8	see 1910.1000, Table Z-1						
Metribuzin	21087-64-9	--	5	--	--	--	--	--
Mica; see Silicates								
Molybdenum (as Mo)	7439-98-7							
Soluble compounds		see 1910.1000, Table Z-1						
Molybdenum (as Mo)	7439-98-7							
Insoluble compounds								
Total dust		--	10	--	--	--	--	--
Respirable fraction		--	5	--	--	--	--	--
Monocrotophos (Azodrin <sup>®</sup> )	6923-22-4	--	0.25	--	--	--	--	--
Monomethyl aniline	100-61-8	0.5	2	--	--	--	--	X
Monomethyl hydrazine; see Methyl hydrazine								
Morpholine	110-91-8	20	70	30	105	--	--	X
Naphtha (Coal tar)	8030-30-6	see 1910.1000, Table Z-1						
Naphthalene	91-20-3	10	50	15	75	--	--	--
<i>alpha</i> -Naphthylamine	134-32-7	see 1910.1004						

Substance	CAS #	TWA		STEL		Ceiling		Skin designation
		ppm	mg/m³	ppm	mg/m³	ppm	mg/m³	
<i>beta</i> -Naphthylamine	91-59-8			see 1910.1009				
Nickel carbonyl (as Ni)	13463-39-3			see 1910.1000, Table Z-1				
Nickel	7440-02-0			see 1910.1000, Table Z-1				
Metal and insoluble compounds (as Ni)								
Nickel	7440-02-0							
Soluble compounds (as Ni)		--	0.1	--	--	--	--	--
Nicotine	54-11-5			see 1910.1000, Table Z-1				
Nitric acid	7697-37-2	2	5	4	10	--	--	--
Nitric oxide	10102-43-9			see 1910.1000, Table Z-1				
<i>p</i> -Nitroaniline	100-01-6	--	3	--	--	--	--	X
Nitrobenzene	98-95-3			see 1910.1000, Table Z-1				
<i>p</i> -Nitrochlorobenzene	100-00-5			see 1910.1000, Table Z-1				
4-Nitrodiphenyl	92-93-3			see 1910.1003				
Nitroethane	79-24-3			see 1910.1000, Table Z-1				
Nitrogen dioxide	10102-44-0	--	--	1	1.8	--	--	--
Nitrogen trifluoride	7783-54-2			see 1910.1000, Table Z-1				
Nitroglycerin	55-63-0	--	--	--	0.1	--	--	X
Nitromethane	75-52-5			see 1910.1000, Table Z-1				
1-Nitropropane	108-03-2			see 1910.1000, Table Z-1				
2-Nitropropane	79-46-9	10	35	--	--	--	--	--
<i>N</i> -Nitrosodimethylamine	62-75-9			see 1910.1016				
Nitrotoluene (all isomers)								
<i>o</i> -isomer	88-72-2	2	11	--	--	--	--	X
<i>m</i> -isomer	99-08-1	2	11	--	--	--	--	X
<i>p</i> -isomer	99-99-0	2	11	--	--	--	--	X
Nitrotrichloromethane; see Chloropicrin								
Nonane	111-84-2	200	1050	--	--	--	--	--
Octachloronaphthalene	2234-13-1	--	0.1	--	0.3	--	--	X
Octane	111-65-9	300	1450	375	1800	--	--	--
Oil mist, mineral	8012-95-1			see 1910.1000, Table Z-1				
Osmium tetroxide (as Os)	20816-12-0	0.0002	0.002	0.0006	0.006	--	--	--
Oxalic acid	144-62-7	--	1	--	2	--	--	--
Oxygen difluoride	7783-41-7	--	--	--	--	0.05	0.01	--
Ozone	10028-15-6	0.1	0.2	0.3	0.6	--	--	--
Paraffin wax fume	8002-74-2	--	2	--	--	--	--	--
Paraquat, respirable dust	4685-14-7	--	0.1	--	--	--	--	X
Parathion	56-38-2			see 1910.1000, Table Z-1				



Substance	CAS #	TWA		STEL		Ceiling		Skin designation
		ppm	mg/m <sup>3</sup>	ppm	mg/m <sup>3</sup>	ppm	mg/m <sup>3</sup>	
Particulates not otherwise regulated	--							
Total dust				see 1910.1000, Table Z-1				
Respirable dust				see 1910.1000, Table Z-1				
PCB; see Chlorodiphenyl (42% and 54% chlorine)								
Pentaborane	19624-22-7	0.005	0.01	0.015	0.03	--	--	--
Pentachloronaphthalene	1321-64-8			see 1910.1000, Table Z-1				
Pentachlorophenol	87-86-5			see 1910.1000, Table Z-1				
Pentaerythritol	115-77-5							
Total dust		--	10	--	--	--	--	--
Respirable fraction		--	5	--	--	--	--	--
Pentane	109-66-0	600	1800	750	2250	--	--	--
2-Pentanone (Methyl propyl ketone)	107-87-9	200	700	250	875	--	--	--
Perchloroethylene (Tetrachloroethylene)	127-18-4	25	170	--	--	--	--	--
Perchloromethyl mercaptan	594-42-3			see 1910.1000, Table Z-1				
Perchloryl fluoride	7616-94-6	3	14	6	28	--	--	--
Perlite	93763-70-3							
Total dust				see 1910.1000, Table Z-1				
Respirable fraction				see 1910.1000, Table Z-1				
Petroleum distillates (Naphtha)	8002-05-9	400	1600	--	--	--	--	--
Phenol	108-95-2			see 1910.1000, Table Z-1				
Phenothiazine	92-84-2	--	5	--	--	--	--	X
<i>p</i> -Phenylene diamine	106-50-3			see 1910.1000, Table Z-1				
Phenyl ether, Vapor	101-84-8			see 1910.1000, Table Z-1				
Phenyl ether - biphenyl mixture, Vapor	--			see 1910.1000, Table Z-1				
Phenylethylene; see Styrene								
Phenyl glycidyl ether (PGE)	122-60-1	1	6	--	--	--	--	--
Phenyldiazine	100-63-0	5	20	10	45	--	--	X
Phenyl mercaptan	108-98-5	0.5	2	--	--	--	--	--
Phenylphosphine	638-21-1	--	--	--	--	0.05	0.25	--
Phorate	298-02-2	--	0.05	--	0.2	--	--	X
Phosdrin® (Mevinphos)	7786-34-7	0.01	0.1	0.03	0.3	--	--	X
Phosgene (Carbonyl chloride)	75-44-5			see 1910.1000, Table Z-1				
Phosphine	7803-51-2	0.3	0.4	1	1	--	--	--
Phosphoric acid	7664-38-2	--	1	--	3	--	--	--
Phosphorus (yellow)	7723-14-0			see 1910.1000, Table Z-1				

Substance	CAS #	TWA		STEL		Ceiling		Skin designation
		ppm	mg/m <sup>3</sup>	ppm	mg/m <sup>3</sup>	ppm	mg/m <sup>3</sup>	
Phosphorus oxychloride	10025-87-3	0.1	0.6	--	--	--	--	--
Phosphorus pentachloride	10026-13-8	see 1910.1000, Table Z-1						
Phosphorus pentasulfide	1314-80-3	--	1	--	3	--	--	--
Phosphorus trichloride	7719-12-2	0.2	1.5	0.5	3	--	--	--
Phthalic anhydride	85-44-9	1	6	--	--	--	--	--
<i>m</i> -Phthalodinitrile	626-17-5	--	5	--	--	--	--	--
Picloram	1918-02-1							
Total dust		--	10	--	--	--	--	--
Respirable fraction		--	5	--	--	--	--	--
Picric acid (2,4,6-Trinitrophenol)	88-89-1	see 1910.1000, Table Z-1						
Pindone (2-Pivalyl-1,3-indandione)	83-26-1	see 1910.1000, Table Z-1						
Piperazine dihydrochloride	142-64-3	--	5	--	--	--	--	--
Plaster of Paris	7778-18-9							
Total dust		see 1910.1000, Table Z-1						
Respirable fraction		see 1910.1000, Table Z-1						
Platinum (as Pt)	7440-06-4							
Metal		--	1	--	--	--	--	--
Platinum (as Pt)	7440-06-4							
Soluble salts		see 1910.1000, Table Z-1						
Portland cement	65997-15-1							
Total dust		--	10	--	--	--	--	--
Respirable fraction		--	5	--	--	--	--	--
Potassium hydroxide	1310-58-3	--	--	--	--	--	2	--
Propane	74-98-6	see 1910.1000, Table Z-1						
Propargyl alcohol	107-19-7	1	2	--	--	--	--	X
<i>beta</i> -Propiolactone	57-57-8	see 1910.1013						
Propionic acid	79-09-4	10	30	--	--	--	--	--
Propoxur (Baygon®)	114-26-1	--	0.5	--	--	--	--	--
<i>n</i> -Propyl acetate	109-60-4	200	840	250	1050	--	--	--
<i>n</i> -Propyl alcohol	71-23-8	200	500	250	625	--	--	--
<i>n</i> -Propyl nitrate	627-13-4	25	105	40	170	--	--	--
Propylene dichloride	78-87-5	75	350	110	510	--	--	--
Propylene glycol dinitrate	6423-43-4	0.05	0.3	--	--	--	--	--
Propylene glycol monomethyl ether	107-98-2	100	360	150	540	--	--	--
Propylene imine	75-55-8	see 1910.1000, Table Z-1						
Propylene oxide	75-56-9	20	50	--	--	--	--	--
Propyne; see Methyl acetylene								

Substance	CAS #	TWA		STEL		Ceiling		Skin designation
		ppm	mg/m³	ppm	mg/m³	ppm	mg/m³	
Pyrethrum	8003-34-7			see 1910.1000, Table Z-1				
Pyridine	110-86-1			see 1910.1000, Table Z-1				
Quinone	106-51-4			see 1910.1000, Table Z-1				
RDX; see Cyclonite								
Resorcinol	108-46-3	10	45	20	90	--	--	--
Rhodium (as Rh), Metal fume and insoluble compounds	7440-16-6			see 1910.1000, Table Z-1				
Rhodium (as Rh), Soluble compounds	7440-16-6			see 1910.1000, Table Z-1				
Ronnel	299-84-3	--	10	--	--	--	--	--
Rosin core solder pyrolysis products, as formaldehyde	--	--	0.1	--	--	--	--	--
Rotenone	83-79-4			see 1910.1000, Table Z-1				
Rouge	--							
Total dust		--	10	--	--	--	--	--
Respirable fraction		--	5	--	--	--	--	--
Selenium compounds (as Se)	7782-49-2			see 1910.1000, Table Z-1				
Selenium hexafluoride (as Se)	7783-79-1			see 1910.1000, Table Z-1				
Silica, amorphous, precipitated and gel	--			see 1910.1000, Table Z-3				
Silica, amorphous, diatomaceous earth, containing less than 1% crystalline silica	68855-54-9			see 1910.1000, Table Z-3				
Silica, crystalline cristobalite (as quartz), respirable dust	14464-46-1			see 1910.1000, Table Z-3				
Silica, crystalline quartz (as quartz), respirable dust	14808-60-7			see 1910.1000, Table Z-3				
Silica, crystalline tripoli (as quartz), respirable dust	1317-95-9	see 1910.1000, Table Z-3 (respirable crystalline quartz)						
Silica, crystalline tridymite (as quartz), respirable dust	15468-32-3			see 1910.1000, Table Z-3				
Silica, fused, respirable dust	60676-86-0			see 1910.1000, Table Z-3				
Silicates (less than 1% crystalline silica)								
Mica (respirable dust)	12001-26-2	--	3	--	--	--	--	--
Soapstone	--							
Total dust		--	6	--	--	--	--	--
Respirable dust		--	3	--	--	--	--	--
Talc (containing asbestos)				see 1910.1001				
Talc (not containing asbestos), less than 1% quartz, respirable dust	14807-96-6	--	2	--	--	--	--	--



Substance	CAS #	TWA		STEL		Ceiling		Skin designation
		ppm	mg/m <sup>3</sup>	ppm	mg/m <sup>3</sup>	ppm	mg/m <sup>3</sup>	
Tremolite	--	see 1910.1001						
Silicon	7440-21-3							
Total dust		--	10	--	--	--	--	--
Respirable fraction		--	5	--	--	--	--	--
Silicon carbide	409-21-2							
Total dust		--	10	--	--	--	--	--
Respirable fraction		--	5	--	--	--	--	--
Silicon tetrahydride	7803-62-5	5	7	--	--	--	--	--
Silver, metal, dust and fume (as Ag)	7440-22-4	see 1910.1000, Table Z-1						
Soapstone; see Silicates								
Sodium azide	26628-22-8							
(as HN <sub>3</sub> )		--	--	--	--	0.1	--	X
(as NaN <sub>3</sub> )		--	--	--	--	--	0.3	X
Sodium bisulfite	7631-90-5	--	5	--	--	--	--	--
Sodium fluoroacetate	62-74-8	--	0.05	--	0.15	--	--	X
Sodium hydroxide	1310-73-2	--	--	--	--	--	2	--
Sodium metabisulfite	7681-57-4	--	5	--	--	--	--	--
Starch	9005-25-8							
Total dust		see 1910.1000, Table Z-1						
Respirable fraction		see 1910.1000, Table Z-1						
Stibine	7803-52-3	see 1910.1000, Table Z-1						
Stoddard solvent	8052-41-3	100	525	--	--	--	--	--
Strychnine	57-24-9	see 1910.1000, Table Z-1						
Styrene (Vinyl benzene); see Footnote (1)	100-42-5	50	215	100	425	--	--	--
Subtilisins (Proteolytic enzymes); see Footnote (3)								
Sucrose	57-50-1							
Total dust		see 1910.1000, Table Z-1						
Respirable fraction		see 1910.1000, Table Z-1						
Sulfur dioxide	7446-09-5	2	5	5	10	--	--	--
Sulfur hexafluoride	2551-62-4	see 1910.1000, Table Z-1						
Sulfuric acid	7664-93-9	see 1910.1000, Table Z-1						
Sulfur monochloride	10025-67-9	--	--	--	--	1	6	--
Sulfur pentafluoride	5714-22-7	--	--	--	--	0.01	0.1	--
Sulfur tetrafluoride	7783-60-0	--	--	--	--	0.1	0.4	--
Sulfuryl fluoride	2699-79-8	5	20	10	40	--	--	--
Sulprofos	35400-43-2	--	1	--	--	--	--	--

Substance	CAS #	TWA		STEL		Ceiling		Skin designation
		ppm	mg/m <sup>3</sup>	ppm	mg/m <sup>3</sup>	ppm	mg/m <sup>3</sup>	
Systox <sup>®</sup> (see Demeton)								
2,4,5-T (2,4,5-Trichloro-phenoxyacetic acid)	93-76-5			see 1910.1000, Table Z-1				
Talc; see Silicates								
Tantalum metal and oxide dust	7440-25-7			see 1910.1000, Table Z-1				
TEDP (Sulfotep)	3689-24-5			see 1910.1000, Table Z-1				
Tellurium and compounds (as Te)	13494-80-9			see 1910.1000, Table Z-1				
Tellurium hexafluoride (as Te)	7783-80-4			see 1910.1000, Table Z-1				
Temphos	3383-96-8							
Total dust		--	10	--	--	--	--	--
Respirable fraction		--	5	--	--	--	--	--
TEPP (Tetraethyl pyrophosphate)	107-49-3			see 1910.1000, Table Z-1				
Terphenyls	26140-60-3	--	--	--	--	0.5	5	--
1,1,1,2-Tetrachloro-2,2-difluoroethane	76-11-9			see 1910.1000, Table Z-1				
1,1,2,2-Tetrachloro-1,2-difluoroethane	76-12-0			see 1910.1000, Table Z-1				
1,1,2,2-Tetrachloroethane	79-34-5	1	7	--	--	--	--	X
Tetrachloroethylene; see Perchloroethylene								
Tetrachloromethane; see Carbon tetrachloride								
Tetrachloronaphthalene	1335-88-2			see 1910.1000, Table Z-1				
Tetraethyl lead (as Pb)	78-00-2			see 1910.1000, Table Z-1				
Tetrahydrofuran	109-99-9	200	590	250	735	--	--	--
Tetramethyl lead (as Pb)	75-74-1			see 1910.1000, Table Z-1				
Tetramethyl succinonitrile	3333-52-6			see 1910.1000, Table Z-1				
Tetranitromethane	509-14-8			see 1910.1000, Table Z-1				
Tetrasodium pyrophosphate	7722-88-5	--	5	--	--	--	--	--
Tetryl (2,4,6-Trinitrophenyl methyl nitramine)	479-45-8	--	0.1	--	--	--	--	X
Thallium, soluble compounds (as Tl)	7440-28-0			see 1910.1000, Table Z-1				
4,4'-Thiobis(6- <i>tert</i> -butyl- <i>m</i> -cresol)	96-69-5							
Total dust		--	10	--	--	--	--	--
Respirable fraction		--	5	--	--	--	--	--
Thioglycolic acid	68-11-1	1	4	--	--	--	--	X
Thionyl chloride	7719-09-7	--	--	--	--	1	5	--

Substance	CAS #	TWA		STEL		Ceiling		Skin designation
		ppm	mg/m³	ppm	mg/m³	ppm	mg/m³	
Thiram	137-26-8	see 1910.1000, Table Z-1						
Tin, inorganic compounds (except oxides) (as Sn)	7440-31-5	see 1910.1000, Table Z-1						
Tin, organic compounds (as Sn)	7440-31-5	--	0.1	--	--	--	--	X
Tin oxide (as Sn)	7440-31-5	--	2	--	--	--	--	--
Titanium dioxide	13463-67-7							
Total dust		--	10	--	--	--	--	--
Respirable fraction		--	5	--	--	--	--	--
Toluene	108-88-3	100	375	150	560	--	--	--
Toluene-2,4-diisocyanate (TDI)	584-84-9	0.005	0.04	0.02	0.15	--	--	--
<i>m</i> -Toluidine	108-44-1	2	9	--	--	--	--	X
<i>o</i> -Toluidine	95-53-4	see 1910.1000, Table Z-1						
<i>p</i> -Toluidine	106-49-0	2	9	--	--	--	--	X
Toxaphene; see Chlorinated camphene								
Tremolites; see Silicates								
Tributyl phosphate	126-73-8	0.2	2.5	--	--	--	--	--
Trichloroacetic acid	76-03-9	1	7	--	--	--	--	--
1,2,4-Trichlorobenzene	120-82-1	--	--	--	--	5	40	--
1,1,1-Trichloroethane; see Methyl chloroform								
1,1,2-Trichloroethane	79-00-5	see 1910.1000, Table Z-1						
Trichloroethylene	79-01-6	50	270	200	1080	--	--	--
Trichloromethane; see Chloroform								
Trichloronaphthalene	1321-65-9	see 1910.1000, Table Z-1						
1,2,3-Trichloropropane	96-18-4	10	60	--	--	--	--	--
1,1,2-Trichloro-1,2,2-trifluoroethane	76-13-1	1000	7600	1250	9500	--	--	--
Triethylamine	121-44-8	10	40	15	60	--	--	--
Trifluorobromomethane	75-63-8	see 1910.1000, Table Z-1						
Trimellitic anhydride	552-30-7	0.005	0.04	--	--	--	--	--
Trimethylamine	75-50-3	10	24	15	36	--	--	--
Trimethyl benzene	25551-13-7	25	125	--	--	--	--	--
Trimethyl phosphite	121-45-9	2	10	--	--	--	--	--
2,4,6-Trinitrophenol; see Picric acid								
2,4,6-Trinitrophenylmethyl nitramine; see Tetryl								



Substance	CAS #	TWA		STEL		Ceiling		Skin designation
		ppm	mg/m <sup>3</sup>	ppm	mg/m <sup>3</sup>	ppm	mg/m <sup>3</sup>	
2,4,6-Trinitrotoluene (TNT)	118-96-7	--	0.5	--	--	--	--	X
Tri- <i>ortho</i> -cresyl phosphate	78-30-8	--	0.1	--	--	--	--	X
Triphenyl amine	603-34-9	--	5	--	--	--	--	--
Triphenyl phosphate	115-86-6	see 1910.1000, Table Z-1						
Tungsten (as W)	7440-33-7							
Insoluble compounds		--	5	--	10	--	--	--
Soluble compounds		--	1	--	3	--	--	--
Turpentine	8006-64-2	see 1910.1000, Table Z-1						
Uranium (as U)	7440-61-1							
Soluble compounds		see 1910.1000, Table Z-1						
Uranium (as U)	7440-61-1							
Insoluble compounds		--	0.2	--	0.6	--	--	--
<i>n</i> -Valeraldehyde	110-62-3	50	175	--	--	--	--	--
Vanadium	1314-62-1							
Respirable dust (as V <sub>2</sub> O <sub>5</sub> )		--	0.05	--	--	--	--	--
Fume (as V <sub>2</sub> O <sub>5</sub> )		--	0.05	--	--	--	--	--
Vegetable oil mist	--							
Total dust		see 1910.1000, Table Z-1						
Respirable dust		see 1910.1000, Table Z-1						
Vinyl acetate	108-05-4	10	30	20	60	--	--	--
Vinyl benzene; see Styrene								
Vinyl bromide	593-60-2	5	20	--	--	--	--	--
Vinyl chloride		see 1910.1017						
Vinyl cyanide; see Acrylonitrile								
Vinyl cyclohexene dioxide	106-87-6	10	60	--	--	--	--	X
Vinylidene chloride (1,1-Dichloroethylene)	75-35-4	1	4	--	--	--	--	--
Vinyl toluene	25013-15-4	see 1910.1000, Table Z-1						
V M & P Naphtha	8032-32-4	300	1350	400	1800	--	--	--
Warfarin	81-81-2	see 1910.1000, Table Z-1						
Welding fumes (total particulate, breathing zone)	--	--	5	--	--	--	--	--
Wood dust, all soft and hard woods, except Western Red Cedar	--	--	5	--	10	--	--	--
Wood dust, Western red cedar	--	--	2.5	--	--	--	--	--
Xylenes ( <i>o</i> -, <i>m</i> -, <i>p</i> - isomers)	1330-20-7	100	435	150	655	--	--	--
<i>m</i> -Xylene- <i>alpha</i> , <i>alpha'</i> -diamine	1477-55-0	--	--	--	--	--	0.1	X

Substance	CAS #	TWA		STEL		Ceiling		Skin designation
		ppm	mg/m <sup>3</sup>	ppm	mg/m <sup>3</sup>	ppm	mg/m <sup>3</sup>	
Xylidine	1300-73-8	2	10	--	--	--	--	X
Yttrium	7440-65-5	see 1910.1000, Table Z-1						
Zinc chloride fume	7646-85-7	--	1	--	2	--	--	--
Zinc chromate (as CrO <sub>3</sub> )	Varies with compound	--	--	--	--	--	0.1	--
Zinc oxide fume	1314-13-2	--	5	--	10	--	--	--
Zinc oxide	1314-13-2							
Total dust		--	10	--	--	--	--	--
Respirable fraction		--	5	--	--	--	--	--
Zinc stearate	557-05-1							
Total dust		--	10	--	--	--	--	--
Respirable fraction		--	5	--	--	--	--	--
Zirconium compounds (as Zr)	7440-67-7	--	5	--	10	--	--	--

TABLE Z-2

Substance	8-hour time weighted average	Acceptable ceiling concentration	Acceptable maximum peak above the acceptable ceiling concentration for an 8-hr. shift	
			Concentration	Maximum duration
Benzene <sup>a</sup>	10 ppm	25 ppm	50 ppm	10 minutes
Cadmium fume <sup>b</sup>	0.1 mg/m <sup>3</sup>	0.3 mg/m <sup>3</sup>	.....	
Cadmium dust <sup>b</sup>	0.2 mg/m <sup>3</sup>	0.6 mg/m <sup>3</sup>	.....	
Ethylene dibromide	20 ppm	30 ppm	50 ppm	5 minutes
Ethylene dichloride	50 ppm	100 ppm	200 ppm	5 minutes in any 3 hours

a. This standard applies to the industry segments exempt from the 1 ppm 8-hour TWA and 5 ppm STEL of the benzene standard at 1910.1028.

b. This standard applies to any operation or sectors for which the Cadmium standard, 1910.1027, is stayed or otherwise not in effect.

TABLE Z-3 -- MINERAL DUSTS

Substance	mppcf	mg/m <sup>3</sup>
Silica:		
Crystalline		

Quartz (Respirable) . . . . .	$\frac{250}{\% \text{SiO}_2 + 5}$	$\frac{10 \text{ mg/m}^3}{\% \text{SiO}_2 + 2}$
Quartz (Total Dust) . . . . .	--	$\frac{30 \text{ mg/m}^3}{\% \text{SiO}_2 + 2}$
Cristobalite: Use $\frac{1}{2}$ the value calculated from the count or mass formulae for quartz		
Tridymite: Use $\frac{1}{2}$ the value calculated from the formulae for quartz		
Amorphous, including natural diatomaceous earth . . . . .	20	$\frac{80 \text{ mg/m}^3}{\% \text{SiO}_2}$
Coal Dust:		
Respirable fraction less than 5% SiO <sub>2</sub> . . . . .	--	2.4 mg/m <sup>3</sup>
Respirable fraction greater than 5% SiO <sub>2</sub> . . . . .	--	$\frac{10 \text{ mg/m}^3}{\% \text{SiO}_2 + 2}$

(b) The modified final rule for 29 CFR 1910.1200, Hazard Communication, including Appendices A through E, published in 59 FR (February 9, 1994) pages 6170 - 6184 is incorporated by reference except that 1910.1200(b)(6)(ii) is amended to read: "(ii) Any hazardous substance as such term is defined by the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) (42 U.S.C. 9601 *et seq.*), when regulated as a hazardous waste under that Act by the Environmental Protection Agency."

*History Note:* Filed as a Temporary Amendment Eff. August 16, 1993, for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;  
 Authority G.S. 95-131; 95-133; 150B-21.6;  
 Eff. August 2, 1993;  
 Amended Eff. April 1, 1996; January 1, 1996; September 6, 1995; April 1, 1995;  
 Temporary Amendment Eff. April 1, 1996;  
 Amended Eff. September 1, 1996; June 3, 1996;  
 Temporary Amendment Expired January 26, 1997;  
 Amended Eff. July 1, 1998; October 15, 1997; March 7, 1997; February 28, 1997;  
 February 11, 1997.

## SECTION .0200 - CONSTRUCTION STANDARDS

### .0201 CONSTRUCTION

The provisions for the Occupational Safety and Health Standards for Construction, Title 29 of the Code of Federal Regulations Part 1926 promulgated as of October 15, 1997, and exclusive of subsequent amendments, are incorporated by reference except as follows:

- (1) Subpart C -- General Safety and Health Provisions -- Personal protective equipment, §1926.28(a) is amended to read as follows: "(a) The employer is responsible for requiring the wearing of appropriate personal protective equipment in all operations where there is an exposure to hazardous conditions or where this part indicates the need for using such equipment to reduce the hazards to the employees."
- (2) Subpart D -- Occupational Health and Environmental Controls:

- (a) Addition to 29 CFR 1926.54, Nonionizing radiation, after subpart (a) to read:  
 "(a1) This standard shall apply to all direct or reflected laser equipment except properly maintained unmodified Class I equipment. Class I equipment is defined as intrinsically safe lasers having less than 0.001 milliwatt power and lasers which cannot create eye damage if viewed accidentally or which present no direct ocular hazard, diffuse ocular hazard or fire hazards."
- (b) Incorporation by reference of modified final rule for 29 CFR 1926.59, Hazard Communication, including Appendices A through E, published in 59 FR (February 9, 1994) pages 6170 - 6184 except that 1926.59(b)(6)(ii) is amended to read:  
 "(ii) Any hazardous substance as such term is defined by the Comprehensive Environmental



Response, Compensation, and Liability Act (CERCLA) (42 U.S.C. 9601 *et seq.*), when regulated as a hazardous waste under that Act by the Environmental Protection Agency;"

- (3) Subpart E -- Personal Protective and Life Saving Equipment -- addition of (g) to 1926.104 *Safety belts, lifelines, and lanyards*, as follows:

"(g) Snaphooks shall be a locking type designed and used to prevent disengagement of the snaphook keeper by the connected member. Locking type snaphooks have self-closing, self-locking keepers which remain closed and locked until unlocked and pressed open for connection or disconnection."

- (4) Subpart V -- Power Transmission and Distribution -- 1926.950(c)(1)(i) is rewritten to read as follows:

"(i) The employee is insulated or guarded from the energized part (insulating gloves or insulating gloves with sleeves rated for the voltage involved shall be considered insulation of the employee only with regard to the energized part upon which work is being performed), or"

- (5) Subpart Z -- Toxic and Hazardous Substances -- incorporation of the existing standard for Bloodborne Pathogens, 29 CFR 1910.1030, excluding subparagraph (e) HIV and HBV Research Laboratories and Production Facilities, into the Safety & Health Regulations for Construction at 29 CFR 1926.1130. Final rule as published in 56 FR (December 6, 1991) pages 64175 - 64182, including Appendix A -- Hepatitis B Vaccine Declination (Mandatory) -- with corrections as published in 57 FR (July 1, 1992) page 29206, and with the following revision to the definition of Occupational Exposure under subsection (b) Definitions:

"Occupational Exposure means reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials that may result from the performance of collateral first aid duties by an employee in the areas of construction, alteration, or repair, including painting and decorating."

*History Note: Authority G.S. 95-131; 150B-21.6;*

*Eff. August 2, 1993;*

*Amended Eff. July 1, 1998; March 7, 1997; February 11, 1997; September 1, 1996; February 1, 1996; January 1, 1996; October 1, 1995; September 6, 1995.*

## **SECTION .0300 - AGRICULTURE STANDARDS**

### **.0301 AGRICULTURE**

The provisions for the Occupational Safety and Health Standards for Agriculture, Title 29 of the Code of Federal Regulations Part 1928, promulgated as of October 15, 1997, and exclusive of subsequent amendments, are incorporated by

reference except as follows:

- (1) Subpart B -- Applicability of Standards -- In 29 CFR 1928.21(a)(5), the identical application of 29 CFR 1910.1200(b)(6)(ii) is amended to read as specified in 13 NCAC 07F.0101.
- (2) Subpart I - General Environmental Controls - 29 CFR 1928.110, Field Sanitation, the scope shall not be limited to any specific number of employees.

*History Note: Authority G.S. 95-131; 150B-21.6;*

*Eff. August 2, 1993;*

*Amended Eff. July 1, 1998; September 1, 1996; April 1, 1995; November 1, 1994; August 1, 1994; September 24, 1993.*

## **SECTION .0500 - MARITIME STANDARDS**

### **.0501 SHIPYARD EMPLOYMENT**

(a) The provisions for the Occupational Safety and Health Standards for Shipyard Employment, Title 29 of the Code of Federal Regulations Part 1915 promulgated as of October 15, 1997, and exclusive of subsequent amendments, are incorporated by reference except that in 29 CFR 1915.1200 the identical application of 29 CFR 1910.1200(b)(6)(ii) is amended to read as specified in 13 NCAC 07F.0101.

(b) The provisions of 29 CFR 1915 shall apply only to public sector employees of local governments or of the State of North Carolina.

*History Note: Authority G.S. 95-131; 150B-21.6;*

*Eff. December 1, 1993;*

*Amended Eff. July 1, 1998; October 15, 1997; March 7, 1997; February 11, 1997; September 1, 1996; January 1, 1996; September 6, 1995; May 1, 1995; February 1, 1995.*

### **.0502 MARINE TERMINALS**

(a) The provisions of the Occupational Safety and Health Regulations for Marine Terminals, Title 29 of the Code of Federal Regulations Part 1917, promulgated as of October 15, 1997, and exclusive of subsequent amendments are incorporated by reference except that in 29 CFR 1917.1(a)(2)(vi) the identical application of 1910.1200(b)(6)(ii) is amended to read as specified in 13 NCAC 07F.0101.

(b) The provisions of 29 CFR 1917 shall apply only to public sector employees of local governments or of the State of North Carolina.

*History Note: Authority G.S. 95-131; 150B-21.6;*

*Eff. December 1, 1993;*

*Amended Eff. July 1, 1998; October 15, 1997; November 1, 1994; August 1, 1994.*

## **TITLE 15A - DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES**

### **CHAPTER 7 - COASTAL MANAGEMENT**

## SUBCHAPTER 7H - STATE GUIDELINES FOR AREAS OF ENVIRONMENTAL CONCERN

### SECTION .0400 - PUBLIC WATER SUPPLIES

#### .0406 PUBLIC WATER SUPPLY WELL FIELDS

(a) Description. Public water supply well fields are areas of well-drained sands that extend downward from the surface into the shallow ground water table which supplies the public with potable water. These surficial well fields are confined to a readily definable geographic area as identified by the North Carolina Department of Environment and Natural Resources with assistance and support from affected local governments.

(b) Use Standards. Development within these AEC's shall be consistent with the following minimum standards:

- (1) No ground absorption sewage disposal or subsurface pollution injection systems shall be placed within the designated AEC boundary except to replace systems existing as of July 24, 1987;
- (2) Development shall not significantly limit the quality or quantity of the public water supply or the amount of rechargeable water;
- (3) The development shall not cause salt water intrusion or result in the discharge of toxic or soluble contaminants into standing or groundwater; and
- (4) Groundwater absorption sewage treatment systems may also be used within the AEC boundary if each of the following provisions are met:
  - (A) the system is serving development on a lot that was platted of record as of July 24, 1987;
  - (B) there is no other economically viable method of waste treatment for the permissible development of such lot;
  - (C) there is no space outside the boundaries of the AEC on the lot upon which the treatment system could be located; and
  - (D) the Division of Environmental Health, Department of Environment and Natural Resources, prior to the CAMA permit decision, reviews and approves the proposed system as complying with existing rules.

(c) Designated public water supply well field. The CRC has designated the following as a public water supply well field which shall be subject to the use standards as set out in Paragraph (b) of this Rule:

- (1) Cape Hatteras Well Field. The County of Dare is supplied with raw water from a well field located south of N.C. 12 on Hatteras Island between Frisco and Buxton. The area of environmental concern is bounded by a line located 1,000 feet from the centerlines of three tracts. The first tract is identified as "well field" on maps entitled "Cape Hatteras Wellfield Area of Environmental Concern" approved by the Coastal Resources Commission on July 24, 1987, and extends approximately 12,000 feet west from Water Association Road. The second tract is coterminous with the first tract, is identified as

"future well field" on said maps and extends approximately 8,000 feet to the east of Water Association Road. The third tract is identified as "future well field" on said maps and extends approximately 6,200 feet along the National Park Service boundary east of Water Association Road. The aquifer beneath the tracts serves as the sole source of drinking water for the communities of Avon, Buxton, Frisco, and Hatteras as well as the national seashore recreation area. The wetlands, swales, and surface waters adjacent to the well field provide a large source of recharge and are a potential vehicle for contaminants. Due to these facts contamination of the water supply could have an adverse effect on people other than the local residents of Hatteras Island. Water-borne disease organisms could be easily transported to other areas of the state or the east coast by tourists who are attracted to the area daily.

*History Note: Authority G.S. 113A-107(a); 113A-107(b); 113A-113(b)(3)a.; 113A-124;*  
*Eff. September 9, 1977;*  
*Amended Eff. December 1, 1997; April 1, 1995; May 1, 1990;*  
*October 1, 1987; November 1, 1984.*

## SUBCHAPTER 7M - GENERAL POLICY GUIDELINES FOR THE COASTAL AREA

### SECTION .0300 - SHOREFRONT ACCESS POLICIES

#### .0301 DECLARATION OF GENERAL POLICY

(a) The public has traditionally and customarily had access to enjoy and freely use the ocean beaches and estuarine and public trust waters of the coastal region for recreational purposes and the State has a responsibility to provide continuous access to these resources. It is the policy of the State to foster, improve, enhance and ensure optimum access to the public beaches and waters of the 20 county coastal region. Access shall be consistent with rights of private property owners and the concurrent need to protect important coastal natural resources such as sand dunes and coastal marsh vegetation.

(b) The State has created an access program for the purpose of acquiring, improving and maintaining waterfront recreational property at frequent intervals throughout the coastal region for pedestrian access to these important public resources.

(c) In addition, some properties, due to their location, are subject to severe erosion so that development here is not possible or feasible. In these cases, a valid public purpose may be served by the donation, acquisition and improvement of these properties for public access.

*History Note: Authority G.S. 113A-124; 113A-134.1;*  
*113A-134.3;*  
*Eff. March 1, 1979;*  
*Amended Eff. January 1, 1998; March 1, 1988; March 1,*  
*1985; July 1, 1982.*



**.0306 LOCAL GOVERNMENT AND STATE INVOLVEMENT IN ACCESS**

(a) Coastal Waterfront access in the 20-county coastal area is a concern of local, state, regional and national importance. As such, the NCCMP can provide some guidance as to location of facilities that are of multi-regional and regional significance. The local government, however, has the primary responsibility for identifying local, neighborhood and regional accessways through its land use plan policies and local access plan.

(1) A local policy in a land use plan sets the community objectives for access; a local government may determine that public access is not a pressing issue and thus develop a policy of private sector access provision and no public involvement. Similarly local governments may:

- (i) identify numerous access needs and develop local policy to pursue access funding;
- (ii) develop a local access plan; and
- (iii) solicit access sites through corporate assistance.

(2) A local access plan shall identify needs and opportunities, determine access and facility requirements, establish local standards, and develop specific project design plans or guidelines by appropriate site. A local plan shall consider both financial resource availability (such as grants, impact fees or hotel/motel tax revenues) and construction timing. It shall establish local priorities and devise a system for annual evaluation of the plan.

(3) Local governments may also include provisions in local subdivision ordinances that require access for waterfront developments or require payment in lieu of access for non-water dependent subdivisions. The principle here is that, as land is subdivided and more people become residents, access and other recreation demands will follow.

(4) Dedicated street stub outs may be acceptable for accessways.

(b) The NCCMP has primary responsibility for administering the coastal access program. Annually, the Division of Coastal Management (DCM) will solicit for pre-application proposals from local governments and will select competitive projects for full application submittal. A group of these final applications will be selected for funding based on guidelines in Rule 7M .0305 of this Section and anticipated fund availability.

(c) DCM will ensure all projects funded through the annual grant program are making reasonable progress throughout project implementation and ensure that completed projects are operated and maintained for access purposes.

*History Note: Authority G.S. 113A-124; 113A-134.3; Eff. January 1, 1998.*

**.0309 COMPLIANCE WITH THE NORTH CAROLINA ENVIRONMENTAL POLICY**

**ACT**

The public access program shall comply with the requirements of the North Carolina Environmental Policy Act (NCEPA) and rules adopted by the Department of Environment and Natural Resources concerning NCEPA implementation as set out in 15A NCAC 1C .0201 - .0504. Future amendments by the Department shall be deemed to be incorporated into this Rule pursuant to G.S. 150B-14(c).

*History Note: Authority G.S. 113A-2; 113A-124; Eff. July 1, 1990; Recodified from .0306 Eff. January 1, 1998; Amended Eff. January 1, 1998.*

**CHAPTER 8 - WATER POLLUTION CONTROL  
SYSTEM OPERATORS CERTIFICATION  
COMMISSION**

**SUBCHAPTER 8F - CERTIFICATION OF  
OPERATORS OF ANIMAL WASTE  
MANAGEMENT SYSTEMS**

**SECTION .0100 - GENERAL PURPOSE/DEFINITIONS**

**.0102 DEFINITIONS**

(a) "Animal waste management system operator" means a person that has been certified by the Certification Commission as a Type A Animal Waste Management System Operator or as a Type B Animal Waste Management System Operator.

(b) "Appropriate examination" means an examination that has been approved by the Certification Commission.

(c) "Approved training program" means a training program that has been approved by the Certification Commission in cooperation with the Cooperative Extension Service.

(d) "Certified operator" means a person who holds a currently valid certification as an animal waste management system operator.

(e) "Certification Commission" means the Water Pollution Control System Operators Certification Commission (WPCSOCC) created by G.S. 143B-300. The Certification Commission's mailing address is PO Box 29535, Raleigh, NC 27626-0535.

(f) "Contract animal waste management system operator" means any certified animal waste operator who contracts with the owner or person in control of an animal operation pursuant to G.S. 90A-47.2(b).

(g) "Currently valid certification" means that all training and certification requirements pursuant to G.S. 90A- 47.3(b) and G.S. 90A-47.4 have been completed.

(h) "Emergency circumstances" means any extraordinary meteorological event, natural catastrophe, or equipment failure that threatens the integrity of the animal waste management system.

(i) "Person under the supervision of an Operator in Charge" means a person who takes directions from the Operator in Charge and who may only land apply animal waste when the Operator in Charge is available for consultation and advice at



any time during the application of animal waste.

*History Note: Authority G.S. 90A-35; 90A-43; 90A-47; 143B-300;*  
*Temporary Adoption Eff. January 7, 1997;*  
*Eff. August 1, 1998.*

## **SECTION .0200 - DUTIES AND REQUIREMENTS**

### **.0201 DUTIES AND REQUIREMENTS OF OWNERS**

(a) The owner of each animal operation having an animal waste management system shall submit a letter to the Certification Commission which designates an Operator in Charge. This letter shall be signed by the owner and the certified operator and be submitted to the Certification Commission. The Operator in Charge shall be designated:

- (1) before a new animal operation having an animal waste management system is placed in operation; or
- (2) within 30 days after a new Operator in Charge is designated.

(b) An owner may voluntarily designate a back-up Operator in Charge to operate the animal waste management system during the absence of the primary Operator in Charge.

*History Note: Authority G.S. 90A-44; 90A-47; 143B-300;*  
*Temporary Adoption Eff. January 7, 1997;*  
*Eff. August 1, 1998.*

## **SECTION .0400 - CERTIFICATION OF OPERATORS**

### **.0403 APPLICATION PROCEDURES**

(a) An application being filed for examination shall be postmarked by the United States Postal Service at least 30 days prior to the date upon which the examination is scheduled to be administered and the appropriate fee must accompany the application.

(b) Upon receipt of the application by the Certification Commission, the application will be reviewed by the designee(s) of the Certification Commission for eligibility to take the examination. The applicant will be notified by letter, which will serve as the receipt for the examination fee, of his/her eligibility and will be advised of the date, time and place of the examination. In cases where the applicant is ineligible for examination, the applicant will also be notified by letter and advised of the reason for ineligibility. The examination fee will be refunded in the event that the applicant is determined to be ineligible for the examination. Upon notification of ineligibility, the applicant may request a hearing to be heard by the Certification Commission at the next regularly scheduled meeting, relative to the ineligibility. Such requests must be in writing and shall be submitted postmarked at least 30 days prior to the next regularly scheduled meeting. Any applicant who intentionally supplies false information on the application for certification for the purpose of gaining eligibility, will be ineligible for the examination and will forfeit the examination fee. Applicants who have intentionally

supplied false information and who have been determined to be ineligible who wish to reapply for certification shall follow the procedure set forth in Rule .0407(d) of this Section.

*History Note: Authority G.S. 90A-39; 90A-47; 143B-300;*  
*Temporary Adoption Eff. January 7, 1997;*  
*Eff. August 1, 1998.*

## **CHAPTER 18 - ENVIRONMENTAL HEALTH**

### **SUBCHAPTER 18A - SANITATION**

## **SECTION .1900 - SEWAGE TREATMENT AND DISPOSAL SYSTEMS**

### **.1938 RESPONSIBILITIES**

(a) The permitting of wastewater system shall be the responsibility of agents authorized by the State in accordance with G.S. 130A-40, 130A-50, and registered with the State of North Carolina Board of Sanitarian Examiners if required in G.S. 90A Article 4.

(b) The person owning or controlling the system shall be responsible for assuring compliance with the laws, rules, and permit conditions regarding system location, installation, operation, maintenance, monitoring, reporting, and repair.

(c) Prior to the issuance of an Improvement Permit or Construction Authorization, plans and specifications may be required by the local health department where there is an unsuitable soil or unsuitable characteristic and shall be required for drainage systems serving two or more lots. These plans and specifications shall be required to be prepared by a person or persons who are licensed or registered to consult, investigate, evaluate, plan or design wastewater systems, soil and rock characteristics, ground water hydrology, or drainage systems if required in G.S. 89C, 89E, 89F, and 90A Article 4.

(d) Any wastewater system which meets one or more of the following conditions shall be designed by a registered professional engineer if required by G.S. 89C:

- (1) The system is designed to handle over 3,000 gallons per day, as determined in Rule .1949(a) or (b) of this Section, except where the system is limited to an individual septic tank system serving an individual dwelling unit or several individual septic tank systems, each serving an individual dwelling unit.
- (2) The system requires pretreatment before disposal, other than by a conventional septic or other system approved under Rule .1957 or .1969 of this Section.
- (3) The system requires use of sewage pumps prior to the septic tank or other pretreatment system, except for systems subject to the North Carolina Plumbing code or which consist of grinder pumps and associated pump basins that are approved and listed in accordance with standards adopted by the National Sanitation Foundation.
- (4) The individual system is required by Rule .1952 of this Section to use more than one pump or siphon in a single pump tank.

- (5) The system includes a collection sewer, prior to the septic tank or other pretreatment system, which serves two or more buildings, except for systems subject to the North Carolina Plumbing Code.
- (6) The system includes structures which have not been pre-engineered.
- (7) The system is designed for the collection, treatment and disposal of industrial process wastewater, except under the following circumstances:
  - (A) the State has determined that the wastewater generated by the proposed facility has a pollutant strength which is lower than or equal to domestic sewage, and does not require specialized pretreatment or management, or
  - (B) the State has pre-approved a predesigned pretreatment system or process and management method proposed by the facility owner which shall enable the industrial process wastewater to have a pollutant strength which is lower than or equal to domestic sewage.
- (8) Any other system serving a business or multi-family dwelling so specified by the local health department.
- (e) The State shall review and approve the system layout on a site plan or plat, plans and specifications for all systems serving a design unit with a design flow greater than 3,000 gallons per day, as determined in Rule .1949(a) or (b) of this Section, except:
  - (1) where the system is limited to an individual septic tank system serving an individual dwelling unit or several individual septic tank systems, each serving an individual dwelling unit, or
  - (2) where the system consists of individual septic tank systems, each serving an individual facility, and which meets all of the following criteria:
    - (A) each individual system's design flow does not exceed 1500 gallons per day, as determined in Rule .1949(a) or (b) of this Section,
    - (B) the site for the nitrification field and repair area for each individual system is at least 20 feet from any other individual system site, and
    - (C) the design wastewater loading on the lot or tract of land containing the design unit is less than 1,500 gallons per day per acre for new or expanded systems and 3,000 gallons per day/acre for malfunctioning systems.
- (f) The state shall also review and approve plans and specifications for any industrial process wastewater system required by this Section to be designed by a registered professional engineer and any other system so specified by the local health department.
- (g) For systems that require State review and approval:
  - (1) An improvement permit shall not be issued unless the site plan or plat and system layout, including details for any proposed site modifications, are approved. A Construction Authorization shall not be issued unless plans and specifications, including methods of operation and maintenance, are approved.
  - (2) Prior to issuance of the operation permit for a system required to be designed by a registered professional engineer, the owner shall submit to the local health department a statement signed by a registered professional engineer stating that construction is complete and in accordance with approved plans and specifications and approved modifications. Periodic observations of construction and a final inspection for design compliance by the certifying registered professional engineer or his representative shall be required for this statement. The statement shall be affixed with the registered professional engineer's seal.
  - (h) Plans and specifications required to be prepared by a registered professional engineer shall contain the information necessary for construction of the system in accordance with applicable rules and laws and shall include any of the following, determined to be applicable by the local health department or the State:
    - (1) the seal, signature, and the date on all plans and the first sheet of specifications; specifications and reports prepared by the design engineer and licensed or registered professionals who contributed to the plans, specifications, or reports;
    - (2) a description of the facilities served and the calculations and basis for the design flow proposed;
    - (3) a site plan based on a surveyed plat showing all system components, public water supply sources within 500 feet, private water supplies and surface water supplies within 200 feet, water lines serving the project and within 10 feet of all components, building foundations, basements, property lines, embankments or cuts of two feet or more in vertical height, swimming pools, storm sewers, interceptor drains, surface drainage ditches, and adjacent nitrification fields;
    - (4) specifications describing all materials to be used, methods of construction, means for assuring the quality and integrity of the finished product, and operation and maintenance procedures addressing requirements for the system operator, inspection schedules, residuals management provisions, process and performance monitoring schedules, and provisions for maintaining mechanical components and nitrification field vegetative cover;
    - (5) plan and profile drawings for collection sewers, force mains and supply lines, showing pipe diameter, depth of cover, cleanout and manhole locations, invert and ground surface elevations, valves and other appurtenances, lateral connections, proximity to utilities and pertinent features such as wells, water lines, storm drains, surface waters, structures, roads, and other trafficked areas;
    - (6) plans for all tanks, showing capacity, invert and ground elevations, access manholes, inlet and outlet details, and plans for built-in-place or



nonstate-approved, precast tanks, also showing dimensions, reinforcement details, liquid depth, and other pertinent construction features;

- (7) calculations for pump or siphon sizing, pump curves, and plan and profile drawings for lift stations and effluent dosing tanks, showing anti-buoyancy provisions, pump or siphon locations, discharge piping, valves, vents, pump controls, pump removal system, electrical connection details, and activation levels for pumps or siphons and high-water alarms;
- (8) plan and profile drawings for wastewater treatment plants and other pretreatment systems, including cross-section views of all relevant system components, and data and contact lists from comparable facilities for any non-standard systems;
- (9) plans for nitrification field and repair area, based on an evaluation and report prepared by a person licensed or registered to practice soil science, if required in G.S. 89F showing the following:
  - (A) field locations with existing and final relative contour lines based on field measurements at intervals not exceeding two feet or spot elevations if field areas are essentially flat or of uniform grade;
  - (B) field layout, pipe sizes, length, spacing, connection and clean out details, invert elevations of flow distribution devices and laterals, valves, and appurtenances;
  - (C) trench plan and profile drawings and flow distribution device details; and
  - (D) location and design of associated surface and groundwater drainage systems; and
- (10) any other information required by the local health department or the State.

(i) The entire wastewater sewage system shall be on property owned or controlled by the person owning or controlling the system. Necessary easements, right of ways, or encroachment agreements, as applicable, shall be obtained prior to the issuance of a Construction Authorization for the system installation or repair. Terms of the easement, right-of-way or encroachment agreement shall provide that the easement, right-of-way, or encroachment agreement:

- (1) is appurtenant to specifically described property and runs with the land and is not affected by change of ownership or control;
- (2) is valid for as long as the wastewater system is required for the facility that it is designed to serve;
- (3) describes and specifies the uses being granted and shall include ingress and egress, system installation, operation, maintenance, monitoring, and repairs;
- (4) specifies by metes and bounds description or attached plat, the area or site required for the wastewater system and appurtenances including a site for any required system replacement; and
- (5) shall be recorded with the register of deeds in the county where the system and facility is located.

*History Note: Authority G.S. 89C; 89E; 89F; 90A; 130A-335(e); 130A-335(f);*

*Eff. July 1, 1982;*

*Amended Eff. January 1, 1990; April 1, 1985;*

*Temporary Amendment Eff. January 20, 1997;*

*Amended Eff. August 1, 1998.*

#### **.1958 NON-GROUND ABSORPTION SEWAGE TREATMENT SYSTEMS**

(a) Where an approved privy, an approved septic tank system, or a connection to an approved public or community sewage system is impossible or impractical, this Section shall not prohibit the state or local health department from permitting approved non-ground absorption treatment systems utilizing heat or other approved means for reducing the toilet contents to an inert or stabilized residue or to an otherwise harmless condition, rendering such contents noninfectious or noncontaminating. Alternative systems shall be designed to comply with the purposes and intent of this Section.

(b) Holding tanks shall not be considered as an acceptable sewage treatment and disposal system. An improvement permit shall not be issued for a sewage holding tank for any new construction. However, an Authorization to Construct may be issued for a holding tank for pumping and hauling of wastewater effluent to a wastewater system approved under this Section when the owner has provided a showing that a malfunctioning system cannot otherwise be repaired by connection to a system approved under this Section or to a system approved under the rules of the Environmental Management Commission. Pumping and hauling wastewater effluent shall be performed by a septage management firm permitted in accordance with G.S. 130A-291.1.

(c) Incinerating, composting, vault privies, and mechanical toilets shall be approved by the state agency or local health department only when all of the wastewater is handled by a system approved under this Section.

(d) Sewage recycling systems which discharge treated waste-water meeting the state drinking water standards may be used only for toilet flushing and recycled sewage shall not be used for body contact or human consumption. Such systems must be approved by the state or local health department.

(e) Chemical or portable toilets for human waste may be approved in accordance with G.S. 130A-335. Chemical or portable toilets shall have a watertight waste receptacle constructed of nonabsorbent, acid resistant, noncorrosive material.

*History Note: Authority G.S. 89C; 89E; 89F; 90A; 130A-335;*

*Eff. July 1, 1982;*

*Amended Eff. August 1, 1991; January 1, 1990;*

*Temporary Amendment Eff. January 20, 1997;*

*Amended Eff. August 1, 1998.*

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#### **TITLE 17 - DEPARTMENT OF REVENUE**



**CHAPTER 4 - LICENSE AND EXCISE TAX  
DIVISION**

**SUBCHAPTER 4B - LICENSE TAXES**

1990.

**SECTION .0100 - GENERAL ADMINISTRATION**

**.0109 MAIL-ORDER BUSINESS**

*History Note: Authority G.S. 105-33; 105-262;  
Eff. June 11, 1977;  
Amended Eff. January 1, 1994;  
Repealed Eff. December 1, 1997.*

**SECTION .0200 - AMUSEMENTS: TRAVELING  
THEATRICAL COMPANIES:  
OUTDOOR THEATRES**

**.0203 PART TIME**

*History Note: Authority G.S. 105-36.1; 105-262;  
Eff. February 1, 1976;  
Amended Eff. October 30, 1981;  
Repealed Eff. December 1, 1997.*

**SECTION .0300 - AMUSEMENTS NOT  
OTHERWISE TAXED**

**.0308 DRAG STRIPS**

A drag strip operation for which an admission is charged to the spectators is subject to liability under G.S. 105-37.1. The license fee under this Section is treated as an advance payment upon the three percent gross receipts tax due on the admission charges. Form B-205, Report of Gross Receipts Tax, is due monthly, not later than the tenth of the month. When a drag strip is operated where spectator fees are not charged, but a fee is charged to the individuals for the use of the track for their own entertainment the fees are not subject to the gross receipts tax.

*History Note: Authority G.S. 105-37.1; 105-262;  
Eff. February 1, 1976;  
Amended Eff. December 1, 1997; January 1, 1994; July 1, 1990.*

**.0309 GO-CART RACES**

(a) A go-cart race for which an admission is charged to the spectators is subject to the license and three percent gross receipts tax imposed under G.S. 105-37.1.

(b) If a person operates a go-cart track where spectator fees are not charged, but a fee is charged to individuals for the use of the track for their own entertainment, the fees are not subject to the gross receipts tax.

*History Note: Authority G.S. 105-37.1; 105-262;  
Eff. February 1, 1976;  
Amended Eff. December 1, 1997; January 1, 1994; July 1,*

**SECTION .0600 - ATTORNEYS AT LAW  
AND OTHER PROFESSIONALS**

**.0615 SUSPENSION OF PROFESSIONAL LICENSES**

Superior court judges have the authority under G.S. 105-41(g) to suspend the professional license of a person who fails to pay the tax imposed by G.S. 105-41.

*History Note: Authority G.S. 105-41; 105-262;  
Eff. February 1, 1976;  
Amended Eff. August 1, 1998.*

**SECTION .0900 - COLLECTING AGENCIES**

**.0901 ELECTRICITY BILLS**

**.0902 MAIL COLLECTION**

*History Note: Authority G.S. 105-45; 105-262;  
Eff. February 1, 1976;  
Amended Eff. October 30, 1981;  
Repealed Eff. December 1, 1997.*

**SECTION .1300 - PEDDLERS**

**.1302 ICES**

*History Note: Authority G.S. 105-53; 105-262;  
Eff. February 1, 1976;  
Repealed Eff. December 1, 1997.*

**.1305 OTHER APPLICABLE LICENSES DUE**

*History Note: Authority G.S. 105-33; 105-53; 105-105;  
105-262;  
Eff. February 1, 1976;  
Amended Eff. January 1, 1994; July 1, 1990; July 1, 1988;  
Repealed Eff. December 1, 1997.*

**.1306 PEDDLING BY FOOT VS PEDDLING BY  
VEHICLE**

*History Note: Authority G.S. 105-53; 105-262;  
Eff. June 11, 1977;  
Amended Eff. January 1, 1994;  
Repealed Eff. December 1, 1997.*

**SECTION .1400 - CONTRACTORS AND  
CONSTRUCTION COMPANIES**

**.1401 PROJECT LICENSE NOT PRORATED**

**.1402 DATE DUE**

**.1403 CEDED AREAS**

**.1404 BUILDING ON LAND OWNED BY BUILDER**

**.1405 AIR CONDITIONING**

**.1406 PAINTING CONTRACTOR**

**.1407 ELEVATORS AND AUTOMATIC  
SPRINKLERS**

*History Note:* Authority G.S. 105-54; 105-262;  
*Eff.* February 1, 1976;  
*Amended Eff.* January 1, 1994; October 30, 1981;  
*Repealed Eff.* December 1, 1997.

**SECTION .1600 - DAY-CARE FACILITIES**

**.1601 NUMBER LICENSED BY BOARD  
.1602 GOVERNMENTAL FACILITIES**

*History Note:* Authority G.S. 105-60; 105-262;  
*Eff.* February 1, 1976;  
*Amended Eff.* July 1, 1990;  
*Repealed Eff.* December 1, 1997.

**SECTION .1700 - HOTELS: MOTELS: TOURIST  
COURTS: TOURIST HOMES:  
CAMPGROUNDS: TRAILER PARKS**

**.1703 RESTAURANT LICENSE LIABILITY  
.1704 YMCA OR YWCA  
.1705 SUMMER CAMP  
.1706 CHURCH ASSEMBLY**

*History Note:* Authority G.S. 105-61; 105-62; 105-102.5;  
105-262;  
*Eff.* February 1, 1976;  
*Amended Eff.* July 1, 1990; October 30, 1981;  
*Repealed Eff.* December 1, 1997.

**.1709 HOTELS CHARGING ADMISSION TO  
ENTERTAINMENT**

*History Note:* Authority G.S. 105-33; 105-37.1; 105-61;  
105-262;  
*Eff.* July 1, 1984;  
*Repealed Eff.* December 1, 1997.

**SECTION .1800 - RESTAURANTS**

**.1803 CAFETERIAS FOR EMPLOYEES  
.1804 HOSPITALS  
.1805 CLUBS: COMMERCIAL OPERATION  
.1806 CLUBS: NONCOMMERCIAL OPERATION**

*History Note:* Authority G.S. 105-62; 105-262;  
*Eff.* February 1, 1976;  
*Amended Eff.* October 30, 1981;  
*Repealed Eff.* December 1, 1997.

**.1807 PREPARED FOOD  
.1808 CHAIN STORE LICENSE FOR TAKE-OUT  
OPERATION  
.1809 OUTSIDE SEATING**

**.1810 CATERING SERVICE**

*History Note:* Authority G.S. 105-62; 105-98; 105-262;  
*Eff.* June 11, 1977;  
*Amended Eff.* July 1, 1990;  
*Repealed Eff.* December 1, 1997.

**SECTION .2000 - MUSIC MACHINES**

**.2002 COIN-OPERATED RADIO OR TELEVISION**

*History Note:* Authority G.S. 105-65; 105-262;  
*Eff.* February 1, 1976;  
*Repealed Eff.* December 1, 1997.

**SECTION .2100 - MERCHANDISING DISPENSERS  
AND WEIGHING MACHINES**

**.2113 EMPTY CUP  
.2114 COFFEE AND HOT CHOCOLATE**

*History Note:* Authority G.S. 105-65.1; 105-102.5; 105-262;  
*Eff.* February 1, 1976;  
*Amended Eff.* July 1, 1990; July 1, 1979;  
*Repealed Eff.* December 1, 1997.

**.2116 PHOTOSTAT AND PHOTOGRAPH  
MACHINES**

*History Note:* Authority G.S. 105-65.1; 105-102.5; 105-262;  
*Eff.* February 1, 1976;  
*Amended Eff.* July 1, 1990; July 1, 1979;  
*Repealed Eff.* December 1, 1997.

**.2117 DUAL PURPOSE VENDING MACHINE**

*History Note:* Authority G.S. 105-65.1; 105-102.5; 105-262;  
*Eff.* June 11, 1977;  
*Amended Eff.* July 1, 1990; July 1, 1979;  
*Repealed Eff.* December 1, 1997.

**SECTION .2200 - BAGATELLE TABLES,  
MERRY-GO-ROUNDS, ETC., AND  
ELECTRONIC VIDEO GAMES**

**.2209 ELECTRONIC VIDEO GAMES**

*History Note:* Authority G.S. 105-66.1; 105-262;  
*Eff.* July 1, 1984;  
*Repealed Eff.* December 1, 1997.

**SECTION .2300 - PACKINGHOUSES**

**.2302 HALVING OR QUARTERING ONLY  
.2303 COLD STORAGE ROOM**

*History Note:* Authority G.S. 105-70; 105-262;

*Eff. February 1, 1976;  
Repealed Eff. December 1, 1997.*

**SECTION .2400 - PRESSING CLUBS: DRY  
CLEANING PLANTS: AND HAT BLOCKERS**

- .2401 RUGS ONLY**
- .2402 CLEANING FURNITURE IN THE HOME**

*History Note: Authority G.S. 105-74; 105-262;  
Eff. February 1, 1976;  
Repealed Eff. December 1, 1997.*

**SECTION .3000 - LAUNDRIES**

- .3001 EDUCATIONAL INSTITUTIONS**
- .3002 RUGS ONLY**

*History Note: Authority G.S. 105-85; 105-262;  
Eff. February 1, 1976;  
Repealed Eff. December 1, 1997.*

- .3004 INDUSTRIAL RAGS AND WIPERS**

*History Note: Authority G.S. 105-85; 105-262;  
Eff. February 1, 1976;  
Repealed Eff. December 1, 1997.*

- .3006 DIAPER SERVICES**

*History Note: Authority G.S. 105-85; 105-262;  
Eff. February 1, 1976;  
Amended Eff. January 1, 1994;  
Repealed Eff. December 1, 1997.*

**SECTION .3100 - OUTDOOR ADVERTISING**

- .3101 ADVERTISING BY CANDIDATE FOR PUBLIC  
OFFICE**
- .3102 SUPPLEMENTAL APPLICATION**

*History Note: Authority G.S. 105-86; 105-262;  
Eff. February 1, 1976;  
Repealed Eff. December 1, 1997.*

**SECTION .3400 - AUTOMOBILE: WHOLESALE  
SUPPLY DEALERS: AND SERVICE STATIONS**

- .3401 APPLICABILITY OF LICENSE TO  
ANOTHER**
- .3402 PARKING FACILITIES**
- .3403 AUTO DEALER LICENSE COVERS OTHER  
ACTIVITY**
- .3404 RECAPPING TIRES ONLY**

*History Note: Authority G.S. 105-89; 105-262;  
Eff. February 1, 1976;*

*Amended Eff. January 1, 1994;  
Repealed Eff. December 1, 1997.*

- .3406 NO TRANSFER FEE FOR CITY-WIDE  
LICENSE**
- .3407 FINANCE COMPANIES**
- .3408 SELF-SERVICE CAR WASH**

*History Note: Authority G.S. 105-89; 105-102.5; 105-262;  
Eff. February 1, 1976;  
Amended Eff. January 1, 1994; July 1, 1990; July 1, 1979;  
Repealed Eff. December 1, 1997.*

- .3409 GROCERY STORE SALES OF AUTOMOTIVE  
PRODUCTS**
- .3410 AUTOMOBILE AUCTION**
- .3411 CAR BROKERS**
- .3412 MOBILE SERVICE AND REPAIR**

*History Note: Authority G.S. 105-89; 105-262;  
Eff. June 11, 1977;  
Amended Eff. July 1, 1990;  
Repealed Eff. December 1, 1997.*

- .3413 APPLYING FULL YEAR AND HALF-YEAR  
LICENSE**
- .3414 GARAGE SELLING TO ANOTHER GARAGE**

*History Note: Authority G.S. 105-89; 105-262;  
Eff. April 1, 1986;  
Amended Eff. July 1, 1990;  
Repealed Eff. December 1, 1997.*

**SECTION .3500 - MOTORCYCLE DEALERS**

- .3501 MOTORS INSTALLED TO FRAMES: MO-PEDS**
- .3502 CHAIN STORE LICENSE**

*History Note: Authority G.S. 105-89.1; 105-102.5; 105-262;  
Eff. February 1, 1976;  
Amended Eff. October 30, 1981; June 1, 1979;  
Repealed Eff. December 1, 1997.*

**SECTION .3600 - EMIGRANT AND EMPLOYMENT  
AGENTS**

- .3601 LIABILITY FOR TWO LICENSES**
- .3602 AGENCIES PROVIDING TEMPORARY  
WORKERS**

*History Note: Authority G.S. 105-90; 105-262;  
Eff. February 1, 1976;  
Repealed Eff. December 1, 1997.*

**SECTION .3700 - PLUMBERS: HEATING  
CONTRACTORS: AND ELECTRICIANS**



**.3702 ONE LICENSE COVERS ALL ACTIVITIES LISTED**

*History Note:* Authority G.S. 105-91; 105-262;  
*Eff. February 1, 1976;*  
*Repealed Eff. December 1, 1997.*

**.3704 STRUCTURES SUPPORTING ELECTRICAL FIXTURES**

*History Note:* Authority G.S. 105-91; 105-262;  
*Eff. June 11, 1977;*  
*Amended Eff. January 1, 1994;*  
*Repealed Eff. December 1, 1997.*

**SECTION .3900 - MANUFACTURERS OF ICE CREAM****.3902 ICE CREAM DEFINED FOR THIS SECTION**

*History Note:* Authority G.S. 105-97; 105-262;  
*Eff. February 1, 1976;*  
*Repealed Eff. December 1, 1997.*

**SECTION .4000 - BRANCH OR CHAIN STORES****.4001 ABC STORES**

*History Note:* Authority G.S. 105-98; 105-262;  
*Eff. February 1, 1976;*  
*Repealed Eff. December 1, 1997.*

**.4003 BEACH STAND OR STORE****.4004 COAL DEALER****.4005 EXEMPTION: WHOLESALE SALE**

*History Note:* Authority G.S. 105-98; 105-262;  
*Eff. February 1, 1976;*  
*Amended Eff. January 1, 1994; October 30, 1981;*  
*Repealed Eff. December 1, 1997.*

**.4007 LEASED DEPARTMENTS****.4008 MEAT PACKINGHOUSES****.4009 PARTNERSHIP AND CORPORATION****.4010 REDEMPTION STORES****.4011 RESTAURANTS****.4012 UNDERTAKING****.4013 WAREHOUSE****.4014 WHOLESALE AND RETAIL SIMILAR IN CHARACTER**

*History Note:* Authority G.S. 105-98; 105-262;  
*Eff. February 1, 1976;*  
*Amended Eff. January 1, 1994; July 1, 1984; June 11, 1977;*  
*Repealed Eff. December 1, 1997.*

**SECTION .4100 - WHOLESALE DISTRIBUTORS OF****MOTOR FUELS****.4101 SUPPLEMENTAL FORM****.4102 ACTING AS DISTRIBUTOR AND RETAILER**

*History Note:* Authority G.S. 105-99; 105-262;  
*Eff. February 1, 1976;*  
*Repealed Eff. December 1, 1997.*

**SECTION .4300 - MANNER OF OBTAINING LICENSES FROM SECRETARY OF REVENUE****.4301 APPLICATION FOR PRIVILEGE LICENSE**

Form B-202, the preaddressed application for privilege license, is mailed the early part of June to the address of the preceding year's license. Form B-202A, the nonpreaddressed application for privilege license, may be obtained either by writing to North Carolina Department of Revenue, Business License and Returns Unit, PO Box 25000, Raleigh, NC 27640, or by contacting a branch office of the Department of Revenue. Either form may be used in making an application for a privilege license. Remittance of tax due must accompany any application for license.

*History Note:* Authority G.S. 105-104; 105-262;  
*Eff. February 1, 1976;*  
*Amended Eff. December 1, 1997; July 1, 1984.*

**SECTION .4500 - GENERAL BUSINESS****.4501 SMALL TWO-WHEEL VEHICLE****.4502 BOTTLER SELLING DRINK DISPENSERS****.4503 NOT SPECIFICALLY MENTIONED****.4504 GOVERNMENT CAMPGROUNDS****.4505 COLLEGE UNION****.4506 PRISON CAMPS****.4507 VETERANS CLUBS****.4508 COMMISSARY****.4509 MUNICIPALITY****.4510 FEDERAL GOVERNMENT****.4511 STATE GOVERNMENT****.4512 CREDIT UNIONS****.4513 SCHOOL LUNCHROOM****.4514 GOVERNMENTAL ACTIVITY****.4515 NONPROFIT PRIVATE CLUBS****.4516 SHUFFLEBOARD, PINBALL AND BOWLING MACHINES****.4517 SKI SLOPES: ICE SKATING AND ROLLER RINKS****.4518 SEVERAL OPERATORS AT ONE LOCATION****.4519 FREE RECORD WITH PURCHASE OF MERCHANDISE****.4520 FLASHLIGHT BATTERIES**

*History Note:* Authority G.S. 105-102.5; 105-262;  
*Eff. February 1, 1976;*  
*Amended Eff. October 30, 1981; July 1, 1979; June 11, 1977;*

17 NCAC 4B .4501 is Transferred and Recodified from 17 NCAC 4B .1102 Eff. July 1, 1990;  
 17 NCAC 4B .4502 is Transferred and Recodified from 17 NCAC 4B .1202 Eff. July 1, 1990;  
 17 NCAC 4B .4503 is Transferred and Recodified from 17 NCAC 4B .1203 Eff. July 1, 1990;  
 17 NCAC 4B .4504 is Transferred and Recodified from 17 NCAC 4B .1708 Eff. July 1, 1990;  
 17 NCAC 4B .4505 is Transferred and Recodified from 17 NCAC 4B .1902 Eff. July 1, 1990;  
 17 NCAC 4B .4506 is Transferred and Recodified from 17 NCAC 4B .2602 Eff. July 1, 1990;  
 17 NCAC 4B .4507 is Transferred and Recodified from 17 NCAC 4B .2603 Eff. July 1, 1990;  
 17 NCAC 4B .4508 is Transferred and Recodified from 17 NCAC 4B .2604 Eff. July 1, 1990;  
 17 NCAC 4B .4509 is Transferred and Recodified from 17 NCAC 4B .2605 Eff. July 1, 1990;  
 17 NCAC 4B .4510 is Transferred and Recodified from 17 NCAC 4B .2108 Eff. July 1, 1990;  
 17 NCAC 4B .4511 is Transferred and Recodified from 17 NCAC 4B .2110 Eff. July 1, 1990;  
 17 NCAC 4B .4512 is Transferred and Recodified from 17 NCAC 4B .2111 Eff. July 1, 1990;  
 17 NCAC 4B .4513 is Transferred and Recodified from 17 NCAC 4B .2112 Eff. July 1, 1990;  
 17 NCAC 4B .4514 is Transferred and Recodified from 17 NCAC 4B .2202 Eff. July 1, 1990;  
 17 NCAC 4B .4515 is Transferred and Recodified from 17 NCAC 4B .2203 Eff. July 1, 1990;  
 17 NCAC 4B .4516 is Transferred and Recodified from 17 NCAC 4B .2204 Eff. July 1, 1990;  
 17 NCAC 4B .4517 is Transferred and Recodified from 17 NCAC 4B .2205 Eff. July 1, 1990;  
 17 NCAC 4B .4518 is Transferred and Recodified from 17 NCAC 4B .2207 Eff. July 1, 1990;  
 17 NCAC 4B .4519 is Transferred and Recodified from 17 NCAC 4B .2801 Eff. July 1, 1990;  
 17 NCAC 4B .4520 is Transferred and Recodified from 17 NCAC 4B .2802 Eff. July 1, 1990;  
 Amended Eff. January 1, 1994; July 1, 1990;  
Repealed Eff. December 1, 1997.

**.4521 SHORTWAVE RADIOS**

History Note: Authority G.S. 105-102.5; 105-262;  
 Eff. June 11, 1977;  
 17 NCAC 4B .4521 is Transferred and Recodified from 17 NCAC 4B .2804 Eff. July 1, 1990;  
 Amended Eff. July 1, 1990;  
Repealed Eff. December 1, 1997.

**CHAPTER 5 - CORPORATE INCOME AND  
FRANCHISE TAX DIVISION**

**SUBCHAPTER 5B - FRANCHISE TAX**

**SECTION .0400 - PULLMAN: SLEEPING:  
CHAIR AND DINING CARS**

**.0403 FORM TO BE USED FOR FILING**

History Note: Authority G.S. 105-117; 105-262;  
 Eff. February 1, 1976;  
 Amended Eff. January 1, 1994;  
Repealed Eff. December 1, 1997.

**SECTION .0500 - EXPRESS COMPANIES**

**.0503 FORM TO BE USED FOR FILING**

History Note: Authority G.S. 105-118; 105-262;  
 Eff. February 1, 1976;  
 Amended Eff. January 1, 1994;  
Repealed Eff. December 1, 1997.

**SUBCHAPTER 5C - CORPORATE INCOME TAX**

**SECTION .1800 - COMPUTING TAXABLE  
PERCENTAGES ON DIVIDENDS**

- .1801 TAXABLE PERCENTAGES/DIVIDENDS**
- .1802 NO RETURN FILED IN YEAR ENDED  
SEPTEMBER 30**
- .1803 TWO RETURNS FILED BY A  
CORPORATION DURING TWELVE MONTH  
PERIOD**
- .1804 CHANGE IN NAME OR IN STATE OF  
INCORPORATION**
- .1805 AMENDED AND ADJUSTED RETURNS**
- .1806 MERGERS**

History Note: Authority G.S. 105-130.7; 105-262;  
 Eff. February 1, 1976;  
 Amended Eff. January 1, 1994; April 1, 1991;  
Repealed Eff. December 1, 1997.

**CHAPTER 7 - SALES AND USE TAX**

**SUBCHAPTER 7B - STATE SALES AND  
USE TAX**

**SECTION .0100 - GENERAL PROVISIONS**

**.0117 PROPERTY TRANSFERS BETWEEN  
DIVISIONS**

Firms having divisions, both within and without North Carolina, are liable for remitting the applicable rate of tax on any purchases of tangible personal property for use in North Carolina, including any property purchased outside North Carolina and imported into North Carolina for use in this state. No tax will be due with respect to those transfers of property by an out-of-state firm to its North Carolina divisions for their use when the property was originally purchased for use outside



this state by the out-of-state firm and was in fact used by that firm outside this state for a substantial period of time.

*History Note:* Authority G.S. 105-164.6; 105-262;

*Eff.* February 1, 1976;

*Amended Eff.* December 1, 1997; October 1, 1993.

#### **.0123 COMMERCIAL FISHERMEN AND THE COMMERCIAL FISHERMAN'S CERTIFICATE**

(a) A Commercial Fisherman's Certificate, Form E-558, may be completed by a person who fishes commercially and accepted by a retail or wholesale merchant as the merchant's authority to sell to a commercial fisherman boats, fuel oil, lubricating oils, machinery, equipment, nets, rigging, paints, parts, accessories and supplies, such as paint brushes, acetylene, oxygen, paint rollers, funnels, sanding discs, welding rods, saw blades, drill bits, and similar property, including foul weather gear, gloves and life vests, for use by them principally in commercial fishing operations without charging and remitting any sales or use tax thereon. Commercial fishing operations is defined in G.S. 113-152. Commercial fishing operations include charter boat and head boat operators when they operate under a charter or as a head boat taking people fishing for hire, but does not include persons principally taking fish for recreation or personal use or consumption.

(b) To be exempt from sales or use tax under the provisions of G.S. 105-164.13(9), the property must be of a type named therein and must be sold to persons for use by them principally in commercial fishing operations.

(c) Each certificate shall be prepared in duplicate and a copy retained by the commercial fisherman and by the merchant.

(d) The certificate may not be used to purchase food, clothing, or other personal effects of commercial fishermen other than foul weather gear, gloves, and life vests for use in commercial fishing operations. Sales to commercial fishermen of tableware, toothpaste, soap, or other personal effects of commercial fishermen are subject to the four percent State tax and any applicable local sales or use tax. Sales to commercial fishermen of food are subject to State tax at the rate set in G.S. 105-164.4(a)(5) and any applicable local sales tax.

(e) Persons who catch fish or other seafood for recreation or their own use or consumption and not for sale are not eligible to use a Commercial Fisherman's Certificate. Sales of tangible personal property to persons for use in taking marine mammals, shellfish, crustaceans, and all other fishes for recreational or personal use or consumption are subject to the four percent state tax and any applicable local sales or use tax.

(f) Vendors that do not choose to use the Commercial Fisherman's Certificate must maintain other evidence in writing adequate to support the conclusion that such sales are exempt from tax in accordance with the provisions of G.S. 105-164.13(9).

*History Note:* Authority G.S. 105-164.4; 105-164.6; 105-164.13; 105-262;

*Eff.* July 5, 1980;

*Amended Eff.* August 1, 1998; November 1, 1995; April 1, 1995; October 1, 1993; July 1, 1989.

### **SECTION .0400 - SPECIFIC INDUSTRIES**

#### **.0404 ELECTRIC POWER COMPANIES**

(a) Sales of the following items of tangible personal property to firms engaged in generating, producing or processing electric power to be distributed to consumers are subject to the one percent sales or use tax with a maximum tax of eighty dollars (\$80.00) per article:

- (1) all production machinery and accessories thereto; all machinery controls located within a power plant or a plant substation; and control gates and control valves located at the dam site for regulating flow of water to turbines;
- (2) control panel boards located within the powerhouse and their connecting wiring;
- (3) bus bars conducting electric current from generator to powerhouse substation transformer;
- (4) powerhouse pumping equipment for drainage;
- (5) all pumping equipment for transferring transformer oil from storage tank to powerhouse transformers, or fuel oil to emergency generator motors;
- (6) electric traveling cranes built into powerhouse structures for handling turbines, generators and transformers in making installations or repairs;
- (7) distribution and power transformers; capacitors; induction feeder voltage and constant current regulators; de-ion gaps and expulsion type cutouts for transformers; relays; oil switches; sectionalizing switches; lightning arresters; arcing horns and gaps; watt-hour and panel control meters but not testing or laboratory equipment and meters; Current and potential transformers used in metering equipment are also included as machinery and accessories.

(b) Sales of the following items of tangible personal property to electric power companies are subject to the four percent state tax and any applicable local sales or use tax:

- (1) materials for the construction, repair or maintenance of powerhouses and powerhouse transformer stations;
- (2) materials for dams, penstocks, and canals; pipes or ducts carrying water to turbines;
- (3) all lines, wiring, poles, bracing, cross-arms, insulators, or any other materials going into or constituting a part of a power line structure used for distribution of power or current;
- (4) all storage tanks, including those located in or used in connection with the powerhouse;
- (5) all tools and maintenance equipment used separate and apart from those items classified as production machinery and equipment.

(c) The gross receipts derived by a utility from the sale of electricity are subject to State sales tax. The rate that applies depends on the person to whom the electricity is sold and the



purpose for which the electricity is used. Gross receipts derived from sales of electricity to farmers, manufacturers, laundries, and dry cleaners for one of the purposes described in G.S. 105-164.4(a)(1f) are subject to State sales tax at the rate of 2.83 percent. All other gross receipts from sales of electricity are subject to State sales tax at the rate of 3 percent.

The gross receipts upon which the tax is due is the total amount for which electricity is sold, including any charges for services that go into the production or delivery of the electricity and that are a part of the sale valued in money, whether paid in money or otherwise, and including any amount for which credit is given to the purchaser by the seller without any deduction on account of the cost of the electricity sold, the cost of materials used, labor or service costs, interest charged, losses, or any other expenses whatsoever. Therefore, all charges for tangible personal property and services provided in the production and delivery of electricity to customers are a part of the gross receipts from the sale of electricity upon which the tax is due notwithstanding that some charges may be billed separately to the customers from the charge for the metered service.

The following list describes specific charges and states whether the charges are taxable gross receipts:

- (1) Electric service meter charges are a part of gross receipts subject to sales tax.
- (2) The basic service charges to the customer, whether or not the customer uses metered service, are a part of the gross receipts from the sale of electricity subject to sales tax.
- (3) Security deposit interest paid to customers on deposits are not subject to sales tax.
- (4) Conservation discounts on electric service metered charges are exempt from sales tax when the discounts reduce the amount the customer is billed for the charges.
- (5) Service charges made to customers when the company first supplies electricity under any applicable metered rate schedule are a part of gross receipts from sales of electricity subject to sales tax.
- (6) Construction charges to new customers for extending a utility's facilities to these customers are a part of the gross receipts from sales of electricity subject to sales tax.
- (7) Underground service charges to residential, commercial, and industrial customers who are served by underground facilities are a part of the gross receipts from sales of electricity subject to sales tax.
- (8) Temporary service charges for installing and removing a service of a temporary nature are a part of gross receipts from the sale of electricity subject to sales tax.
- (9) Advance payments for temporary service that are collected prior to meter installation and customer account establishment are a part of gross receipts from the sale of electricity subject to sales tax. If the amount charged to the customer is in excess of the amount due by the customer for this service it shall be refunded to the customer, including the sales tax.
- (10) Charges for providing customers additional facilities to furnish service are a part of gross receipts from the sale of electricity subject to sales tax notwithstanding that the facilities are requested by the customers.
- (11) Charges for transformers that constitute charges for additional equipment furnished as a part of the electric service are subject to sales tax.
- (12) Charges for transformers under bona fide rental agreements are subject to the four percent state tax and any applicable local sales or use tax and the tax on the rentals must be reported monthly on Sales and Use Tax Report Form, E-500.
- (13) Area lighting charges for area lighting service that is available to customers for the purpose of lighting private streets, private driveways, and other outdoor areas by the means of mercury vapor or sodium vapor units constitute receipts from the sale of electricity subject to sales tax.
- (14) Residential subdivision street lighting charges for services supplied in the lighting of residential dedicated public streets by means of mercury vapor and sodium vapor lighting units are a part of gross receipts from sales of electricity subject to sales tax.
- (15) The amounts actually charged to customers for electricity consumed for the billing period are the amounts on which the sales tax is due and tax is to be charged notwithstanding that the customers may be under equal pay agreements.
- (16) Charges for reconnecting service to customers after service has been terminated for nonpayment are a part of gross receipts from sales of electricity subject to sales tax.
- (17) Sales of electricity to manufacturing industries and plants, laundries, dry cleaning plants, and farmers are subject to sales tax.
- (18) A utility must report receipts from sales of electricity on an accrual basis. The receipts are to be reflected on the Utilities and Municipalities Sales Tax Report, Form E-500E.
- (19) Load control discounts on electric service metered charges for residential customers that reduce the amount by which the customer is billed are not a part of the sale of electricity on which sales tax is due.
- (20) Charges to customers for supplying information through energy or time pulses are not a part of the sale of electricity subject to sales tax if the customer already has the facilities for electric service in place.
- (21) Demand profile charges or pulse data charges for demand information as requested by a customer are not a part of gross receipts from the sale of electricity subject to sales tax.
- (22) Energy audit amounts charged to customers for a comprehensive energy audit provided by a utility are not a part of gross receipts from sales of electricity subject to sales tax.
- (23) Late payment charges billed on a balance that was not paid on the previous month's bill are not a part

of gross receipts of sales of electricity subject to sales tax.

- (24) Return check charges for checks received by a utility in payment of an account and returned by the bank because of insufficient funds are not a part of gross receipts from the sale of electricity subject to sales tax.
- (25) Home energy loan amounts that represent the amount due under The Help Loan Program are not a part of gross receipts from the sale of electricity.
- (26) Loan late payment charges for an amount due under the loan program that is not paid in accordance with the loan agreement are not gross receipts from the sale of electricity subject to sales tax.
- (27) Sales of electricity directly to the United States Government or any agency thereof are not subject to sales or use tax. In order to be a sale to the United States Government, the government or agency involved must make the purchase of electricity and pay directly to the vendor the purchase price of the electricity. While a utility's sales directly to the United States Government or an agency thereof are exempt from sales tax, a utility must obtain a purchase requisition from each agency for its records.
- (28) Sales of electricity directly to the North Carolina Department of Transportation or any division thereof are not subject to sales or use tax. In order to be a sale to the North Carolina Department of Transportation, the Division involved must make the purchase of electricity and pay directly to the vendor the purchase price of the electricity. While a utility's sales directly to the North Carolina Department of Transportation or a division thereof are exempt from sales tax, a utility must obtain a purchase requisition from each division for its records.
- (29) Sales of electricity to registered electric membership cooperatives and to registered municipalities for resale are exempt from sales tax when the sales are supported by properly completed Certificates of Resale, Form E-590. Electric membership cooperatives and municipalities selling electricity must add and collect sales tax on their gross receipts from the sale of electricity. When paying the sales tax imposed on electricity, a utility may take the deduction allowed under G.S. 105-164.21A.
- (30) Accounts of purchasers representing taxable sales on which sales tax has been paid that are found to be worthless and are actually charged off for income tax purposes may, at corresponding periods, be deducted from gross sales. Any amount that is deducted and subsequently collected must be added to gross sales.
- (31) Local sales taxes do not apply to gross receipts derived by a utility from sales of electricity. Local sales taxes apply to receipts from sales and leases of tangible personal property that are subject to the four percent state rate of tax.

*History Note:* Authority G.S. 105-164.3; 105-164.4; 105-164.6; 105-164.21A; 105-262;

*Eff.* February 1, 1976;

*Amended Eff.* August 1, 1998; October 1, 1993; October 1, 1991; June 1, 1985.

## SECTION .1100 - SALES OF BULK TOBACCO BARNs: FARM MACHINES AND MACHINERY

### .1123 CERTAIN SALES TO COMMERCIAL ANIMAL FARMERS

For the purpose of this Rule, the word "animal" means swine, cattle, horses, mules, sheep, chickens, turkeys, fish, and other similar domestic animals held or produced for commercial purposes. The word "commercial" means held or produced for income or profit does not include the production of animals for one's personal use or consumption and not for sale. Commercial animal farmers, contractors performing contracts with commercial animal farmers, and subcontractors performing contracts with general contractors who contract with commercial animal farmers may obtain a Commercial Animal Farmer's Certificate, Form E-599S, from the Office Services Division, Taxpayer Assistance Section, of the North Carolina Department of Revenue, to be executed by them and furnished to their vendors to establish the vendors' authority to exempt purchases by them from sales and use taxes. If a Form E-599S is properly executed, a vendor is relieved of liability for any additional tax found to be due with reference to a sale for which the vendor did not charge sales tax in reliance on the certificate. By executing the certificate, the purchaser assumes liability for any sales tax subsequently determined to be due. The vendor is not protected in this manner without the certificate. Vendors that do not choose to use the Commercial Animal Farmer's Certificate must maintain other written evidence adequate to support the conclusion that a sale is exempt from tax in accordance with the provisions of G.S. 105-164.13(4c).

*History Note:* Authority G.S. 105-164.4; 105-164.6; 105-164.13; 105-262;

*Eff.* February 1, 1976;

*Amended Eff.* August 1, 1998; August 1, 1996; May 1, 1995; October 1, 1993; June 1, 1992; February 1, 1988.

## SECTION .1700 - SALES TO OR BY THE STATE: COUNTIES: CITIES: AND OTHER POLITICAL SUBDIVISIONS

### .1703 SALES TO STATE OR LOCAL GOVERNMENTS

Sales of food products and other tangible personal property to the State of North Carolina or an agency of the State, other than the Department of Transportation, for use and not for resale are subject to applicable State and local sales and use taxes. Sales to the Department of Transportation are exempt from State and local sales and use taxes. Sales of good products and other tangible personal property to a political



subdivision of the State for use and not for resale are subject to applicable State and local sales and use taxes.

*History Note:* Authority G.S. 105-164.4; 105-164.6; 105-164.13; 105-262;

*Eff. February 1, 1976;*

*Amended Eff. August 1, 1998; October 1, 1993; October 1, 1991; July 5, 1980.*

**SECTION .2100 - ELECTRICITY: PIPED NATURAL GAS: BOTTLED GAS: COAL: COKE: BUEL OIL: OXYGEN: ACETYLENE: HYDROGEN: LIQUEFIED PETROLEUM GAS AND OTHER COMBUSTIBLES**

**.2101 ELECTRICITY, PIPED NATURAL GAS, AND OTHER FUEL**

(a) Sales of bottled gas, coal, coke, fuel oil, oxygen, acetylene, hydrogen, liquefied petroleum gas, or other combustibles to users or consumers are subject to the four percent state tax and any applicable local rate of sales or use tax except those sales exempt from tax under G.S. 105-164.13 and those sales subject to a lower rate of tax under G.S. 105-164.4. The gross receipts derived by a utility from sales of electricity and piped natural gas to users are subject to State tax. The tax rate depends on the person to whom the electricity or piped natural gas is sold and the purpose for which it will be used. Gross receipts derived from sales of electricity or piped natural gas to farmers, manufacturers, laundries, and dry cleaners for one of the purposes described in G.S. 105-164.4(a)(1f) are subject to State sales tax at the rate of 2.83 percent. All other gross receipts from sales of electricity are subject to State sales tax at the rate of 3 percent. The gross receipts derived by a utility from sales of electricity and piped natural gas are not subject to the local sales or use tax. The gross receipts derived from the sale of electricity by a municipality whose only wholesale supplier of electric power is a federal agency and who is required by contract with that federal agency to make payments in lieu of taxes are not subject to tax. Sales to a small power production facility of fuel for use by the facility to generate electricity are exempt from sales or use tax.

(b) The gross receipts derived by a utility from sales of piped natural gas are subject to tax at the applicable rate. The tax is to be added as a separate item to the charges for piped natural gas. Gross receipts upon which the tax is due is the total amount for which the piped natural gas is sold, including any charges for services that go into the production or delivery of the gas and that are a part of the sale valued in money, whether paid in money or otherwise, and including any amount for which credit is given to the purchaser by the seller without any deduction on account of the cost of gas sold, the cost of materials used, labor or service costs, interest charged, losses, or any other expense whatsoever. Therefore, all charges for tangible personal property and services provided in the production and delivery of gas to the purchaser are a part of the sale of piped natural gas upon which the tax is due notwithstanding that some charges may be billed separately to

the customer for the metered service.

The following list describes specific charges for piped natural gas and states whether the charges are taxable gross receipts:

- (1) A utility must report receipts from sales of piped natural gas on an accrual basis. The applicable tax must be separately stated on the bill to each customer. A sale by a utility of piped natural gas is considered to accrue when the utility bills the customer for the sale. The applicable tax is due on gross receipts derived from the sale of piped natural gas without any deduction for any franchise tax that is due. The receipts must be reflected on the Utilities and Municipalities Sales Tax Report, Form E-500E, which is to be filed monthly on or before the date set in G.S. 105-164.16(c).
- (2) Service charges to customers when the company first supplies gas under any applicable rate schedule are a part of gross receipts from sales of gas subject to tax.
- (3) The amounts actually charged to customers for piped natural gas consumed for the billing period are the amounts on which the tax is due and tax is to be charged notwithstanding that the customers may be under equal pay agreements.
- (4) Charges for reconnecting service to customers after service has been terminated for nonpayment are a part of gross receipts from sales of piped natural gas subject to sales tax.
- (5) Sales of piped natural gas to a manufacturer that enters into or becomes an ingredient or component part of the manufactured product are exempt from sales tax.
- (6) Sales of piped natural gas directly to the United States Government or any agency thereof are not subject to sales tax. In order to be a sale to the United States Government, the Government or agency involved must make the purchase of piped natural gas and pay directly to the vendor the purchase price of the piped natural gas. While a utility's sales directly to the United States Government or an agency thereof are exempt from sales tax, a utility must obtain a purchase requisition one time from each agency for its records.
- (7) Sales of piped natural gas to registered utility companies for resale are exempt from sales tax when the sales are supported by properly completed Certificates of Resale, Form E-590.
- (8) Energy audit amounts charged to customers for a comprehensive energy audit provided by a utility are not a part of gross receipts from sales of piped natural gas subject to sales tax.
- (9) Late payment charges billed on a balance that was not paid on the previous month's bill are not a part of gross receipts of sales of piped natural gas subject to sales tax.
- (10) Return check charges for checks received by a utility in payment of an account and returned by the bank because of insufficient funds are not a part of gross



receipts from the sale of piped natural gas subject to sales tax.

- (11) Accounts of purchasers representing taxable sales on which the sales tax has been paid that are found to be worthless and are actually charged off for income tax purposes may, at corresponding periods, be deducted from gross sales. Any amount that is deducted and subsequently collected must be added to gross sales.
- (12) Local sales taxes do not apply to gross receipts derived by a utility from sales of electricity. Local sales taxes apply to receipts from sales and leases of tangible personal property that are subject to the four percent state rate of tax.

(c) Sales of fuel, other than electricity and piped natural gas, for residential heating purposes are subject to the four percent state tax and any applicable local sales or use tax. Sales of coal in its original state are exempt from tax when the sales are made by the producer, or the producer's agent, in the capacity of a producer and the coal is delivered to the purchaser directly from the mine.

*History Note: Authority G.S. 105-164.4; 105-164.6; 105-164.13; 105-164.16; 105-262; Eff. February 1, 1976; Amended Eff. August 1, 1998; October 1, 1993; October 1, 1991; May 1, 1990; August 1, 1986.*

#### **SECTION .4000 - FERTILIZER: SEEDS: FEED AND INSECTICIDES**

##### **.4003 FEED, REMEDIES, VACCINES, MEDICATIONS, AND LITTER MATERIAL FOR ANIMALS**

Sales of remedies, vaccines, medications, litter materials, and feed for animals, including cattle, horses, mules, sheep, chickens, turkeys, bees, and fish, held or produced for commercial purposes are exempt from sales or use tax. The terms "remedies" and "medications" mean all medicines in the generally accepted sense of the term and also include tonics for internal use, vitamins, ointments, liniments, antiseptics, anesthetics, and other medicinal substances having preventive and curative properties in the prevention, treatment, or cure of disease in animals. The term "feed" includes dietary supplements, such as minerals, oyster shells, salt, bone meal, and other similar preparations or compounds, to be fed directly or to be mixed with feed for animals for normal growth, maintenance, lactation, or reproduction, but does not include sand or grit. Retail sales of sand or grit for use in the production of animals are subject to the four percent state tax and any applicable local sales or use tax. Retail sales of remedies, vaccines, medications, litter materials, and feed for pets, such as birds, cats, and dogs, are subject to the four percent state tax and any applicable local sales or use tax.

*History Note: Authority G.S. 105-164.4; 105-164.13; 105-262; Eff. February 1, 1976;*

*Amended Eff. August 1, 1998; October 1, 1993; October 1, 1991; May 1, 1990; May 11, 1979.*

##### **.4009 RIDING STABLES**

A riding stable is considered a commercial enterprise. Feed for horses owned by or boarded at a riding stable is therefore exempt from sales and use tax. Charges by riding stables for riding privileges are also exempt from the tax.

*History Note: Authority G.S. 105-164.13; 105-262; Eff. February 1, 1976; Amended Eff. August 1, 1998.*

### **TITLE 21 - OCCUPATIONAL LICENSING BOARDS**

#### **CHAPTER 4 - COMMISSION FOR AUCTIONEERS**

##### **SUBCHAPTER 4B - AUCTIONEER LICENSING BOARD**

##### **SECTION .0200 - APPLICATION FOR LICENSE**

##### **.0202 FILING AND FEES**

(a) Properly completed applications must be filed (received, not postmarked) in the Board office at least seven days prior to an established Board meeting date, or in the case of an application for auctioneer examination, at least 10 days prior to a scheduled examination and must be accompanied by all required documents.

(b) License fees are as follows:

- (1) New auctioneer license for an applicant who did not serve an apprenticeship \$175.00  
This includes a \$100.00 annual license fee; \$50.00 application fee; and \$25.00 examination fee.
  - (2) New auctioneer license for an apprentice auctioneer \$125.00  
This includes a \$100.00 annual license fee; and \$25.00 examination fee.
  - (3) Renewal of auctioneer license \$100.00
  - (4) New apprentice auctioneer license \$100.00  
This includes a \$50.00 license fee and a \$50.00 application fee.
  - (5) Renewal of apprentice auctioneer license \$ 50.00
  - (6) New auction firm license (no examination) \$150.00  
This includes a \$100.00 annual license fee; and \$50.00 application fee.
  - (7) New auction firm license (examination) \$175.00  
This includes a \$100.00 annual license fee; \$50.00 application fee; and \$25.00 examination fee.
  - (8) Renewal of an auction firm license \$100.00
  - (9) Application and processing fee for conversion of non-resident reciprocal license to in-state license \$ 25.00
  - (10) Reinstatement of lapsed license fee \$ 25.00
- (c) Fees may be paid in the form of a cashier's check.

certified check or money order made payable to the North Carolina Auctioneer Licensing Board. Checks drawn on escrow or trust accounts shall not be accepted. Personal checks may be accepted for payment of renewal fees.

*History Note: Authority G.S. 85B-4.1; 85B-6;  
Eff. November 1, 1984;  
Amended Eff. July 1, 1998; April 1, 1996; January 1, 1995;  
April 1, 1989.*

## **CHAPTER 16 - BOARD OF DENTAL EXAMINERS**

### **SUBCHAPTER 16I - ANNUAL RENEWAL OF DENTAL HYGIENIST LICENSE**

#### **.0002 CONTINUING EDUCATION REQUIRED**

As a condition of license renewal, each dental hygienist must complete a minimum of six clock hours of continuing education each calendar year. Two of the six hours clock hours may be acquired through home study courses. For home study course hours to be counted towards this continuing education requirement, the hygienist must successfully complete a test following the course and obtain a certificate of completion. Current certification in CPR is required in addition to the mandatory continuing education hours.

*History Note: Authority G.S. 90-225.1;  
Eff. May 1, 1994;  
Amended Eff. August 1, 1998.*

### **SUBCHAPTER 16R - CONTINUING EDUCATION REQUIREMENTS: DENTISTS**

#### **.0001 CONTINUING EDUCATION REQUIRED**

As a condition of license renewal, every dentist must complete a minimum of 15 clock hours of continuing education each calendar year. Three of the 15 clock hours may be acquired through home study courses. For home study courses to be counted towards this continuing education requirement, the dentist must successfully complete a test following the course and obtain a certificate of completion. Current certification in CPR is required in addition to the mandatory continuing education hours.

*History Note: Authority G.S. 90-31.1;  
Eff. May 1, 1994;  
Amended Eff. August 1, 1998.*

*This Section contains the agenda for the next meeting of the Rules Review Commission on Thursday, February 19, 1998, 10:00 a.m., at 1307 Glenwood Ave., Assembly Room, Raleigh, NC. Anyone wishing to submit written comment on any rule before the Commission should submit those comments to the RRC staff, the agency, and the individual Commissioners by Monday, February 16, 1998, at 5:00 p.m. Specific instructions and addresses may be obtained from the Rules Review Commission at 919-733-2721. Anyone wishing to address the Commission should notify the RRC staff and the agency at least 24 hours prior to the meeting.*

**RULES REVIEW COMMISSION MEMBERS**

**Appointed by Senate**  
 Teresa L. Smallwood, Vice Chairman  
 Jim Funderburke  
 Vernice B. Howard  
 Philip O. Redwine  
 David Twiddy

**Appointed by House**  
 Paul Powell, Chairman  
 Anita White, 2<sup>nd</sup> Vice Chairman  
 Mark Garside  
 Steve Rader  
 George Robinson

**RULES REVIEW COMMISSION MEETING DATES**

February 19, 1998  
 March 19, 1998

April 15, 1998  
 May 21, 1998

**RULES REVIEW OBJECTIONS**

**COMMERCE**

**Community Assistance**

4 NCAC 19L .0401 - General	RRC Objection	11/20/97
Agency Revised Rule	Obj. Removed	12/18/97
4 NCAC 19L .0404 - Grant Category Allocation	RRC Objection	11/20/97
Agency Revised Rule	Obj. Removed	12/18/97
4 NCAC 19L .0505 - Selection Criteria	RRC Objection	11/20/97
Agency Revised Rule	Obj. Removed	12/18/97
4 NCAC 19L .0707 - Eligibility Requirements	RRC Objection	11/20/97
Agency Revised Rule	Obj. Removed	12/18/97
4 NCAC 19L .0708 - Selection Criteria	RRC Objection	11/20/97
Agency Revised Rule	Obj. Removed	12/18/97
4 NCAC 19L .0911 - Recordkeeping	RRC Objection	11/20/97
Agency Revised Rule	Obj. Removed	12/18/97
4 NCAC 19L .1009 - Housing Rehabilitation	RRC Objection	11/20/97
Agency Revised Rule	Obj. Removed	12/18/97
4 NCAC 19L .1011 - Lead-Based Paint	RRC Objection	11/20/97
Agency Revised Rule	Obj. Removed	12/18/97
4 NCAC 19L .1303 - Selection Criteria	RRC Objection	11/20/97
Agency Revised Rule	Obj. Removed	12/18/97
4 NCAC 19L .1703 - Selection Criteria	RRC Objection	11/20/97
Agency Revised Rule	Obj. Removed	12/18/97
4 NCAC 19L .1804 - Size of Loan Approvals	RRC Objection	11/20/97
Agency Revised Rule	Obj. Removed	12/18/97
4 NCAC 19L .1805 - Selection Criteria	RRC Objection	11/20/97
Agency Revised Rule	Obj. Removed	12/18/97

**COMMUNITY COLLEGES**

23 NCAC 1A .0001 - Definitions	RRC Objection	01/15/98
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23 NCAC 2D .0301 - Operating Budget Requests: Distribution of Funds	RRC Objection	01/15/98
23 NCAC 2D .0327 - Reporting Student Membership Hours to the Department	RRC Objection	01/15/98

**ENVIRONMENT, HEALTH, AND NATURAL RESOURCES**

**Coastal Resources Commission**

15A NCAC 7H .1104 - General Conditions	RRC Objection	11/20/97
Agency Revised Rule	RRC Objection	12/18/97
Agency Revised Rule	Obj. Removed	01/15/98
15A NCAC 7H .1304 - General Conditions	RRC Objection	11/20/97
Agency Revised Rule	RRC Objection	12/18/97
Agency Revised Rule	Obj. Removed	01/15/98
15A NCAC 7H .1404 - General Conditions	RRC Objection	11/20/97
Agency Revised Rule	RRC Objection	12/18/97
Agency Revised Rule	Obj. Removed	01/15/98
15A NCAC 7H .1504 - General Conditions	RRC Objection	11/20/97
Agency Revised Rule	RRC Objection	12/18/97
Agency Revised Rule	Obj. Removed	01/15/98
15A NCAC 7H .1704 - General Conditions	RRC Objection	11/20/97
Agency Revised Rule	RRC Objection	12/18/97
Agency Revised Rule	Obj. Removed	01/15/98
15A NCAC 7H .1804 - General Conditions	RRC Objection	11/20/97
Agency Revised Rule	RRC Objection	12/18/97
Agency Revised Rule	Obj. Removed	01/15/98
15A NCAC 7H .1904 - General Conditions	RRC Objection	11/20/97
Agency Revised Rule	RRC Objection	12/18/97
Agency Revised Rule	Obj. Removed	01/15/98
15A NCAC 7H .2004 - General Conditions	RRC Objection	11/20/97
Agency Revised Rule	RRC Objection	12/18/97
Agency Revised Rule	Obj. Removed	01/15/98
15A NCAC 7H .2104 - General Conditions	RRC Objection	11/20/97
Agency Revised Rule	RRC Objection	12/18/97
Agency Revised Rule	Obj. Removed	01/15/98
15A NCAC 7M .0303 - Policy Statements	RRC Objection	11/20/97
Agency Revised Rule	Obj. Removed	12/18/97

**Environmental Management**

15A NCAC 2B .0232 - Neuse River Basin-Nut. Sen. Waters Mgmt. Strategy: Red.	RRC Objection	01/15/98
15A NCAC 2B .0233 - Neuse River Basin: Nut. Sen. Waters Mgmt. Strategy: Prot.	RRC Objection	01/15/98
15A NCAC 2B .0234 - Neuse River Basin-Nut. Sen. Waters Mgmt. Strategy: Waste Req.	RRC Objection	01/15/98
15A NCAC 2B .0235 - Neuse River Basin-Nut. Sen. Waters Mgmt. Strategy: Stormwater	RRC Objection	01/15/98
15A NCAC 2B .0238 - Neuse River Basin-Nut. Sen. Waters Mgmt. Strategy: Nitrogen	RRC Objection	01/15/98
15A NCAC 2B .0239 - Neuse River Basin: Nut. Sen. Waters Mgmt. Strategy: Mgmt.	RRC Objection	01/15/98
15A NCAC 2D .1005 - Measurement and Enforcement	RRC Objection	01/15/98
15A NCAC 2L .0115 - Risk-Based Assmnt/Corr Action/Petro Underground Strge Tanks	RRC Objection	12/18/97
No Response from Agency	Obj. Cont'd	01/15/98
15A NCAC 2N .0707 - Corrective Action Plan	RRC Objection	12/18/97
No Response from Agency	Obj. Cont'd	01/15/98

**Health Services**

15A NCAC 18A .2301 - Scope of Delegated Authority	RRC Objection	01/15/98
15A NCAC 18A .2302 - Eligibility for Delegation of Authority	RRC Objection	01/15/98
15A NCAC 18A .2303 - Delegation of Authority	RRC Objection	01/15/98
15A NCAC 18A .2304 - Subsequent Authorizations	RRC Objection	01/15/98
15A NCAC 18A .2306 - Continuing Education	RRC Objection	01/15/98
15A NCAC 18A .2308 - Denial; Suspension and Revocation	RRC Objection	01/15/98
15A NCAC 18A .2309 - Re-Authorization	RRC Objection	01/15/98

**Marine Fisheries**

15A NCAC 3I .0117 - Fishery Resource Grant Program	RRC Objection	01/15/98
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**Soil and Water Conservation**

15A NCAC 6E .0104 - Best Management Practices Eligible for Cost Share Payments	RRC Objection	10/16/97
Agency Responded	Obj. Cont'd	11/20/97
Agency Revised Rule	Obj. Removed	12/18/97
15A NCAC 6E .0105 - Cost Share and Incentive Payments	RRC Objection	10/16/97
Agency Responded	Obj. Cont'd	11/20/97
Agency Revised Rule	Obj. Removed	12/18/97

**Water Pollution Controls Systems**

15A NCAC 8F .0203 - Duties and Requirements of an Operator in Charge	RRC Objection	09/18/97
No Response from Agency	Obj. Cont'd	10/16/97
Agency Revised Rule	RRC Objection	11/20/97
Agency Revised Rule	Obj. Removed	12/18/97

**HUMAN RESOURCES**

**Departmental Rules**

10 NCAC 1B .0502 - Rate Setting Meth./Facilities/Serve St./cty. Special Assis. Res.	RRC Objection	01/15/98
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**Facility Services**

10 NCAC 3D .0915 - Ambulance Lettering; Markings; Symbols and Emblems	RRC Objection	01/15/98
10 NCAC 3D .0916 - General Ambulance Requirements	RRC Objection	01/15/98
10 NCAC 3D .0925 - Infectious Disease	RRC Objection	01/15/98
10 NCAC 3D .1202 - Criteria for Certified EMT Instructor	RRC Objection	01/15/98
10 NCAC 3D .1203 - Educational Programs	RRC Objection	01/15/98
10 NCAC 3D .1301 - Certification Requirements: Ambulance Attendant	RRC Objection	01/15/98
10 NCAC 3D .1302 - Certification Requirements: Emergency Medical Technician	RRC Objection	01/15/98
10 NCAC 3D .1401 - License, Permit/Cert. Denial, Suspension, Amend./Revocation	RRC Objection	01/15/98
10 NCAC 3D .1403 - Application Procedures, Required Forms	RRC Objection	01/15/98
10 NCAC 3R .3073 - Dem/Proj/Pediatric Nursing Care Need Deter. (Review Cat. G)	RRC Objection	11/20/97
Agency Revised Rule	Obj. Removed	12/18/97
10 NCAC 3R .3074 - Home Health Agcy Off. Need Determination (Review Cat. F)	RRC Objection	11/20/97
Agency Revised Rule	Obj. Removed	12/18/97
10 NCAC 3R .3081 - Policies for Inpatient Rehabilitation Services	RRC Objection	11/20/97
Agency Revised Rule	Obj. Removed	12/18/97

**PUBLIC INSTRUCTION**

16 NCAC 6C .0307 - Certificate Renewal	RRC Objection	10/16/97
No Response from Agency	Obj. Cont'd	11/20/97
Agency Revised Rule	Obj. Removed	12/18/97
16 NCAC 6D .0103 - Graduation Requirements	RRC Objection	10/16/97
No Response from Agency	Obj. Cont'd	11/20/97
Agency Revised Rule	Obj. Removed	12/18/97
16 NCAC 6D .0301 - Testing Requirements and Opportunities	RRC Objection	10/16/97
No Response from Agency	Obj. Cont'd	11/20/97
Agency Revised Rule	Obj. Removed	12/18/97
16 NCAC 6G .0305 - End-of-Course Tests	RRC Objection	10/16/97
No Response from Agency	Obj. Cont'd	11/20/97
Agency Revised Rule	Obj. Removed	12/18/97
16 NCAC 6G .0306 - Testing Code of Ethics	RRC Objection	10/16/97
No Response from Agency	Obj. Cont'd	11/20/97
Agency Revised Rule	Obj. Removed	12/18/97
16 NCAC 6G .0307 - Assistance Teams	RRC Objection	10/16/97

<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	<i>11/20/97</i>
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	<i>12/18/97</i>
<b>16 NCAC 6G .0308 - Due Process Protections</b>	<b>RRC Objection</b>	<b>10/16/97</b>
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	<i>11/20/97</i>
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	<i>12/18/97</i>

**SPEECH AND LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS**

<b>21 NCAC 64 .1002 - General Requirements</b>	<b>RRC Objection</b>	<b>11/20/97</b>
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	<i>12/18/97</i>
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	<i>01/15/98</i>
<b>21 NCAC 64 .1004 - Authorized Tasks of Speech-Language Pathology Assistants</b>	<b>RRC Objection</b>	<b>11/20/97</b>
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	<i>12/18/97</i>
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	<i>01/15/98</i>



*This Section contains the full text of some of the more significant Administrative Law Judge decisions along with an index to all recent contested cases decisions which are filed under North Carolina's Administrative Procedure Act. Copies of the decisions listed in the index and not published are available upon request for a minimal charge by contacting the Office of Administrative Hearings, (919) 733-2698.*

**OFFICE OF ADMINISTRATIVE HEARINGS**

*Chief Administrative Law Judge*  
**JULIAN MANN, III**

*Senior Administrative Law Judge*  
**FRED G. MORRISON JR.**

**ADMINISTRATIVE LAW JUDGES**

**Brenda B. Becton**  
**Sammie Chess Jr.**  
**Beecher R. Gray**

**Meg Scott Phipps**  
**Robert Roosevelt Reilly Jr.**  
**Dolores O. Smith**

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and				
Gurnan Khara				
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<b>Brunswick Community College</b>				
Dr. Donald W. Skinner v. Brunswick Community College	97 OSP 0310	Phupps	06/12/97	
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Michael McKinney v. Department of Correction	96 OSP 0254	Reilly	12/18/97	12-14 NCR 1363
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Stephen Dubay v. Department of Correction	96 OSP 0896	Gray	01/28/98	
Rodney Jones, Paula Hawkins, James McKay v. Dept. of Correction	96 OSP 1051**	Phupps	08/20/97	
Rodney Jones, Paula Hawkins, James McKay v. Dept. of Correction	96 OSP 1119**	Phupps	08/20/97	
Rodney Jones, Paula Hawkins, James McKay v. Dept. of Correction	96 OSP 1120**	Phupps	08/20/97	
Larry Wayne Pruitt, Jr. v. Department of Correction	96 OSP 1133	Gray	08/11/97	
William Herschel Bradley v. Franklin Freeman, Supt. Mark Hughes, Grant Spicer, Asst. Supt. Wade Bailey, et al., Department of Correction	96 OSP 1604	Phupps	06/19/97	
Dennis Harrell v. Department of Correction	96 OSP 2039	Chess	06/18/97	
Ray Evans Joyner v. Correction, Div. of Adult Probation/Parole	97 OSP 0100	Becton	09/18/97	
Morton Floyd v. New Hanover Department of Correction	97 OSP 0152	Gray	06/13/97	
Fannie P. Greene v. Adult Probation, State of NC	97 OSP 0261	Gray	11/20/97	
William G. Jordan v. Department of Correction	97 OSP 0469	Morrison	10/31/97	12-11 NCR 987
Joe Nathan Graham v. Department of Correction	97 OSP 0549	Smith	01/13/98	
William A. Rich v. Dennis Rowland (Asst. Supt.) Wake Corr. Ctr. DOC	97 OSP 0542	Gray	09/02/97	

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
Torie M. Osborne v. Department of Correction	97 OSP 0601	Smith	10/27/97	
Dennis M. Butcher v. Department of Correction	97 OSP 0745	Reilly	12/10/97	
Lonnie F. McCaskill, III v. Department of Correction	97 OSP 0761	Gray	10/02/97	
William E. McCaskill v. Department of Correction	97 OSP 0770	Becton	09/26/97	
William A. Rich v. Department of Correction	97 OSP 0853	Mann	12/23/97	
Andrew Pinto v. Department of Correction	97 OSP 0873	Becton	10/31/97	
Regina Draughon v. Department of Correction, Duplin Correctional Ctr.	97 OSP 0883	Phipps	12/19/97	
Ronald M. Johnson v. Emp. Rel. Comm., DOC (Morrison Youth Inst.)	97 OSP 0940	Gray	10/02/97	
Stanley L. Ingram v. Department of Correction	97 OSP 1075	Mann	12/23/97	
Randy L. Tompkins v. Department of Correction	97 OSP 1110	Smith	12/16/97	
Reginald W. Lewis v. Piedmont Corr. Institute, Mr. T. Pinion, Cpt. K. Fry, Sgt. Dancy, SCT. B. Crawford	97 OSP 1276	Smith	12/02/97	
Donald W. Keith v. Department of Correction	97 OSP 1294	Chess	01/14/98	
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Thomas Woolridge v. Lumberton Correctional Institute	97 OSP 1401	Becton	12/19/97	
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Timothy M. Lassiter v. Crime Control & Public Safety, St. Hwy Patrol	97 OSP 0423	Phipps	10/29/97	
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Sandra T. Shearin v. Employment Security Commission	97 OSP 0293	Phipps	01/07/98	
Mary H. Ranson v. Employment Security Commission	97 OSP 0387	Mann	07/24/97	
Carrie F. Luther v. Employment Security Commission	97 OSP 0943	Mann	01/12/98	
Frances P. Gray v. Employment Security Commission	97 OSP 0948	Smith	01/13/98	
<b>Environment, Health, and Natural Resources</b>				
Dowell Gray v. Department of Environment and Natural Resources and Onslow County Department of Health	97 OSP 0374* <sup>27</sup>	Gray	12/01/97	12:13 NCR 1222
James Fred Swain v. Environment, Health, and Natural Resources	96 OSP 0440	Gray	10/02/97	12:09 NCR 851
James S. Kantor v. Environment, Health, and Natural Resources	96 OSP 0633	Smith	09/30/97	12:09 NCR 854
<b>Human Resources</b>				
Betty J. Souther v. New River Area MH/DD/SA Program	94 OSP 0327	Becton	10/20/97	
Kenneth B. Cooper v. Piedmont Area Mental Health	95 OSP 0312	Smith	12/19/97	
Willie D. Parks v. Cherry Hospital, Department of Human Resources	96 OSP 0617	Phipps	09/10/97	
Robert Tilson Morley v. Department of Human Resources	96 OSP 0969	Gray	08/21/97	
Glen Sutton v. Cumberland County Department of Social Services	96 OSP 1296	Gray	07/17/97	
Brenda C. Burgess v. Dept. of Human Resources (Broughton Hospital)	96 OSP 1485	Phipps	10/13/97	
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Pamela Massey v. Department of Human Resources	96 OSP 1927	Becton	08/28/97	12:06 NCR 497
Clifton Dean Hill v. Department of Human Resources	97 OSP 0007	Phipps	06/20/97	12:02 NCR 107
Bennie Allen Suttle v. Department of Human Resources	97 OSP 0069	Reilly	09/30/97	
Calvin E. Kaiser v. Southeastern Mental Health Center	97 OSP 0073	Gray	08/08/97	
Sandra Riley v. Onslow County Department of Social Services	97 OSP 0217	Reilly	10/14/97	
Vicky Angel Morgan v. Buncombe County Department of Social Services	97 OSP 0283	Becton	10/02/97	
Rick A. Sanders v. Department of Health and Human Services	97 OSP 0307	Reilly	10/16/97	
Troy Gaines v. Durham County Mental Health Department	97 OSP 0347	Mann	08/05/97	
Edward Percell Eason v. Department of Human Resources	97 OSP 0363	Gray	08/15/97	
Dale Dees v. Trend Community Mental Health Services	97 OSP 0402	Mann	11/24/97	12:12 NCR 1087
Lisha Dawn Byrd v. Human Resources (Western Carolina Center)	97 OSP 0491	Morrison	08/28/97	
Richard G. Steeves v. Scotland County Board of Health	97 OSP 0622* <sup>23</sup>	Phipps	10/21/97	
Antonio A. Archibeque v. Barbara D. Whitley, Dir. Stanly County DSS	97 OSP 0663	Smith	09/02/97	
DHR, Deaf & Hard of Hearing CNCSD, Evonne Broadnax v. DHR, Deaf & Hard of Hearing CNCSD	97 OSP 0756	Becton	09/03/97	
Richard G. Steeves v. Scotland County Board of Health & Scotland County	97 OSP 0760* <sup>23</sup>	Phipps	10/21/97	
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<b>Transportation</b>				
Tommie R. Jones, Samuel W. Winstead, Timothy C. Sturges, Michael J. Boone, and Ronnie Batchelor v. Dept. of Transportation, Div. of Motor Vehicles, Enforcement Section	96 OSP 0781* <sup>26</sup>	Phipps	11/13/97	12:11 NCR 979
Tommie R. Jones, Samuel W. Winstead, Timothy C. Sturges, Michael J. Boone, and Ronnie Batchelor v. Dept. of Transportation, Div. of Motor Vehicles, Enforcement Section	96 OSP 0782* <sup>26</sup>	Phipps	11/13/97	12:11 NCR 979



# CONTESTED CASE DECISIONS

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
Tommie R. Jones, Samuel W. Winstead, Timothy C. Sturges, Michael J. Boone, and Ronnie Batchelor v. Dept. of Transportation, Div. of Motor Vehicles, Enforcement Section	96 OSP 0783* <sup>26</sup>	Phipps	11/13/97	12:11 NCR 979
Georgia B. Warren v. Dept. of Transportation, Div. of Motor Vehicles, Enforcement Section	96 OSP 0784* <sup>26</sup>	Phipps	11/13/97	12:11 NCR 979
Tommie R. Jones, Samuel W. Winstead, Timothy C. Sturges, Michael J. Boone, and Ronnie Batchelor v. Dept. of Transportation, Div. of Motor Vehicles, Enforcement Section	96 OSP 0785* <sup>26</sup>	Phipps	11/13/97	12:11 NCR 979
Tommie R. Jones, Samuel W. Winstead, Timothy C. Sturges, Michael J. Boone, and Ronnie Batchelor v. Dept. of Transportation, Div. of Motor Vehicles, Enforcement Section	96 OSP 0786* <sup>26</sup>	Phipps	11/13/97	12:11 NCR 979
Wendell L. Webb v. Department of Transportation, Ferry Division	96 OSP 1710* <sup>24</sup>	Phipps	10/31/97	
Wendell L. Webb v. Department of Transportation, Ferry Division	97 OSP 0198* <sup>24</sup>	Phipps	10/31/97	
Frank A. Tice, III v. Department of Transportation	97 OSP 0380	Mann	09/05/97	
Roy J. Abbott v. Department of Transportation	97 OSP 0697	Morrison	12/05/97	
James French v. Department of Transportation	97 OSP 1252	Smith	12/16/97	
<b>University of North Carolina</b>				
Boyd S. Taylor v. NC Central University	94 OSP 0363	Chess	09/12/97	
Diane Riggsbee-Raynor v. UNC at Chapel Hill	96 OSP 0326	Chess	06/04/97	12:01 NCR 39
Helen McIntyre v. UNC-TV University of North Carolina	96 OSP 0822	Gray	09/26/97	
Elaine P. Browne v. Winston-Salem State University	96 OSP 1007	Reilly	09/24/97	
Carol Glosson v. University of NC Hospitals at Chapel Hill	96 OSP 1015	Becton	10/08/97	
Theresa Rogers v. University of NC Hospitals at Chapel Hill	96 OSP 1065	Morrison	10/23/97	
Ann O. Meares v. NC State University	96 OSP 1870	Chess	09/22/97	
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E. Julius Carter v. UNC-Greensboro	97 OSP 1202	Phipps	11/05/97	
Edward L. Chatman v. UNC Hospital Marriot	97 OSP 1384	Phipps	01/20/98	
Winifred Bird v. University of NC Hospitals at Chapel Hill	97 OSP 1413	Phipps	01/12/98	
<b>SECRETARY OF STATE</b>				
Greenway Capital Corp. & Stacey Lee Davis v. Securities Div. Sec'y/State	94 SOS 0097	Gray	10/28/97	
Teresa M. Coltrain v. Secretary of State	97 SOS 0499	Reilly	10/22/97	12:10 NCR 914
<b>STATE TREASURER</b>				
Shelby H. Underwood, et.al. v. Trustees Teachers/St. Emp Ret. Sys.	96 DST 0390	Reilly	08/05/97	
Richard Albert Jose v. State Treasurer Retirement Systems Div.	97 DST 0281	Reilly	10/02/97	
Annie Tharrington Harrington v. Trustees Teachers/St. Emp Ret. Sys.	97 DST 0866	Mann	01/15/98	12:15 NCR 1468
<b>TRANSPORTATION</b>				
Audrey W. Harris v. Transportation, Manson/Wheat Contr., & Wake Elec.	97 DOT 0566	Gray	07/28/96	
<b>UNIVERSITY OF NORTH CAROLINA</b>				
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*The North Carolina Administrative Code (NCAC) has four major subdivisions of rules. Two of these, titles and chapters, are mandatory. The major subdivision of the NCAC is the title. Each major department in the North Carolina executive branch of government has been assigned a title number. Titles are further broken down into chapters which shall be numerical in order. The other two, subchapters and sections are optional subdivisions to be used by agencies when appropriate.*

## TITLE/MAJOR DIVISIONS OF THE NORTH CAROLINA ADMINISTRATIVE CODE

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1	Administration	Acupuncture	1
2	Agriculture	Architecture	2
3	Auditor	Auctioneers	4
4	Commerce	Barber Examiners	6
5	Correction	Certified Public Accountant Examiners	8
6	Council of State	Chiropractic Examiners	10
7	Cultural Resources	General Contractors	12
8	Elections	Cosmetic Art Examiners	14
9	Governor	Dental Examiners	16
10	Human Resources	Dietetics/Nutrition	17
11	Insurance	Electrical Contractors	18
12	Justice	Electrolysis	19
13	Labor	Foresters	20
14A	Crime Control & Public Safety	Geologists	21
15A	Environment, Health, and Natural Resources	Hearing Aid Dealers and Fitters	22
16	Public Education	Landscape Architects	26
17	Revenue	Landscape Contractors	28
18	Secretary of State	Marital and Family Therapy	31
19A	Transportation	Medical Examiners	32
20	Treasurer	Midwifery Joint Committee	33
*21	Occupational Licensing Boards	Mortuary Science	34
22	Administrative Procedures	Nursing	36
23	Community Colleges	Nursing Home Administrators	37
24	Independent Agencies	Occupational Therapists	38
25	State Personnel	Opticians	40
26	Administrative Hearings	Optometry	42
27	NC State Bar	Osteopathic Examination & Reg. (Repealed)	44
		Pastoral Counselors, Fee-Based Practicing	45
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		Physical Therapy Examiners	48
		Plumbing, Heating & Fire Sprinkler Contractors	50
		Podiatry Examiners	52
		Professional Counselors	53
		Psychology Board	54
		Professional Engineers & Land Surveyors	56
		Real Estate Appraisal Board	57
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		Refrigeration Examiners	60
		Sanitarian Examiners	62
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		Soil Scientists	69
		Speech & Language Pathologists & Audiologists	64
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		Veterinary Medical Board	66

Note: Title 21 contains the chapters of the various occupational licensing boards.

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					Action	Date				

This index provides information related to notices, rules and other documents published in the Register. It includes information about rules for which Notice of Rule-Making Proceedings or Notice of Text have been published, rules submitted to the Rules Review Commission and rules codified since the last session of the General Assembly. For assistance contact the Rules Division at 919/733-2678.

Fiscal Note: S = Rule affects the expenditure or distribution of state funds. L = Rule affects the expenditure or distribution of local government funds. SE = Rule has a substantial economic impact of at least \$5,000,000 in a 12-month period. \* = Rule-making agency has determined that the rule does not impact state or local funds and does not have a substantial economic impact. See G.S. 150B-21.4.

## ADMINISTRATION

### State Building Commission

1 NCAC 30G .0101		11-04 NCR 194	11-19 NCR 1414	*	Approve	03/20/97			11-26 NCR 2004	
1 NCAC 30G .0102		11-04 NCR 194	11-19 NCR 1414	*	Object	03/20/97				
1 NCAC 30G .0103		11-04 NCR 194	11-19 NCR 1414	*	Approve	05/15/97	*		11-30 NCR 2314	
1 NCAC 30G .0104		11-04 NCR 194	11-19 NCR 1414	*	Approve	03/20/97	*		11-26 NCR 2004	
1 NCAC 30G .0105		11-04 NCR 194	11-19 NCR 1414	S/L	Object	03/20/97	*		11-30 NCR 2314	
				S/L	Approve	05/15/97			11-26 NCR 2004	

## ADMINISTRATIVE HEARINGS

### Civil Rights Division

26 NCAC 04 .0101		12-12 NCR 1071	12-16 NCR 1508	*						
26 NCAC 04 .0201		12-12 NCR 1071	12-16 NCR 1508	*						
26 NCAC 04 .0202		12-12 NCR 1071	12-16 NCR 1508	*						
26 NCAC 04 .0203		12-12 NCR 1071	12-16 NCR 1508	*						
26 NCAC 04 .0204		12-12 NCR 1071	12-16 NCR 1508	*						

### Hearings Division

26 NCAC 03 .0122	12-08 NCR 621		12-13 NCR 1172	S						
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### Rules Division

26 NCAC 02C	11-19 NCR 1413									
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## AGRICULTURE

2 NCAC 48A .0206	10-24 NCR 3056		11-06 NCR 324	*	Ext. Review	12/19/96	*		11-22 NCR 1717	
2 NCAC 48A .0211	10-24 NCR 3056		11-06 NCR 324	*	Approve	01/16/97				
2 NCAC 48A .0214	10-24 NCR 3056		11-06 NCR 324	*	Ext. Review	12/19/96	*		11-22 NCR 1717	
2 NCAC 48D .0103	N/A	N/A	N/A		Approve	01/16/97			11-22 NCR 1717	



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					Action	Date				
2 N.C.A.C. 52A 0104	11 27 NCR 2053		12 03 NCR 169	*	Approve	12/18/97	*			
2 N.C.A.C. 52A 0105	11 27 NCR 2053		12 03 NCR 169	*	Approve	12/18/97				
2 N.C.A.C. 52A 0106	11 27 NCR 2053		12 03 NCR 169	*	Approve	12/18/97	*			
2 N.C.A.C. 52A 0107	11 27 NCR 2053		12 03 NCR 169	*	Approve	12/18/97	*			
2 N.C.A.C. 52A 0108	11 27 NCR 2053		12 03 NCR 169	*	Approve	12/18/97	*			
2 N.C.A.C. 52A 0109	11 27 NCR 2053		12 03 NCR 169	*	Approve	12/18/97	*			
2 N.C.A.C. 52B 0212	11 14 NCR 1107		11 22 NCR 1709	*	Approve	05/15/97			11 30 NCR 2314	
2 N.C.A.C. 52B 0303	11 14 NCR 1107		11 22 NCR 1709	*	Approve	05/15/97			11 30 NCR 2314	
2 N.C.A.C. 52C 0701	11 14 NCR 1107		11 22 NCR 1709	*	Approve	05/15/97			11 30 NCR 2314	
2 N.C.A.C. 52D 0101	11 27 NCR 2053		12 03 NCR 169	*	Approve	12/18/97	*			
<b>Marketing Authority</b>										
2 N.C.A.C. 43I 0103	11 14 NCR 1107		11 22 NCR 1706	*	Object	05/15/97			12 03 NCR 213	
2 N.C.A.C. 43II 0101	11 14 NCR 1107		11 22 NCR 1706	*	Approve	06/19/97	*		11 30 NCR 2314	
2 N.C.A.C. 43II 0107	11 14 NCR 1107		11 22 NCR 1706	*	Object	05/15/97	*		12 03 NCR 213	
2 N.C.A.C. 43I 0202	11 14 NCR 1107		11 22 NCR 1706	*	Approve	06/19/97			11 30 NCR 2314	
2 N.C.A.C. 43I 0401	11 14 NCR 1107		11 22 NCR 1706	*	Approve	05/15/97			11 30 NCR 2314	
2 N.C.A.C. 43I 0402	11 14 NCR 1107		11 22 NCR 1706	*	Approve	05/15/97			11 30 NCR 2314	
2 N.C.A.C. 43I 0403	11 14 NCR 1107		11 22 NCR 1706	*	Approve	05/15/97			11 30 NCR 2314	
2 N.C.A.C. 43I 0405	11 14 NCR 1107		11 22 NCR 1706	*	Approve	05/15/97	*		11 30 NCR 2314	
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2 N.C.A.C. 48I 0301	11 07 NCR 407		11 11 NCR 883	*	Approve	03/20/97			11 26 NCR 2004	
2 N.C.A.C. 48I 0302	11 07 NCR 407		11 11 NCR 883	*	Approve	03/20/97			11 26 NCR 2004	
2 N.C.A.C. 48I 0304	11 07 NCR 407		11 11 NCR 883	*	Approve	03/20/97	*		11 26 NCR 2004	
2 N.C.A.C. 48I 0305	11 07 NCR 407		11 11 NCR 883	*	Approve	03/20/97	*		11 26 NCR 2004	
2 N.C.A.C. 48I 0306	11 07 NCR 407		11 11 NCR 883	*	Approve	03/20/97	*		11 26 NCR 2004	
<b>Structural Pest Control</b>										
2 N.C.A.C. 44 0102	12 09 NCR 743		12 14 NCR 1234	*						
2 N.C.A.C. 44 0302	12 09 NCR 743		12 14 NCR 1234	*						
2 N.C.A.C. 44 0303	12 09 NCR 743		12 14 NCR 1234	*						

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					Action	Date				
2 NCAC 34 .0306	12:09 NCR 743		12:14 NCR 1234	*						
2 NCAC 34 .0308	12:09 NCR 743		12:14 NCR 1234	*						
2 NCAC 34 .0309	12:09 NCR 743		12:14 NCR 1234	S/L						Addendum NCR 1419
2 NCAC 34 .0312	12:09 NCR 743		12:14 NCR 1234	*						
2 NCAC 34 .0313	12:09 NCR 743		12:14 NCR 1234	S/L						
2 NCAC 34 .0323	12:09 NCR 743		12:14 NCR 1234	*						
2 NCAC 34 .0325	12:09 NCR 743		12:14 NCR 1234	*						
2 NCAC 34 .0328	12:09 NCR 743		12:14 NCR 1234	*						
2 NCAC 34 .0401	12:09 NCR 743		12:14 NCR 1234	*						
2 NCAC 34 .0402	12:09 NCR 743		12:14 NCR 1234	*						
2 NCAC 34 .0403	12:09 NCR 743		12:14 NCR 1234	*						
2 NCAC 34 .0404	12:09 NCR 743		12:14 NCR 1234	*						
2 NCAC 34 .0406	12:09 NCR 743		12:14 NCR 1234	*						
2 NCAC 34 .0501	12:09 NCR 743		12:14 NCR 1234	*						
2 NCAC 34 .0502	12:09 NCR 743		12:14 NCR 1234	*						
2 NCAC 34 .0503		11:21 NCR 1651	12:06 NCR 455	*						
2 NCAC 34 .0503	12:09 NCR 743		12:14 NCR 1234	*						
2 NCAC 34 .0504	12:09 NCR 743		12:14 NCR 1234	*						
2 NCAC 34 .0505	12:09 NCR 743		12:14 NCR 1234	*						
2 NCAC 34 .0506	12:09 NCR 743		12:14 NCR 1234	*						
2 NCAC 34 .0507	12:09 NCR 743		12:14 NCR 1234	*						
2 NCAC 34 .0508	12:09 NCR 743		12:14 NCR 1234	*						
2 NCAC 34 .0601	12:09 NCR 743		12:14 NCR 1234	*						
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2 NCAC 34 .0602	12:09 NCR 743		12:14 NCR 1234	*						
2 NCAC 34 .0604		11:21 NCR 1651	12:06 NCR 455	*						
2 NCAC 34 .0604	12:09 NCR 743		12:14 NCR 1234	*						
2 NCAC 34 .0605		11:21 NCR 1651	12:06 NCR 455	*						
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2 NCAC 34 0701	12 09 NCR 743		12 14 NCR 1234	*						
2 NCAC 34 0702	12 09 NCR 743									
2 NCAC 34 0703	12 09 NCR 743		12 14 NCR 1234	*						
2 NCAC 34 0803	12 09 NCR 743		12 14 NCR 1234	*						
2 NCAC 34 0902	12 09 NCR 743		12 14 NCR 1234	*						
2 NCAC 34 0904	12 09 NCR 743		12 14 NCR 1234	*						
2 NCAC 34 1101	12 09 NCR 743		12 14 NCR 1234	*						

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21 NCAC 02 0208	12 04 NCR 244									
21 NCAC 02 0210	12 04 NCR 244									
21 NCAC 02 0213	12 04 NCR 244		12 09 NCR 795	*						
21 NCAC 02 0901	12 04 NCR 244		12 09 NCR 795	S/I/SE						
21 NCAC 02 0902	12 04 NCR 244		12 09 NCR 795	S/I/SE						
21 NCAC 02 0903	12 04 NCR 244		12 09 NCR 795	S/I/SE						
21 NCAC 02 0904	12 04 NCR 244		12 09 NCR 795	S/I/SE						
21 NCAC 02 0905	12 04 NCR 244		12 09 NCR 795	S/I/SE						
21 NCAC 02 0906	12 04 NCR 244		12 09 NCR 795	S/I/SE						
21 NCAC 02 0907	12 04 NCR 244		12 09 NCR 795	S/I/SE						
21 NCAC 02 0908	12 04 NCR 244		12 09 NCR 795	S/I/SE						
21 NCAC 02 0909	12 04 NCR 244		12 09 NCR 795	S/I/SE						
21 NCAC 02 0910	12 04 NCR 244		12 09 NCR 795	S/I/SE						

## AUCTIONEERS LICENSING BOARD

21 NCAC 04B 0202	11 18 NCR 1368		11-28 NCR 2129	*	Approve	11/20/97	*		12 16 NCR 1521	
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## CERTIFIED PUBLIC ACCOUNTANT EXAMINERS

21 NCAC 08A 0301	12 08 NCR 619		12 13 NCR 1138	*						
21 NCAC 08A 0309	12 08 NCR 619		12 13 NCR 1138	*						
21 NCAC 08F 0103	12 08 NCR 619		12 13 NCR 1138	*						
21 NCAC 08F 0105	12 08 NCR 619		12 13 NCR 1138	*						
21 NCAC 08F 0302	12 08 NCR 619		12 13 NCR 1138	*						



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21 NCAC 08F .0304	12:08 NCR 619		12:13 NCR 1138	•						
21 NCAC 08F .0401	12:08 NCR 619		12:13 NCR 1138	•						
21 NCAC 08F .0410	12:08 NCR 619		12:13 NCR 1138	•						
21 NCAC 08G .0404	12:08 NCR 619		12:13 NCR 1138	•						
21 NCAC 08G .0406	12:08 NCR 619		12:13 NCR 1138	•						
21 NCAC 08H .0001	12:08 NCR 619		12:13 NCR 1138	•						
21 NCAC 08I .0004	12:08 NCR 619		12:13 NCR 1138	•						
21 NCAC 08I .0005	12:08 NCR 619		12:13 NCR 1138	•						
21 NCAC 08J .0001	12:08 NCR 619		12:13 NCR 1138	•						
21 NCAC 08J .0005	12:08 NCR 619		12:13 NCR 1138	•						
21 NCAC 08J .0006	12:08 NCR 619		12:13 NCR 1138	•						
21 NCAC 08J .0008	12:08 NCR 619		12:13 NCR 1138	•						
21 NCAC 08J .0010	12:08 NCR 619		12:13 NCR 1138	•						
21 NCAC 08K .0301	12:08 NCR 619		12:13 NCR 1138	•						
21 NCAC 08M .0101	12:08 NCR 619		12:13 NCR 1138	•						
21 NCAC 08M .0102	12:08 NCR 619		12:13 NCR 1138	•						
21 NCAC 08M .0201	12:08 NCR 619		12:13 NCR 1138	•						
21 NCAC 08M .0204	12:08 NCR 619		12:13 NCR 1138	•						

## **COMMERCE**

4 NCAC 01E	11:09 NCR 569
4 NCAC 01F	11:09 NCR 569
4 NCAC 01H	11:09 NCR 569
4 NCAC 01I	11:09 NCR 569
4 NCAC 01J	11:09 NCR 569
4 NCAC 01K	11:09 NCR 569

## **Community Assistance**

4 NCAC 01K .0501	11:09 NCR 569
4 NCAC 01K .0502	11:09 NCR 569
4 NCAC 01K .0503	11:09 NCR 569
4 NCAC 01K .0504	11:09 NCR 569

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4 NCAC 01K .0505	11:09 NCR 569		11:14 NCR 1113	*	Object	11/20/97				
4 NCAC 01K .0506	11:09 NCR 569		11:14 NCR 1113	*	Approve	12/18/97	*			
4 NCAC 19L .0401	11:09 NCR 569		11:14 NCR 1113	*	Approve	11/20/97	*		12:16 NCR 1521	
4 NCAC 19L .0403	11:09 NCR 569		11:14 NCR 1113	*	Object	11/20/97				
4 NCAC 19L .0404	11:09 NCR 569		11:14 NCR 1113	*	Approve	12/18/97	*			
4 NCAC 19L .0407	11:09 NCR 569		11:14 NCR 1113	*	Approve	11/20/97			12:16 NCR 1521	
4 NCAC 19L .0501	11:09 NCR 569		11:14 NCR 1113	*	Approve	11/20/97	*		12:16 NCR 1521	
4 NCAC 19L .0502	11:09 NCR 569		11:14 NCR 1113	*	Approve	11/20/97	*		12:16 NCR 1521	
4 NCAC 19L .0505	11:09 NCR 569		11:14 NCR 1113	*	Approve	11/20/97	*			
4 NCAC 19L .0706	11:09 NCR 569		11:14 NCR 1113	*	Object	11/20/97	*		12:16 NCR 1521	
4 NCAC 19L .0707	11:09 NCR 569		11:14 NCR 1113	*	Approve	12/18/97	*			
4 NCAC 19L .0708	11:09 NCR 569		11:14 NCR 1113	*	Approve	11/20/97	*			
4 NCAC 19L .0802	11:09 NCR 569		11:14 NCR 1113	*	Object	11/20/97				
4 NCAC 19L .0805	11:09 NCR 569		11:14 NCR 1113	*	Approve	12/18/97	*			
4 NCAC 19L .0901	11:09 NCR 569		11:14 NCR 1113	*	Approve	11/20/97	*		12:16 NCR 1521	
4 NCAC 19L .0906	11:09 NCR 569		11:14 NCR 1113	*	Approve	12/18/97	*		12:16 NCR 1521	
4 NCAC 19L .0907	11:09 NCR 569		11:14 NCR 1113	*	Object	11/20/97	*		12:16 NCR 1521	
4 NCAC 19L .0911	11:09 NCR 569		11:14 NCR 1113	*	Approve	12/18/97	*			
4 NCAC 19L .0802	11:09 NCR 569		11:14 NCR 1113	*	Approve	11/20/97			12:16 NCR 1521	
4 NCAC 19L .0805	11:09 NCR 569		11:14 NCR 1113	*	Approve	11/20/97	*			
4 NCAC 19L .0901	11:09 NCR 569		11:14 NCR 1113	*	Approve	11/20/97	*		12:16 NCR 1521	
4 NCAC 19L .0906	11:09 NCR 569		11:14 NCR 1113	*	Approve	11/20/97	*		12:16 NCR 1521	
4 NCAC 19L .0907	11:09 NCR 569		11:14 NCR 1113	*	Approve	11/20/97	*		12:16 NCR 1521	
4 NCAC 19L .1002	11:09 NCR 569		11:14 NCR 1113	*	Object	11/20/97	*			
4 NCAC 19L .1004	11:09 NCR 569		11:14 NCR 1113	*	Approve	12/18/97	*		12:16 NCR 1521	
4 NCAC 19L .1009	11:09 NCR 569		11:14 NCR 1113	*	Approve	11/20/97	*		12:16 NCR 1521	
4 NCAC 19L .1011	11:09 NCR 569		11:14 NCR 1113	*	Approve	11/20/97	*		12:16 NCR 1521	
4 NCAC 19L .1301	11:09 NCR 569		11:14 NCR 1113	*	Object	11/20/97	*			
4 NCAC 19L .1302	11:09 NCR 569		11:14 NCR 1113	*	Approve	12/18/97	*		12:16 NCR 1521	
4 NCAC 19L .1303	11:09 NCR 569		11:14 NCR 1113	*	Object	11/20/97	*		12:16 NCR 1521	
4 NCAC 19L .1701	11:09 NCR 569		11:14 NCR 1113	*	Approve	12/18/97	*			
4 NCAC 19L .1702	11:09 NCR 569		11:14 NCR 1113	*	Approve	11/20/97	*		12:16 NCR 1521	

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4 NCAC 19L .1703	11:09 NCR 569		11:14 NCR 1113	•	Object	11/20/97				
4 NCAC 19L .1801	11:09 NCR 569		11:14 NCR 1113	•	Approve	12/18/97	•			
4 NCAC 19L .1802	11:09 NCR 569		11:14 NCR 1113	•	Approve	11/20/97	•		12:16 NCR 1521	
4 NCAC 19L .1803	11:09 NCR 569		11:14 NCR 1113	•	Approve	11/20/97	•		12:16 NCR 1521	
4 NCAC 19L .1804	11:09 NCR 569		11:14 NCR 1113	•	Approve	11/20/97	•		12:16 NCR 1521	
4 NCAC 19L .1805	11:09 NCR 569		11:14 NCR 1113	•	Object	11/20/97	•			
					Approve	12/18/97				
					Object	11/20/97	•			
					Approve	11/20/97	•			
4 NCAC 19L .1900	11:09 NCR 569		11:14 NCR 1113	•	Approve	12/18/97				
<b>Credit Union Division</b>										
4 NCAC 06C .0205	10:18 NCR 2398		11:29 NCR 2182	•	Approve	08/21/97			12:07 NCR 561	
4 NCAC 06C .0407	10:18 NCR 2398		11:29 NCR 2182	•	Object	08/21/97				
					Approve	09/18/97			12:10 NCR 878	
4 NCAC 06C .0409	10:18 NCR 2398		11:29 NCR 2182	•	Approve	08/21/97	•		12:07 NCR 561	
<b>State Ports Authority</b>										
4 NCAC 13A .0101	10:24 NCR 3056		11:13 NCR 1040	•	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13A .0102	10:24 NCR 3056		11:13 NCR 1040	•	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13A .0105	10:24 NCR 3056		11:13 NCR 1040	•	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13A .0202	10:24 NCR 3056		11:13 NCR 1040	•	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13A .0203	10:24 NCR 3056		11:13 NCR 1040	•	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13A .0204	10:24 NCR 3056		11:13 NCR 1040	•	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13B .0001	10:24 NCR 3056		11:13 NCR 1040	•	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13B .0002	10:24 NCR 3056		11:13 NCR 1040	•	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13B .0003	10:24 NCR 3056		11:13 NCR 1040	•	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13B .0004	10:24 NCR 3056		11:13 NCR 1040	•	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13B .0005	10:24 NCR 3056		11:13 NCR 1040	•	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13C .0001	10:24 NCR 3056		11:13 NCR 1040	•	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13D .0101	10:24 NCR 3056		11:13 NCR 1040	•	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13E .0101	10:24 NCR 3056		11:13 NCR 1040	•	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13E .0102	10:24 NCR 3056		11:13 NCR 1040	•	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13E .0103	10:24 NCR 3056		11:13 NCR 1040	•	Approve	06/19/97			12:03 NCR 213	



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4 NCAC 13L 0201	10 24 NCR 3056		11 13 NCR 1040	•	Approve	06 19 97			12 03 NCR 213	
4 NCAC 13L 0202	10 24 NCR 3056		11 13 NCR 1040	•	Approve	06 19 97			12 03 NCR 213	
4 NCAC 13L 0301	10 24 NCR 3056		11 13 NCR 1040	•	Approve	06 19 97			12 03 NCR 213	
4 NCAC 13L 0302	10 24 NCR 3056		11 13 NCR 1040	•	Approve	06 19 97			12 03 NCR 213	
4 NCAC 13L 0401	10 24 NCR 3056		11 13 NCR 1040	•	Approve	06 19 97			12 03 NCR 213	
4 NCAC 13L 0402	10 24 NCR 3056		11 13 NCR 1040	•	Approve	06 19 97			12 03 NCR 213	
4 NCAC 13L 0403	10 24 NCR 3056		11 13 NCR 1040	•	Approve	06 19 97			12 03 NCR 213	
4 NCAC 13L 0404	10 24 NCR 3056		11 13 NCR 1040	•	Approve	06 19 97			12 03 NCR 213	
4 NCAC 13L 0405	10 24 NCR 3056		11 13 NCR 1040	•	Approve	06 19 97			12 03 NCR 213	
4 NCAC 13L 0501	10 24 NCR 3056		11 13 NCR 1040	•	Approve	06 19 97			12 03 NCR 213	
4 NCAC 13L 0502	10 24 NCR 3056		11 13 NCR 1040	•	Approve	06 19 97			12 03 NCR 213	
4 NCAC 13L 0601	10 24 NCR 3056		11 13 NCR 1040	•	Approve	06 19 97			12 03 NCR 213	
4 NCAC 13L 0602	10 24 NCR 3056		11 13 NCR 1040	•	Approve	06 19 97			12 03 NCR 213	
4 NCAC 13L 0603	10 24 NCR 3056		11 13 NCR 1040	•	Approve	06 19 97			12 03 NCR 213	
4 NCAC 13L 0701	10 24 NCR 3056		11 13 NCR 1040	•	Approve	06 19 97			12 03 NCR 213	
4 NCAC 13L 0702	10 24 NCR 3056		11 13 NCR 1040	•	Approve	06 19 97			12 03 NCR 213	
4 NCAC 13L 0801	10 24 NCR 3056		11 13 NCR 1040	•	Approve	06 19 97			12 03 NCR 213	
4 NCAC 13L 0803	10 24 NCR 3056		11 13 NCR 1040	•	Approve	06 19 97			12 03 NCR 213	
4 NCAC 13L 0901	10 24 NCR 3056		11 13 NCR 1040	•	Approve	06 19 97			12 03 NCR 213	
4 NCAC 13L 0902	10 24 NCR 3056		11 13 NCR 1040	•	Approve	06 19 97			12 03 NCR 213	
4 NCAC 13L 0301	10 24 NCR 3056		11 13 NCR 1040	•	Approve	06 19 97			12 03 NCR 213	
4 NCAC 13L 0302	10 24 NCR 3056		11 13 NCR 1040	•	Approve	06 19 97			12 03 NCR 213	
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23 NCAC 01A 0601	11 18 NCR 1369	11 25 NCR 1919	12 09 NCR 802	•	Object	01/15/98				
23 NCAC 02C 0108	11 18 NCR 1369	11 25 NCR 1919	12 09 NCR 802	•						
23 NCAC 02C 0202	11 18 NCR 1369		12 09 NCR 802	•						
23 NCAC 02C 0207	11 18 NCR 1369		12 09 NCR 802	•						
23 NCAC 02C 0305	11 18 NCR 1369	11 25 NCR 1919	12 09 NCR 802	•						
23 NCAC 02C 0604	11 18 NCR 1369	11 25 NCR 1919	12 09 NCR 802	•						
23 NCAC 02C 0701	11 18 NCR 1369		12 09 NCR 802	•						

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23 NCAC 02D .0103	11:18 NCR 1369	11:25 NCR 1919	12:09 NCR 802	*						
23 NCAC 02D .0201	11:18 NCR 1369	11:25 NCR 1919	12:09 NCR 802	*						
23 NCAC 02D .0202	11:17 NCR 1336									
23 NCAC 02D .0202	11:18 NCR 1369	11:25 NCR 1919	12:09 NCR 802	*						
23 NCAC 02D .0203	11:18 NCR 1369	11:25 NCR 1919	12:09 NCR 802	*						
23 NCAC 02D .0301	11:18 NCR 1369	11:25 NCR 1919	12:09 NCR 802	*	Object	01/15/98				
23 NCAC 02D .0323	11:18 NCR 1369	11:25 NCR 1919	12:09 NCR 802	*						
23 NCAC 02D .0324	11:18 NCR 1369	11:25 NCR 1919	12:09 NCR 802	*						
23 NCAC 02D .0327	11:18 NCR 1369	11:25 NCR 1919	12:09 NCR 802	*	Object	01/15/98				
23 NCAC 02E .0101	11:18 NCR 1369	11:25 NCR 1919	12:09 NCR 802	*						
23 NCAC 02E .0102	11:18 NCR 1369	11:25 NCR 1919	12:09 NCR 802	*						
23 NCAC 02E .0201	11:18 NCR 1369	11:25 NCR 1919	12:09 NCR 802	*						
23 NCAC 02E .0203	10:24 NCR 3058		11:09 NCR 585	*	Object Approve	01/16/97 02/20/97	*		11:24 NCR 1832	
23 NCAC 02E .0203	11:18 NCR 1369	11:25 NCR 1919	12:09 NCR 802	*						
23 NCAC 02E .0204	11:18 NCR 1369	11:25 NCR 1919	12:09 NCR 802	*						
23 NCAC 02E .0205	11:18 NCR 1369	11:25 NCR 1919	12:09 NCR 802	*						
23 NCAC 02E .0501	11:18 NCR 1369	11:25 NCR 1919	12:09 NCR 802	*						
23 NCAC 02E .0604	11:18 NCR 1369	11:25 NCR 1919	12:09 NCR 802	*						
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21 NCAC 14A .0101	12:06 NCR 453		12:11 NCR 925	*						
21 NCAC 14B .0605	12:06 NCR 925		12:11 NCR 925	*						
21 NCAC 14G .0103	12:06 NCR 453		12:11 NCR 925	*						
21 NCAC 14G .0107	12:06 NCR 453		12:11 NCR 925	*						
21 NCAC 14G .0113	12:06 NCR 453		12:11 NCR 925	*						
21 NCAC 14I .0105	12:06 NCR 453		12:11 NCR 925	*						
21 NCAC 14I .0113	12:06 NCR 453		12:11 NCR 925	*						
21 NCAC 14I .0118	12:06 NCR 453		12:11 NCR 925	*						
21 NCAC 14I .0119	12:06 NCR 453		12:11 NCR 925	*						
21 NCAC 14I .0104	12:06 NCR 453		12:11 NCR 925	*						

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21 NCAC 14L 0105	12-06 NCR 453		12-11 NCR 925	*						
21 NCAC 14L 0107	12-06 NCR 453		12-11 NCR 925	*						
21 NCAC 14L 0109	12-06 NCR 453		12-11 NCR 925	*						
21 NCAC 14L 0401	12-06 NCR 453		12-11 NCR 925	*						
21 NCAC 14J 0102	12-06 NCR 453		12-11 NCR 925	*						
21 NCAC 14J 0103	12-06 NCR 453		12-11 NCR 925	*						
21 NCAC 14J 0104	12-06 NCR 453		12-11 NCR 925	*						
21 NCAC 14J 0105	12-06 NCR 453		12-11 NCR 925	*						
21 NCAC 14J 0202	12-06 NCR 453		12-11 NCR 925	*						
21 NCAC 14J 0204	12-06 NCR 453		12-11 NCR 925	*						
21 NCAC 14J 0205	12-06 NCR 453		12-11 NCR 925	*						
21 NCAC 14J 0206	12-06 NCR 453		12-11 NCR 925	*						
21 NCAC 14J 0303	12-06 NCR 453		12-11 NCR 925	*						
21 NCAC 14J 0306	12-06 NCR 453		12-11 NCR 925	*						
21 NCAC 14J 0307	12-06 NCR 453		12-11 NCR 925	*						
21 NCAC 14J 0401	12-06 NCR 453		12-11 NCR 925	*						
21 NCAC 14J 0402	12-06 NCR 453		12-11 NCR 925	*						
21 NCAC 14J 0403	12-06 NCR 453		12-11 NCR 925	*						
21 NCAC 14J 0404	12-06 NCR 453		12-11 NCR 925	*						
21 NCAC 14J 0501	12-06 NCR 453		12-11 NCR 925	*						
21 NCAC 14K 0101	12-06 NCR 453		12-11 NCR 925	*						
21 NCAC 14K 0103	12-06 NCR 453		12-11 NCR 925	*						
21 NCAC 14L 0101	12-06 NCR 453		12-11 NCR 925	*						
21 NCAC 14L 0105	12-06 NCR 453		12-11 NCR 925	*						
21 NCAC 14L 0108	12-06 NCR 453		12-11 NCR 925	*						
21 NCAC 14L 0214	12-06 NCR 453		12-11 NCR 925	*						
21 NCAC 14N 0102	12-06 NCR 453		12-11 NCR 925	*						
21 NCAC 14N 0103	12-06 NCR 453		12-11 NCR 925	*						
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21 NCAC 14N 0105	12-06 NCR 453		12-11 NCR 925	*						



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21 NCAC 14N .0107	12:06 NCR 453		12:11 NCR 925	*						
21 NCAC 14N .0108	12:06 NCR 453		12:11 NCR 925	*						
21 NCAC 14N .0113	12:06 NCR 453		12:11 NCR 925	*						
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<b>Governor's Crime Commission</b>										
14A NCAC 07 .0313	11:24 NCR 1818		12:01 NCR 6	*						
<b>CULTURAL RESOURCES</b>										
<b>North Carolina Historical Commission</b>										
7 NCAC 04R .0909	12:06 NCR 444	12:13 NCR 1174	12:13 NCR 1174	S						
7 NCAC 04R .0910	12:06 NCR 444	12:13 NCR 1174	12:13 NCR 1174	S						
7 NCAC 04R .0911	12:06 NCR 444	12:13 NCR 1174	12:13 NCR 1174	S						
7 NCAC 04R .0912	12:06 NCR 444	12:13 NCR 1174	12:13 NCR 1174	S						
7 NCAC 04R .0913	12:06 NCR 444	12:13 NCR 1174	12:13 NCR 1174	S						
7 NCAC 04R .0914	12:06 NCR 444	12:13 NCR 1174	12:13 NCR 1174	S						
7 NCAC 04R .0915	12:06 NCR 444	12:13 NCR 1174	12:13 NCR 1174	S						
<b>USS North Carolina Battleship Commission</b>										
7 NCAC 05 .0203		11:19 NCR 1436 Temp Expired 12:16 NCR 1511	12:16 NCR 1511	S/L						
<b>DENTAL EXAMINERS</b>										
21 NCAC 16B .0303	11:20 NCR 1538		11:25 NCR 1915	*	Approve	09/18/97			12:10 NCR 878	
21 NCAC 16I .0001	11:20 NCR 1538		11:25 NCR 1915	*	Object	09/18/97			12:11 NCR 947	
21 NCAC 16I .0002	11:20 NCR 1538		11:25 NCR 1915	*	Approve Extended review	10/16/97	*		12:16 NCR 1521	
21 NCAC 16I .0003	11:20 NCR 1538		11:25 NCR 1915	*	Approve	11/20/97	*		12:10 NCR 878	
21 NCAC 16I .0004	11:20 NCR 1538				Approve	09/18/97				
21 NCAC 16I .0005	11:20 NCR 1538									
21 NCAC 16I .0006	11:20 NCR 1538		11:25 NCR 1915	*	Approve	09/18/97			12:10 NCR 878	
21 NCAC 16M .0001	11:20 NCR 1538		11:25 NCR 1915	*	Approve	09/18/97			12:10 NCR 878	
21 NCAC 16M .0003	11:20 NCR 1538		11:25 NCR 1915	*	Object Approve	09/18/97 10/16/97	*		12:11 NCR 947	

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21 NCAC 16R .0001	11:20 NCR 1538		11:25 NCR 1915	*	Extended review	09/18/97				
21 NCAC 16R .0002	11:20 NCR 1538				Approve	11/20/97	*		12:16 NCR 1521	
21 NCAC 16R .0003	11:20 NCR 1538									
21 NCAC 16R .0004	11:20 NCR 1538		11:25 NCR 1915	*	Approve	09/18/97			12:10 NCR 878	
21 NCAC 16R .0005	11:20 NCR 1538									
21 NCAC 16V .0101	10:16 NCR 2043		11:20 NCR 1556	*						Notice Subject Matter
21 NCAC 16V .0102	10:16 NCR 2043		11:20 NCR 1556	*						Notice Subject Matter
<b>ENVIRONMENT AND NATURAL RESOURCES</b>										
Notice of Intent to Redevelop a Brownfields Property										
15A Public Notice - Division of Water Quality										
15A Administrative Order on Consent - Division of Waste Management										
15A NCAC 01J .0401	12:08 NCR 614	12:09 NCR 833	12:14 NCR 1266	*						12:10 NCR 864
15A NCAC 01J .0402	12:08 NCR 614	12:09 NCR 833	12:14 NCR 1266	*						12:03 NCR 112
15A NCAC 01K	10:19 NCR 2506									12:03 NCR 158
15A NCAC 01M .0101		11:19 NCR 1439	Temp Expired							
15A NCAC 01M .0102		11:19 NCR 1439	Temp Expired							
15A NCAC 01M .0201		11:19 NCR 1439	Temp Expired							
15A NCAC 01M .0202		11:19 NCR 1439	Temp Expired							
15A NCAC 01M .0301		11:19 NCR 1439	Temp Expired							
15A NCAC 01M .0302		11:19 NCR 1439	Temp Expired							
15A NCAC 01M .0303		11:19 NCR 1439	Temp Expired							
15A NCAC 01M .0304		11:19 NCR 1439	Temp Expired							
15A NCAC 01M .0305		11:19 NCR 1439	Temp Expired							
15A NCAC 01M .0306		11:19 NCR 1439	Temp Expired							
15A NCAC 01N .0101	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01N .0102	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01N .0103	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01N .0201	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01N .0202	12:08 NCR 614	12:16 NCR 1511								

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15A NCAC 01N 0203	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01N 0301	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01N 0302	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01N 0303	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01N 0304	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01N 0401	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01N 0402	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01N 0403	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01N 0501	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01N 0502	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01N 0503	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01N 0601	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01N 0602	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01N 0603	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01N 0604	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01N 0605	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01N 0606	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01N 0701	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01N 0702	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01N 0703	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01N 0704	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01N 0705	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01N 0801	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01N 0802	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01N 0901	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01N 0902	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01O 0101	12:16 NCR 1482									
15A NCAC 01O 0102	12:16 NCR 1482									
15A NCAC 01O 0103	12:16 NCR 1482									
15A NCAC 01O 0104	12:16 NCR 1482									



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15A NCAC 010 .0105	12:16 NCR 1482									
15A NCAC 010 .0106	12:16 NCR 1482									
15A NCAC 010 .0107	12:16 NCR 1482									
15A NCAC 010 .0108	12:16 NCR 1482									
15A NCAC 010 .0109	12:16 NCR 1482									
15A NCAC 1211 .0901	12:03 NCR 209									
15A NCAC 19C .0206	12:15 NCR 1451									
15A NCAC 19G .0102	12:02 NCR 52		12:14 NCR 1266	S/L						
<b>Coastal Resources Commission</b>										
15A NCAC 07	11:04 NCR 183									
15A NCAC 0711 .0106	11:19 NCR 1408		11:27 NCR 2058	*	State Budget	12/18/97				
					Extend Review	01/15/98				
15A NCAC 0711 .0201	11:22 NCR 1704		11:27 NCR 2058	*	State Budget	12/18/97				
					Extend Review	01/15/98				
15A NCAC 0711 .0202	11:22 NCR 1704		11:27 NCR 2058	*	State Budget	12/18/97				
			agency withdrew		Extend Review	01/15/98				
15A NCAC 0711 .0203	11:22 NCR 1704		11:27 NCR 2058	*	State Budget	12/18/97				
					Extend Budget	01/15/98				
15A NCAC 0711 .0204	11:22 NCR 1704		11:27 NCR 2058	*	State Budget	12/18/97				
					Extend Review	01/15/98				
15A NCAC 0711 .0205	11:22 NCR 1704		11:27 NCR 2058	*	State Budget	12/18/97				
					Extend Review	01/15/98				
15A NCAC 0711 .0206	11:22 NCR 1704		11:27 NCR 2058	*	State Budget	12/18/97				
			agency withdrew		Extend Review	01/15/98				
15A NCAC 0711 .0207	11:22 NCR 1704		11:27 NCR 2058	*	State Budget	12/18/97				
					Extend Review	01/15/98				
15A NCAC 0711 .0208	11:22 NCR 1704		11:11 NCR 907	*	Object	08/21/97				
			11:27 NCR 2058	*	Approve	09/18/97	*		12:10 NCR 878	
15A NCAC 0711 .0208	11:19 NCR 1408									
15A NCAC 0711 .0210	12:02 NCR 52									
15A NCAC 0711 .0304	11:15 NCR 1200	11:15 NCR 1226 Temp Expired	11:27 NCR 2069	S	Approve	10/16/97	*		12:11 NCR 947	
		12:08 NCR 726								
15A NCAC 0711 .0305	11:15 NCR 1200	11:15 NCR 1226 Temp Expired	11:27 NCR 2069	S	Approve	10/16/97			12:11 NCR 947	
		12:08 NCR 726								
15A NCAC 0711 .0306	11:04 NCR 183		11:11 NCR 907	*						

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					Action	Date				
15A NCAC 07H .0308	12:16 NCR 1489									
15A NCAC 07H .0309	11:08 NCR 442		11:12 NCR 981	*	Approve	01/16/97	*		11:22 NCR 1717	
15A NCAC 07H .0310	12:11 NCR 919									
15A NCAC 07H .1104	11:04 NCR 183		11:11 NCR 907	*	Object Object Approve Approve	11/20/97 12/18/97 01/15/98 08/21/97	*		12:07 NCR 561	
15A NCAC 07H .1202	11:04 NCR 183		11:11 NCR 907	*	Object	08/21/97				
15A NCAC 07H .1204	11:04 NCR 183		11:11 NCR 907	*	Approve	09/18/97	*		12:10 NCR 878	
15A NCAC 07H .1205	11:04 NCR 183		11:11 NCR 907	*	Approve	08/21/97	*		12:07 NCR 561	
15A NCAC 07H .1304	11:04 NCR 183		11:11 NCR 907	*	Object Object	11/20/97 12/18/97				
15A NCAC 07H .1404	11:04 NCR 183		11:11 NCR 907	*	Approve	01/15/98	*			
15A NCAC 07H .1504	11:04 NCR 183		11:11 NCR 907	*	Object Object Approve	11/20/97 12/18/97 01/15/98	*			
15A NCAC 07H .1600	11:15 NCR 1200									
15A NCAC 07H .1601	11:15 NCR 1200		11:27 NCR 2071	*	Object Object Approve	11/20/97 12/18/97 01/15/98				
15A NCAC 07H .1604	11:15 NCR 1200		11:27 NCR 2071	*	Object	11/20/97				
15A NCAC 07H .1605	11:15 NCR 1200		11:27 NCR 2071	*	Object	11/20/97				
15A NCAC 07H .1704	11:04 NCR 183		11:11 NCR 907	*	Object Object Approve	11/20/97 12/18/97 01/15/98	*			
15A NCAC 07H .1705	12:16 NCR 1489									
15A NCAC 07H .1804	11:04 NCR 183		11:11 NCR 907	*	Object Object Approve	11/20/97 12/18/97 01/15/98	*			
15A NCAC 07H .1904	11:04 NCR 183		11:11 NCR 907	*	Object Object Approve	11/20/97 12/18/97 01/15/98	*			
15A NCAC 07H .2004	11:04 NCR 183		11:11 NCR 907	*	Object Object Approve	11/20/97 12/18/97 01/15/98	*			
15A NCAC 07H .2104	11:04 NCR 183		11:11 NCR 907	*	Object Object Approve	11/20/97 12/18/97 01/15/98	*			

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					Action	Date				
15A NCAC 07K .0203	11:04 NCR 183		11:11 NCR 907	*	Approve	08/21/97	*		12:07 NCR 561	
15A NCAC 07M .0301	10:16B NCR 1921		11:11 NCR 907	*	Approve	11/20/97	*		12:16 NCR 1521	
15A NCAC 07M .0302	10:16B NCR 1921		11:11 NCR 907	*	Approve	11/20/97			12:16 NCR 1521	
15A NCAC 07M .0303	10:16B NCR 1921		11:11 NCR 907	*	Object	11/20/97	*			
15A NCAC 07M .0304	10:16B NCR 1921		11:11 NCR 907	*	Approve	12/18/97				
15A NCAC 07M .0305	10:16B NCR 1921		11:11 NCR 907	*	Approve	11/20/97			12:16 NCR 1521	
15A NCAC 07M .0306	10:16B NCR 1921		11:11 NCR 907	*	Approve	11/20/97			12:16 NCR 1521	
15A NCAC 07M .0307	10:16B NCR 1921		11:11 NCR 907	*	Approve	11/20/97	*		12:16 NCR 1521	
15A NCAC 07M .0308	10:16B NCR 1921		11:11 NCR 907	*	Approve	11/20/97			12:16 NCR 1521	
15A NCAC 07M .0309	10:16B NCR 1921		11:11 NCR 907	*	Approve	11/20/97			12:16 NCR 1521	
15A NCAC 07M .0401	10:18 NCR 2317		11:11 NCR 931	*	Approve	01/16/97	*			
15A NCAC 07M .0402	10:18 NCR 2317		11:11 NCR 931	*	Approve	01/16/97	*			
15A NCAC 07M .0403	10:18 NCR 2317		11:11 NCR 931	*	Object	01/16/97	*			
15A NCAC 07M .1201	11:19 NCR 1408		11:27 NCR 2058	*	Approve	02/20/97			11:24 NCR 1832	
15A NCAC 07M .1202	11:19 NCR 1408		11:27 NCR 2058	*	State Budget	12/18/97				
					Extend Review	01/15/98				
					State Budget	12/18/97				
					Extend Review	01/15/98				
<b>Environmental Management Commission</b>										
<b>NPDES Permits</b>										
15A NCAC 02	10:24 NCR 3045									
15A NCAC 02	11:04 NCR 183									
15A NCAC 02	11:19 NCR 1408									
15A NCAC 02B .0101	11:24 NCR 1818		11:30 NCR 2303	*						
15A NCAC 02B .0202	11:24 NCR 1818		11:30 NCR 2303	*						
15A NCAC 02B .0202	11:02 NCR 75		12:06 NCR 462	S/L/SE						
15A NCAC 02B .0223	11:02 NCR 75									
15A NCAC 02B .0223	11:03 NCR 109									
15A NCAC 02B .0224	10:18 NCR 2400		11:12 NCR 973	*						
15A NCAC 02B .0227	10:18 NCR 2400		11:12 NCR 973	*						
15A NCAC 02B .0230	11:24 NCR 1818		11:30 NCR 2303	*						

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					Action	Date				
15A NCAC 02B .0231	11:02 NCR 75		11:10 NCR 824 11:14 NCR 1136	L/SE						
15A NCAC 02B .0232	11:02 NCR 75		11:10 NCR 824 11:14 NCR 1136	L	Object	01/15/98				
15A NCAC 02B .0233	11:02 NCR 75	12:02 NCR 77 12:14 NCR 1348	12:06 NCR 462 11:10 NCR 824 11:14 NCR 1136	S/L/SE L L	Object	01/15/98				
15A NCAC 02B .0234	11:02 NCR 75	12:14 NCR 1348	12:06 NCR 462 11:10 NCR 824 11:14 NCR 1136	S/L/SE * S/L/SE	Object	01/15/98				
15A NCAC 02B .0235	11:02 NCR 75		12:06 NCR 462 11:10 NCR 824 11:14 NCR 1136	S/L/SE * S/L/SE	Object	01/15/98				
15A NCAC 02B .0236	11:02 NCR 75		12:06 NCR 462 11:10 NCR 824 11:14 NCR 1136	S/L/SE L S/L/SE						
15A NCAC 02B .0238	11:02 NCR 75		12:06 NCR 462 12:06 NCR 462	S/L/SE S/L/SE	Object	01/15/98				
15A NCAC 02B .0239	11:02 NCR 75		12:06 NCR 462 12:06 NCR 462	S/L/SE S/L/SE	Object	01/15/98				
15A NCAC 02B .0240	11:02 NCR 75		12:06 NCR 462 12:06 NCR 462	S/L/SE S/L/SE	Object	01/15/98				
15A NCAC 02B .0303	10:18 NCR 2400		11:12 NCR 973	*						
15A NCAC 02B .0304	11:24 NCR 1818		12:01 NCR 6	*						
15A NCAC 02B .0304	11:26 NCR 1976		12:01 NCR 6	S						
15A NCAC 02B .0304	11:26 NCR 1984		12:05 NCR 414	*						
15A NCAC 02B .0305	11:20 NCR 1534		12:01 NCR 6	*						
15A NCAC 02B .0306	11:26 NCR 1976		12:01 NCR 6	*						
15A NCAC 02B .0307	11:26 NCR 1984		12:01 NCR 6	*						
15A NCAC 02B .0308	11:26 NCR 1976		12:01 NCR 6	*						
15A NCAC 02B .0308	11:26 NCR 1984		12:01 NCR 6	*						
15A NCAC 02B .0308	12:12 NCR 993		11:28 NCR 2121	*						
15A NCAC 02B .0308	12:14 NCR 1233		12:01 NCR 6	*						
15A NCAC 02B .0308	12:16 NCR 1489									

Extend Com. Period  
12:13 NCR 1095

Extend Com. Period  
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15A NCAC 02B .0309	11:26 NCR 1976 11:26 NCR 1984		12:01 NCR 6	*						
15A NCAC 02B .0311	11:26 NCR 1976 11:26 NCR 1984		12:01 NCR 6	*						
15A NCAC 02B .0311	12:10 NCR 865									
15A NCAC 02B .0313	11:24 NCR 1818		12:05 NCR 416	*						
15A NCAC 02B .0313	11:26 NCR 1976		12:01 NCR 6	*						
15A NCAC 02B .0313	11:26 NCR 1984 12:10 NCR 865									
15A NCAC 02B .0315	11:24 NCR 1818		12:07 NCR 515	L						
15A NCAC 02B .0316	11:20 NCR 1534									
15A NCAC 02B .0316	11:26 NCR 1976		12:01 NCR 6	*						
15A NCAC 02B .0317	11:26 NCR 1984 11:26 NCR 1976		12:01 NCR 6	*						
15A NCAC 02D .0101	11:15 NCR 1200		12:04 NCR 270	*						
15A NCAC 02D .0101	12:02 NCR 52									
15A NCAC 02D .0101	12:16 NCR 1482									
15A NCAC 02D .0104	11:15 NCR 1200		12:04 NCR 270	*						
15A NCAC 02D .0105	11:15 NCR 1200		12:04 NCR 270	*						
15A NCAC 02D .0108	11:15 NCR 1200									
15A NCAC 02D .0202	11:15 NCR 1200		12:04 NCR 270	*						
15A NCAC 02D .0302	11:15 NCR 1200		12:04 NCR 270	*						
15A NCAC 02D .0307	11:15 NCR 1200									
15A NCAC 02D .0405	12:16 NCR 1482									
15A NCAC 02D .0409	12:16 NCR 1482									
15A NCAC 02D .0410	12:16 NCR 1482									
15A NCAC 02D .0501	11:15 NCR 1200									
15A NCAC 02D .0501	11:04 NCR 183									
15A NCAC 02D .0506	10:18 NCR 2318		12:10 NCR 867	*						
15A NCAC 02D .0507	10:18 NCR 2318		12:10 NCR 867	*						
15A NCAC 02D .0508	10:18 NCR 2318		12:10 NCR 867	*						

Extend Com. Period  
12:13 NCR 1095

Extend Com. Period  
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15A NCAC 02D .0509	10:18 NCR 2318		12:10 NCR 867	*						
15A NCAC 02D .0510	10:18 NCR 2318		12:10 NCR 867	*						
15A NCAC 02D .0511	10:18 NCR 2318		12:10 NCR 867	*						
15A NCAC 02D .0513	10:18 NCR 2318		12:10 NCR 867	*						
15A NCAC 02D .0514	10:18 NCR 2318		12:10 NCR 867	*						
15A NCAC 02D .0515	10:18 NCR 2318		12:10 NCR 867	*						
15A NCAC 02D .0518	11:19 NCR 1408									
15A NCAC 02D .0521	11:15 NCR 1200									
15A NCAC 02D .0521	11:04 NCR 183		12:10 NCR 867	*						
15A NCAC 02D .0524	11:15 NCR 1200									
15A NCAC 02D .0525	11:15 NCR 1200									
15A NCAC 02D .0531	11:15 NCR 1200		12:04 NCR 270	*						
15A NCAC 02D .0535	10:18 NCR 2317		11:16 NCR 1271	*	Approve	04/17/97			11:29 NCR 2211	
	10:18 NCR 2317		12:08 NCR 650	*						
15A NCAC 02D .0540	10:18 NCR 2318		12:10 NCR 867	*						
15A NCAC 02D .0601	10:18 NCR 2318									
15A NCAC 02D .0602	10:18 NCR 2318									
15A NCAC 02D .0604	10:18 NCR 2318									
15A NCAC 02D .0605	10:18 NCR 2318									
15A NCAC 02D .0606	10:18 NCR 2318									
15A NCAC 02D .0607	10:18 NCR 2318									
15A NCAC 02D .0608	10:18 NCR 2318									
15A NCAC 02D .0610	11:15 NCR 1200									
15A NCAC 02D .0611	11:15 NCR 1200									
15A NCAC 02D .0612	11:15 NCR 1200									
15A NCAC 02D .0613	11:15 NCR 1200									
15A NCAC 02D .0614	11:15 NCR 1200									
15A NCAC 02D .0615	11:15 NCR 1200									
15A NCAC 02D .0806	11:26 NCR 1976									
15A NCAC 02D .0902	11:19 NCR 1408									



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15A NCAC 02D .1105	11:15 NCR 1200									
15A NCAC 02D .1106	11:08 NCR 442		12:08 NCR 650	SE						
15A NCAC 02D .1106	11:26 NCR 1976			*						
15A NCAC 02D .1107	11:15 NCR 1200		12:04 NCR 270	*						
15A NCAC 02D .1109	10:18 NCR 2317		12:08 NCR 650	*						
15A NCAC 02D .1112	10:18 NCR 2317		12:08 NCR 650	*						
15A NCAC 02D .1200	12:16 NCR 1482									
15A NCAC 02D .1201	10:24 NCR 3045		11:16 NCR 1271	L/SE	Approve	04/17/97			11:29 NCR 2211	
15A NCAC 02D .1201	10:18 NCR 2317		12:08 NCR 650	*						
15A NCAC 02D .1202	10:24 NCR 3045		11:16 NCR 1271	L/SE	Approve	04/17/97			11:29 NCR 2211	
15A NCAC 02D .1203	10:24 NCR 3045		11:16 NCR 1271	L/SE	Approve	04/17/97			11:29 NCR 2211	
15A NCAC 02D .1203	11:15 NCR 1200									
15A NCAC 02D .1204	10:24 NCR 3045		11:16 NCR 1271	L/SE	Approve	04/17/97			11:29 NCR 2211	
15A NCAC 02D .1204	11:04 NCR 183		12:04 NCR 270	*						
15A NCAC 02D .1204	10:18 NCR 2318									
15A NCAC 02D .1204	12:16 NCR 1482									
15A NCAC 02D .1205	10:24 NCR 3045		11:16 NCR 1271	L/SE	Approve	04/17/97			11:29 NCR 2211	
15A NCAC 02D .1205	10:18 NCR 2317		12:08 NCR 650	*						
15A NCAC 02D .1206	10:24 NCR 3045		11:16 NCR 1271	L/SE	Approve	04/17/97			11:29 NCR 2211	
15A NCAC 02D .1206	11:04 NCR 183		12:04 NCR 270	*						
15A NCAC 02D .1207	10:24 NCR 3045		11:16 NCR 1271	L/SE	Approve	04/17/97			11:29 NCR 2211	
15A NCAC 02D .1208	10:24 NCR 3045		11:16 NCR 1271	L/SE	Approve	04/17/97	*		11:29 NCR 2211	
15A NCAC 02D .1209	10:24 NCR 3045		11:16 NCR 1271	L/SE	Approve	04/17/97	*		11:29 NCR 2211	
15A NCAC 02D .1305	11:04 NCR 183		12:04 NCR 270	*					11:29 NCR 2211	
15A NCAC 02D .1404	11:15 NCR 1200									
15A NCAC 02D .1500	11:19 NCR 1408									
15A NCAC 02D .1503	11:15 NCR 1200		12:04 NCR 270	*						
15A NCAC 02D .1603	11:15 NCR 1200		12:04 NCR 270	*						
15A NCAC 02D .1701	11:15 NCR 1200		12:04 NCR 270	*						
15A NCAC 02D .1702	11:15 NCR 1200		12:04 NCR 270	*						

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15A NCAC 02N 0701	11:15 NCR 1200	12:08 NCR 713	11:21 NCR 1639	*	Approve	12/18/97	*			
15A NCAC 02N 0707	11:15 NCR 1204	12:08 NCR 713	11:21 NCR 1639	*	Object	12/18/97				
15A NCAC 02P	11:15 NCR 1200									
15A NCAC 02P 0402	11:15 NCR 1204	10:19 NCR 2512	11:21 NCR 1639	*	Approve	12/18/97				
15A NCAC 02Q 0101	10:18 NCR 2317	12:08 NCR 713	12:08 NCR 650	*						
15A NCAC 02Q 0102	10:18 NCR 2317		12:08 NCR 650	*						
15A NCAC 02Q 0102			11:06 NCR 350	*						
15A NCAC 02Q 0102	11:19 NCR 1408									
15A NCAC 02Q 0102	12:02 NCR 52									
15A NCAC 02Q 0102	12:16 NCR 1482									
15A NCAC 02Q 0103	11:15 NCR 1200		12:04 NCR 270	*						
15A NCAC 02Q 0103	12:16 NCR 1482									
15A NCAC 02Q 0107	12:16 NCR 1482									
15A NCAC 02Q 0108	11:15 NCR 1200			*						
15A NCAC 02Q 0201	12:02 NCR 52		12:04 NCR 270	*						
15A NCAC 02Q 0207	11:19 NCR 1408			*						
15A NCAC 02Q 0300	11:26 NCR 1976									
15A NCAC 02Q 0301	10:18 NCR 2317		12:08 NCR 650	*						
15A NCAC 02Q 0302	10:18 NCR 2317		12:08 NCR 650	*						
15A NCAC 02Q 0306	10:18 NCR 2317		12:08 NCR 650	*						
15A NCAC 02Q 0307	11:15 NCR 1200		12:04 NCR 270	*						
15A NCAC 02Q 0312	10:18 NCR 2317		12:08 NCR 650	*						
15A NCAC 02Q 0312	10:24 NCR 3045		11:16 NCR 1271	*	Approve	04/17/97			11:29 NCR 2211	
15A NCAC 02Q 0313	10:24 NCR 3045		11:16 NCR 1271	*	Approve	04/17/97			11:29 NCR 2211	
15A NCAC 02Q 0400	12:04 NCR 240									
15A NCAC 02Q 0501	10:18 NCR 2317		12:08 NCR 650	*						
15A NCAC 02Q 0521	11:15 NCR 1200		12:04 NCR 270	*						
15A NCAC 02Q 0525	10:24 NCR 3045		11:16 NCR 1271	*	Approve	04/17/97			11:29 NCR 2211	
15A NCAC 02Q 0527	10:18 NCR 2317		12:08 NCR 650	*						
15A NCAC 02Q 0527	10:24 NCR 3045		11:16 NCR 1271	*	Approve	04/17/97			11:29 NCR 2211	

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15A NCAC 02Q .0607	10:24 NCR 3045		11:16 NCR 1271	*	Approve	04/17/97			11:29 NCR 2211	
15A NCAC 02Q .0700	11:08 NCR 442									
15A NCAC 02Q .0701	11:08 NCR 442		12:08 NCR 650	SE						
15A NCAC 02Q .0702	11:08 NCR 442		12:08 NCR 650	SE						
15A NCAC 02Q .0703	11:08 NCR 442		12:08 NCR 650	SE						
15A NCAC 02Q .0704	11:08 NCR 442		12:08 NCR 650	SE						
15A NCAC 02Q .0705	11:08 NCR 442		12:08 NCR 650	SE						
15A NCAC 02Q .0706	11:08 NCR 442		12:08 NCR 650	SE						
15A NCAC 02Q .0707	11:08 NCR 442		12:08 NCR 650	SE						
15A NCAC 02Q .0708	11:08 NCR 442		12:08 NCR 650	SE						
15A NCAC 02Q .0709	11:08 NCR 442		12:08 NCR 650	SE						
15A NCAC 02Q .0710	11:08 NCR 442		12:08 NCR 650	SE						
15A NCAC 02Q .0711	11:08 NCR 442		12:08 NCR 650	SE						
15A NCAC 02Q .0712	11:08 NCR 442		12:08 NCR 650	SE						
15A NCAC 02Q .0713	11:08 NCR 442		12:08 NCR 650	SE						
15A NCAC 02Q .0801	12:02 NCR 52									
15A NCAC 02Q .0803	12:02 NCR 52									
15A NCAC 02Q .0805	10:18 NCR 2317		12:04 NCR 270	S						
15A NCAC 02Q .0806	10:24 NCR 3045		12:04 NCR 270	S						
15A NCAC 02Q .0807	10:24 NCR 3045		12:04 NCR 270	*						
15A NCAC 02Q .0808	12:16 NCR 1482									
15A NCAC 02R .0101	12:02 NCR 52		12:14 NCR 1267	*						
15A NCAC 02R .0102	12:02 NCR 52		12:14 NCR 1267	*						
15A NCAC 02R .0201	12:02 NCR 52		12:14 NCR 1267	*						
15A NCAC 02R .0202	12:02 NCR 52		12:14 NCR 1267	S						
15A NCAC 02R .0203	12:02 NCR 52		12:14 NCR 1267	S						
15A NCAC 02R .0204	12:02 NCR 52		12:14 NCR 1267	S						
15A NCAC 02R .0205	12:02 NCR 52		12:14 NCR 1267	S						
15A NCAC 02R .0301	12:02 NCR 52		12:14 NCR 1267	*						
15A NCAC 02R .0302	12:02 NCR 52		12:14 NCR 1267	S						

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15A NCAC 02R .0401	12:02 NCR 52		12:14 NCR 1267	S						
15A NCAC 02R .0402	12:02 NCR 52		12:14 NCR 1267	S						
15A NCAC 02R .0403	12:02 NCR 52		12:14 NCR 1267	S						
15A NCAC 02R .0501	12:02 NCR 52		12:14 NCR 1267	S						
15A NCAC 02R .0501		11:27 NCR 2075	12:08 NCR 650	S						
15A NCAC 02R .0502		11:27 NCR 2075	12:14 NCR 1267	*						
15A NCAC 02R .0503		11:27 NCR 2075	12:08 NCR 650	*						
15A NCAC 02R .0504		11:27 NCR 2075	12:14 NCR 1267	*						
15A NCAC 02R .0600	12:02 NCR 52		12:08 NCR 650	*						
<b>Health Services, Commission for</b>										
15A NCAC 13A .0100	12:02 NCR 52		11:20 NCR 1552	*	Approve	04/17/97			11:29 NCR 2211	
15A NCAC 13A .0101	11:16 NCR 1269		N/A		Approve	07/17/97			12:04 NCR 317	
15A NCAC 13A .0101	N/A		11:20 NCR 1552	*	Approve	04/17/97			11:29 NCR 2211	
15A NCAC 13A .0105	11:16 NCR 1269		11:20 NCR 1552	*	Approve	04/17/97			11:29 NCR 2211	
15A NCAC 13A .0107	11:16 NCR 1269									
15A NCAC 13A .0109	12:07 NCR 509									
15A NCAC 13A .0110	12:07 NCR 509		11:20 NCR 1552	*	Approve	04/17/97				
15A NCAC 13A .0111	11:16 NCR 1269									
15A NCAC 13A .0111	12:07 NCR 509									
15A NCAC 13A .0112	11:16 NCR 1269		11:20 NCR 1552	*	Approve	04/17/97				
15A NCAC 13A .0119	11:16 NCR 1269									
15A NCAC 13B .1301		12:12 NCR 1064								
15A NCAC 13B .1627	11:08 NCR 442		11:13 NCR 1055	*						
15A NCAC 13B .1800	11:08 NCR 442									
15A NCAC 13B .1800	11:26 NCR 1976									
15A NCAC 18A	11:04 NCR 183									
15A NCAC 18A .0134	11:08 NCR 442		11:12 NCR 987	*	Object Approve	12/19/96 01/16/97	*		11:22 NCR 1717	



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15A NCAC 18A .0168	11:08 NCR 442		11:12 NCR 987	*	Object	12/19/96	*		11:22 NCR 1717	
					Approve	01/16/97				
15A NCAC 18A .0176	11:08 NCR 442		11:12 NCR 987	*	Object	12/19/96			11:22 NCR 1717	
					Approve	01/16/97				
15A NCAC 18A .0182	11:08 NCR 442		11:12 NCR 987	*	Object	12/19/96	*		11:22 NCR 1717	
					Approve	01/16/97				
15A NCAC 18A .0183	11:08 NCR 442		11:12 NCR 987	*	Object	12/19/96	*		11:22 NCR 1717	
					Approve	01/16/97				
15A NCAC 18A .0185	11:08 NCR 442		11:12 NCR 987	*	Object	12/19/96			11:22 NCR 1717	
					Approve	01/16/97				
15A NCAC 18A .0187	11:08 NCR 442		11:12 NCR 987	*	Object	12/19/96	*		11:22 NCR 1717	
					Approve	01/16/97				
15A NCAC 18A .0301	11:08 NCR 442		11:12 NCR 987	*	Object	12/19/96	*		11:22 NCR 1717	
					Approve	01/16/97				
15A NCAC 18A .0421	11:08 NCR 442		11:12 NCR 987	*	Object	12/19/96	*		11:22 NCR 1717	
					Approve	01/16/97				
15A NCAC 18A .0425		12:14 NCR 1352								
15A NCAC 18A .0432		12:14 NCR 1352								
15A NCAC 18A .0614	11:08 NCR 442		11:12 NCR 987	*	Object	12/19/96			11:22 NCR 1717	
					Approve	01/16/97				
15A NCAC 18A .0618	11:08 NCR 442		11:12 NCR 987	*	Object	12/19/96			11:22 NCR 1717	
					Approve	01/16/97				
15A NCAC 18A .0621	11:08 NCR 442		11:12 NCR 987	*	Object	12/19/96			11:22 NCR 1717	
					Approve	01/16/97				
15A NCAC 18A .0901	11:08 NCR 442		11:12 NCR 987	*	Object	12/19/96	*		11:22 NCR 1717	
					Approve	01/16/97				
15A NCAC 18A .1301	11:08 NCR 442		11:12 NCR 987	*	Object	12/19/96	*		11:22 NCR 1717	
					Approve	01/16/97				
15A NCAC 18A .1319	11:08 NCR 442		11:12 NCR 987	*	Object	12/19/96	*		11:22 NCR 1717	
					Approve	01/16/97				
15A NCAC 18A .1720	12:16 NCR 1482									
15A NCAC 18A .1937	11:19 NCR 1408	11:20 NCR 1561	12:02 NCR 61	*	Approve	10/16/97	*		12:11 NCR 947	
15A NCAC 18A .1938	11:19 NCR 1408	11:20 NCR 1561	12:02 NCR 61	*	Object	10/16/97	*		12:16 NCR 1521	
15A NCAC 18A .1958	11:19 NCR 1408	11:20 NCR 1561	12:02 NCR 61	*	Object	10/16/97	*		12:16 NCR 1521	
15A NCAC 18A .1961	11:19 NCR 1408	11:20 NCR 1561	12:02 NCR 61	*	Approve	10/16/97	*		12:11 NCR 947	
15A NCAC 18A .2301	12:03 NCR 168		12:07 NCR 519	*	Ext. Review	12/18/97				
					Object	01/15/98				
15A NCAC 18A .2302	12:03 NCR 168		12:07 NCR 519	*	Ext. Review	12/18/97				

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15A NCAC 18A .2303	12:03 NCR 168		12:07 NCR 519	*	Object	01/15/98				
					Ext. Review	12/18/97				
15A NCAC 18A .2304	12:03 NCR 168		12:07 NCR 519	*	Object	01/15/98				
					Ext. Review	12/18/97				
15A NCAC 18A .2305	12:03 NCR 168		12:07 NCR 519	*	Object	01/15/98				
					Ext. Review	12/18/97				
15A NCAC 18A .2306	12:03 NCR 168		12:07 NCR 519	*	Object	01/15/98				
					Ext. Review	12/18/97				
15A NCAC 18A .2307	12:03 NCR 168		12:07 NCR 519	*	Object	01/15/98				
					Ext. Review	12/18/97				
15A NCAC 18A .2308	12:03 NCR 168		12:07 NCR 519	*	Object	01/15/98				
					Ext. Review	12/18/97				
15A NCAC 18A .2309	12:03 NCR 168		12:07 NCR 519	*	Object	01/15/98				
					Ext. Review	12/18/97				
15A NCAC 18A .2310	12:03 NCR 168		12:07 NCR 519	*	Object	01/15/98				
					Ext. Review	12/18/97				
15A NCAC 18A .2508	12:08 NCR 614				Object	01/15/98				
					Ext. Review	12/18/97				
15A NCAC 18A .2513	12:08 NCR 614				Object	01/15/98				
					Ext. Review	12/18/97				
15A NCAC 18A .2515	12:08 NCR 614				Object	01/15/98				
					Ext. Review	12/18/97				
15A NCAC 18A .2517	12:08 NCR 614				Object	01/15/98				
					Ext. Review	12/18/97				
15A NCAC 18A .2518	12:08 NCR 614				Object	01/15/98				
					Ext. Review	12/18/97				
15A NCAC 18A .2522	12:08 NCR 614				Object	01/15/98				
					Ext. Review	12/18/97				
15A NCAC 18A .2526	12:08 NCR 614				Object	01/15/98				
					Ext. Review	12/18/97				
15A NCAC 18A .2528	12:08 NCR 614				Object	01/15/98				
					Ext. Review	12/18/97				
15A NCAC 18A .2530	12:08 NCR 614				Object	01/15/98				
					Ext. Review	12/18/97				
15A NCAC 18A .2531	12:08 NCR 614				Object	01/15/98				
					Ext. Review	12/18/97				
15A NCAC 18A .2532	12:08 NCR 614				Object	01/15/98				
					Ext. Review	12/18/97				
15A NCAC 18A .2535	12:08 NCR 614				Object	01/15/98				
					Ext. Review	12/18/97				
15A NCAC 18A .2537	12:08 NCR 614				Object	01/15/98				
					Ext. Review	12/18/97				
15A NCAC 18A .2539	12:08 NCR 614				Object	01/15/98				
					Ext. Review	12/18/97				
15A NCAC 18A .2543	12:08 NCR 614				Object	01/15/98				
					Ext. Review	12/18/97				
15A NCAC 18A .2600	12:04 NCR 240				Object	01/15/98				
					Ext. Review	12/18/97				
15A NCAC 18A .2601	12:04 NCR 240		12:08 NCR 696	*	Object	01/15/98				
					Ext. Review	12/18/97				
15A NCAC 18A .2602	12:04 NCR 240		12:08 NCR 696	*	Object	01/15/98				
					Ext. Review	12/18/97				
15A NCAC 18A .2603	12:04 NCR 240		12:08 NCR 696	*	Object	01/15/98				
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15A NCAC 18A .2604	12:04 NCR 240		12:08 NCR 696	*						
15A NCAC 18A .2605	12:04 NCR 240		12:08 NCR 696	*						
15A NCAC 18A .2606	12:04 NCR 240		12:08 NCR 696	*						
15A NCAC 18A .2607	12:04 NCR 240		12:08 NCR 696	*						
15A NCAC 18A .2608	12:04 NCR 240		12:08 NCR 696	*						
15A NCAC 18A .2609	12:04 NCR 240		12:08 NCR 696	*						
15A NCAC 18A .2610	12:04 NCR 240		12:08 NCR 696	*						
15A NCAC 18A .2612	12:04 NCR 240		12:08 NCR 696	*						
15A NCAC 18A .2612		12:14 NCR 1352								
15A NCAC 18A .2613	12:04 NCR 240		12:08 NCR 696	*						
15A NCAC 18A .2614	12:04 NCR 240		12:08 NCR 696	*						
15A NCAC 18A .2615	12:04 NCR 240		12:08 NCR 696	*						
15A NCAC 18A .2616	12:04 NCR 240		12:08 NCR 696	*						
15A NCAC 18A .2617	12:04 NCR 240		12:08 NCR 696	*						
15A NCAC 18A .2618	12:04 NCR 240		12:08 NCR 696	*						
15A NCAC 18A .2620	12:04 NCR 240		12:08 NCR 696	*						
15A NCAC 18A .2621	12:04 NCR 240		12:08 NCR 696	*						
15A NCAC 18A .2622	12:04 NCR 240		12:08 NCR 696	*						
15A NCAC 18A .2623	12:04 NCR 240		12:08 NCR 696	*						
15A NCAC 18A .2624	12:04 NCR 240		12:08 NCR 696	*						
15A NCAC 18A .2626	12:04 NCR 240		12:08 NCR 696	*						
15A NCAC 18A .2627	12:04 NCR 240		12:08 NCR 696	*						
15A NCAC 18A .2628	12:04 NCR 240		12:08 NCR 696	*						
15A NCAC 18A .2630	12:04 NCR 240		12:08 NCR 696	*						
15A NCAC 18A .2632	12:04 NCR 240		12:08 NCR 696	*						
15A NCAC 18A .2633	12:04 NCR 240		12:08 NCR 696	*						
15A NCAC 18A .2638	12:04 NCR 240		12:08 NCR 696	*						
15A NCAC 18A .2643	12:04 NCR 240		12:08 NCR 696	*						
15A NCAC 18A .2801	12:16 NCR 1482									
15A NCAC 18A .2802	12:16 NCR 1482									



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15A NCAC 18A .2803	12:16 NCR 1482									
15A NCAC 18A .2804	12:16 NCR 1482									
15A NCAC 18A .2805	12:16 NCR 1482									
15A NCAC 18A .2806	12:16 NCR 1482									
15A NCAC 18A .2807	12:16 NCR 1482									
15A NCAC 18A .2808	12:16 NCR 1482									
15A NCAC 18A .2809	12:16 NCR 1482									
15A NCAC 18A .2810	12:16 NCR 1482									
15A NCAC 18A .2811	12:16 NCR 1482									
15A NCAC 18A .2812	12:16 NCR 1482									
15A NCAC 18A .2813	12:16 NCR 1482									
15A NCAC 18A .2814	12:16 NCR 1482									
15A NCAC 18A .2815	12:16 NCR 1482									
15A NCAC 18A .2816	12:16 NCR 1482									
15A NCAC 18A .2817	12:16 NCR 1482									
15A NCAC 18A .2818	12:16 NCR 1482									
15A NCAC 18A .2819	12:16 NCR 1482									
15A NCAC 18A .2820	12:16 NCR 1482									
15A NCAC 18A .2821	12:16 NCR 1482									
15A NCAC 18A .2822	12:16 NCR 1482									
15A NCAC 18A .2823	12:16 NCR 1482									
15A NCAC 18A .2824	12:16 NCR 1482									
15A NCAC 18A .2825	12:16 NCR 1482									
15A NCAC 18A .2826	12:16 NCR 1482									
15A NCAC 18A .2827	12:16 NCR 1482									
15A NCAC 18A .2828	12:16 NCR 1482									
15A NCAC 18A .2829	12:16 NCR 1482									
15A NCAC 18A .2830	12:16 NCR 1482									
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15A NCAC 18A .2832	12:16 NCR 1482									

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15A NCAC 18A .2833	12:16 NCR 1482									
15A NCAC 18A .2834	12:16 NCR 1482									
15A NCAC 18A .2835	12:16 NCR 1482									
15A NCAC 18A .2836	12:16 NCR 1482									
15A NCAC 18A .3101	12:11 NCR 920	12:12 NCR 1064								
15A NCAC 18A .3102	12:11 NCR 920	12:12 NCR 1064								
15A NCAC 18A .3103	12:11 NCR 920	12:12 NCR 1064								
15A NCAC 18A .3104	12:11 NCR 920	12:12 NCR 1064								
15A NCAC 18A .3105	12:11 NCR 920	12:12 NCR 1064								
15A NCAC 18A .3106	12:11 NCR 920	12:12 NCR 1064								
15A NCAC 18A .3107	12:11 NCR 920	12:12 NCR 1064								
15A NCAC 18A .3108	12:11 NCR 920	12:12 NCR 1064								
15A NCAC 18A .3109	12:11 NCR 920	12:12 NCR 1064								
15A NCAC 18A .3110	12:11 NCR 920	12:12 NCR 1064								
15A NCAC 18A .3111	12:11 NCR 920	12:12 NCR 1064								
15A NCAC 19A .0101	11:26 NCR 1976		12:02 NCR 61	S/L	Approve	10/16/97	*		12:11 NCR 947	
15A NCAC 19A .0101	12:02 NCR 52	12:02 NCR 88								
15A NCAC 19A .0102	11:26 NCR 1976		12:02 NCR 61	S/L	Approve	10/16/97	*		12:11 NCR 947	
15A NCAC 19A .0201	11:26 NCR 1976		12:02 NCR 61	*	Approve	10/16/97	*		12:11 NCR 947	
15A NCAC 19A .0203	11:21 NCR 1638		12:02 NCR 61	*	Approve	10/16/97	*		12:11 NCR 947	
15A NCAC 19A .0205	11:26 NCR 1976		12:02 NCR 61	*	Approve	10/16/97	*		12:11 NCR 947	
15A NCAC 19C .0801	12:10 NCR 866	12:01 NCR 31	12:14 NCR 1272	S						
15A NCAC 19C .0802	12:10 NCR 866	12:01 NCR 31	12:14 NCR 1272	S						
15A NCAC 19C .0803	12:10 NCR 866	12:01 NCR 31	12:14 NCR 1272	S						
15A NCAC 19C .0804	12:10 NCR 866		12:14 NCR 1272	S						
15A NCAC 19C .0805	12:10 NCR 866		12:14 NCR 1272	S						
15A NCAC 19C .0806	12:10 NCR 866		12:14 NCR 1272	S						
15A NCAC 19C .0807	12:10 NCR 866		12:14 NCR 1272	S						
15A NCAC 19C .0808	12:10 NCR 866		12:14 NCR 1272	S						
15A NCAC 19C .0809	12:10 NCR 866		12:14 NCR 1272	S						

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15A NCAC 211 .0101		11:07 NCR 422	11:20 NCR 1552	*	Approve	04/17/97	*		11:29 NCR 2211	
15A NCAC 211 .0101		11:07 NCR 422	11:20 NCR 1552	*	Approve	04/17/97	*		11:29 NCR 2211	
15A NCAC 24A .0202		11:24 NCR 1827	12:02 NCR 61	S	Approve	10/16/97			12:11 NCR 947	
15A NCAC 24A .0202		12:01 NCR 31	12:07 NCR 519	S	Approve	12/18/97				
15A NCAC 26C .0001	11:19 NCR 1408									
15A NCAC 26C .0002	11:19 NCR 1408									
15A NCAC 26C .0003	11:19 NCR 1408									
15A NCAC 26C .0004	11:19 NCR 1408									
15A NCAC 26C .0005	11:19 NCR 1408									
15A NCAC 26C .0006	11:19 NCR 1408									
15A NCAC 26C .0007	11:19 NCR 1408									
<b>Marine Fisheries Commission</b>										
15A NCAC 03	11:11 NCR 881									
15A NCAC 03	11:20 NCR 1537									
15A NCAC 03	11:26 NCR 1985									
15A NCAC 031 .0101	11:26 NCR 1976		12:05 NCR 418	*						
15A NCAC 031 .0117	11:26 NCR 1976	11:26 NCR 2000	12:05 NCR 418	*	Object	01/15/98				
15A NCAC 031 .0103	11:26 NCR 1976		12:05 NCR 418	*						
15A NCAC 031 .0104	11:26 NCR 1976		12:05 NCR 418	*						
15A NCAC 031 .0202	11:07 NCR 407		11:11 NCR 888	*						
15A NCAC 031 .0202	11:26 NCR 1976	12:12 NCR 1063	12:05 NCR 418	*						
15A NCAC 031 .0208	11:26 NCR 1976		12:12 NCR 1002	*						
15A NCAC 031 .0301	11:26 NCR 1976		12:05 NCR 418	*						
15A NCAC 031 .0102	11:07 NCR 407		12:05 NCR 418	*						
15A NCAC 03M .0204		11:14 NCR 1153	11:11 NCR 888	*	Approve	04/17/97			11:29 NCR 2211	
15A NCAC 03M .0503		11:18 NCR 1383	11:26 NCR 1988	*	Approve	08/21/97			12:07 NCR 561	
15A NCAC 03M .0503	11:20 NCR 1537	12:05 NCR 431	12:05 NCR 418	*						
15A NCAC 03M .0506		11:18 NCR 1383	11:26 NCR 1988	*	Approve	08/21/97	*		12:07 NCR 561	
15A NCAC 03M .0506	11:26 NCR 1976		12:05 NCR 418	*						



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15A NCAC 03M .0507		11:11 NCR 938 Temp Expired	11:26 NCR 1988	*	Approve	08/21/97			12:07 NCR 561	
15A NCAC 03M .0513	11:26 NCR 1976		12:05 NCR 418	*						
15A NCAC 03M .0513	11:26 NCR 1985		12:12 NCR 1002	*						
15A NCAC 03M .0514		11:18 NCR 1383	11:26 NCR 1088	*	Approve	08/21/97			12:07 NCR 561	
15A NCAC 03O .0204	N/A	N/A	N/A		Approve	08/21/97			12:07 NCR 561	
15A NCAC 03O .0211	11:26 NCR 1976		12:05 NCR 418	*						
<b>Parks and Recreation Commission</b>										
15A NCAC 12A .0001	12:13 NCR 1097									
15A NCAC 12A .0004	12:13 NCR 1097									
15A NCAC 12A .0005	12:13 NCR 1097									
15A NCAC 12B .0101	12:13 NCR 1097									
15A NCAC 12B .0104	12:13 NCR 1097									
15A NCAC 12B .0106	12:13 NCR 1097									
15A NCAC 12B .0203	12:13 NCR 1097									
15A NCAC 12B .0401	12:13 NCR 1097									
15A NCAC 12B .0402	12:13 NCR 1097									
15A NCAC 12B .0501	12:13 NCR 1097									
15A NCAC 12B .0602	12:13 NCR 1097									
15A NCAC 12B .0701	12:13 NCR 1097									
15A NCAC 12B .0702	12:13 NCR 1097									
15A NCAC 12B .0802	12:13 NCR 1097									
15A NCAC 12B .0901	12:13 NCR 1097									
15A NCAC 12B .1001	12:13 NCR 1097									
15A NCAC 12B .1004	12:13 NCR 1097									
15A NCAC 12B .1102	12:13 NCR 1097									
15A NCAC 12B .1201	12:13 NCR 1097									
15A NCAC 12K .0101	12:02 NCR 52		12:12 NCR 1046	*						
15A NCAC 12K .0103	12:02 NCR 52		12:12 NCR 1046	*						
15A NCAC 12K .0104	12:02 NCR 52		12:12 NCR 1046	*						

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15A NCAC 12K .0105	12:02 NCR 52		12:12 NCR 1046	S						
15A NCAC 12K .0106	12:02 NCR 52		12:12 NCR 1046	*						
15A NCAC 12K .0107	12:02 NCR 52		12:12 NCR 1046	*						
15A NCAC 12K .0108	12:02 NCR 52		12:12 NCR 1046	*						
15A NCAC 12K .0109	12:02 NCR 52		12:12 NCR 1046	*						
15A NCAC 12K .0110	12:02 NCR 52		12:12 NCR 1046	*						
15A NCAC 12K .0111	12:02 NCR 52		12:12 NCR 1046	*						
<b>Radiation Protection</b>										
15A NCAC 11 .0104	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0117	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0301	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0339	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0340	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0353	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0358	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0401	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0402	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0403	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0404	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0405	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0406	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0407	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0408	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0409	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0410	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0411	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0412	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0413	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0414	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0415	12:04 NCR 240		12:09 NCR 749	*						

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15A NCAC 11 .0416	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0417	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0418	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0419	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0420	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0421	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0422	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0423	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0424	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0425	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0426	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0427	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0428	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .1100	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .1400	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .1601	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .1603	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .1611	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .1620	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .1647	12:04 NCR 240		12:09 NCR 749	*						
<b>Soil &amp; Water Conservation</b>										
15A NCAC 06E .0104	N/A	N/A	N/A		Object	10/16/97				
15A NCAC 06E .0105	N/A	N/A	N/A		Approve	12/18/97				
15A NCAC 06E .0106	N/A	N/A	N/A		Object	10/16/97				
15A NCAC 06E .0107	N/A	N/A	N/A		Approve	12/18/97			12:11 NCR 947	
15A NCAC 06E .0108	N/A	N/A	N/A		Approve	10/16/97			12:11 NCR 947	
<b>Water Pollution Control System Operators Certification Commssion</b>										
15A NCAC 08A	11:26 NCR 1976				Approve	10/16/97			12:11 NCR 947	
15A NCAC 08B	11:26 NCR 1976				Approve	10/16/97			12:11 NCR 947	



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15A NCAC 08C	11:26 NCR 1976									
15A NCAC 08D	11:26 NCR 1976									
15A NCAC 08E	11:26 NCR 1976									
15A NCAC 08F	11:26 NCR 1976									
15A NCAC 08F .0101		11:19 NCR 1442	11:28 NCR 2123	*	Approve	09/18/97	*		12:10 NCR 878	
15A NCAC 08F .0102		11:19 NCR 1442	11:28 NCR 2123	*	Withdraw	09/18/97			12:16 NCR 1521	
15A NCAC 08F .0201		11:19 NCR 1442	11:28 NCR 2123	S	Approve Object	11/20/97 09/18/97	*		12:16 NCR 1521	
15A NCAC 08F .0202		11:19 NCR 1442	11:28 NCR 2123	S	Approve	11/20/97	*		12:10 NCR 878	
15A NCAC 08F .0203		11:19 NCR 1442	11:28 NCR 2123	S	Approve Object	09/18/97 11/20/97				
15A NCAC 08F .0301		11:19 NCR 1442	11:28 NCR 2123	S	Approve	12/18/97	*		12:10 NCR 878	
15A NCAC 08F .0401		11:19 NCR 1442	11:28 NCR 2123	*	Approve	09/18/97	*		12:10 NCR 878	
15A NCAC 08F .0402		11:19 NCR 1442	11:28 NCR 2123	S	Approve	09/18/97	*		12:10 NCR 878	
15A NCAC 08F .0403		11:19 NCR 1442	11:28 NCR 2123	S	Approve	09/18/97	*		12:10 NCR 878	
15A NCAC 08F .0404		11:19 NCR 1442	11:28 NCR 2123	S	Withdraw	09/18/97			12:16 NCR 1521	
15A NCAC 08F .0405		11:19 NCR 1442	11:28 NCR 2123	S	Approve	11/20/97	*		12:10 NCR 878	
15A NCAC 08F .0406		11:19 NCR 1442	11:28 NCR 2123	S	Approve	09/18/97	*		12:10 NCR 878	
15A NCAC 08F .0407		11:19 NCR 1442	11:28 NCR 2123	S	Approve	09/18/97	*		12:10 NCR 878	
15A NCAC 08F .0501		11:19 NCR 1442	11:28 NCR 2123	*	Approve	09/18/97	*		12:10 NCR 878	
15A NCAC 08F .0502		11:19 NCR 1442	11:28 NCR 2123	S	Approve	09/18/97			12:10 NCR 878	
15A NCAC 08F .0503		11:19 NCR 1442	11:28 NCR 2123	S	Approve	09/18/97			12:10 NCR 878	
15A NCAC 08F .0504		11:19 NCR 1442	11:28 NCR 2123	S	Approve	09/18/97			12:10 NCR 878	
15A NCAC 08F .0505		11:19 NCR 1442	11:28 NCR 2123	S	Approve	09/18/97	*		12:10 NCR 878	
15A NCAC 08F .0506		11:19 NCR 1442	11:28 NCR 2123	*	Approve	09/18/97			12:10 NCR 878	
<b>Water Treatment Facility Certification Board</b>										
15A NCAC 18D .0105	10:18 NCR 2317		12:11 NCR 922	*						
15A NCAC 18D .0201	10:18 NCR 2317		12:11 NCR 922	S/L						
15A NCAC 18D .0307	10:18 NCR 2317		12:11 NCR 922	*						
15A NCAC 18D .0308	10:18 NCR 2317		12:11 NCR 922	S/L						

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15A NCAC 18D .0309	10:18 NCR 2317		12:11 NCR 922	*						
15A NCAC 18D .0405	10:18 NCR 2317		12:11 NCR 922	*						
15A NCAC 18D .0701	10:18 NCR 2317		12:11 NCR 922	*						
<b>Wildlife Resources Commission</b>										
15A NCAC 10B .0100	12:06 NCR 445									
15A NCAC 10B .0111	12:06 NCR 445		12:12 NCR 1004	*						
15A NCAC 10B .0113	12:06 NCR 445		12:12 NCR 1004	*						
15A NCAC 10B .0115	11:11 NCR 882	Agency Withdrew Rule-making								
15A NCAC 10B .0116	11:12 NCR 959		11:18 NCR 1372	*	Approve	04/17/97			11:29 NCR 2211	
15A NCAC 10B .0200	12:06 NCR 445									
15A NCAC 10B .0202	12:06 NCR 445		12:12 NCR 1004	*						
15A NCAC 10B .0203	12:06 NCR 445		12:12 NCR 1004	*						
15A NCAC 10B .0208	11:02 NCR 76		11:08 NCR 495	*						
15A NCAC 10B .0209	12:06 NCR 445		12:12 NCR 1004	*						
15A NCAC 10B .0216	12:06 NCR 445		12:12 NCR 1004	*						
15A NCAC 10B .0300	12:06 NCR 445									
15A NCAC 10B .0400	12:06 NCR 445									
15A NCAC 10C .0101	12:06 NCR 445									
15A NCAC 10C .0102	12:06 NCR 445									
15A NCAC 10C .0103	12:06 NCR 445									
15A NCAC 10C .0104	12:06 NCR 445									
15A NCAC 10C .0105	12:06 NCR 445									
15A NCAC 10C .0106	12:06 NCR 445									
15A NCAC 10C .0107	11:02 NCR 76	Agency Withdrew Rule-making								
15A NCAC 10C .0107	12:06 NCR 445		12:12 NCR 1004	*						
15A NCAC 10C .0108	12:06 NCR 445									
15A NCAC 10C .0109	12:06 NCR 445									
15A NCAC 10C .0110	12:06 NCR 445									
15A NCAC 10C .0111	12:06 NCR 445									
15A NCAC 10C .0203	12:06 NCR 445		12:12 NCR 1004	*						

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15A NCAC 10C .0205	12:06 NCR 445		12:12 NCR 1004	*						
15A NCAC 10C .0206	12:06 NCR 445									
15A NCAC 10C .0211	12:06 NCR 445									
15A NCAC 10C .0212	12:06 NCR 445		12:12 NCR 1004	*						
15A NCAC 10C .0215	12:06 NCR 445									
15A NCAC 10C .0302	12:06 NCR 445									
15A NCAC 10C .0304	12:06 NCR 445		12:12 NCR 1004	*						
15A NCAC 10C .0305	12:06 NCR 445		12:12 NCR 1004	*						
15A NCAC 10C .0401	11:02 NCR 76	Agency Withdrew Rule-making								
15A NCAC 10C .0401	11:07 NCR 408	Agency Withdrew Rule-making								
15A NCAC 10C .0401	12:06 NCR 445		12:12 NCR 1004	*						
15A NCAC 10C .0402	12:06 NCR 445		12:12 NCR 1004	*						
15A NCAC 10C .0404	12:06 NCR 445		12:12 NCR 1004	*						
15A NCAC 10C .0407	12:06 NCR 445		12:12 NCR 1004	*						
15A NCAC 10D .0001	12:06 NCR 445									
15A NCAC 10D .0002	11:02 NCR 76		11:08 NCR 495	*						Agency Withdrew Rule-making
15A NCAC 10D .0002	12:06 NCR 445		12:12 NCR 1004	*						
15A NCAC 10D .0003	12:06 NCR 445		12:12 NCR 1004	*						
15A NCAC 10D .0004	12:06 NCR 445		12:12 NCR 1004	*						
15A NCAC 10E .0001	12:06 NCR 445									
15A NCAC 10E .0002	12:06 NCR 445									
15A NCAC 10E .0003	12:06 NCR 445									
15A NCAC 10E .0004	12:06 NCR 445									
15A NCAC 10F .0100	12:06 NCR 445									
15A NCAC 10F .0102	12:06 NCR 445		12:12 NCR 1004	*						
15A NCAC 10F .0103	12:06 NCR 445		12:12 NCR 1004	*						
15A NCAC 10F .0104	12:06 NCR 445		12:12 NCR 1004	*						
15A NCAC 10F .0105	12:06 NCR 445		12:12 NCR 1004	*						
15A NCAC 10F .0109	12:06 NCR 445		12:12 NCR 1004	*						
15A NCAC 10F .0300	11:01 NCR 13	Agency Withdrew Rule-making								



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15A NCAC 10F .0302	11:05 NCR 272		11:14 NCR 1150	*	Approve	03/20/97	*		11:26 NCR 2004	
15A NCAC 10F .0305	12:10 NCR 865	12:16 NCR 1518	12:16 NCR 1518	*						
15A NCAC 10F .0307	11:08 NCR 451		11:14 NCR 1150	*	Approve	03/20/97	*		11:26 NCR 2004	
15A NCAC 10F .0308	11:21 NCR 1638		11:29 NCR 2206	*	Approve	09/18/97			12:10 NCR 878	
15A NCAC 10F .0311	12:01 NCR 5	12:13 NCR 1186	12:07 NCR 517	*						
15A NCAC 10F .0311	12:11 NCR 920									
15A NCAC 10F .0317	11:13 NCR 1039		11:19 NCR 1427	*	Approve	04/17/97			11:29 NCR 2211	
15A NCAC 10F .0317	12:11 NCR 920									
15A NCAC 10F .0318	12:06 NCR 445									
15A NCAC 10F .0327	11:14 NCR 1109		11:20 NCR 1551	*	Approve	04/17/97	*		11:29 NCR 2211	
15A NCAC 10F .0327	12:11 NCR 920									
15A NCAC 10F .0330	12:05 NCR 337	12:16 NCR 1518	12:11 NCR 921	*						
15A NCAC 10F .0330	N/A	N/A	N/A		Approve	09/18/97			12:10 NCR 878	
15A NCAC 10F .0333	12:01 NCR 5	12:13 NCR 1186	12:07 NCR 517	*						
15A NCAC 10F .0339	11:13 NCR 1039		11:19 NCR 1427	*	Approve	04/17/97			11:29 NCR 2211	
15A NCAC 10F .0339	11:21 NCR 1638		11:29 NCR 2206	*	Approve	09/18/97			12:10 NCR 878	
15A NCAC 10F .0339	12:05 NCR 337	12:16 NCR 1518	12:11 NCR 921	*						
15A NCAC 10F .0345	12:06 NCR 445		12:12 NCR 1004	*						
15A NCAC 10F .0347	12:06 NCR 445		12:12 NCR 1004	*						
15A NCAC 10F .0355	11:25 NCR 1905	12:08 NCR 728	12:01 NCR 18	*	Approve	10/16/97			12:11 NCR 947	
15A NCAC 10F .0360	12:01 NCR 5	12:13 NCR 1186	12:07 NCR 517	*						
15A NCAC 10F .0367	11:16 NCR 1269									
15A NCAC 10G	11:01 NCR 13	Agency Withdrew Rule-making								
15A NCAC 10G .0100	11:02 NCR 76	Agency Withdrew Rule-making								
15A NCAC 10G .0400	12:06 NCR 445									
15A NCAC 10G .0402	12:06 NCR 445		12:12 NCR 1004	*						
15A NCAC 10G .0403	12:06 NCR 445		12:12 NCR 1004	*						
15A NCAC 10G .0404	12:06 NCR 445		12:12 NCR 1004	*						
15A NCAC 10H .0100	12:06 NCR 445									
15A NCAC 10H .0300	12:06 NCR 445									

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					Action	Date				
15A NCAC 10H .0802	12:06 NCR 445		12:13 NCR 1127	*						12:01 NCR 4
15A NCAC 10H .0810	12:06 NCR 445		12:13 NCR 1137	*						12:02 NCR 50
15A NCAC 10H .0900	12:06 NCR 445									12:04 NCR 236
15A NCAC 10H .1000	12:06 NCR 445									12:05 NCR 334
15A NCAC 10H .1100	12:06 NCR 445									12:07 NCR 507
15A NCAC 10H .1200	12:06 NCR 445									12:11 NCR 918
15A NCAC 10I .0001	12:06 NCR 445									12:12 NCR 992
15A NCAC 10I .0002	12:06 NCR 445									12:13 NCR 1096
15A NCAC 10I .0003	12:06 NCR 445									12:14 NCR 1231
15A NCAC 10I .0004	12:06 NCR 445									12:15 NCR 1414
15A NCAC 10I .0005	12:06 NCR 445									12:16 NCR 1480
15A NCAC 10J .0001	12:06 NCR 445									
15A NCAC 10J .0002	12:06 NCR 445									
15A NCAC 10J .0003	12:06 NCR 445									
15A NCAC 10J .0004	12:06 NCR 445									

## FINAL DECISION LETTERS

Voting Rights Act  
Voting Rights Act  
Voting Rights Act  
Voting Rights Act  
Voting Rights Act  
Voting Rights Act  
Voting Rights Act  
Voting Rights Act  
Voting Rights Act  
Voting Rights Act

## GENERAL CONTRACTORS LICENSING BOARD

21 NCAC 12 .0202 11:24 NCR 1828 12:07 NCR 524 Approve 12/18/97

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					Action	Date				
21 NCAC 12 .0204	11:28 NCR 2117		12:04 NCR 292	*						12:01 NCR 1
21 NCAC 12 .0503	11:28 NCR 2117									12:01 NCR 1
21 NCAC 12 .0504	11:28 NCR 2117									12:03 NCR 110
21 NCAC 12 .0901	11:28 NCR 2117		12:04 NCR 292	*						12:03 NCR 110
21 NCAC 12 .0902	11:28 NCR 2117									12:04 NCR 227
21 NCAC 12 .0903	11:28 NCR 2117		12:04 NCR 292	*						12:07 NCR 505
21 NCAC 12 .0904	11:28 NCR 2117		12:04 NCR 292	*						12:08 NCR 612
21 NCAC 12 .0905	11:28 NCR 2117									12:08 NCR 612
21 NCAC 12 .0906	11:28 NCR 2117									12:11 NCR 917
21 NCAC 12 .0907	11:28 NCR 2117									12:15 NCR 1407
21 NCAC 12 .0908	11:28 NCR 2117									12:15 NCR 1407
21 NCAC 12 .0909	11:28 NCR 2117									12:15 NCR 1407
21 NCAC 12 .0910	11:28 NCR 2117									12:15 NCR 1407
21 NCAC 12 .0911	11:28 NCR 2117									12:15 NCR 1407
21 NCAC 12 .0912	11:28 NCR 2117									12:15 NCR 1407

## GOVERNOR'S EXECUTIVE ORDERS

Number 112 - Eff. 05/22/97  
Number 113 - Eff. 06/12/97  
Number 114 - Eff. 06/26/97  
Number 115 - Eff. 07/03/97  
Number 116 - Eff. 07/21/97  
Number 117 - Eff. 09/07/97  
Number 118 - Eff. 09/15/97  
Number 119 - Eff. 10/01/97  
Number 120 - Eff. 10/22/97  
Number 121 - Eff. 11/03/97  
Number 122 - Eff. 12/11/97  
Number 123 - Eff. 12/18/97  
Number 124 - Eff. 12/18/97  
Number 125 - Eff. 12/18/97



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					Action	Date				

Number 126 - Eff. 12/19/97  
 Number 127 - Eff. 01/16/98

## HOUSING FINANCE AGENCY

24 NCAC 01P .0101		11:14 NCR 1154	11:28 NCR 2132	S	Approve	07/17/97			12:04 NCR 317	
24 NCAC 01P .0102		11:14 NCR 1154	11:28 NCR 2132	S	Approve	07/17/97			12:04 NCR 317	
24 NCAC 01P .0103		11:14 NCR 1154	11:28 NCR 2132	S	Object	07/17/97				
24 NCAC 01P .0201		11:14 NCR 1154	11:28 NCR 2132	S	Approve	08/21/97	*		12:07 NCR 561	
24 NCAC 01P .0202		11:14 NCR 1154	11:28 NCR 2132	S	Approve	07/17/97	*		12:04 NCR 317	
24 NCAC 01P .0203		11:14 NCR 1154	11:28 NCR 2132	S	Approve	07/17/97	*		12:04 NCR 317	

12:15 NCR 1407  
 12:16 NCR 1472

## HEALTH AND HUMAN SERVICES

10 NCAC 01B .0501	11:23 NCR 1779		12:09 NCR 747	*						
10 NCAC 01B .0502	11:23 NCR 1779		12:09 NCR 747	*	Object	01/15/98				

### Aging

10 NCAC 22	10:23 NCR 2956									
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### Child Day Care Commission

10 NCAC 03U .0102	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .0201	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .0202	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .0204	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .0205	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .0206	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .0207	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .0301	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .0302	11:24 NCR 1817	Agency withdrew rule-making								
10 NCAC 03U .0302	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .0303	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .0304	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .0401	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .0403	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .0505	12:08 NCR 617		12:13 NCR 1098	*						

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					Action	Date				
10 NCAC 03U .0506	11:24 NCR 1817	Agency withdrew rule-making								
10 NCAC 03U .0506	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .0507	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .0508	12:08 NCR 617	Agency withdrew rule-making	12:13 NCR 1098	*						
10 NCAC 03U .0509	11:24 NCR 1817									
10 NCAC 03U .0509	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .0510	12:08 NCR 617	Agency withdrew rule-making	12:13 NCR 1098	*						
10 NCAC 03U .0511	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .0601	11:24 NCR 1817									
10 NCAC 03U .0602	11:24 NCR 1817	Agency withdrew rule-making								
10 NCAC 03U .0602	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .0604	11:03 NCR 109		11:09 NCR 571	*	Approve	03/20/97			11:26 NCR 2004	
10 NCAC 03U .0604	11:24 NCR 1817	Agency withdrew rule-making	12:13 NCR 1098	*						
10 NCAC 03U .0604	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .0605	11:24 NCR 1817									
10 NCAC 03U .0605	12:08 NCR 617	Agency withdrew rule-making	12:13 NCR 1098	S/L						
10 NCAC 03U .0701	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .0702	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .0703	12:08 NCR 617	Agency withdrew rule-making	12:13 NCR 1098	*						
10 NCAC 03U .0704	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .0705	11:14 NCR 1108		11:27 NCR 2054	*						
10 NCAC 03U .0705	11:24 NCR 1817	Agency withdrew rule-making								
10 NCAC 03U .0705	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .0707	11:08 NCR 449		11:17 NCR 1338	*	Object Approve	03/20/97 04/17/97	*		11:29 NCR 2211	
10 NCAC 03U .0707	12:08 NCR 617	Agency withdrew rule-making	12:13 NCR 1098	*						
10 NCAC 03U .0708	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .0709	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .0710	12:08 NCR 617	Agency withdrew rule-making	12:13 NCR 1098	*						
10 NCAC 03U .0711	12:08 NCR 617		12:13 NCR 1098	*						

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					Action	Date				
10 NCAC 03U .0712	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .0713	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .0714	11:24 NCR 1817	Agency withdrew rule-making								
10 NCAC 03U .0714	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .0802	11:24 NCR 1817	Agency withdrew rule-making								
10 NCAC 03U .0802	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .0803	11:24 NCR 1817	Agency withdrew rule-making								
10 NCAC 03U .0803	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .0804	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .0806	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .0901	11:08 NCR 449		11:17 NCR 1338	*						
10 NCAC 03U .0901	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .0902	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .1001	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .1002	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .1003	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .1004	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .1301	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .1302	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .1303	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .1304	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .1401	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .1402	11:24 NCR 1817	Agency withdrew rule-making								
10 NCAC 03U .1403	11:24 NCR 1817	Agency withdrew rule-making								
10 NCAC 03U .1701	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .1702	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .1703	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .1705	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .1716	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .1717	11:14 NCR 1108		11:27 NCR 2054	*						



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					Action	Date				
10 NCAC 03U .1717	11:24 NCR 1817	Agency withdrew rule-making								
10 NCAC 03U .1717	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .1718	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .1719	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .1720	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .1721	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .1722	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .1723	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .2506	11:29 NCR 2181		12:13 NCR 1098	*						
10 NCAC 03U .2510	11:08 NCR 449		Agency withdrew rule-making							
10 NCAC 03U .2510	11:29 NCR 449		12:13 NCR 1098	*						
10 NCAC 03U .2601	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .2602	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .2603	11:24 NCR 1817	Agency withdrew rule-making								
10 NCAC 03U .2603	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .2604	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .2605	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .2606	11:08 NCR 449	Agency withdrew rule-making								
10 NCAC 03U .2606	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .2607	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .2608	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .2609	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .2610	11:24 NCR 1817	Agency withdrew rule-making								
10 NCAC 03U .2610	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .2611	11:24 NCR 1817	Agency withdrew rule-making								
10 NCAC 03U .2611	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .2612	12:08 NCR 617		12:13 NCR 1098	*						

## Facility Services

Public Notice - Draft 1998 State Medical Facilities Plan

Abbreviated Notice of Temporary Rule-making

12:01 NCR 2

12:06 NCR 443

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					Action	Date				
10 NCAC 03	10:18 NCR 2399									
10 NCAC 03R .0214	12:08 NCR 617									
10 NCAC 03R .3000	11:23 NCR 1780									
10 NCAC 03R .3001	10:23 NCR 2956									
10 NCAC 03R .3002		11:21 NCR 1655	11:06 NCR 328	S/L/SE	Approve	11/20/97			12:16 NCR 1521	
10 NCAC 03R .3020	10:23 NCR 2956		12:04 NCR 246	*						
			11:06 NCR 328	S/L/SE						
10 NCAC 03R .3030	10:23 NCR 2956		11:06 NCR 328	S/L/SE	Object	11/21/96	*			
10 NCAC 03R .3030			11:08 NCR 452	S/L/SE	Approve	03/20/97	*		11:26 NCR 2004	
10 NCAC 03R .3031	11:23 NCR 1780	10:21 NCR 2699	11:08 NCR 459	S/L/SE	Object	10/17/96				11:11 NCR 888
10 NCAC 03R .3032	10:23 NCR 2956		11:06 NCR 328	S/L/SE	Object	11/21/96	*			
10 NCAC 03R .3033			11:08 NCR 452	S/L/SE	Approve	03/20/97	*		11:26 NCR 2004	
			11:08 NCR 459		Extend Review	03/20/97	*		12:07 NCR 561	
					Approve	08/21/97	*		12:10 NCR 878	
10 NCAC 03R .3034		10:21 NCR 2699	11:06 NCR 328	S/L/SE	Object	01/16/97				
10 NCAC 03R .3035		10:21 NCR 2699	11:08 NCR 452	S/L/SE	Extend Review	03/20/97			12:07 NCR 561	
10 NCAC 03R .3036		10:21 NCR 2699	11:08 NCR 452	S/L/SE	Approve	08/21/97	*			
10 NCAC 03R .3037		10:21 NCR 2699	11:08 NCR 452	S/L/SE	Object	01/16/97				
10 NCAC 03R .3038		10:21 NCR 2699	11:08 NCR 452	S/L/SE	Return to agency	03/20/97				
10 NCAC 03R .3040	10:23 NCR 2956		11:06 NCR 328	S/L/SE	Object	01/16/97				
10 NCAC 03R .3050	10:23 NCR 2956		11:06 NCR 328	S/L/SE	Return to agency	03/20/97				
10 NCAC 03R .3051		11:21 NCR 1655	12:04 NCR 246	*	Object	01/16/97			12:16 NCR 1521	
10 NCAC 03R .3051		12:15 NCR 1431			Approve	11/20/97				
10 NCAC 03R .3052		11:21 NCR 1655	12:04 NCR 246	*	Approve	11/20/97			12:16 NCR 1521	
10 NCAC 03R .3053		11:21 NCR 1655	12:04 NCR 246	*	Approve	11/20/97			12:16 NCR 1521	
10 NCAC 03R .3053		11:22 NCR 1713								
10 NCAC 03R .3053		12:06 NCR 481								

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					Action	Date				
10 NCAC 03R .3054		11:21 NCR 1655	12:04 NCR 246	*	Approve	11/20/97			12:16 NCR 1521	
10 NCAC 03R .3055		11:21 NCR 1655	12:04 NCR 246	*	Approve	11/20/97			12:16 NCR 1521	
10 NCAC 03R .3056		11:21 NCR 1655	12:04 NCR 246	*	Approve	11/20/97			12:16 NCR 1521	
10 NCAC 03R .3057		11:21 NCR 1655	12:04 NCR 246	*	Approve	11/20/97			12:16 NCR 1521	
10 NCAC 03R .3058		11:21 NCR 1655	12:04 NCR 246	*	Approve	11/20/97			12:16 NCR 1521	
10 NCAC 03R .3059		11:21 NCR 1655	12:04 NCR 246	*	Approve	11/20/97			12:16 NCR 1521	
10 NCAC 03R .3060		11:21 NCR 1655	12:04 NCR 246	*	Approve	11/20/97	*		12:16 NCR 1521	
10 NCAC 03R .3060		12:06 NCR 481								
10 NCAC 03R .3061		11:21 NCR 1655	12:04 NCR 246	*	Approve	11/20/97	*		12:16 NCR 1521	
10 NCAC 03R .3061		12:06 NCR 481								
10 NCAC 03R .3062		11:21 NCR 1655	12:04 NCR 246	*	Withdrawn by agcy 11/97					
10 NCAC 03R .3062		12:06 NCR 481			Withdrawn by agcy 11/97					
10 NCAC 03R .3063		11:21 NCR 1655	12:04 NCR 246	*	Approve	11/20/97	*		12:16 NCR 1521	
10 NCAC 03R .3063		12:06 NCR 481								
10 NCAC 03R .3064		11:21 NCR 1655	12:04 NCR 246	*	Withdrawn by agcy 11/97					
10 NCAC 03R .3064		12:06 NCR 481			Withdrawn by agcy 11/97					
10 NCAC 03R .3065		11:21 NCR 1655	12:04 NCR 246	*	Approve	11/20/97	*		12:16 NCR 1521	
10 NCAC 03R .3065		12:06 NCR 481								
10 NCAC 03R .3066		11:21 NCR 1655	12:04 NCR 246	*	Withdrawn by agcy 11/97					
10 NCAC 03R .3066		12:06 NCR 481			Withdrawn by agcy 11/97					
10 NCAC 03R .3067		11:21 NCR 1655	12:04 NCR 246	*	Approve	11/20/97			12:16 NCR 1521	
10 NCAC 03R .3068		11:21 NCR 1655	12:04 NCR 246	*	Approve	11/20/97			12:16 NCR 1521	
10 NCAC 03R .3069		11:21 NCR 1655	12:04 NCR 246	*	Approve	11/20/97			12:16 NCR 1521	
10 NCAC 03R .3070		11:21 NCR 1655	12:04 NCR 246	*	Approve	11/20/97			12:16 NCR 1521	
10 NCAC 03R .3071		11:21 NCR 1655	12:04 NCR 246	*	Approve	11/20/97			12:16 NCR 1521	
10 NCAC 03R .3072		11:21 NCR 1655	12:04 NCR 246	S/L/SE	Approve	11/20/97			12:16 NCR 1521	
10 NCAC 03R .3072		12:06 NCR 481								
10 NCAC 03R .3073		11:21 NCR 1655	12:04 NCR 246	S/L/SE	Object	11/20/97	*			
10 NCAC 03R .3074		11:21 NCR 1655	12:04 NCR 246	S/L/SE	Approve	12/18/97	*			
					Object	11/20/97	*			
					Approve	12/18/97	*			

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10 NCAC 03R .3075		11:21 NCR 1655	12:04 NCR 246	*	Approve	11/20/97			12:16 NCR 1521	
10 NCAC 03R .3076		11:21 NCR 1655	12:04 NCR 246	S/L/SE	Approve	11/20/97			12:16 NCR 1521	
10 NCAC 03R .3077		11:21 NCR 1655	12:04 NCR 246	*	Approve	11/20/97			12:16 NCR 1521	
10 NCAC 03R .3078		11:21 NCR 1655	12:04 NCR 246	S/L/SE	Approve	11/20/97			12:16 NCR 1521	
10 NCAC 03R .3079		11:21 NCR 1655	12:04 NCR 246	S/L/SE	Approve	11/20/97			12:16 NCR 1521	
10 NCAC 03R .3080		11:21 NCR 1655	12:04 NCR 246	*	Approve	11/20/97			12:16 NCR 1521	
10 NCAC 03R .3081		11:21 NCR 1655	12:04 NCR 246	*	Object	11/20/97	*			
10 NCAC 03R .3082		11:21 NCR 1655	12:04 NCR 246	*	Approve	12/18/97			12:16 NCR 1521	
10 NCAC 03R .3083		11:21 NCR 1655	12:04 NCR 246	*	Approve	11/20/97			12:16 NCR 1521	
10 NCAC 03R .3084		11:21 NCR 1655	12:04 NCR 246	*	Approve	11/20/97			12:16 NCR 1521	
10 NCAC 03R .3085		11:21 NCR 1655	12:04 NCR 246	*	Approve	11/20/97			12:16 NCR 1521	
10 NCAC 03R .3086		11:21 NCR 1655	12:04 NCR 246	*	Approve	11/20/97			12:16 NCR 1521	
10 NCAC 03R .3087		11:21 NCR 1655	12:04 NCR 246	*	Approve	11/20/97			12:16 NCR 1521	
10 NCAC 03R .3088		11:21 NCR 1655	12:04 NCR 246	*	Approve	11/20/97			12:16 NCR 1521	
10 NCAC 03R .6001	11:22 NCR 1704									
10 NCAC 03R .6101		11:15 NCR 1431								
10 NCAC 03R .6102		11:15 NCR 1431								
10 NCAC 03R .6103		11:15 NCR 1431								
10 NCAC 03R .6104		11:15 NCR 1431								
10 NCAC 03R .6105		11:15 NCR 1431								
10 NCAC 03R .6106		11:15 NCR 1431								
10 NCAC 03R .6107		11:15 NCR 1431								
10 NCAC 03R .6108		11:15 NCR 1431								
10 NCAC 03R .6109		11:15 NCR 1431								
10 NCAC 03R .6110		11:15 NCR 1431								
10 NCAC 03R .6111		11:15 NCR 1431								
10 NCAC 03R .6112		11:15 NCR 1431								
10 NCAC 03R .6113		11:15 NCR 1431								
10 NCAC 03R .6114		11:15 NCR 1431								



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10 NCAC 03R .6115		11:15 NCR 1431								
10 NCAC 03R .6116		11:15 NCR 1431								
10 NCAC 03R .6117		11:15 NCR 1431								
10 NCAC 03R .6118		11:15 NCR 1431								
10 NCAC 03R .6119		11:15 NCR 1431								
10 NCAC 03R .6120		11:15 NCR 1431								
10 NCAC 03R .6121		11:15 NCR 1431								
10 NCAC 03R .6122		11:15 NCR 1431								
10 NCAC 03R .6123		11:15 NCR 1431								
10 NCAC 03R .6124		11:15 NCR 1431								
10 NCAC 03R .6125		11:15 NCR 1431								
10 NCAC 03R .6126		11:15 NCR 1431								
10 NCAC 03R .6127		11:15 NCR 1431								
10 NCAC 03R .6128		11:15 NCR 1431								
10 NCAC 03R .6129		11:15 NCR 1431								
10 NCAC 03R .6130		11:15 NCR 1431								
10 NCAC 03R .6131		11:15 NCR 1431								
10 NCAC 03R .6132		11:15 NCR 1431								
10 NCAC 03R .6133		11:15 NCR 1431								
10 NCAC 03R .6134		11:15 NCR 1431								
10 NCAC 03R .6135		11:15 NCR 1431								
10 NCAC 03R .6136		11:15 NCR 1431								
10 NCAC 03R .6137		11:15 NCR 1431								
10 NCAC 03R .6138		11:15 NCR 1431								
10 NCAC 03R .6139		11:15 NCR 1431								
10 NCAC 03R .6140		11:15 NCR 1431								
10 NCAC 03R .6141		11:15 NCR 1431								

## Medical Assistance

Medicaid Disproportionate Share List

10 NCAC 26B .0113 10:16 NCR 1721

11:28 NCR 2118

S/L

Agency withdrew 09/18/97

12:02 NCR 46

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10 NCAC 26B .0123		11:19 NCR 1436	11:24 NCR 1824	*	Approve	10/16/97	*		12:11 NCR 947	
10 NCAC 26D .0110	12:06 NCR 444				Approve	06/19/97	*		12:03 NCR 213	
10 NCAC 26G .0707	11:08 NCR 450	11:15 NCR 1205	11:18 NCR 1371	*	Approve	04/17/97			11:29 NCR 2211	
10 NCAC 26H .0101	11:14 NCR 1108									
10 NCAC 26H .0102	11:14 NCR 1108									
10 NCAC 26H .0102	12:09 NCR 743	12:14 NCR 1341								
10 NCAC 26H .0104	11:16 NCR 1268	12:14 NCR 1341	11:23 NCR 1781	S/L	Approve	05/15/97	*		11:30 NCR 2314	
10 NCAC 26H .0211	12:09 NCR 743	12:14 NCR 1341								
10 NCAC 26H .0212		11:15 NCR 1205	Temp Expired							
10 NCAC 26H .0212		12:09 NCR 827								
10 NCAC 26H .0213		11:15 NCR 1205	Temp Expired							
10 NCAC 26H .0213	11:18 NCR 1368		12:07 NCR 511	S/SE						
10 NCAC 26H .0213		11:26 NCR 1997								
10 NCAC 26H .0213		12:09 NCR 827								
10 NCAC 26H .0401	12:08 NCR 618	12:14 NCR 1341								
10 NCAC 26H .0506	10:21 NCR 2686									
10 NCAC 26H .0506		11:19 NCR 1438	11:29 NCR 2205	S/L/SE	Approve	09/18/97	*		12:10 NCR 878	
10 NCAC 26H .0602		12:04 NCR 313	12:15 NCR 1419	S/L						
10 NCAC 26K .0106	12:05 NCR 337									
10 NCAC 26K .0106	12:06 NCR 444									
10 NCAC 26M .0201	12:06 NCR 444									
10 NCAC 26M .0202	12:06 NCR 444									
10 NCAC 26M .0203	12:05 NCR 337									
10 NCAC 26M .0203	12:06 NCR 444									
10 NCAC 26M .0204	12:06 NCR 444									
10 NCAC 50A .0604	12:06 NCR 444									
10 NCAC 50B .0202		11:10 NCR 841	11:28 NCR 2118	*	Approve	07/17/97	*		12:04 NCR 317	
10 NCAC 50B .0202	12:06 NCR 444									
10 NCAC 50B .0404		11:10 NCR 841	11:28 NCR 2118	L	Approve	07/17/97			12:04 NCR 317	

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10 NCAC 50B .0409		11:10 NCR 841	11:28 NCR 2118	*	Approve	07/17/97			12:04 NCR 317	
10 NCAC 50D .0101	10:24 NCR 3057	11:04 NCR 196	Temp Expired							
10 NCAC 50D .0102	10:24 NCR 3057	11:04 NCR 196	Temp Expired							
10 NCAC 50D .0103	10:24 NCR 3057	11:04 NCR 196	Temp Expired							
10 NCAC 50D .0201	10:24 NCR 3057	11:04 NCR 196	Temp Expired							
10 NCAC 50D .0301	10:24 NCR 3057	11:04 NCR 196	Temp Expired							
10 NCAC 50D .0302	10:24 NCR 3057	11:04 NCR 196	Temp Expired							
10 NCAC 50D .0401	10:24 NCR 3057	11:04 NCR 196	Temp Expired							
10 NCAC 50D .0402	10:24 NCR 3057	11:04 NCR 196	Temp Expired							
10 NCAC 50D .0501	10:24 NCR 3057	11:04 NCR 196	Temp Expired							
10 NCAC 50D .0502	10:24 NCR 3057	11:04 NCR 196	Temp Expired							
10 NCAC 50D .0503	10:24 NCR 3057	11:04 NCR 196	Temp Expired							
<b>Medical Care Commission</b>										
10 NCAC 03B	11:16 NCR 1268									
10 NCAC 03B .1001		11:20 NCR 1560	11:29 NCR 2187	*	Approve	10/16/97	*		12:11 NCR 947	
10 NCAC 03B .1002		11:20 NCR 1560	11:29 NCR 2187	*	Approve	10/16/97	*		12:11 NCR 947	
10 NCAC 03C .3707	11:20 NCR 1534		11:29 NCR 2187	*	Approve	10/16/97			12:11 NCR 947	
10 NCAC 03D .0801	11:23 NCR 1779		12:05 NCR 339	*						
10 NCAC 03D .0802	11:23 NCR 1779		12:05 NCR 339	S/L						
10 NCAC 03D .0803	11:23 NCR 1779		12:05 NCR 339	*						
10 NCAC 03D .0806	11:23 NCR 1779		12:05 NCR 339	*						
10 NCAC 03D .0901	11:23 NCR 1779		12:05 NCR 339	*						
10 NCAC 03D .0902	11:23 NCR 1779		12:05 NCR 339	*						
10 NCAC 03D .0904	11:23 NCR 1779		12:05 NCR 339	*						
10 NCAC 03D .0905	11:23 NCR 1779		12:05 NCR 339	*						
10 NCAC 03D .0907	11:23 NCR 1779		12:05 NCR 339	*						
10 NCAC 03D .0908	11:23 NCR 1779		12:05 NCR 339	*						
10 NCAC 03D .0909	11:23 NCR 1779		12:05 NCR 339	*						
10 NCAC 03D .0911	11:23 NCR 1779		12:05 NCR 339	*						
10 NCAC 03D .0913	11:23 NCR 1779		12:05 NCR 339	*						

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10 NCAC 03D .0915	11:23 NCR 1779		12:05 NCR 339	*	Object	01/15/98				
10 NCAC 03D .0916	11:23 NCR 1779		12:05 NCR 339	*	Object	01/15/98				
10 NCAC 03D .0917	11:23 NCR 1779		12:05 NCR 339	*						
10 NCAC 03D .0918	11:23 NCR 1779		12:05 NCR 339	*						
10 NCAC 03D .0919	11:23 NCR 1779		12:05 NCR 339	*						
10 NCAC 03D .0920	11:23 NCR 1779		12:05 NCR 339	*						
10 NCAC 03D .0921	11:23 NCR 1779		12:05 NCR 339	*						
10 NCAC 03D .0922	11:23 NCR 1779		12:05 NCR 339	*						
10 NCAC 03D .0923	11:23 NCR 1779		12:05 NCR 339	*						
10 NCAC 03D .0924	11:23 NCR 1779		12:05 NCR 339	S/L						
10 NCAC 03D .0925	11:23 NCR 1779		12:05 NCR 339	*	Object	01/15/98				
10 NCAC 03D .0926	11:23 NCR 1779		12:05 NCR 339	*						
10 NCAC 03D .1001	11:23 NCR 1779		12:05 NCR 339	S/L						
10 NCAC 03D .1002	11:23 NCR 1779		12:05 NCR 339	S/L						
10 NCAC 03D .1003	11:23 NCR 1779		12:05 NCR 339	S/L						
10 NCAC 03D .1004	11:23 NCR 1779		12:05 NCR 339	*						
10 NCAC 03D .1103	11:23 NCR 1779		12:05 NCR 339	*						
10 NCAC 03D .1202	11:23 NCR 1779		12:05 NCR 339	S/L	Object	01/15/98				
10 NCAC 03D .1203	11:23 NCR 1779		12:05 NCR 339	*	Object	01/15/98				
10 NCAC 03D .1204	11:23 NCR 1779		12:05 NCR 339	*						
10 NCAC 03D .1205	11:23 NCR 1779		12:05 NCR 339	S/L						
10 NCAC 03D .1206	11:23 NCR 1779		12:05 NCR 339	S/L						
10 NCAC 03D .1301	11:23 NCR 1779		12:05 NCR 339	*	Object	01/15/98				
10 NCAC 03D .1302	11:23 NCR 1779		12:05 NCR 339	*	Object	01/15/98				
10 NCAC 03D .1401	11:23 NCR 1779		12:05 NCR 339	*	Object	01/15/98				
10 NCAC 03D .1403	11:23 NCR 1779		12:05 NCR 339	*	Object	01/15/98				
10 NCAC 03D .1500	11:23 NCR 1779									
10 NCAC 03D .2001	10:18 NCR 2399		11:29 NCR 2187	*	Object Approve	10/16/97	*		12:16 NCR 1521	
10 NCAC 03D .2101	10:18 NCR 2399		11:29 NCR 2187	*	Object Approve	10/16/97	*		12:16 NCR 1521	



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					Action	Date				
10 NCAC 03D .2102	10:18 NCR 2399		11:29 NCR 2187	*	Object	10/16/97			12:16 NCR 1521	
10 NCAC 03D .2103	10:18 NCR 2399		11:29 NCR 2187	*	Approve	11/20/97	*		12:11 NCR 947	
10 NCAC 03D .2104	10:18 NCR 2399		11:29 NCR 2187	*	Approve	10/16/97	*		12:11 NCR 947	
10 NCAC 03D .2105	10:18 NCR 2399		11:29 NCR 2187	*	Object	10/16/97				
10 NCAC 03D .2106	10:18 NCR 2399		11:29 NCR 2187	*	Approve	11/20/97	*		12:16 NCR 1521	
10 NCAC 03D .2201	10:18 NCR 2399		11:29 NCR 2187	*	Object	10/16/97	*		12:16 NCR 1521	
10 NCAC 03D .2202	10:18 NCR 2399		11:29 NCR 2187	*	Approve	11/20/97	*		12:16 NCR 1521	
10 NCAC 03D .2203	10:18 NCR 2399		11:29 NCR 2187	*	Object	10/16/97	*		12:11 NCR 947	
10 NCAC 03D .2301	10:18 NCR 2399		11:29 NCR 2187	*	Approve	11/20/97	*		12:11 NCR 947	
10 NCAC 03D .2302	10:18 NCR 2399		11:29 NCR 2187	*	Approve	10/16/97				
10 NCAC 03D .2303	10:18 NCR 2399		11:29 NCR 2187	*	Approve	10/16/97				
10 NCAC 03D .2401	10:18 NCR 2399		11:29 NCR 2187	*	Object	10/16/97	*		12:16 NCR 1521	
10 NCAC 03M .0105	11:23 NCR 1779		12:06 NCR 459	*	Approve	11/20/97	*		12:11 NCR 947	
10 NCAC 03M .0205	11:23 NCR 1779		12:06 NCR 459	*	Approve	10/16/97	*		12:11 NCR 947	
<b>Mental Health, Developmental Disabilities and Substance Abuse Services</b>										
10 NCAC 14G .0102		12:12 NCR 1060								
10 NCAC 14V .3402	11:08 NCR 449		11:14 NCR 1124	*	Withdrawn	01/16/97			11:30 NCR 2314	
10 NCAC 14V .3803	11:08 NCR 449		11:24 NCR 1822	*	Approve	05/15/97	*			
10 NCAC 14V .5602	11:08 NCR 449		11:14 NCR 1124	*	Withdrawn	01/16/97	*		11:30 NCR 2314	
10 NCAC 15A .0128	11:08 NCR 449		11:24 NCR 1822	*	Approve	05/15/97			11:30 NCR 2314	
10 NCAC 15A .0129	11:08 NCR 449		11:14 NCR 1124	*	Withdrawn	01/16/97			11:30 NCR 2314	
10 NCAC 18W .0201	10:15 NCR 1478		11:24 NCR 1822	*	Approve	05/15/97			11:30 NCR 2314	
10 NCAC 18W .0202	10:15 NCR 1478		11:14 NCR 1124	S	Object	02/20/97	*		11:30 NCR 2314	
10 NCAC 18W .0203	10:15 NCR 1478		11:14 NCR 1124	S	Approve	01/16/97	*			
10 NCAC 18W .0204	10:15 NCR 1478		11:14 NCR 1124	S	Object	01/16/97	*			
10 NCAC 18W .0205	10:15 NCR 1478		11:14 NCR 1124	S	Approve	02/20/97	*			

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10 NCAC 18W .0206	10:15 NCR 1478		11:14 NCR 1124		Approve	02/20/97	*			
10 NCAC 18W .0207	10:15 NCR 1478		11:14 NCR 1124	S	Approve	01/16/97	*			
10 NCAC 18W .0208	10:15 NCR 1478		11:14 NCR 1124	S	Approve	01/16/97	*			
10 NCAC 18W .0209	10:15 NCR 1478		11:14 NCR 1124	S	Approve	01/16/97	*			
10 NCAC 18W .0210	10:15 NCR 1478		11:14 NCR 1124	S	Approve	01/16/97	*			
10 NCAC 18W .0211	10:15 NCR 1478		11:14 NCR 1124	S	Approve	01/16/97	*			
10 NCAC 18W .0212	10:15 NCR 1478		11:14 NCR 1124	S	Object	01/16/97	*			
10 NCAC 18W .0213	10:15 NCR 1478		11:14 NCR 1124	S	Approve	02/20/97	*			
10 NCAC 18W .0214	10:15 NCR 1478		11:14 NCR 1124	S	Approve	01/16/97	*			
10 NCAC 18W .0215	10:15 NCR 1478		11:14 NCR 1124	S	Approve	01/16/97	*			
10 NCAC 18W .0216	10:15 NCR 1478		11:14 NCR 1124	S	Object	01/16/97	*			
10 NCAC 18W .0217	10:15 NCR 1478		11:14 NCR 1124	S	Approve	02/20/97	*			
10 NCAC 18W .0218	10:15 NCR 1478		11:14 NCR 1124	S	Approve	01/16/97	*			
10 NCAC 18W .0219	10:15 NCR 1478		11:14 NCR 1124	S	Approve	01/16/97	*			
10 NCAC 45H .0200	11:08 NCR 449		11:14 NCR 1124	S	Object	01/16/97	*			
10 NCAC 45H .0203	11:08 NCR 449	11:29 NCR 2208	11:29 NCR 2208	*	Approve	12/18/97	*			
<b>Secretary of Human Resources</b>										
10 NCAC 14V .7006		12:01 NCR 31	12:07 NCR 511	*						
10 NCAC 14V .7101	11:30 NCR 2300		12:06 NCR 459	*						
10 NCAC 14V .7102	11:30 NCR 2300		12:06 NCR 459	*						
10 NCAC 14V .7103	11:30 NCR 2300		12:06 NCR 459	S						
10 NCAC 14V .7104	11:30 NCR 2300		12:06 NCR 459	S						
10 NCAC 14V .7105	11:30 NCR 2300		12:06 NCR 459	S						
<b>Social Services Commission</b>										
10 NCAC 24A .0508	12:12 NCR 993	12:13 NCR 1180		*						
10 NCAC 30 .0207	12:11 NCR 919	12:14 NCR 1347	12:15 NCR 1420	*						
10 NCAC 35E .0101		11:16 NCR 1288	11:30 NCR 2301	*	Approve	08/21/97	*		12:07 NCR 561	
10 NCAC 35E .0105		11:16 NCR 1288	11:30 NCR 2301	*	Approve	08/21/97	*		12:07 NCR 561	

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10 NCAC 35E .0106		11:16 NCR 1288	11:30 NCR 2301	*	Approve	08/21/97	*		12:07 NCR 561	
10 NCAC 35E .0308		11:16 NCR 1288	11:30 NCR 2301	*	Approve	08/21/97	*		12:07 NCR 561	
10 NCAC 41A .0007		12:11 NCR 938	12:15 NCR 1420	*						
10 NCAC 41E	12:11 NCR 919									
10 NCAC 41F .0707		12:11 NCR 938	12:15 NCR 1420	S						
10 NCAC 41F .0813		12:11 NCR 938	12:15 NCR 1420	S						
10 NCAC 41G	12:11 NCR 919									
10 NCAC 41I .0100	10:17 NCR 2228									
10 NCAC 41I .0102	10:17 NCR 2228			*						
10 NCAC 42C .3401		12:13 NCR 1180	10:21 NCR 2687							
10 NCAC 42C .3403		12:13 NCR 1180								
10 NCAC 42C .3404		12:13 NCR 1180								
10 NCAC 42C .3601		12:13 NCR 1180								
10 NCAC 42J .0001		11:16 NCR 1288	11:30 NCR 2301	*	Approve	08/21/97	*		12:07 NCR 561	
10 NCAC 42J .0004		11:16 NCR 1288	11:30 NCR 2301	*	Approve	08/21/97			12:07 NCR 561	
10 NCAC 42J .0005		11:16 NCR 1288	11:30 NCR 2301	*	Object	08/21/97	*		12:10 NCR 878	
10 NCAC 42R .0201	12:11 NCR 919	12:13 NCR 1180								
10 NCAC 47A .0502		12:11 NCR 938	12:15 NCR 1420	*						
10 NCAC 47B .0102		12:11 NCR 938	12:15 NCR 1420	*						
10 NCAC 47B .0303		12:11 NCR 938	12:15 NCR 1420	*						
10 NCAC 47B .0304		12:11 NCR 938	12:15 NCR 1420	*						
10 NCAC 47B .0305		12:11 NCR 938	12:15 NCR 1420	*						
10 NCAC 47B .0403		12:11 NCR 938	12:15 NCR 1420	*						
<b>Vocational Rehabilitation Services</b>										
10 NCAC 20C .0201	12:08 NCR 618		12:13 NCR 1135	*						
10 NCAC 20C .0202	12:08 NCR 618		12:13 NCR 1135	*						
10 NCAC 20C .0203	12:08 NCR 618		12:13 NCR 1135	*						
10 NCAC 20C .0601	12:08 NCR 618		12:13 NCR 1135	*						
10 NCAC 20C .0603	12:08 NCR 618		12:13 NCR 1135	*						

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10 NCAC 20C .0604	12:08 NCR 618		12:13 NCR 1135	*						
10 NCAC 20C .0606	12:08 NCR 618		12:13 NCR 1135	*						
<b>INSURANCE</b>										
11 NCAC 06	12:09 NCR 744									
11 NCAC 10 .0105	12:09 NCR 744		12:14 NCR 1255	*						
11 NCAC 10 .0602		11:15 NCR 1223	11:19 NCR 1426	*	Approve	03/20/97	*		11:26 NCR 2004	
11 NCAC 10 .0603		11:15 NCR 1223	11:19 NCR 1426	*	Approve	03/20/97	*		11:26 NCR 2004	
11 NCAC 10 .0606		11:15 NCR 1223	11:19 NCR 1426	*	Approve	03/20/97	*		11:26 NCR 2004	
11 NCAC 11B .0601	12:09 NCR 744		12:14 NCR 1255	*						
11 NCAC 11B .0602	12:09 NCR 744		12:14 NCR 1255	*						
11 NCAC 11B .0603	12:09 NCR 744		12:14 NCR 1255	*						
11 NCAC 11B .0604	12:09 NCR 744		12:14 NCR 1255	*						
11 NCAC 11B .0605	12:09 NCR 744		12:14 NCR 1255	*						
11 NCAC 11B .0606	12:09 NCR 744		12:14 NCR 1255	*						
11 NCAC 11B .0607	12:09 NCR 744		12:14 NCR 1255	*						
11 NCAC 11B .0608	12:09 NCR 744		12:14 NCR 1255	*						
11 NCAC 11B .0609	12:09 NCR 744		12:14 NCR 1255	*						
11 NCAC 11B .0610	12:09 NCR 744		12:14 NCR 1255	*						
11 NCAC 11B .0611	12:09 NCR 744		12:14 NCR 1255	*						
11 NCAC 11B .0612	12:09 NCR 744		12:14 NCR 1255	*						
11 NCAC 11B .0613	12:09 NCR 744		12:14 NCR 1255	*						
11 NCAC 11B .0614	12:09 NCR 744		12:14 NCR 1255	*						
11 NCAC 11B .0615	12:09 NCR 744		12:14 NCR 1255	*						
11 NCAC 11B .0616	12:09 NCR 744		12:14 NCR 1255	*						
11 NCAC 11B .0617	12:09 NCR 744		12:14 NCR 1255	*						
11 NCAC 11C .0108	12:09 NCR 744		12:14 NCR 1255	*						
11 NCAC 11C .0109	12:09 NCR 744		12:14 NCR 1255	*						
11 NCAC 12	12:09 NCR 744									
11 NCAC 12 .1703	N/A	N/A	N/A		Approve	12/18/97				



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11 NCAC 12.1801		12:11 NCR 942	12:15 NCR 1424	*						
11 NCAC 12.1802		12:11 NCR 942	12:15 NCR 1424	*						
11 NCAC 12.1803		12:11 NCR 942	12:15 NCR 1424	*						
11 NCAC 12.1804		12:11 NCR 942	12:15 NCR 1424	*						
11 NCAC 13	12:09 NCR 744									
11 NCAC 14	12:09 NCR 744									
11 NCAC 15	12:09 NCR 744									
11 NCAC 16	12:09 NCR 744									
11 NCAC 17	12:09 NCR 744									
11 NCAC 19.0002	12:09 NCR 744		12:14 NCR 1262	*						
11 NCAC 19.0003	12:09 NCR 744		12:14 NCR 1262	*						
11 NCAC 19.0004	12:09 NCR 744		12:14 NCR 1262	*						
11 NCAC 19.0006	12:09 NCR 744		12:14 NCR 1262	*						
11 NCAC 20	12:09 NCR 744									
11 NCAC 21	12:09 NCR 744									
<b>Fire and Rescue Commission</b>										
11 NCAC 05C.0101	12:09 NCR 744		12:14 NCR 1252	*						11:27 NCR 2049
11 NCAC 05C.0102	12:09 NCR 744		12:14 NCR 1252	*						
11 NCAC 05C.0103	12:09 NCR 744		12:14 NCR 1252	*						
11 NCAC 05C.0104	12:09 NCR 744		12:14 NCR 1252	*						
<b>Home Inspector Licensure Board</b>										
<b>Home Inspector Licensure Board</b>										
11 NCAC 08	12:09 NCR 744									
11 NCAC 08.1000	12:09 NCR 744									
11 NCAC 08.1001		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrawn	03/97			12:03 NCR 213	Temp Filed over obj
			11:25 NCR 1906	*	Approve	06/19/97				
11 NCAC 08.1002		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrawn	03/97			12:03 NCR 213	Temp Filed over obj
			11:25 NCR 1906	*	Approve	06/19/97				
11 NCAC 08.1003		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrawn	03/97			12:03 NCR 213	Temp Filed over obj
			11:25 NCR 1906	*	Approve	06/19/97				
11 NCAC 08.1004		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrawn	03/97			12:03 NCR 213	Temp Filed over obj
			11:25 NCR 1906	*	Approve	06/19/97	*			

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					Action	Date				
11 NCAC 08 .1005		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdraw	03/97			12-03 NCR 213	Temp Filed over obj
11 NCAC 08 .1006		11:15 NCR 1212	11:25 NCR 1906	*	Approve	06/19/97				
11 NCAC 08 .1007		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdraw	03/97			12-03 NCR 213	Temp Filed over obj
11 NCAC 08 .1008		11:15 NCR 1212	11:25 NCR 1906	*	Approve	06/19/97				
11 NCAC 08 .1009		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdraw	03/97			12-03 NCR 213	Temp Filed over obj
11 NCAC 08 .1010		11:15 NCR 1212	11:25 NCR 1906	*	Approve	06/19/97				
11 NCAC 08 .1011		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdraw	03/97			12-03 NCR 213	Temp Filed over obj
11 NCAC 08 .1101		11:15 NCR 1212	11:25 NCR 1906	*	Approve	06/19/97				
11 NCAC 08 .1102		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdraw	03/97			12-03 NCR 213	Temp Filed over obj
11 NCAC 08 .1103		11:15 NCR 1212	11:25 NCR 1906	*	Approve	06/19/97				
11 NCAC 08 .1104		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdraw	03/97			12-03 NCR 213	Temp Filed over obj
11 NCAC 08 .1105		11:15 NCR 1212	11:25 NCR 1906	*	Approve	06/19/97				
11 NCAC 08 .1106		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdraw	03/97			12-03 NCR 213	Temp Filed over obj
11 NCAC 08 .1107		11:15 NCR 1212	11:25 NCR 1906	*	Approve	06/19/97				
11 NCAC 08 .1108		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdraw	03/97			12-03 NCR 213	Temp Filed over obj
11 NCAC 08 .1109		11:15 NCR 1212	11:25 NCR 1906	*	Approve	06/19/97				
11 NCAC 08 .1110		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdraw	03/97			12-03 NCR 213	Temp Filed over obj
11 NCAC 08 .1111		11:15 NCR 1212	11:25 NCR 1906	*	Approve	06/19/97				
11 NCAC 08 .1112		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdraw	03/97			12-03 NCR 213	Temp Filed over obj
11 NCAC 08 .1113		11:15 NCR 1212	11:25 NCR 1906	*	Approve	06/19/97				
11 NCAC 08 .1114		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdraw	03/97			12-03 NCR 213	Temp Filed over obj
11 NCAC 08 .1115		11:15 NCR 1212	11:25 NCR 1906	*	Approve	06/19/97				
				*	Agency Withdraw	03/97			12-03 NCR 213	Temp Filed over obj

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11 NCAC 08 .1116		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrawn 03/97					Temp Filed over obj
11 NCAC 08 .1201		11:15 NCR 1212	11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	Temp Filed over obj
11 NCAC 08 .1202		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrawn 03/97				12:03 NCR 213	Temp Filed over obj
11 NCAC 08 .1203		11:15 NCR 1212	11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	Temp Filed over obj
11 NCAC 08 .1204		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrawn 03/97				12:03 NCR 213	Temp Filed over obj
11 NCAC 08 .1205		11:15 NCR 1212	11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	Temp Filed over obj
11 NCAC 08 .1206		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrawn 03/97				12:03 NCR 213	Temp Filed over obj
11 NCAC 08 .1207		11:15 NCR 1212	11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	Temp Filed over obj
11 NCAC 08 .1208		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrawn 03/97				12:03 NCR 213	Temp Filed over obj
11 NCAC 08 .1209		11:15 NCR 1212	11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	Temp Filed over obj
11 NCAC 08 .1301	12:09 NCR 744		12:14 NCR 1253	*	Approve	06/19/97			12:03 NCR 213	Temp Filed over obj
11 NCAC 08 .1302	12:09 NCR 744		12:14 NCR 1253	*	Approve	06/19/97			12:03 NCR 213	Temp Filed over obj
11 NCAC 08 .1303	12:09 NCR 744		12:14 NCR 1253	*	Agency Withdrawn 03/97				12:03 NCR 213	Temp Filed over obj
11 NCAC 08 .1304	12:09 NCR 744		12:14 NCR 1253	*	Approve	06/19/97			12:03 NCR 213	Temp Filed over obj
11 NCAC 08 .1305	12:09 NCR 744		12:14 NCR 1253	*	Agency Withdrawn 03/97				12:03 NCR 213	Temp Filed over obj
11 NCAC 08 .1306	12:09 NCR 744		12:14 NCR 1253	*	Approve	06/19/97			12:03 NCR 213	Temp Filed over obj
11 NCAC 08 .1307	12:09 NCR 744		12:14 NCR 1253	*	Agency Withdrawn 03/97				12:03 NCR 213	Temp Filed over obj
11 NCAC 08 .1308	12:09 NCR 744		12:14 NCR 1253	*	Approve	06/19/97			12:03 NCR 213	Temp Filed over obj
<b>JUSTICE</b>										
<b>Alarms Systems Licensing Board</b>										
12 NCAC 11	11:30 NCR 2300									
12 NCAC 11 .0202	10:24 NCR 3057		11:14 NCR 1136	*	Tabled	06/19/97			12:07 NCR 561	
12 NCAC 11 .0204	12:12 NCR 993				Approve	08/21/97				
12 NCAC 11 .0210	12:08 NCR 618									
<b>Criminal Justice Education and Training Standards Commission</b>										
12 NCAC 09A .0103	11:14 NCR 1109		11:20 NCR 1539	*	Approve	04/17/97			11:29 NCR 2211	

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					Action	Date				
12 NCAC 09B .0102	11:14 NCR 1109		11:20 NCR 1539	*	Object	04/17/97			11:30 NCR 2314	
12 NCAC 09B .0111	11:14 NCR 1109		11:20 NCR 1539	*	Approve	05/15/97	*		11:29 NCR 2211	
12 NCAC 09B .0206	11:14 NCR 1109		11:20 NCR 1539	*	Approve	04/17/97			11:29 NCR 2211	
12 NCAC 09B .0224	11:14 NCR 1109		11:20 NCR 1539	*	Approve	04/17/97			11:29 NCR 2211	
12 NCAC 09B .0225	11:14 NCR 1109		11:20 NCR 1539	*	Approve	04/17/97			11:29 NCR 2211	
12 NCAC 09B .0409	11:14 NCR 1109		11:20 NCR 1539	*	Approve	04/17/97			11:29 NCR 2211	
12 NCAC 09C .0304	11:14 NCR 1109		11:20 NCR 1539	*	Approve	04/17/97			11:29 NCR 2211	
12 NCAC 09C .0307	11:14 NCR 1109		11:20 NCR 1539	*	Approve	04/17/97	*		11:29 NCR 2211	
12 NCAC 09C .0309	11:14 NCR 1109		11:20 NCR 1539	*	Approve	04/17/97			11:29 NCR 2211	
12 NCAC 09C .0601	11:14 NCR 1109		11:20 NCR 1539	*	Approve	04/17/97			11:29 NCR 2211	
12 NCAC 09C .0602	11:14 NCR 1109		11:20 NCR 1539	*	Approve	04/17/97			11:29 NCR 2211	
12 NCAC 09C .0603	11:14 NCR 1109		11:20 NCR 1539	*	Approve	04/17/97			11:29 NCR 2211	
12 NCAC 09C .0604	11:14 NCR 1109		11:20 NCR 1539	*	Approve	04/17/97			11:29 NCR 2211	
12 NCAC 09C .0605	11:14 NCR 1109		11:20 NCR 1539	*	Approve	04/17/97			11:29 NCR 2211	
12 NCAC 09C .0606	11:14 NCR 1109		11:20 NCR 1539	*	Approve	04/17/97			11:29 NCR 2211	
12 NCAC 09C .0607	11:14 NCR 1109		11:20 NCR 1539	*	Approve	04/17/97			11:29 NCR 2211	
12 NCAC 09C .0608	11:14 NCR 1109		11:20 NCR 1539	*	Approve	04/17/97			11:29 NCR 2211	
<b>Private Protective Services Board</b>										
12 NCAC 07D .0104	11:16 NCR 1268		12:09 NCR 748	*						
12 NCAC 07D .0201	11:10 NCR 818		12:08 NCR 622	*						
12 NCAC 07D .0204	11:14 NCR 1108		12:08 NCR 622	*						
12 NCAC 07D .0504	11:10 NCR 818		12:08 NCR 622	*						
12 NCAC 07D .0701	11:10 NCR 818		12:08 NCR 622	*						
12 NCAC 07D .0801	11:10 NCR 818		12:08 NCR 622	*						
12 NCAC 07D .0902	11:10 NCR 818		12:08 NCR 622	*						
12 NCAC 07D .1106	11:14 NCR 1108		12:08 NCR 622	*						
12 NCAC 07D .1201	11:10 NCR 818		12:14 NCR 1263	*						
12 NCAC 07D .1202	11:10 NCR 818		12:14 NCR 1263	*						
12 NCAC 07D .1301	11:16 NCR 1268		12:14 NCR 1263	*						



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12 NCAC 07D .1302	11:16 NCR 1268		12:14 NCR 1263	*						
12 NCAC 07D .1303	11:16 NCR 1268		12:14 NCR 1263	*						
12 NCAC 07D .1304	11:16 NCR 1268		12:14 NCR 1263	*						
12 NCAC 07D .1305	11:16 NCR 1268		12:14 NCR 1263	*						
12 NCAC 07D .1306	11:16 NCR 1268		12:14 NCR 1263	*						
12 NCAC 07D .1307	11:16 NCR 1268		12:14 NCR 1263	*						
<b>Sheriffs' Education and Training Standards Commission</b>										
12 NCAC 10B .0101	12:04 NCR 242		12:08 NCR 624	*	Approve	12/18/97				
12 NCAC 10B .0103	12:07 NCR 508		12:12 NCR 995	*						
12 NCAC 10B .0107	12:04 NCR 242		12:08 NCR 624	*	Approve	12/18/97	*			
12 NCAC 10B .0202	12:04 NCR 242		12:08 NCR 624	*	Approve	12/18/97	*			
12 NCAC 10B .0204	12:04 NCR 242		12:08 NCR 624	*	Approve	12/18/97	*			
12 NCAC 10B .0206	12:04 NCR 242		12:08 NCR 624	*	Approve	12/18/97	*			
12 NCAC 10B .0304	12:04 NCR 242		12:08 NCR 624	L						
12 NCAC 10B .0401	12:07 NCR 508		12:12 NCR 995	S/L	Agency withdrew	01/15/98				
12 NCAC 10B .0402	12:07 NCR 508		12:12 NCR 995	*						
12 NCAC 10B .0403	12:07 NCR 508		12:12 NCR 995	*						
12 NCAC 10B .0406	12:07 NCR 508		12:12 NCR 995	*						
12 NCAC 10B .0407	12:07 NCR 508		12:12 NCR 995	*						
12 NCAC 10B .0408	12:07 NCR 508		12:12 NCR 995	*						
12 NCAC 10B .0409	12:07 NCR 508		12:12 NCR 995	*						
12 NCAC 10B .0505	12:04 NCR 242		12:08 NCR 624	*	Approve	12/18/97	*			
12 NCAC 10B .0601	12:04 NCR 242		12:08 NCR 624	*	Approve	12/18/97	*			
12 NCAC 10B .0603	12:04 NCR 242		12:08 NCR 624	*	Approve	12/18/97	*			
12 NCAC 10B .0605	12:04 NCR 242		12:08 NCR 624	*	Approve	12/18/97	*			
12 NCAC 10B .0701	12:07 NCR 508		12:12 NCR 995	*						
12 NCAC 10B .0702	12:04 NCR 242		12:08 NCR 624	*	Approve	12/18/97				
12 NCAC 10B .0702	12:07 NCR 508		12:12 NCR 995	*						
12 NCAC 10B .0703	12:04 NCR 242		12:08 NCR 624	*	Approve	12/18/97	*			
12 NCAC 10B .0704	12:04 NCR 242		12:08 NCR 624	*	Approve	12/18/97	*			

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12 NCAC 10B.0705	12:04 NCR 242		12:08 NCR 624	*	Approve	12/18/97				
12 NCAC 10B.0706	12:04 NCR 242		12:08 NCR 624	*	Approve	12/18/97				
12 NCAC 10B.0707	12:04 NCR 242		12:08 NCR 624	*	Approve	12/18/97	*			
12 NCAC 10B.0801	12:04 NCR 242		12:08 NCR 624	*	Approve	12/18/97				
12 NCAC 10B.0802	12:04 NCR 242		12:08 NCR 624	*	Approve	12/18/97	*			
12 NCAC 10B.0903	12:04 NCR 242		12:08 NCR 624	*	Approve	12/18/97	*			
12 NCAC 10B.0908	12:04 NCR 242		12:08 NCR 624	*	Approve	12/18/97				
12 NCAC 10B.0909	12:04 NCR 242		12:08 NCR 624	*	Approve	12/18/97	*			
12 NCAC 10B.0910	12:04 NCR 242		12:08 NCR 624	*	Approve	12/18/97				
12 NCAC 10B.0911	12:04 NCR 242		12:08 NCR 624	*	Approve	12/18/97				
12 NCAC 10B.1002	12:04 NCR 242		12:08 NCR 624	*	Approve	12/18/97	*			
12 NCAC 10B.1004	12:04 NCR 242		12:08 NCR 624	*	Approve	12/18/97				
12 NCAC 10B.1005	12:04 NCR 242		12:08 NCR 624	*	Approve	12/18/97				
12 NCAC 10B.1006	12:04 NCR 242		12:08 NCR 624	*	Approve	12/18/97	*			
12 NCAC 10B.1101	12:04 NCR 242		12:08 NCR 624	*	Approve	12/18/97				
12 NCAC 10B.1101	12:07 NCR 508		12:08 NCR 624	*	Approve	12/18/97				
12 NCAC 10B.1102	12:04 NCR 242		12:08 NCR 624	*	Approve	12/18/97				
12 NCAC 10B.1102	12:07 NCR 508		12:08 NCR 624	*	Approve	12/18/97				
12 NCAC 10B.1103	12:04 NCR 242		12:08 NCR 624	*	Approve	12/18/97				
12 NCAC 10B.1103	12:07 NCR 508		12:08 NCR 624	*	Approve	12/18/97				
12 NCAC 10B.1104	12:04 NCR 242		12:08 NCR 624	*	Approve	12/18/97				
12 NCAC 10B.1104	12:07 NCR 508		12:08 NCR 624	*	Approve	12/18/97				
12 NCAC 10B.1105	12:04 NCR 242		12:08 NCR 624	*	Approve	12/18/97	*			
12 NCAC 10B.1202	12:04 NCR 242		12:08 NCR 624	*	Approve	12/18/97				
12 NCAC 10B.1204	12:04 NCR 242		12:08 NCR 624	*	Approve	12/18/97				
12 NCAC 10B.1205	12:04 NCR 242		12:08 NCR 624	*	Approve	12/18/97	*			
12 NCAC 10B.1206	12:04 NCR 242		12:08 NCR 624	*	Approve	12/18/97				
12 NCAC 10B.1301	12:07 NCR 508		12:12 NCR 995	*	Approve	12/18/97				
12 NCAC 10B.1302	12:07 NCR 508		12:12 NCR 995	S						
12 NCAC 10B.1303	12:07 NCR 508		12:12 NCR 995	S						

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12 NCAC 10B.1304	12:07 NCR 508		12:12 NCR 995	S						
12 NCAC 10B.2002	12:07 NCR 508		12:12 NCR 995	*						
12 NCAC 10B.2101	12:07 NCR 508		12:12 NCR 995	*						
12 NCAC 10B.2102	12:07 NCR 508		12:12 NCR 995	*						
12 NCAC 10B.2104	12:07 NCR 508		12:12 NCR 995	*						
12 NCAC 10B.2105	12:07 NCR 508		12:12 NCR 995	*						
State Bureau of Investigation/Division of Criminal Information										
12 NCAC 04E.0103	11:11 NCR 881		11:17 NCR 1339	*	Approve	05/15/97			11:30 NCR 2314	
12 NCAC 04E.0104	11:17 NCR 1336		11:22 NCR 1710	*	Approve	07/17/97	*		12:04 NCR 317	
12 NCAC 04E.0401	11:17 NCR 1336		11:22 NCR 1710	*	Approve	07/17/97			12:04 NCR 317	
12 NCAC 04E.0404	11:17 NCR 1336		11:22 NCR 1710	*	Approve	07/17/97	*		12:04 NCR 317	
12 NCAC 04E.0405	11:17 NCR 1336		11:22 NCR 1710	*	Approve	07/17/97	*		12:04 NCR 317	
LABOR										
Boiler & Pressure Vessel										
13 NCAC 13.0213		11:25 NCR 1918 12:13 NCR 1184	Temp Expired 12/27/97 12:13 NCR 1184	S/L						
Occupational Safety and Health										
*Verbatim Adoption Federal Standards										
*13 NCAC 07F.0101										12:08 NCR 613
*13 NCAC 07F.0501										12:08 NCR 613
*13 NCAC 07F.0502										12:08 NCR 613
13 NCAC 07A.0302	11:26 NCR 1984		12:03 NCR 170	*	Approve	11/20/97	*		12:16 NCR 1521	
13 NCAC 07A.0708	11:26 NCR 1984		12:03 NCR 170	*	Approve	11/20/97	*		12:16 NCR 1521	
13 NCAC 07A.0900	11:11 NCR 881									
13 NCAC 07F	11:03 NCR 106									
13 NCAC 07F.0101	11:24 NCR 1817		12:05 NCR 354	*	Approve	11/20/97	*		12:16 NCR 1521	
13 NCAC 07F.0101	11:26 NCR 1984		12:03 NCR 170	*						
13 NCAC 07F.0102	11:26 NCR 1984		12:03 NCR 170	*	Approve	11/20/97			12:16 NCR 1521	
13 NCAC 07F.0201	11:03 NCR 106									
13 NCAC 07F.0201	11:09 NCR 568									

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					Action	Date				
13 NCAC 07F .0201	11:24 NCR 1817		12:02 NCR 60	*	Approve	11/20/97	*		12:16 NCR 1521	
13 NCAC 07F .0201	11:26 NCR 1984		12:03 NCR 170	*						
13 NCAC 07F .0301	11:03 NCR 106									
13 NCAC 07F .0301	11:26 NCR 1984		12:03 NCR 170	*	Approve	11/20/97	*		12:16 NCR 1521	
13 NCAC 07F .0426	11:26 NCR 1984		12:03 NCR 170	*	Approve	11/20/97	*		12:16 NCR 1521	
13 NCAC 07F .0501	11:26 NCR 1984		12:03 NCR 170	*	Approve	11/20/97	*		12:16 NCR 1521	
13 NCAC 07F .0502	11:26 NCR 1984		12:03 NCR 170	*	Approve	11/20/97	*		12:16 NCR 1521	
13 NCAC 16 .0101	11:26 NCR 1984		12:05 NCR 412	*	Approve	12/18/97	*		12:16 NCR 1521	
13 NCAC 16 .0102	11:26 NCR 1984		12:05 NCR 412	*	Approve	12/18/97	*		12:16 NCR 1521	
13 NCAC 16 .0103	11:26 NCR 1984		12:05 NCR 412	*	Approve	12/18/97	*		12:16 NCR 1521	
13 NCAC 16 .0201	11:26 NCR 1984		12:05 NCR 412	*	Approve	12/18/97	*			
13 NCAC 16 .0202	11:26 NCR 1984		12:05 NCR 412	*	Approve	12/18/97				
13 NCAC 16 .0203	11:26 NCR 1984		12:05 NCR 412	*	Approve	12/18/97				
13 NCAC 16 .0204	11:26 NCR 1984		12:05 NCR 412	*	Approve	12/18/97				
13 NCAC 16 .0205	11:26 NCR 1984		12:05 NCR 412	*	Approve	12/18/97				
13 NCAC 16 .0206	11:26 NCR 1984		12:05 NCR 412	*	Approve	12/18/97				
13 NCAC 16 .0207	11:26 NCR 1984		12:05 NCR 412	*	Approve	12/18/97				
13 NCAC 16 .0208	11:26 NCR 1984		12:05 NCR 412	*	Approve	12/18/97				
13 NCAC 16 .0301	11:26 NCR 1984		12:05 NCR 412	*	Approve	12/18/97	*			
13 NCAC 16 .0302	11:26 NCR 1984		12:05 NCR 412	*	Approve	12/18/97				
13 NCAC 16 .0303	11:26 NCR 1984		12:05 NCR 412	*	Approve	12/18/97				
13 NCAC 16 .0401	11:26 NCR 1984		12:05 NCR 412	*	Approve	12/18/97				
13 NCAC 16 .0402	11:26 NCR 1984		12:05 NCR 412	*	Approve	12/18/97	*			
13 NCAC 16 .0501	11:26 NCR 1984		12:05 NCR 412	*	Approve	12/18/97	*			
13 NCAC 16 .0502	11:26 NCR 1984		12:05 NCR 412	*	Approve	12/18/97				
13 NCAC 16 .0601	11:26 NCR 1984		12:05 NCR 412	*	Approve	12/18/97				
13 NCAC 16 .0602	11:26 NCR 1984		12:05 NCR 412	*	Agency did not adopt					
				*	Agency did not adopt					

## LANDSCAPE ARCHITECTS, BOARD OF

21 NCAC 26 .0104 12:08 NCR 730



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21 NCAC 26 .0105		12:08 NCR 730								
21 NCAC 26 .0302		12:08 NCR 730								
21 NCAC 26 .0506		12:08 NCR 730								
21 NCAC 26 .0507		12:08 NCR 730								
21 NCAC 26 .0508		12:08 NCR 730								
21 NCAC 26 .0509		12:08 NCR 730								
<b>MEDICAL BOARD</b>										
21 NCAC 32B	11:18 NCR 1369									
21 NCAC 32B	12:04 NCR 245									
21 NCAC 32F .0103		11:18 NCR 1386 Temp Expired	12:04 NCR 294	*						
21 NCAC 32F .0103		12:14 NCR 1354								
21 NCAC 32H .0102	11:26 NCR 1986		12:04 NCR 294	*	Approve	12/18/97	*			
21 NCAC 32H .0201	11:26 NCR 1986		12:04 NCR 294	*	Approve	12/18/97	*			
21 NCAC 32H .0202	11:26 NCR 1986		12:04 NCR 294	*	Approve	12/18/97				
21 NCAC 32H .0203	11:26 NCR 1986		12:04 NCR 294	*	Approve	12/18/97				
21 NCAC 32H .0301	11:26 NCR 1986		12:04 NCR 294	*	Approve	12/18/97				
21 NCAC 32H .0302	11:26 NCR 1986		12:04 NCR 294	*	Approve	12/18/97				
21 NCAC 32H .0303	11:26 NCR 1986		12:04 NCR 294	*	Approve	12/18/97				
21 NCAC 32H .0401	11:26 NCR 1986		12:04 NCR 294	*	Approve	12/18/97				
21 NCAC 32H .0402	11:26 NCR 1986		12:04 NCR 294	*	Approve	12/18/97	*			
21 NCAC 32H .0402		12:04 NCR 314								
21 NCAC 32H .0403	11:26 NCR 1986		12:04 NCR 294	*	Approve	12/18/97	*			
21 NCAC 32H .0404	11:26 NCR 1986		12:04 NCR 294	*	Approve	12/18/97	*			
21 NCAC 32H .0405	11:26 NCR 1986		12:04 NCR 294	*	Approve	12/18/97				
21 NCAC 32H .0406	11:26 NCR 1986		12:04 NCR 294	L	Approve	12/18/97				
21 NCAC 32H .0407	11:26 NCR 1986		12:04 NCR 294	*	Approve	12/18/97				
21 NCAC 32H .0408	11:26 NCR 1986		12:04 NCR 294	*	Approve	12/18/97				
21 NCAC 32H .0409	11:26 NCR 1986		12:04 NCR 294	*	Approve	12/18/97	*			
21 NCAC 32H .0501	11:26 NCR 1986		12:04 NCR 294	*	Approve	12/18/97				

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					Action	Date				
21 NCAC 3211.0502	11:26 NCR 1986		12:04 NCR 294	*	Approve	12/18/97				
21 NCAC 3211.0503	11:26 NCR 1986		12:04 NCR 294	*	Approve	12/18/97				
21 NCAC 3211.0504	11:26 NCR 1986		12:04 NCR 294	L	Approve	12/18/97				
21 NCAC 3211.0505	11:26 NCR 1986		12:04 NCR 294	*	Approve	12/18/97				
21 NCAC 3211.0506	11:26 NCR 1986		12:04 NCR 294	*	Approve	12/18/97				
21 NCAC 3211.0507	11:26 NCR 1986		12:04 NCR 294	*	Approve	12/18/97	*			
21 NCAC 3211.0508	11:26 NCR 1986		12:04 NCR 294	*	Approve	12/18/97				
21 NCAC 3211.0601	11:26 NCR 1986		12:04 NCR 294	*	Approve	12/18/97				
21 NCAC 3211.0602	11:26 NCR 1986		12:04 NCR 294	*	Approve	12/18/97				
21 NCAC 3211.0801	11:26 NCR 1986		12:04 NCR 294	*	Approve	12/18/97	*			
21 NCAC 3211.0901	11:26 NCR 1986		12:04 NCR 294	*	Approve	12/18/97				
21 NCAC 3211.1004	11:26 NCR 1986		12:04 NCR 294	*	Approve	12/18/97				
21 NCAC 320	11:18 NCR 1369									

## MORTUARY SCIENCE, BOARD OF

21 NCAC 34A.0126	12:09 NCR 745		12:14 NCR 1334	L						
21 NCAC 34A.0201		12:07 NCR 556								

21 NCAC 34A.0201	12:09 NCR 745		12:14 NCR 1334	S						
21 NCAC 34B.0102	12:09 NCR 745		12:14 NCR 1334	*						
21 NCAC 34B.0103	12:09 NCR 745		12:14 NCR 1334	*						
21 NCAC 34B.0201	12:09 NCR 745		12:14 NCR 1334	*						
21 NCAC 34B.0403	12:09 NCR 745		12:14 NCR 1334	*						
21 NCAC 34C	12:09 NCR 745									
21 NCAC 34D.0101	12:09 NCR 745		12:14 NCR 1334	*						
21 NCAC 34D.0303	12:09 NCR 745		12:14 NCR 1334	*						

## MUNICIPAL INCORPORATIONS PETITION

### NURSING, BOARD OF

21 NCAC 36.0109	11:24 NCR 1821		11:28 NCR 2130	*	Approve	12/18/97				
21 NCAC 36.0227	12:05 NCR 338									
21 NCAC 36.0320	11:14 NCR 1109		11:19 NCR 1428	*	Object	03/20/97				

12:16 NCR 1479

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					Action	Date				
21 NCAC 36 .0601	12:01 NCR 5		12:06 NCR 479	*	Approve	04/17/97	*		11:29 NCR 2211	
21 NCAC 36 .0602	12:01 NCR 5		12:06 NCR 479	*						
21 NCAC 36 .0603	12:01 NCR 5		12:06 NCR 479	*						
21 NCAC 36 .0604	12:01 NCR 5		12:06 NCR 479	*						
21 NCAC 36 .0605	12:01 NCR 5		12:06 NCR 479	*						
21 NCAC 36 .0606	12:01 NCR 5		12:06 NCR 479	*						
<b>NURSING HOME ADMINISTRATORS</b>										
21 NCAC 37D .0202		11:11 NCR 940	11:18 NCR 1372	*	Approve	04/17/97	*		11:29 NCR 2211	
21 NCAC 37G .0102		11:11 NCR 940	11:18 NCR 1372	*	Approve	04/17/97			11:29 NCR 2211	
<b>OPTICIANS, BOARD OF</b>										
21 NCAC 40 .0104	12:09 NCR 745		12:14 NCR 1338	*						
21 NCAC 40 .0108		12:07 NCR 557								
21 NCAC 40 .0108	12:09 NCR 745		12:14 NCR 1338	S						
21 NCAC 40 .0202	12:09 NCR 745		12:14 NCR 1338	*						
21 NCAC 40 .0212	12:09 NCR 745		12:14 NCR 1338	*						
21 NCAC 40 .0214	12:09 NCR 745		12:14 NCR 1338	S						
21 NCAC 40 .0319	12:09 NCR 745		12:14 NCR 1338	*						
21 NCAC 40 .0324	12:09 NCR 745		12:14 NCR 1338	*						
<b>OPTOMETRY, BOARD OF</b>										
21 NCAC 42	12:06 NCR 453									
21 NCAC 42B .0107	11:18 NCR 1369		11:25 NCR 1917	*	Approve	09/18/97			12:10 NCR 878	
21 NCAC 42E .0102		12:06 NCR 487	12:12 NCR 1058	*						
<b>PHARMACY, BOARD OF</b>										
Narrow Therapeutic Index Drugs										
21 NCAC 46 .1601	12:03 NCR 168		12:07 NCR 527	*						12:14 NCR 1230
21 NCAC 46 .1603	12:03 NCR 168		12:09 NCR 797	*						
21 NCAC 46 .1604	12:03 NCR 168		12:09 NCR 797	*						
			12:07 NCR 527	*						
			12:09 NCR 797	*						

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					Action	Date				
21 NCAC 46.1804	12:03 NCR 168		12:07 NCR 527	*						
21 NCAC 46.1810	12:03 NCR 168		12:09 NCR 797	*						
21 NCAC 46.1813	12:03 NCR 168		12:07 NCR 527	*						
21 NCAC 46.2103	12:03 NCR 168		12:09 NCR 797	*						
21 NCAC 46.2201	12:03 NCR 168		12:07 NCR 527	*						
21 NCAC 46.2301	12:03 NCR 168		12:09 NCR 797	*						
			12:07 NCR 527	*						
			12:09 NCR 797	*						
<b>PHYSICAL THERAPY EXAMINERS</b>										
21 NCAC 48A.0103	12:08 NCR 619		12:13 NCR 1150	*						
21 NCAC 48A.0105	12:08 NCR 619		12:13 NCR 1150	*						
21 NCAC 48B.0102	12:08 NCR 619		12:13 NCR 1150	*						
21 NCAC 48C.0101	12:08 NCR 619		12:13 NCR 1150	*						
21 NCAC 48C.0102	12:08 NCR 619		12:13 NCR 1150	*						
21 NCAC 48C.0103	12:08 NCR 619		12:13 NCR 1150	*						
21 NCAC 48C.0301	12:08 NCR 619		12:13 NCR 1150	*						
21 NCAC 48C.0302	12:08 NCR 619		12:13 NCR 1150	*						
21 NCAC 48C.0401	12:08 NCR 619		12:13 NCR 1150	*						
21 NCAC 48C.0402	12:08 NCR 619		12:13 NCR 1150	*						
21 NCAC 48D.0102	12:08 NCR 619		12:13 NCR 1150	*						
21 NCAC 48D.0103	12:08 NCR 619		12:13 NCR 1150	*						
21 NCAC 48D.0105	12:08 NCR 619		12:13 NCR 1150	*						
21 NCAC 48D.0106	12:08 NCR 619		12:13 NCR 1150	*						
21 NCAC 48D.0109	12:08 NCR 619		12:13 NCR 1150	*						
21 NCAC 48D.0110	12:08 NCR 619		12:13 NCR 1150	*						
21 NCAC 48D.0112	12:08 NCR 619		12:13 NCR 1150	*						
21 NCAC 48E.0101	12:08 NCR 619		12:13 NCR 1150	*						
21 NCAC 48E.0104	12:08 NCR 619		12:13 NCR 1150	*						
21 NCAC 48E.0110	12:08 NCR 619		12:13 NCR 1150	*						



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21 NCAC 48F .0102	12:08 NCR 619		12:13 NCR 1150	*						
21 NCAC 48G .0202	12:08 NCR 619		12:13 NCR 1150	*						
21 NCAC 48G .0203	12:08 NCR 619		12:13 NCR 1150	*						
21 NCAC 48G .0402	12:08 NCR 619		12:13 NCR 1150	*						
21 NCAC 48G .0403	12:08 NCR 619		12:13 NCR 1150	*						
21 NCAC 48G .0404	12:08 NCR 619		12:13 NCR 1150	*						
21 NCAC 48G .0504	12:08 NCR 619		12:13 NCR 1150	*						
21 NCAC 48G .0512	12:08 NCR 619	Agency Withdrew Rule-making								
21 NCAC 48G .0601	12:08 NCR 619		12:13 NCR 1150	*						
21 NCAC 48H .0701	12:08 NCR 619		12:13 NCR 1150	*						
21 NCAC 48H .0704	12:08 NCR 619		12:13 NCR 1150	*						
<b>PLUMBING, HEATING AND FIRE SPRINKLER CONTRACTORS, EXAMINERS OF</b>										
21 NCAC 50 .0106	12:07 NCR 509									
21 NCAC 50 .0202	12:07 NCR 509									
21 NCAC 50 .0301	12:07 NCR 509	12:07 NCR 557	12:16 NCR 1490	*						
21 NCAC 50 .0306	12:07 NCR 509	12:07 NCR 557	12:16 NCR 1490	*						
21 NCAC 50 .0404	12:07 NCR 509	12:07 NCR 557	12:16 NCR 1490	*						
21 NCAC 50 .0405	12:07 NCR 509		12:16 NCR 1490	*						
21 NCAC 50 .0506	12:07 NCR 509	12:07 NCR 557								
21 NCAC 50 .0510	12:07 NCR 509		12:16 NCR 1490	*						
21 NCAC 50 .0511	12:07 NCR 509	12:07 NCR 557	12:16 NCR 1490	*						
21 NCAC 50 .1102	12:07 NCR 509	12:07 NCR 557	12:16 NCR 1490	*						
21 NCAC 50 .1104	12:07 NCR 509		12:16 NCR 1490	*						
21 NCAC 50 .1201	12:07 NCR 509									
21 NCAC 50 .1205	12:07 NCR 509									
21 NCAC 50 .1206	12:07 NCR 509									
21 NCAC 50 .1210	12:07 NCR 509									
21 NCAC 50 .1212	12:07 NCR 509									
21 NCAC 50 .1302	12:07 NCR 509									

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## PROFESSIONAL ENGINEERS AND LAND SURVEYORS

21 NCAC 56 .0103	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .0104	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .0401	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .0403	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .0404	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .0405	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .0501	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .0502	12:08 NCR 619		12:16 NCR 1492	S						
21 NCAC 56 .0503	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .0505	12:08 NCR 619		12:16 NCR 1492	S						
21 NCAC 56 .0601	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .0602	12:08 NCR 619		12:16 NCR 1492	S						
21 NCAC 56 .0603	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .0606	12:08 NCR 619		12:16 NCR 1492	S						
21 NCAC 56 .0701	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .0702	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .0901	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .0902	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .1102	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .1103	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .1104	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .1105	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .1106	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .1201	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .1203	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .1205	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .1301	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .1302	12:08 NCR 619		12:16 NCR 1492	*						

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21 NCAC 56 .1403	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .1409	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .1411	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .1602	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .1603	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .1604	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .1703	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .1704	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .1705	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .1711	12:08 NCR 619		12:16 NCR 1492	*						
<b>PSYCHOLOGY BOARD</b>										
21 NCAC 54 .1611	12:05 NCR 338									
21 NCAC 54 .1612	12:05 NCR 338									
21 NCAC 54 .1613	12:05 NCR 338									
21 NCAC 54 .2006	12:05 NCR 338									
21 NCAC 54 .2010	12:05 NCR 338									
21 NCAC 54 .2104	12:05 NCR 338									
21 NCAC 54 .2301	12:05 NCR 338									
21 NCAC 54 .2302	12:05 NCR 338									
21 NCAC 54 .2303	12:05 NCR 338									
21 NCAC 54 .2304	12:05 NCR 338									
21 NCAC 54 .2305	12:05 NCR 338									
21 NCAC 54 .2306	12:05 NCR 338									
21 NCAC 54 .2307	12:05 NCR 338									
21 NCAC 54 .2308	12:05 NCR 338									
21 NCAC 54 .2309	12:05 NCR 338									
21 NCAC 54 .2310	12:05 NCR 338									
21 NCAC 54 .2311	12:05 NCR 338									
21 NCAC 54 .2312	12:05 NCR 338									

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21 NCAC 54 .2313	12:05 NCR 338									
21 NCAC 54 .2314	12:05 NCR 338									
21 NCAC 54 .2401	12:05 NCR 338									
21 NCAC 54 .2402	12:05 NCR 338									
21 NCAC 54 .2501	12:05 NCR 338									
21 NCAC 54 .2502	12:05 NCR 338									
21 NCAC 54 .2503	12:05 NCR 338									
21 NCAC 54 .2504	12:05 NCR 338									
21 NCAC 54 .2505	12:05 NCR 338									
21 NCAC 54 .2601	12:05 NCR 338									
21 NCAC 54 .2602	12:05 NCR 338									
21 NCAC 54 .2704	12:05 NCR 338									
21 NCAC 54 .2705	12:05 NCR 338									
21 NCAC 54 .2706	12:05 NCR 338									
<b>PUBLIC EDUCATION</b>										
16 NCAC 06C .0307			12:01 NCR 18	*	Object	10/16/97	*			
16 NCAC 06C .0310		12:03 NCR 210	12:01 NCR 18	*	Approve	12/18/97				
16 NCAC 06C .0502		12:09 NCR 834								
16 NCAC 06C .0601			12:12 NCR 1050	*						
16 NCAC 06C .0602			12:12 NCR 1050	*						
16 NCAC 06D .0103			12:01 NCR 18	*	Object	10/16/97	*			
16 NCAC 06D .0301			12:01 NCR 18	*	Approve	12/18/97				
16 NCAC 06D .0303			12:01 NCR 18	*	Object	10/16/97	*			
16 NCAC 06D .0305			12:01 NCR 18	*	Approve	12/18/97				
16 NCAC 06D .0306			12:01 NCR 18	*	Approve	10/16/97			12:11 NCR 947	
16 NCAC 06E .0105			12:01 NCR 18	*	Approve	10/16/97	*		12:11 NCR 947	
16 NCAC 06G .0304		12:05 NCR 433	12:01 NCR 18	S	Approve	10/16/97			12:11 NCR 947	
16 NCAC 06G .0305			12:01 NCR 18	*	Object	10/16/97			12:11 NCR 947	

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16 NCAC 06G .0306			12:01 NCR 18	*	Approve	12/18/97	*			
16 NCAC 06G .0307			12:01 NCR 18	S	Object	10/16/97	*			
16 NCAC 06G .0308			12:01 NCR 18	S	Object	10/16/97	*			
16 NCAC 06G .0309			12:01 NCR 18	S	Approve	12/18/97	*			
16 NCAC 06G .0401			12:01 NCR 18	S	Object	10/16/97	*			
16 NCAC 06G .0402			12:01 NCR 18	*	Approve	12/18/97	*		12:11 NCR 947	
16 NCAC 06G .0403			12:01 NCR 18	*	Approve	10/16/97	*		12:11 NCR 947	
16 NCAC 06G .0404			12:01 NCR 18	*	Approve	10/16/97	*		12:11 NCR 947	
16 NCAC 06G .0501		12:12 NCR 1071		*	Approve	10/16/97			12:11 NCR 947	
<b>Public School Administration, Standards Board for</b>										
16 NCAC 07 .0201		12:07 NCR 533	12:12 NCR 1052	*						
16 NCAC 07 .0202		12:07 NCR 533	12:12 NCR 1052	*						
16 NCAC 07 .0301		12:07 NCR 533	12:12 NCR 1052	*						
16 NCAC 07 .0302		12:07 NCR 533	12:12 NCR 1052	*						
16 NCAC 07 .0303		12:07 NCR 533	12:12 NCR 1052	*						
<b>REAL ESTATE COMMISSION</b>										
21 NCAC 58A .0101	12:08 NCR 620		12:13 NCR 1159	*						
21 NCAC 58A .0103	12:08 NCR 620		12:13 NCR 1159	*						
21 NCAC 58A .0104	12:08 NCR 620		12:13 NCR 1159	*						
21 NCAC 58A .0105	12:08 NCR 620		12:13 NCR 1159	*						
21 NCAC 58A .0107	12:08 NCR 620		12:13 NCR 1159	*						
21 NCAC 58A .0108	12:08 NCR 620		12:13 NCR 1159	*						
21 NCAC 58A .0109	12:08 NCR 620		12:13 NCR 1159	*						
21 NCAC 58A .0110	12:08 NCR 620		12:13 NCR 1159	*						
21 NCAC 58A .0114	12:08 NCR 620		12:13 NCR 1159	*						
21 NCAC 58A .0302	12:08 NCR 620		12:13 NCR 1159	*						
21 NCAC 58A .0302	10:22 NCR 2829		11:03 NCR 114	*	Object	12/19/96	*		11:22 NCR 1717	
					Approve	01/16/97				

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					Action	Date				
21 NCAC 58A .0502	12:08 NCR 620		12:13 NCR 1159	*						
21 NCAC 58A .0505	12:08 NCR 620		12:13 NCR 1159	*						
21 NCAC 58A .0506	12:08 NCR 620		12:13 NCR 1159	*						
21 NCAC 58A .0601	12:08 NCR 620		12:13 NCR 1159	*						
21 NCAC 58A .0613	12:08 NCR 620		12:13 NCR 1159	*						
21 NCAC 58A .0614	12:08 NCR 620		12:13 NCR 1159	*						
21 NCAC 58A .1501	10:22 NCR 2829		11:03 NCR 114	*	Object Approve	12/19/96 01/16/97	*		11:22 NCR 1717	
21 NCAC 58A .1502	10:22 NCR 2829		11:03 NCR 114	*	Object Approve	12/19/96 01/16/97	*		11:22 NCR 1717	
21 NCAC 58A .1702	12:08 NCR 620		12:13 NCR 1159	*						
21 NCAC 58B .0402	12:08 NCR 620		12:13 NCR 1159	*						
21 NCAC 58E .0407	12:08 NCR 620		12:13 NCR 1159	*						
<b>REVENUE</b>										
17 NCAC 01C .0506			11:10 NCR 838	*	Approve	01/16/97	*		11:22 NCR 1717	
17 NCAC 03C .0008			12:14 NCR 1282	*						
17 NCAC 04B .0615			12:14 NCR 1283	*						
17 NCAC 04D .0303			12:14 NCR 1283	*						
17 NCAC 04D .0505			12:14 NCR 1283	*						
17 NCAC 04D .0508			12:14 NCR 1283	*						
17 NCAC 04D .0901			12:14 NCR 1283	*						
17 NCAC 05C .0102			12:14 NCR 1285	*						
17 NCAC 05C .0703			12:14 NCR 1285	*						
17 NCAC 05E .0101			12:14 NCR 1285	*						
17 NCAC 05E .0102			12:14 NCR 1285	*						
17 NCAC 05E .0103			12:14 NCR 1285	*						
17 NCAC 05E .0105			12:14 NCR 1285	*						
17 NCAC 06B .0104			12:14 NCR 1288	*						
17 NCAC 06B .0106			12:14 NCR 1288	*						
17 NCAC 06B .0107			12:14 NCR 1288	*						
17 NCAC 06B .0112			12:14 NCR 1288	*						

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					Action	Date				
17 NCAC 06B .0117			12:14 NCR 1288	*						
17 NCAC 06B .0118			12:14 NCR 1288	*						
17 NCAC 06B .0609			12:14 NCR 1288	*						
17 NCAC 06B .3503			12:14 NCR 1288	*						
17 NCAC 06B .3526			12:14 NCR 1288	*						
17 NCAC 06B .3714			12:14 NCR 1288	*						
17 NCAC 06B .3725			12:14 NCR 1288	*						
17 NCAC 06B .3904			12:14 NCR 1288	*						
17 NCAC 06C .0201			12:14 NCR 1288	*						
17 NCAC 06C .0203			12:14 NCR 1288	*						
17 NCAC 07B .0104			12:14 NCR 1296	*						
17 NCAC 07B .0207			12:14 NCR 1296	*						
17 NCAC 07B .0901			12:14 NCR 1296	*						
17 NCAC 07B .1301			12:14 NCR 1296	*						
17 NCAC 07B .1404			12:14 NCR 1296	*						
17 NCAC 07B .1602			12:14 NCR 1296	*						
17 NCAC 07B .1701			12:14 NCR 1296	*						
17 NCAC 07B .1702			12:14 NCR 1296	*						
17 NCAC 07B .1703			12:14 NCR 1296	*						
17 NCAC 07B .1801			12:14 NCR 1296	*						
17 NCAC 07B .1802			12:14 NCR 1296	*						
17 NCAC 07B .2201			12:14 NCR 1296	*						
17 NCAC 07B .2212			12:14 NCR 1296	*						
17 NCAC 07B .3104			12:14 NCR 1296	*						
17 NCAC 07B .3301			12:14 NCR 1296	*						
17 NCAC 07B .3302			12:14 NCR 1296	*						
17 NCAC 07B .3303			12:14 NCR 1296	*						
17 NCAC 07B .3304			12:14 NCR 1296	*						
17 NCAC 07B .3305			12:14 NCR 1296	*						
17 NCAC 07B .3306			12:14 NCR 1296	*						

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					Action	Date				
17 NCAC 07B .3901			12:14 NCR 1296	*						
17 NCAC 07B .3910			12:14 NCR 1296	*						
17 NCAC 07B .4301			12:14 NCR 1296	*						
17 NCAC 09I .0102			12:14 NCR 1310	*						
17 NCAC 09I .0304			12:14 NCR 1310	*						
17 NCAC 09J .0203			12:14 NCR 1310	*						
17 NCAC 09K .0205			12:14 NCR 1310	*						
17 NCAC 09K .0511			12:14 NCR 1310	*						
17 NCAC 09K .0513			12:14 NCR 1310	*						12:04 NCR 228
Tax Review Board										12:05 NCR 336
Tax Review Board										12:12 NCR 990
Tax Review Board										12:15 NCR 1416
Tax Review Board										

## SECRETARY OF STATE

18 NCAC 06 .1104	12:07 NCR 534	12:14 NCR 1312	*							
18 NCAC 06 .1205	12:07 NCR 534	12:14 NCR 1312	*							
18 NCAC 06 .1206	12:07 NCR 534	12:14 NCR 1312	*							
18 NCAC 06 .1211	12:07 NCR 534	12:14 NCR 1312	*							
18 NCAC 06 .1212	12:07 NCR 534	12:14 NCR 1312	*							
18 NCAC 06 .1304	12:07 NCR 534	12:14 NCR 1312	*							
18 NCAC 06 .1401	12:07 NCR 534	12:14 NCR 1312	*							
18 NCAC 06 .1410	12:07 NCR 534	12:14 NCR 1312	*							
18 NCAC 06 .1411	12:07 NCR 534	12:14 NCR 1312	*							
18 NCAC 06 .1412	12:07 NCR 534	12:14 NCR 1312	*							
18 NCAC 06 .1506	12:07 NCR 534	12:14 NCR 1312	*							
18 NCAC 06 .1509	12:07 NCR 534	12:14 NCR 1312	*							
18 NCAC 06 .1702	12:07 NCR 534	12:14 NCR 1312	*							
18 NCAC 06 .1703	12:07 NCR 534	12:14 NCR 1312	*							
18 NCAC 06 .1704	12:07 NCR 534	12:14 NCR 1312	*							



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(Updated through February 10, 1998)

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					Action	Date				
18 NCAC 06 .1705		12:07 NCR 534	12:14 NCR 1312	*						
18 NCAC 06 .1706		12:07 NCR 534	12:14 NCR 1312	*						
18 NCAC 06 .1712		12:07 NCR 534	12:14 NCR 1312	*						
18 NCAC 06 .1713		12:07 NCR 534	12:14 NCR 1312	*						
18 NCAC 06 .1714		12:07 NCR 534	12:14 NCR 1312	*						
18 NCAC 06 .1801		12:07 NCR 534	12:14 NCR 1312	*						
18 NCAC 06 .1802		12:07 NCR 534	12:14 NCR 1312	*						
18 NCAC 06 .1803		12:07 NCR 534	12:14 NCR 1312	*						
18 NCAC 06 .1804		12:07 NCR 534	12:14 NCR 1312	*						
18 NCAC 06 .1805		12:07 NCR 534	12:14 NCR 1312	*						
18 NCAC 06 .1806		12:07 NCR 534	12:14 NCR 1312	*						
18 NCAC 06 .1809		12:07 NCR 534	12:14 NCR 1312	*						
18 NCAC 06 .1811		12:07 NCR 534	12:14 NCR 1312	*						
<b>SPEECH AND LANGUAGE PATHOLOGISTS AND AUDIOLOGIST, BOARD OF EXAMINERS</b>										
21 NCAC 64 .0209	11:23 NCR 1780		12:05 NCR 427	*						
21 NCAC 64 .0303	11:23 NCR 1780									
21 NCAC 64 .1001	11:23 NCR 1780		12:05 NCR 427	*						
21 NCAC 64 .1002	11:23 NCR 1780		12:05 NCR 427	*	Object No response Approve	11/20/97 12/18/97 01/15/98	*			
21 NCAC 64 .1003	11:23 NCR 1780		12:05 NCR 427	*						
21 NCAC 64 .1004	11:23 NCR 1780		12:05 NCR 427	*	Object No response Approve	11/20/97 12/18/97 01/15/98	*			
21 NCAC 64 .1005	11:23 NCR 1780		12:05 NCR 427	*						
<b>STATE PERSONNEL COMMISSION</b>										
25 NCAC 01D .2501		11:13 NCR 1062 Temp Expired	11:19 NCR 1429	*	Approve	09/18/97			12:10 NCR 878	
25 NCAC 01D .2503		11:13 NCR 1062 Temp Expired	11:19 NCR 1429	*	Approve	09/18/97	*		12:10 NCR 878	
25 NCAC 01D .2504		11:13 NCR 1062 Temp Expired	11:19 NCR 1429	*	Approve	09/18/97			12:10 NCR 878	
25 NCAC 01D .2505		11:13 NCR 1062 Temp Expired	11:19 NCR 1429	*	Approve	09/18/97			12:10 NCR 878	

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					Action	Date				
25 NCAC 01D .2507		11:13 NCR 1062 Temp Expired	11:19 NCR 1429	*	Approve	09/18/97	*		12:10 NCR 878	
25 NCAC 01D .2508		11:13 NCR 1062 Temp Expired	11:19 NCR 1429	*	Approve	09/18/97			12:10 NCR 878	
25 NCAC 01D .2509		11:13 NCR 1062 Temp Expired	11:19 NCR 1429	*	Approve	09/18/97			12:10 NCR 878	
25 NCAC 01D .2511		11:13 NCR 1062 Temp Expired	11:19 NCR 1429	*	Approve	09/18/97	*		12:10 NCR 878	
25 NCAC 01D .2513		11:13 NCR 1062 Temp Expired	11:19 NCR 1429	*	Approve	09/18/97	*		12:10 NCR 878	
25 NCAC 01D .2514		11:13 NCR 1062 Temp Expired	11:19 NCR 1429	*	Approve	09/18/97	*		12:10 NCR 878	
25 NCAC 01D .2516		11:13 NCR 1062 Temp Expired	11:19 NCR 1429	*	Approve	09/18/97	*		12:10 NCR 878	
25 NCAC 01D .2517		12:09 NCR 835								
25 NCAC 01E .0705	11:14 NCR 1110		11:19 NCR 1434	*	Approve	09/18/97	*		12:10 NCR 878	
25 NCAC 01E .0707	11:14 NCR 1110		11:19 NCR 1434	*	Approve	09/18/97	*		12:10 NCR 878	
25 NCAC 01E .0709	11:14 NCR 1110		11:19 NCR 1434	*	Approve	09/18/97			12:10 NCR 878	

## SUBSTANCE ABUSE PROFESSIONAL CERTIFICATION BOARD

21 NCAC 68	12:09 NCR 745									
21 NCAC 68 .0101		12:11 NCR 944	12:15 NCR 1426	S/L						
21 NCAC 68 .0301		12:11 NCR 944	12:15 NCR 1426	S/L						
21 NCAC 68 .0302		12:11 NCR 944	12:15 NCR 1426	S/L						
21 NCAC 68 .0303		12:11 NCR 944	12:15 NCR 1426	S/L						
21 NCAC 68 .0304		12:11 NCR 944	12:15 NCR 1426	S/L						
21 NCAC 68 .0305		12:11 NCR 944	12:15 NCR 1426	S/L						
21 NCAC 68 .0306		12:11 NCR 944	12:15 NCR 1426	S/L						
21 NCAC 68 .0307		12:11 NCR 944	12:15 NCR 1426	S/L						
21 NCAC 68 .0602	12:09 NCR 745		12:15 NCR 1426	S/L						
21 NCAC 68 .0603	12:09 NCR 745		12:15 NCR 1426	S/L						
21 NCAC 68 .0608	12:09 NCR 745		12:15 NCR 1426	S/L						

## TRANSPORTATION

### Highways, Division of

19A NCAC 02B .0164	11:20 NCR 1537		11:26 NCR 1991	*	Object	07/17/97				
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# **CUMULATIVE INDEX** (Updated through February 10, 1998)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
19A NCAC 02B .0242	11:26 NCR 1986		12:03 NCR 207	*	Approve	08/21/97			12:07 NCR 561	
19A NCAC 02B .0303	11:26 NCR 1986		12:03 NCR 207	*	Approve	10/16/97			12:11 NCR 947	
19A NCAC 02D .0415	11:20 NCR 1537		11:26 NCR 2004	*	Approve	10/16/97			12:11 NCR 947	
19A NCAC 02E .0218	12:05 NCR 337		12:12 NCR 1053	*	Approve	07/17/97			12:04 NCR 317	
19A NCAC 02E .0219	12:05 NCR 337		12:12 NCR 1053	*						
19A NCAC 02E .0220	12:05 NCR 337		12:12 NCR 1053	*						
19A NCAC 02E .0221	12:05 NCR 337		12:12 NCR 1053	*						
19A NCAC 02E .0222	12:05 NCR 337		12:12 NCR 1053	*						
<b>Motor Vehicles, Division of</b>										
19A NCAC 03D .0525		12:08 NCR 729	12:14 NCR 1333	*						
19A NCAC 03I .0100	11:19 NCR 1413									
19A NCAC 03I .0200	11:19 NCR 1413									
19A NCAC 03I .0300	11:19 NCR 1413									
19A NCAC 03I .0400	11:19 NCR 1413									
19A NCAC 03I .0500	11:19 NCR 1413									
19A NCAC 03I .0600	11:19 NCR 1413									
19A NCAC 03I .0700	11:19 NCR 1413									
19A NCAC 03I .0800	11:19 NCR 1413									
19A NCAC 03J .0102	11:11 NCR 882		11:17 NCR 1340	*	Approve	02/20/97	*		11:24 NCR 1832	
19A NCAC 03J .0306	11:11 NCR 882		11:17 NCR 1340	*	Object	02/20/97	*			
19A NCAC 03J .0308	11:11 NCR 882		11:17 NCR 1340	*	Approve	03/20/97	*		11:26 NCR 2004	
19A NCAC 03J .0601	11:11 NCR 882		11:17 NCR 1340	*	Object	02/20/97	*		11:26 NCR 2004	
				*	Approve	02/20/97	*		11:24 NCR 1832	

# BARCLAYS OFFICIAL NORTH CAROLINA ADMINISTRATIVE CODE - 1997

DESCRIPTION	CODE	ANNUAL SUBSCRIPTION PRICE
<b>Title 1 - Dept. of Administration - Complete Title</b>	<b>201 00 001</b>	<b>\$90.00</b>
Division of Purchase & Contract	201 10 051	\$30.00
Federal Block Grant Funds	201 10 331	\$25.00
<b>Title 2 - Dept. of Agriculture - Complete Title</b>	<b>202 00 001</b>	<b>\$140.00</b>
Food & Drug Protection Division	202 15 091	\$35.00
Structural Pest Control Committee	202 15 341	\$30.00
Agricultural Markets	202 15 431	\$30.00
Plant Industry	202 15 481	\$30.00
Animal Industry	202 15 521	\$30.00
<b>Title 3 - Dept. of State Auditor - Complete Title</b>	<b>203 00 001</b>	<b>\$25.00</b>
<b>Title 4 - Dept. of Commerce - Complete Title</b>	<b>204 00 001</b>	<b>\$125.00</b>
Alcoholic Beverage Control Commission	204 15 021	\$45.00
Banking Commission	204 15 031	\$45.00
Credit Union Division	204 15 061	\$25.00
Savings & Loan Division	204 15 091	\$25.00
Industrial Commission/Workers Compensation	204 15 101	\$30.00
Savings Institutions Division	204 15 161	\$35.00
<b>Title 5 - Dept. of Corrections - Complete Title</b>	<b>205 00 001</b>	<b>\$70.00</b>
Division of Prisons	205 15 021	\$35.00
<b>Title 6 - Council of State - Complete Title</b>	<b>206 00 001</b>	<b>\$30.00</b>
<b>Title 7 - Dept. of Cultural Resources - Complete Title</b>	<b>207 00 001</b>	<b>\$60.00</b>
<b>Title 8 - State Board of Elections - Complete Title</b>	<b>208 00 001</b>	<b>\$30.00</b>
<b>Title 9 - Offices of the Governor &amp; Lt. Governor - Complete Title</b>	<b>209 00 001</b>	<b>\$45.00</b>
<b>Title 10 - Dept. of Human Resources - Complete Title</b>	<b>210 00 001</b>	<b>\$470.00</b>
Licensing of Health Facilities	210 20 101	\$95.00
Detention Facilities	210 20 201	\$40.00
Mental Health & Rehabilitation Services	210 20 301	\$110.00
Social Services	210 20 401	\$185.00
Children Services/Day Care	210 20 411	\$55.00
Services for the Aging	210 20 421	\$45.00
Services for the Blind	210 20 431	\$40.00
Services for the Deaf & Hard of Hearing	210 20 441	\$25.00
Employment Opportunities	210 20 451	\$45.00
<b>Title 11 - Dept. of Insurance - Complete Title</b>	<b>211 00 001</b>	<b>\$90.00</b>
Insurance	211 10 011	\$80.00
Consumer Services	211 10 041	\$30.00
Fire & Rescue Services	211 10 051	\$25.00
Agent Services	211 10 061	\$35.00
Engineering & Building Codes	211 10 081	\$30.00
<b>Title 12 - Dept. of Justice - Complete Title</b>	<b>212 00 001</b>	<b>\$90.00</b>
Private Protective Services	212 10 071	\$30.00
Police & Sheriff's Education & Training Standards	212 10 091	\$40.00
NC Alarm Systems Licensing Board	212 10 111	\$30.00
<b>Title 13 - Dept. of Labor - Complete Title</b>	<b>213 00 001</b>	<b>\$110.00</b>
Mine & Quarry Safety	213 15 061	\$25.00
General Safety/OSHA	213 20 001	\$70.00
Wage & Hour Rules	213 15 121	\$25.00
Boiler & Pressure Vessel Safety	213 15 131	\$25.00
Apprenticeship & Training	213 15 141	\$25.00
Elevator & Amusement Device Safety	213 15 151	\$25.00
<b>Title 14A - Dept. of Crime Control &amp; Public Safety - Complete Title</b>	<b>214 00 001</b>	<b>\$45.00</b>
Alcohol Law Enforcement	214 00 081	\$25.00
Victims Compensation Fund	214 00 111	\$25.00
<b>Title 15A - Dept. of Environ., Health, &amp; Nat. Resources - Complete Title</b>	<b>215 00 001</b>	<b>\$395.00</b>
Environmental Management	215 15 001	\$165.00
Air Quality	215 15 101	\$90.00
Water Quality	215 15 201	\$85.00
Land & Waste Management	215 15 301	\$85.00
Solid Waste Management	215 15 311	\$50.00



DESCRIPTION	CODE	ANNUAL SUBSCRIPTION PRICE
Underground Storage Tanks	215 15 321	\$30.00
Coastal Management, Fishing & Boating	215 15 401	\$53.00
Environmental Health	215 25 001	\$150.00
Radiation/Nuclear Waste	215 25 101	\$65.00
Sanitation	215 25 201	\$60.00
Public Health	215 25 301	\$85.00
Intoxilizer & Breathalyzer	215 25 311	\$25.00
<b>Title 16 - Dept. of Public Instruction - Complete Title</b>	<b>216 00 001</b>	<b>\$60.00</b>
Elementary & Secondary Education	216 10 061	\$30.00
<b>Title 17 - Department of Revenue - Complete Title</b>	<b>217 00 001</b>	<b>\$130.00</b>
Taxes on Individuals	217 15 101	\$40.00
Taxes on Business	217 15 201	\$70.00
Sales & Use Tax Division	217 15 271	\$45.00
Motor Fuels Tax Division	217 15 291	\$30.00
<b>Title 18 - Secretary of State - Complete Title</b>	<b>218 00 001</b>	<b>\$60.00</b>
Securities Division	218 10 060	\$35.00
<b>Title 19A - Dept. of Transportation - Complete Title</b>	<b>219 00 001</b>	<b>\$90.00</b>
Division of Highways	219 10 021	\$45.00
Division of Motor Vehicles	219 10 031	\$45.00
<b>Title 20 - Dept. of the State Treasurer - Complete Title</b>	<b>220 00 001</b>	<b>\$45.00</b>
<b>Title 21 - Occupational Licensing Boards - Complete Title</b>	<b>221 00 001</b>	<b>\$230.00</b>
<b>Title 22 - Administrative Procedures - Repealed</b>	n/a	
<b>Title 23 - Community Colleges - Complete Title</b>	<b>223 00 001</b>	<b>\$45.00</b>
<b>Title 24 - Independent Agencies - Complete Title</b>	<b>224 00 001</b>	<b>\$40.00</b>
<b>Title 25 - Office of State Personnel - Complete Title</b>	<b>225 00 001</b>	<b>\$80.00</b>
<b>Title 26 - Office of Administrative Hearings - Complete Title</b>	<b>226 00 001</b>	<b>\$35.00</b>
<b>Title 27 - North Carolina State Bar - Complete Title</b>	<b>227 00 001</b>	<b>\$60.00</b>
<b>North Carolina Administrative Code - Complete Code</b> (Add \$85.00 Shipping and Handling)	<b>299 99 981</b>	<b>\$850.00</b>
<b>CD-ROM North Carolina Administrative Code</b> (updated quarterly)	<b>266 00 001</b>	<b>\$750.00</b>
<b>CD-ROM North Carolina Administrative Code</b> (When purchased with the Full Code in Print)	<b>266 50 001</b>	<b>\$250.00</b>
<b>Master Index</b>	<b>288 50 001</b>	<b>\$475.00</b>
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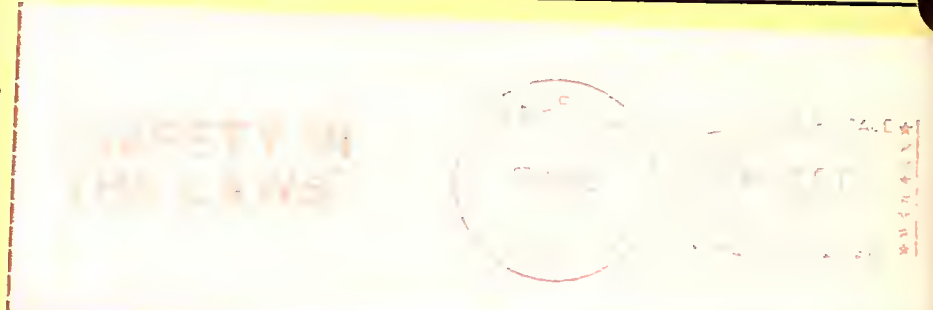
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