## NORTH CAROLINA

## REGISTER

## VOLUME $12 \bullet$ ISSUE $20 \bullet$ Pages 1815-1869 April 15, 1998

IN THIS ISSUE<br>Labor-Verbatim Adoptions<br>Voting Rights Letter<br>Environment and Natural Resources<br>Health and Human Services<br>Justice<br>Rules Review Commission<br>Contested Case Decisions

## PUBLISHED BY

The Office of Administrative Hearings

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For those persons that have questions or concerns regarding the Administrative Procedure Act or any of it components, consult with the agencies below. The bolded headings are typical issues which the given ager can address, but are not inclusive

Rule Notices, Filings, Register, Deadlines, Copies of Proposed Rules, etc.<br>Office of Administrative Hearings<br>Rules Division<br>Capehart-Crocker House<br>(919) 733-2678<br>$+2+$ North Blount Street<br>Raleigh. North Carolina 27601-2817<br>contact: Molly Masich, Director APA Services Ruby Creech. Publications Coordinator<br>mmasich acoah state nc:us rcreechaoah.state.nc.us

## Fiscal Notes \& Economic Analysis

Office of State Budget and Management

116 West Jones Street
Ralcigh, North Carolina 27603-8005
contact: Mark Sisak, Economist 111
Anna Tefft. Economist li

## Rule Review and Legal Issues

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Raleigh. North Carolina 27605
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(919) $733-9415$ FAX
contact Joe DeLuca Jr., Staff Director Counsel Bobby Bryan. Staff Attorney
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(919) 733-7061
(919) 733-0640 FAX
msisak@osbm state nc.us
ateff a osbm state nc us

## Legislative Process Concerning Rule Making

Joint Legislative Administrative Procedure Oyersight Committee 545 Legislative Office Building 300 North Salisbury Street (919) 733-2578 Raleigh, North Carolina 2761 :
contact: Mary Shuping, Staff Laiason
(919) 715-5+60 FAX
marys@ms.ncga state.nc.us

## County and Municipality Government Questions or Notification

NC Association of County Commissioners

215 North Dawson Street
Raleigh, North Carolina 27603
contact: Jim Blackburn or Rebecca Troutman
NC League of Municipalities
215 North Dawson Street
(919) 715-4000

215 North Dawson Street
Raleigh. North Carolina 27603
contact: Paula Themas
(919) 715-2893

NORTH CAROLINA
REGISTER


> Volume 12, Issue 20 Pages 1815-1869

This issue contains documents officially filed through March 24, 1998.

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(August 1997-May 1998)

| earliest date for public hearing | NOTICE OF TEXT <br> (either column A or column B) |  |  |  |  |  | temporary RULE |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | A. non-substantial economic impact |  |  | B. substantial economic impact |  |  |  |
|  | end of required <br> comment <br> period | deadline to submit to RRC for review at next RRC meeting | first legistative day of the next regular session | end of required <br> comment <br> period | deadline to submit to RRC for review at next RRC meeting | first legislative day of the next regular session | $270^{\text {TH }}$ day from issue date |
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| 09/02/97 | 09/15/97 | 09/22/97 | 05/1/98 | 10/14/97 | 10/20/97 | 05/11/98 | 05/12/98 |
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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
END OF COMALENT PERIOD TO A NOTICE OF RULE-MIAKING PRO-CEEDINGS: This date is 60 days from the issuc date. An agency shall accept comments on the notice of rule-
 proposed rules is published, and the text of the proposed rule shall not be published until at least 60 days after the notice of rulemaking proceedings was published.
EARLIEST REGISTER ISSUE FOR publication of text: The date of the next issue following the end of the comment period.
NOTICE OF TEXT
EARLIEST DATE FOR PUBLIC IIEARING: The hearing date shall be at least 15 days after the date a notice of the hearing is published END OF REQUIRED COMMENT PERIOD (1) RULE WITH NON-SUBSTANTIAI ECONOMIC IMPACT: An agency shall accepl 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. (2) RULE WITH SUBSTANTIAL ECONOMIC imPACT: 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(bl) for at least 60 days after publication or until the date of any public hearing held on the rule, whichever is longer.

DEADLINE TO SUBMIT TO THE RULES REVIEW COMMISSION: 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.

## FIRST LEGISLATIVE DAY OF THE NEXT

 REGULAR SESSION OF THE GENERAL assembly: 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. Sec G.S. I50B-21.3, Effective date of rules.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.

# NORTH CAROLINA DEPARTMENT OF LABOR DIVISION OF OCCUPATIONAL SAFETY AND HEALTH 

## NOTICE OF VERBATIM ADOPTIONS OF FEDERAL STANDARDS

The following is a summary of fedcral OSHA standards recently adopted verbatim by the Occupational Safety and Health Division of the N.C. Department of Labor (OSHNC). The details related to each subject are contained in the cited Federal Registers (FR). The effective date of the associated NC Administrative Code rule changes is April 8, 1998:
(1) Respiratory Protection--Final Rule (63 FR 1151-1300, 1/8/98): The new standard reflects current respirator technology, clarifies responsibility for administering a respirator program and its provisions, adds definitions, and provides specific guidance on respirator selection, use, hazard evaluation, medical evaluations, fit testing, and training.
(2) Air Contaminants: Permissible Exposure Limits--Corrections (62 FR 42018, 8/4/97): The adopted 29 CFR 1910.1000 Table Z-1 corrections add an "x" to the skin designation column for cyanides and correct the spelling of Trinitrophenol. The adopted 29 CFR 1910.1000 Table Z-3 correction revises the $\mathrm{mg} / \mathrm{m}^{3}$ entry for "Coal Dust: Respirable fraction less than $5 \% \mathrm{SiO}^{2 \prime \prime}$ to read $2.4 \mathrm{mg} / \mathrm{m}^{3}$. The balance of the corrections contained in the cited Federal Register ( 62 FR 42018, 8/4/97) were not adopted because the cxisting N.C. rules were already correct or were state specific standards that are more effective than the "corrections" published for the federal standard.
(3) Methylene Chloride--Compliance Date Extensions and a Partial Stay (62 FR 54382-3, 10/20/97)(62 FR 66275, 12/18/97)
(4) Collection of Information--Approvals and Renewals (62 FR 59002, 10/31/97)( 62 FR 63563, 12/1/97)(62 FR 63968, 12/3/97)(62 FR 65203, 12/11/97): The adopted standards are associated with:
(a) permit-rcquired confined spaces (Ref.: 29 CFR 1910.146 and 1910.8),
(b) reporting of injuries to employecs operating mechanical power presses (Ref.: 29 CFR 1910.217(g)),
(c) electrical power generation, transmission, and distribution (Ref.: 29 CFR 1910.269),
(d) elcetrical protective cquipment (Rcf.: 29 CFR 1910.137),
(e) reporting occupational injuries and illnesses (Ref.: 29 CFR 1904)
(5) Scaffolds used in construction--Correction and Effective Date Information (63 FR 1919, 1/13/98) (63 FR 3813-3814, 1/27/98): The correction was a minor format change. 29 CFR 1926.453(a)(2), that requires manufacturer certification of "field modified" aerial lifts, is now effective.

For additional information regarding thesc adoptions please contact:

Peggy D. Morris<br>Division of Occupational Safety and Hcalth<br>319 Chapanoke Road<br>Raleigh, NC 27603-3432<br>(919) 662-4581

# U.S. Department of Justice <br> Civil Rights Division 

EJ:SBF:NT:emr
DJ 166-012-3
98-0268
98-0819
98-0820

Voting Section
PO. Box 66128
Washington, DC 20035-6128

March 17, 1998

Jesse L. Warren, Esq.
City Attorney
P.O. Box 3136

Greensboro, North Carolina 27402-3136
Dear Mr. Warren:
This refers to five annexations (Ordinance Nos. 98-1, 98-10, 98-13, 98-15 and 98-17) and their designation to districts of the City of Greensboro in Guilford 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 submissions on January 26, February 26 and 27, 1998.

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 these submissions 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).

Sincerely,
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: Environmental Management Commission - to rules codified in 15A NCAC 2D, 2H, \& 2Q; Sedimentation Control Commission - to rules codified in 15A NCAC 4B; and Soil and Water Commission - to rules codified in 15A NCAC 6E - from April 15, 1998 through June 15, 1998:

DENR Regulatory Agenda Index - March 24, 1998

AIR QUALITY

| APA \# | SUBJECT |
| :--- | :--- |
| E2496 | Transportation Conformity |
| E2497 | Permitting Rules |

LAND RESOURCES/LAND QUALITY
APA \# SUBJECT
E2502 Sediment \& Erosion Control
SOIL AND WATER CONSERVATION
APA \# SUBJECT
N2006 Change Combined Cost Share
Rate for Special Funding
Programs
WATER QUALITY
APA \#
SUBJECT
E2491
Innovative Animal Waste Operation Permits for Swine Operations

RULE CITATION \# 15A NCAC 2D . 1500 15A NCAC 2Q .0103, .0300, and . 0500

## RULE CITATION \#

 15A NCAC 4B .0006; . 0007 and .0027
## RULE CITATION \#

 15A NCAC 6E . 0105
## RULE CITATION \#

 15A NCAC 2H . 0226APA \#: E2491
SUBJECT: Innovative Animal Waste Operation Permits for Swine Operations
RULE CITATION \#: 15A NCAC 2H. 0226
AUTHORITY: H.B. 515
DIVISION/SECTION: WATER QUALITY
DIVISION CONTACT: Dennis Ramsey
DIVISION CONTACT TEL\#: (919) 733-5083
DATE INITIATED: 3/11/98
DURATION OF RULE: Temporary 5/8/98
STAGE OF DEVELOPMENT: Draft Rule Stage
GOV LEVELS AFFECTED: None
REASON FOR ACTION :
Part I of the Clean Water Responsibility Act establishes a moratorium on new and expanding swine operations. Section 1.1(b)(7) of the Act provides an exception to the moratorium for innovative management systems that do not employ enaerobic lagoons. This allow the review and implementation of new technologies while maintaining the moratorium.

The Legislature's Administrative Procedures Oversight Committee has advised that the Department should proceed with formal rule making to define the term innovative. Due to the time needed for the adoption of a permanent rule and the urgency to determine what systems should be permitted as innovative, a draft temporary rule has been developed to address this concern. The temporary rule would remain in effect only as long as the moratorium is effective.

APA \#: E2496
SUBJECT: Transportation Conformity
RULE CITATION \#: 15A NCAC 2D . 1500
AUTHORITY: G.S. 143-215.3(a)(1); 143-215.107(a)(10)
DIVISION/SECTION: AIR QUALITY
DIVISION CONTACT: Thomas Allen
DIVISION CONTACT TEL\#: (919) 733-1489
DATE INITIATED: 3/12/98
DURATION OF RULE: Permanent
STAGE OF DEVELOPMENT: Concept Stage
GOV LEVELS AFFECTED: None
REASON FOR ACTION:
To revise citations in Section 15A NCAC 2D . 1500, Transportation Conformity, from 40 CFR Part 51 to 40 CFR Part 93.

SCOPE/NATURE/SUMMARY:
The U. S. Environmental Protection Agency has revised 40 CFR Part 51, Subpart T. This Subpart formerly contained the detail requirements and procedures for making conformity determinations. These detail requirements and procedures are now in 40 CFR Part 93, Subpart A. The EPA has revised 40 CFR Part 51 , Subpart T so that it now requires states to adopt rules consistent with 40 CFR Part 93, Subpart A. (Originally, the EPA had two sets of rules that were essentially identical: the Part 51, Subpart T rules and the Part 93, Subpart A rules. States were to adopt rules consistent with Part 51, Subpart T, which North Carolina did. If a state failed to adopt consistent conformity rules, then the EPA would implement the Part 93. Subpart A rules in that state.)

The purpose of the transportation conformity rules us to assure that transportation plans and programs conform with the State Implementation Plan (SIP) in nonattainment areas and maintenance areas. The conformity rules establish criteria and procedures for determining if emissions resulting from transportation projects will likely produce new air quality violations, worsen existing violations, or delay timely attainment with the ambient air quality standards.

APA \#: E2497
SUBJECT: Permitting Rules
RULE CITATION \#: 15A NCAC 2Q .0103, .0300, and . 0500
AUTHORITY: G.S. 143-215.3(a)(1); 143-215.108; 143-215.107(a)(10)
DIVISION/SECTION: AIR QUALITY
DIVISION CONTACT: Thomas Allen
DIVISION CONTACT TEL\#: (919)733-1489
DATE INITIATED: 3/12/98
DURATION OF RULE: Permanent
STAGE OF DEVELOPMENT: Concept Stage
GOV LEVELS AFFECTED: None
REASON FOR ACTION :
To move language pertaining to synthetic minor facilities and permits for synthetic minor facilities from Section 15A NCAC 2Q .0500, Title V Procedures, to Section 15A NCAC 2Q .0300, Construction and Operation Permit.

## SCOPE/NATURE/SUMMARY:

When the Title $V$ permitting rules were first adopted, provisions for synthetic minor facilities and synthetic minor permits were included in the section of rules that contain the Title $V$ permitting provisions, i.e., 15A NCAC 2Q . 0500. (A synthetic minor facility is a facility that has taken permit restrictions to avoid Title V permitting requirements. Title V refers to Title $V$ of the federal Clean Air Act; this Title requires major facilities to have an air quality permit.) At the time these rules were adopted, the U.S. Environmental Protection Agency had lead the State to believe that a synthetic minor facility would have to have a permit under Title V before the Title V avoidance restriction could be removed from its permit. Since then EPA has clearly revised its position on synthetic minor facilities. A synthetic minor facility may be treated like a new facility; it has up to one year after removal of the Title V avoidance condition to file a application for a permit under the Title V permitting procedures. To continue to have synthetic permitting provisions in the Title $V$ permitting section causes confusion. They need to be moved to the Section 15A NCAC 2Q .0300, which contains the permitting procedures for facilities not required to have a permit under Title V.

To accomplish these changes would require amending several rules in Sections 15A NCAC 2Q . 0300 and .0500 and repeal of 15 A NCAC 2Q . 0511 , Synthetic Minor Facilities, and possibly adding a new rule to Section .0300. A
definition of synthetic minor facility might be added to 15A NCAC 2Q .0103, Definitions.
APA \#: E2502
SUBJECT: Sediment \& Erosion Control
RULE CITATION \#: 15A NCAC 4B .0006; . 0007 and .0027
AUTHORITY: G.S. 113A-54(d); 113A-54(d)(4); 113A-54.1; 113A-57; 113A-57(3)(4)
DIVISION/SECTION: LAND RESOURCES/LAND QUALITY
DIVISION CONTACT: Mell Nevils
DIVISION CONTACT TEL\#: (919)733-4574
DATE INITIATED: 3/18/98
DURATION OF RULE: Permanent 4/1/99
STAGE OF DEVELOPMENT: Draft Rule Stage
GOV LEVELS AFFECTED: None
REASON FOR ACTION :
The Sedimentation Pollution Control Commission reviewed the Sedimentation Rules and determined these changes to be necessary to improve the North Carolina Pollution Control Program.
SCOPE/NATURE/SUMMARY:
15A NCAC 4B . 0007
Pursuant to G.S. 113A-57(3), provisions for a ground cover sufficient to restrain erosion must be accomplished within 15 working days or 90 calendar days following completion of construction or development, whichever period is shorter, except as provided in 15A NCAC 4B .0024(e).

15A NCAC 4B . 0027
No person may initiate a land disturbing activity until notifying the agency that issued the Plan Approval of the date that the land-disturbing activity will begin.

15A NCAC 4B . 0006
When demeed necessary by the approving authority a preconstruction conference may be required.
APA \#: N2006
SUBJECT: Change Combined Cost Share Rate for Special Funding Programs
RULE CITATION \#: 15A NCAC 6E . 0105
AUTHORITY: G.S. 139-4; 139-8; 143-215.74; 143B-294
DIVISION/SECTION: SOIL AND WATER CONSERVATION
DIVISION CONTACT: Vernon Cox
DIVISION CONTACT TEL\#: (919)715-6109
DATE INITIATED: 3/24/98
DURATION OF RULE: Permanent 4/1/99
STAGE OF DEVELOPMENT: Draft Rule Stage
GOV LEVELS AFFECTED: State
REASON FOR ACTION:
The Agriculture Cost Share Program can be used to supplement other potential funding sources to encourage the adoption of conservation practices to protect water quality. Measures funded by these programs may involve entering agricultural land into long term or permanent easements that would prohibit virtually all production activities with the potential to generate income. Current program rules limit combined cost share funding to $75 \%$ of the cost of Best Management Practices (BMP's) installed on these lands. Where all production capability is prohibited, it is anticipated that $100 \%$ funding will be required to encourage participation by landowners.

## SCOPE/NATURE/SUMMARY :

The proposed amendment would increase the combined funding limit of the Agriculture Cost Share Program to $100 \%$ for BMP's installed on lands where a conservation practice requires the participant to relinquish all production capability on his or her land for at least ten years. In no case would the Agriculture Cost Share Program contribution exceed the statutory maximum of 75 percent.


#### Abstract

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. Statutor reference: G.S. 150B-21.2.


## TITLE 10 - DEPARTMENT OF HEALTH AND HUMAN SERVICES

CHAPTER 14-MENTAL HEALTH: GENERAL

SUBCHAPTER 1 4 C - GENERAL RULES

$N_{s}$Totice of Rule-making Proceedings is hereby given by the Secretary of Health and Human Services in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) 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: 10 NCAC 14C.1151. Other nules may be proposed in the course of the rule-making process.

Authority for the rule-making: G.S. 122C-141; 122C143.1; 122C-143.2; 122C-147; 122C-147.1; 122C-147.2; Social Security Act, Waiver under Sections 1915 (b) and (b)(4)

Statement of the Subject Matter: This Rule allows the Division to contract with area programs to implement a managed care program for mental health and substance abuse services for children pursuant to a waiver granted by the Secretary of the United States Department of Health and Human Services in accordance with Title XIX of the Social Security Act. known as the Carolina Alternatives Program.

Reason for Proposed Action: Legislation dictates that the Secretary enact temporany rules in order to reduce Medicaid spending, fraud, and abuse. Agency proposes the amendment of 10 NCAC 14 C .1151 Carolina Alternatives to set forth a process for enrollees to appeal adverse decisions by a contracting area program.

Comment Procedures: Comments should be submitted to Charlotte F. Hall, Division of Mental Health, Developmental Disabilities and Substance Abuse Senices, 325 N. Salisbury St., Albemarle Bldg., Suite 517, Raleigh, NC 27603-5906.

## CHAPTER I4 - MENTAL HEALTH: GENERAL

> SUBCHAPTER 14V - RULES FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE FACILITIES AND

## SERVICES

$N^{2}$Tice of Rule-making Proceedings is hereby given by the Commission for Mental Health, Developmental Disabilities and Substance Abuse Services in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) 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: 10 NCAC 14 V .0800 . Other rules may be proposed in the course of the rule-making process.

Authority for the rule-making: G.S. $122 \mathrm{C}-3 ; 122 \mathrm{C}-26$; 143B-147; 150B-1 (d); 20 U.S.C. Sections 1401 et. seq., 1471 et. seq

Statement of the Subject Matter: The rules in this Section shall apply to any facility which serves infants and toddlers with or at risk for developmental disabilities, delays or atypical development.

Reason for Proposed Action: Where necessary, Agency staff will propose amendments to the current rules for clarification purposes. Specifically, to ensure that agency meets all federal requirements, a condition for receipt of federal funds.

Comment Procedures: Comments should be submitted to Charlotte F. Hall, Division of Mental Health, Developmental Disabilities and Substance Abuse Services, 325 N. Salisbury St., Albemarle Bldg., Suite 517, Raleigh, NC 27603-5906.

## CHAPTER I4-MENTAL HEALTH: GENERAL

## SUBCHAPTER 14V - RULES FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE FACILITIES AND SERVICES

NTotice of Rule-making Proceedings is hereby given by the Commission for Mental Health, Developmental Disabilities and Substance Abuse Services in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) 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: 10 NCAC 14 V . 3800 . Other rules may be proposed in the course of the rule-making process.

Authority for the rule-making: G.S. 20-179.2; 20-279; 143B-147

Statement of the Subject Matter: An alcohol and drug education traffic school (ADETS) is a prevention and intervention service which provides an educational progrant primarily for first offenders convicted of driving while impaired as provided in G.S. 20-179(m).

Reason for Proposed Action: Agency staff will propose amendments to the current nules for clarification purposes. Specifically, Rule .3803(a)(2) cross-references 10 NCAC $18 F$ . 0300 Substance Abuse Assessments for Individuals Charged With or Convicted of Driving While lmpaired (DWI). Staff will propose that the text of this cross-reference be included in the rule.

Comment Procedures: Comments should be submitted to Charlotte F. Hall, Division of Mental Health, Developmental Disabilities and Substance Abuse Services, 325 N. Salisbury St., Albemarle Bldg., Suite 517, Raleigh, NC 27603-5906.

## CHAPTER 14 - MENTAL HEALTH: GENERAL

## SUBCHAPTER I4V - RULES FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE FACILITIES AND SERVICES

$N$Totice of Rule-making Proceedings is hereby given by the Commission for Mental Health, Developmiental Disabilities and Substance Abuse Services in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) 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: 10 NCAC 14 V .4000 . Other rules may be proposed in the course of the rule-making process.

Authority for the rule-making: G.S. 122C-57; 143B-147
Statement of the Subject Matter: Treatment Alternatives to Street Crimes (TASC) is a service designed to offer a supervised community-based alternative to incarceration or potential incarceration primarily to individuals who are alcohol or other drug abusers, but also to individuals who are mentally ill or developmentally disabled and who are involved in crimes of a non-violent nature.

Reason for Proposed Action: Where necessary, Agency staff will propose amendments to the current nules for clarification purposes. Specifically, staff will propose the adoption of a rule establishing a fee for TASC services that would be uniformly applied by all TASC programs. Recommendation will be to establish a uniform fee for TASC services provided to the Structured Sentencing population, and would apply only to this population and would not affect other fees being charged for other TASC initiatives.

Comment Procedures: Comments should be submitted to Charlotte F. Hall, Division of Mental Health, Developmental Disabilities and Substance Abuse Services, 325 N. Salisbury St., Albemarle Bldg., Suite 517, Raleigh, NC 27603-5906.

# CHAPTER I4 - MENTAL HEALTH: GENERAL 

## SUBCHAPTER 14V - RULES FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE FACILITIES AND SERVICES

NTotice of Rule-making Proceedings is hereby given by the Commission for Mental Health, Developmental Disabilities and Substance Abuse Services in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) 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: 10 NCAC 14 V .5000 . Other rules may be proposed in the course of the rule-making process.

Authority for the rule-making: G.S. 122C-226; 143B-147

Statement of the Subject Matter: A facility-based crisis service for individuals who have a mental illness, developmental disability or substance abuse disorder is a 24hour residential facility which provides disability-specific care and treatment in a nonhospital setting for individuals in crisis who need short-term intensive evaluation, or treatment intervention or behavioral management to stabilize acute or crisis situations.

Reason for Proposed Action: Agency staff will propose amendments to the current rules for clarification purposes.

Comment Procedures: Comments should be submitted to Charlotte F. Hall, Division of Mental Health, Developmental Disabilities and Substance Abuse Services, 325 N. Salisbury St., Albemarle Bldg., Suite 517, Raleigh, NC 27603-5906.

## CHAPTER 49 - AFDC

## SUBCHAPTER 49B - ELIGIBILITY DETERMLNATION

$N$Totice of Rule-making Proceedings is hereby given by the Social Senices Commission in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) it proposes to adopt as a result of this notice of nule-making proceedings and any comments received on this notice.

Citation to Existing Rules Affected by this Rule-Making: 10 NCAC 49B.0608. Other rules may be proposed in the course of the rule-making process.

Authority for the rule-making: S.L. 1997-443, s. 12.17

Statement of the Subject Matter: Disqualification from the Work First Program for program violation determined fraudulent or intentional violation.

Reason for Proposed Action: Beginning October 1, 1997 any AFDC or Work. First cash assistance benefits recouped by: the county that was determined fraudulent, intentional violation or erroneous shall be used to improve and enhance program integrity, therefore, 10 NCAC 49B. 0608 needs to be temporarily amended to incorporate applicable sanctions when a recipient or former recipient has been found to have committed fraud or intentional program violation in order to receive cash benefits for which they were not eligible.

Comment Procedures: Anvone wishing to comment should contact Shamese Ransome, APA Coordinator, Social Services Commission, NC Division of Social Services, 325 N. Salisbury St., Raleigh, NC 27603, phone (919) 733-3055.

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

## CHAPTER 2 I - HEALTH: PERSONAL HEALTH

## SUBCHAPTER 21H - SICKLE CELL SYNDROME: GENETIC COUNSELING: CHILDREN AND YOUTH SECTION

NTotice of Rule-making Proceedings is hereby given by the Commission for Health Services, Women's and Children's Health in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) 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: 15.A N. 4 AC 21H.0110, .0111, and .0113. Other rules mav.
be proposed in the course of the rule-making process.
Authority for the rule-making: G.S. 130A-129
Statement of the Subject Matter: 15A NCAC 21H.0110This Rule establishes the eligibility requirements for medical services for sickle cell clients. 15A NCAC 21 H .0111 - This Rule establishes which services are authorized for reimbursement for the NC Sickle
Cell Syndrome Programs. 15A NCAC 21H.0113-This Rule establishes the procedures for providers to request program reimbursement for covered services.

Reason for Proposed Action: The North Carolina Sickle Cell Syndrome Program seeks to permanently revise its eligibility rules to include all persons suffering from sickle cell syndrome regardless of age including those suffering from other rare hemoglobinopathies; amend medical services provided to include psychiatric and psychological counseling and amend the procedures for requesting services to include reimbursement for both children and adults by the Sickle Cell Syndrome Program. These rule changes are requested because of a recent change in eligibility rules by the Children's Special Health Services (CSHS) Program. Prior to 1996, Children's Special Health Services (CSHS) covered eligible children with sickle cell disease using the same income scale used by the Sickle Cell Syndrome Program. Since funds were limited, those funds were reserved for adult patients. Children were covered by CSHS. In recent years, some CSHS funds have been shifted to the Medicaid Program. As a result of dwindling resources, effective January 1, 1996, CSHS began requiring that patients be Medicaid eligible in order to qualify for program benefits. Consequently, some children with sickle cell disease were at risk for losing their CSHS coverage since the Medicaid eligibility formula differed somewhat from the CSHS eligibility formula. This permanent action will prevent any eligible children from losing their medical coverage. After the advent of newborn screening in 1994, the Program has detected other rare hemoglobinopathies which are not covered by the Program. Currently, only persons diagnosed with a sickle hemoglobin are eligible for Program services. This amendment will expand eligibility to cover persons with other hemoglobinopathies. After a review of existing eligible medical senices, the Program also seeks to amend the rules to allow for psychiatric and psychological counseling to better address client needs. Additionally, these Rules will be amended to provide reimbursement for prescription drugs as specified by the Program.

Comment Procedures: Written comments concerning this rule-making action mav be submitted to: Glenda Harris, Division of Women's and Children's Health, Genetic Health Care Branch, P.O. Box 29597, Raleigh, NC 27626-0597.

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 nule that has a substantial economic impact of at least five million dollars $(\$ 5,000,000)$. Statutory reference: G.S. 150B-21.2.

## TITLE 12 - DEPARTMENT OF JUSTICE

NTotice is hereby given in accordance with G.S. 150B-21.2 that the NC Alarm Systems Licensing Board intends to amend rules cited as 12 NCAC 11.0204, .0210. Notice of Rule-making Proceedings was published in the Register for 11 NCAC 12.0204 on December 15, 1997 and for 12 NCAC 11 . 0210 on October 15, 1997.

Proposed Effective Date: May 1, 1999
A Public Hearing will be conducted at 2:00 p.m. on April 30, 1998 at the SBI Conference Room, 3320 Old Garner Road, Raleigh, NC 27626.

## Reason for Proposed Action:

12 NCAC 11 . 0204 - The Alarm Systems Licensing Act was amended to allow for two year licensing and registration periods instead of only one year. The proposed amendment will require an applicant to submit a criminal record check for 24 months instead of only 12 months.
12 NCAC 11 . 0210 - The Board has determined that it no longer needs to approve and administer an electrical test. This amendment will not affect the requirement that each firm, association, corporation, department, division, or branch office must maintain at all times a licensee or registered employee who holds a license for either a SP-LV, limited, intermediate or unlimited examination as administered by the Board of Examiners of Electrical Contractors.

Comment Procedures: Written comments concerning this rule-making activity may be submitted within 30 days of this publication to W.A. Hoggard. III, Administrator, 3320 Old Garner Road, Raleigh, NC 27626.

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 11 - NORTH CAROLINA ALARM SYSTEMS LICENSING BOARD

## SECTION . 0200 - PROVISIONS FOR LICENSEES

## . 0204 RENEWAL OR RE-ISSUE OF LICENSE

(a) Each applicant for a license renewal shall complete a renewal form provided by the Board. This form shall be submitted to the administrator not less than 30 days prior to
expiration of the applicant's current license and shall be accompanied by:
(1) two recent head and shoulders color photographs of applicant of acceptable quality for identification one inch by one inch in size;
(2) statements of the result of a local criminal history records search by the City/County Identification Bureau or Clerk of Superior Court in each county where the applicant has resided within the immediately preceding $\$ 2 \underline{24}$ months;
(3) the applicant's renewal fee; and
(4) proof of liability insurance pursuant to G.S. 74D-9.
(b) Applications for renewal shall be submitted not less than 30 days before the expiration date of the license. In no event will renewal be granted more than 90 days after the date of expiration of a license. Renewals shall be dated on the next day following expiration of the prior license.
(c) Applications for renewal submitted after the expiration date of the license shall be accompanied by the late renewal fee established by 12 NCAC 11.0203 and must be submitted not later than 90 days after the expiration date of the license.
(d) The administrator shall approve or deny all applications for renewal. Any denials will be submitted to the Board for a final board decision.

## Authority G.S. 74D-2 (a); 74D-5.

## . 0210 ELECTRICAL CONTRACTING LICENSE REQUIREMENTS

(a) Each firm, association, corporation, department, division, or branch office required to be licensed pursuant to G.S. 74D-2(a) must maintain at all times a licensee or registered employee who holds a license for either a SP-LV. limited, intermediate or unlimited examination as administered by the North Carolina Board of Examiners of Electrical Eontractors, or has passect an electrieat test approve the Boart. Contractors. Pursuant to 12 NCAC 11 .0206, each firm, association, corporation, department, division, or branch office must maintain in its records a copy of the licensee's or registered employee's Electrical Contractors tieense or a copy of the certifieation of test completion. License. In the event the licensee holding the electrical contractor's license or individuat who has passed the electrieat test given by the Board ceases to perform his duties as the electrical contractor licensee, the business entity shall notify the Board in writing within 10 working days. The business entity must obtain a substitute electrical contractor licensee or have-an employee pass the eteetricat test given-by the Boart within 30 days after the original electrical contract licensee or individuat who thas passed the
test ceases to serve.
(b) A licensee or registered employec possessing the eleetrieat test certiffeate must complete six comtat hours of continuing education per year provided by course sponsors on the Board of Examiners of Electrical Contractors-approved sponsor list. For purposes of this Section, the continuing education requirements for maintaining the electrical hieense or electrical eertiffeate is set forth in 21 NCAC 18 B .110 t through 1108.

Authority G.S. 74D-2(a); 74D-5.

Notice is hereby given in accordance with G.S. 150B-21.2 that the NC Alarm Systems Licensing Board intends to adopt rules cited as 12 NCAC 11.0501-.0507. Notice of Rule-making Proceedings was published in the Register on June 16. 1997.

Proposed Effective Date: May 1, 1999
A Public Hearing will be conducted at 1:00 p.m. on May 17. 1998 at the Hampton Inn, 1989 Eastwood Road, Wilmington, NC 28403.

Reason for Proposed Action: Rapid changes in technology are occurring within the alarm systems industry: The Board believes that it is in the best interest of the public and the industry to require continuing education for those licensed by the Board.

Comment Procedures: Written comments concerning this rule-making activity may be submitted within 30 davs of this publication to W.A. Hoggard, Ill, Administrator, 3320 Old Garmer Road, Raleigh, NC 27626.

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 II - NORTH CAROLINA ALARMI SYSTEMS LICENSING BOARD

## SECTION . 0500 - CONTINUTNG EDUCATION FOR LICENSEES

## .0501 STATEMENT OF PURPOSE

The Alarm Systems Licensing Board finds that all aspects of life and society are changing rapidly. With changes in the law, technology, and business procedures, a licensee and registrant cannot render competent services in the alarm sy'stems business without continuous education and training.

The Alarm Svstems Licensing Board finds that continuing education will assist licensees and registrants engaged in the alarm systems industry in North Carolina to maintain their
professional competence, thereby further protecting the public health, safety, and welfare. Based upon the Board's findings, the following minimum continuing education requirements are established for licensees and registrants.

Authority G.S. 74D-2; 74D-5(2).

## . 0502 DEFINITIONS

In addition to the definitions set forth in 12 NCAC 11 .0103. the following definitions will apply to this Section:
(1) "accredited sponsor" means an organization whose courses are approved and sanctioned for continuing education by the Board.
(2) "continuing licensee education" or "CLE" refers to any educational activity approved by the Board to be a continuing education activity.
(3) "credit hour" means 60 minutes of continuing education instruction.
(4) "year" refers to the calendar year after the issuance of a new or renewal license.
(5) "licensee" shall refer to an individual who holds an alarm systems business license issued by the Board.
(6) "registrant" shall refer to an individual who holds an alarm systems business registration permit issued by the Board. Only registrants who engage in installation, service, sales, or monitoring of alarm systems shall be required to complete the continuing education requirements.

Authority G.S. 74D-2; 74D-5.

## .0503 REQUIRED CLE HOURS

Each licensee shall complete at least six hours of continuing licensee education training during each renewal period. Each registrant shall complete at least three hours of continuing licensee education training during each renewal period. Credit shall only be given for classes that have been preapproved by the Board. Continuing education hours used to satisfy continuing education training for other state required licenses, such as an electrical license, shall not be used to satisfy the continuing education requirements set forth in this Section.

Authority G.S. 74D-2; 74D-5.

## . 0504 ACCREDITATION STANDARDS

(a) CLE courses may obtain the sanction of the Alarm Systems Licensing Board by submitting the following information to the Board for consideration:
(1) the nature and purpose of the course:
(2) the course objectives or goals;
(3) the outline of the course, including the number of training hours for each segment; and
(4) the identity and qualifications of each instructor.
(b) To determine if a course will receive sanctioning from the Alarm Systems Licensing Board, the Board shall complete the following review:
(1) The matter will be referred to the Education and Training Committee for the appointment of a subcommittee that shall review the course under consideration. The sub-committee shall consist of at least one member of the Education and Training Committee, one member of the Board's staff, and one industry licensee who has no vested interest in the course. Other members of the sub-committee may be appointed at the discretion of the Education and Training Committee Chairman.
(2) The sub-committee shall review the course to determine if the course is pertinent to the industry if the instructors are competent, and if the course meets its stated objectives.
(3) When the sub-committee completes its review it shall report to the Education and Training Committee, which will then report the findings with a recommendation of acceptance or denial to the Alarm Systems Licensing Board.
(c) Upon receipt of the Education and Training Committee report the Alarm Systems Licensing Board will determine by majority vote if the course will be sanctioned for continuing licensee education credits.

Authority G.S. 74D-2; 74D-5.

## . 0505 NON-RESIDENT LICENSEES AND CLE CREDITS

A non-resident licensee shall obtain the required continuing licensee education credits as set forth in 12 NCAC 11.0503 . If a non-resident licensee resides in a state that requires continuing education for an alarm systems business license, then the continuing education courses to be offered in the state of residence may be considered by the North Carolina Alarm Systems Licensing Board for sanctioning in North Carolina on an individual course basis.

Authority G.S. 74D-2; 74D-5.

## . 0506 RECORDING AND REPORTING CLE CREDITS

Each licensee shall be responsible for recording and reporting continuing licensee education credits to the Board at the time of license renewal, and for each course taken such report shall include a certificate of course completion that is signed by at least one course instructor, indicates the name of the licensee that completed the course, indicates the date of course completion, and indicates the number of hours taken by the licensee. Credit will not be given if a certificate of course completion is dated more than two years from the license renewal date.

Authority G.S. 74D-2; 74D-5.

## . 0507 NON-COMPLIANCE

If a licensee fails to comply with this Section of the rules. his license shall not be renewed.

Authority G.S. 74D-2; 74D-5.

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

NTotice is hereby given in accordance with G.S. 150B-21.2 that the DENR - Environmental Management intends to amend rules cited as 15A NCAC 2B .0311, .0313. Notice of Rule-making Proceedings was published in the Register on

Proposed Effective Date: April 1, 1999
A Public Hearing will be conducted at 7:00 p.m. on May 12, 1998 at the Orange County Courthouse, 106 East Margaret Lane, Hillsborough, NC 27278.

Reason for Proposed Action: The Environmental Management Commission (EMC) is proposing to reclassify Harris Lake in Wake County (Cape Fear River Basin) from Class C to Class WS (Water Supply) -V, Hyco Lake in Person and Caswell Counties (Roanoke River Basin) from Class B (Primary Recreation) to Class WS-V \& B, and Mayo Reservoir in Person County (Roanoke River Basin) from Class $C$ to Class WS-V. The WS-V classification is assigned to those waters which are generally upstream and draining to class WS-IV waters, waters previously used for drinking water supply purposes, or waters used by industry to supply their employees with a raw drinking water supply source. These Carolina Power and Light (CP\&L) reservoirs are used to support plant operations, as a source of drinking water for $C P \& L$ employees, and in the case of Hyco Lake, for primary recreation.
If reclassified, more stringent freshwater standards and 10 additional water quality standards will apply to the reservoirs for the protection of the water supply. Sampling results show that Harris Lake, Hyco Lake and Mayo Reservoir meet the standards for drinking water supply use. No categorical restrictions on watershed developnent or wastewater dischargers are required for Class WS-V waters.

Comment Procedures: The purpose of this announcement is to encourage those interested in this proposal to provide conments. You may either attend the public hearing and make relevant verbal conments or submit written comments, data or other relevant information by June 12, 1998. The Hearing Officer may limit the length of time that you may speak at the public hearing, if necessary, so that all those who wish to speak may have an opportunity to do so. We encourage you to submit written comments as well.
The EMC is very interested in all comments pertaining to the proposed reclassification. It is very important that all interested and potentially affected persons or parties make their views known to the EMC whether in favor of or opposed to any and all provisions of the proposed reclassification. The EMC may not adopt a rule that differs substantially from the text of the proposed rule published in the North Carolina

Register unless the EMC publishes the text of the proposed different rule and accepts comments on the new text [see 150B-21.2(g)]. All interested and potentially affected persons are strongly encouraged to read the entire announcement and supporting information, and make appropriate comments on the proposal.
Contact Liz Kovasckit. DENR, Division of Water Quality, Planning Branch, PO Box 29535, Raleigh, NC 27626-0535, (919) 733-5093, ext. 572.

Fiscal Note: These Rules do not affect the expenditures or revenues of state or local govermment 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 2 - ENVIRONMENTAL MANAGEMENT

## SUBCHAPTER 2B - SURFACE WATER AND WETLAND STANDARDS

## SECTION . 0300 - ASSIGNMENT OF STREAM CLASSIFICATIONS

Note: Text shown in boid type was approved by the RRC at their January 1998 meeting and is pending the 1998 Legislative Session for an effective date of August 1, 1998.

## . 0311 CAPE FEAR RIVER BASLN

(a) The schedule may be inspected at the following places:
(1) Clerk of Court:

Alamance County
Bladen County
Brunswick County
Caswell County
Chatham County
Columbus County
Cumberland County
Duplin County
Durham County
Forsyth County
Guilford County
Harnett County
Hoke County
Lee County
Montgomery County
Moore County
New Hanover County
Onslow County
Orange County
Pender County
Randolph County
Rockingham County
Sampson County
Wake County
Wayne County
(2) North Carolina Department of Environment and

Natural Resources:
(A) Winston-Salem Regional Office 8025 North Point Boulevard, Suite 100 Winston-Salem, North Carolina
(B) Fayetteville Regional Office Wachovia Building Suite 714 Fayetteville. North Carolina
(C) Raleigh Regional Office 3800 Barrett Drive Raleigh, North Carolina
(D) Washington Regional Office 1424 Carolina Avenue Washington, North Carolina
(E) Wilmington Regional Office 127 Cardinal Drive Extension Wilmington, North Carolina.
(b) The Cape Fear River Basin Schedule of Classification and Water Quality Standards was amended effective:
(1) March 1, 1977;
(2) December 13, 1979;
(3) December 14, 1980;
(4) August 9, 1981;
(5) April 1, 1982;
(6) December 1, 1983;
(7) January 1, 1985;
(8) August 1, 1985;
(9) December 1, 1985;
(10) February 1, 1986;
(11) July 1, 1987;
(12) October 1, 1987;
(13) March 1, 1988;
(14) June 1, 1988:
(15) July 1, 1988:
(16) January 1, 1990;
(17) August 1, 1990;
(18) August 3, 1992;
(19) September 1, 1994;
(20) August 1, 1998;
(21) April 1.1999.
(c) The Schedule of Classifications and Water Quality Standards for the Cape Fear River Basin has been amended effective June 1, 1988 as follows:
(1) Cane Creek [lndex No. 16-21-(1)] from source to a point 0.5 mile north of N.C. Hwy. 54 (Cane Reservoir Dam) including the Cane Creek Reservoir and all tributaries has been reclassified from Class WS-III to WS-I.
(2) Morgan Creek [lndex No. 16-41-1-(1)] to the University Lake dam including University Lake and all tributaries has been reclassified from Class WS-IIl to WS-1.
(d) The Schedule of Classifications and Water Quality Standards for the Cape Fear River Basin has been amended effective July 1, 1988 by the reclassification of Crane Creek (Crains Creek) [Index No. 18-23-16-(1)] from source to mouth of Beaver Creek including all tributaries from C to

WS-111.
(e) The Schedule of Classifications and Water Quality Standards for the Cape Fear River Basin has been amended effective January 1, 1990 as follows:
(1) Intracoastal Waterway (Index No. 18-87) from southern edge of White Oak River Basin to western end of Permuda Island (a line from Morris Landing to Atlantic Ocean), from the eastern mouth of Old Topsail Creek to the southwestern shore of Howe Creek and from the southwest mouth of Shinn Creek to channel marker No. 153 including all tributaries except the King Creek Restricted Area, Hardison Creek, Old Topsail Creek, Mill Creek, Futch Creek and Pages Creek were reclassified from Class SA to Class SA ORW.
(2) Topsail Sound and Middle Sound ORW Area which includes all waters between the Barrier Islands and the Intracoastal Waterway located between a line running from the western most shore of Mason Inlet to the southwestern shore of Howe Creek and a line running from the western shore of New Topsail Inlet to the eastern mouth of Old Topsail Creek was reclassified from Class SA to Class SA ORW.
(3) Masonboro Sound ORW Area which includes all waters between the Barrier Islands and the mainland from a line ruming from the southwest mouth of Shinn Creek at the Intracoastal Waterway to the southern shore of Masonboro Inlet and a line running from the Intracoastal Waterway Channel marker No. 153 to the southside of the Carolina Beach Inlet was reclassified from Class SA to Class SA ORW.
(f) The Schedule of Classifications and Water Quality Standards for the Cape Fear River Basin has been amended effective January 1, 1990 as follows: Big Alamance Creek [Index No. 16-19-(1)] from source to Lake Mackintosh Dam including all tributaries has been reclassified from Class WS-III NSW to Class WS-II NSW.
(g) The Schedule of Classifications and Water Quality Standards for the Cape Fear River Basin was amended effective August 3, 1992 with the reclassification of all water supply waters (waters with a primary classification of WS-1, WS-II or WS-III). These waters were reclassified to WS-I, WS-II, WS-III, WS-IV or WS-V as defined in the revised water supply protection rules, (15A NCAC 2B .0100, . 0200 and .0300 ) which became effective on August 3, 1992. In some cases, streams with primary classifications other than WS were reclassified to a WS classification due to their proximity and linkage to water supply waters. In other cases, waters were reclassified from a WS classification to an alternate appropriate primary classification after being identified as downstream of a water supply intake or identified as not being used for water supply purposes.
(h) The Schedule of Classifications and Water Quality Standards for the Cape Fear River Basin was amended effective June 1, 1994 as follows:
(1) The Black River from its source to the Cape Fear River [lndex Nos. 18-68-(0.5), 18-68-(3.5) and 18-$65-(11.5)]$ was reclassified from Classes C Sw and C Sw HQW to Class C Sw ORW.
(2) The South River from Big Swamp to the Black River [Index Nos. 18-68-12-(0.5) and 18-6812(11.5)] was reclassified from Classes C Sw and C Sw HQW to Class C Sw ORW.
(3) Six Runs Creek from Quewhiffle Swamp to the Black River [Index No. 18-68-2] was reclassified from Class C Sw to Class C Sw ORW.
(i) The Schedule of Classifications and Water Quality Standards for the Cape Fear River Basin was amended effective September 1, 1994 with the reclassification of the Deep River [Index No. 17-(36.5)] from the Town of GulfGoldston water supply intake to US highway 421 including associated tributaries from Class $C$ to Classes C, WS-1V and WS-IV CA.
(j) The Schedule of Classifications and Water Quality Standards for the Cape Fear River Basin was amended effective August 1, 1998 with the revision to the primary classification for portions of the Deep River [lndex No. 17(28.5)] from Class WS-IV to Class WS-V, Deep River [Index No. 17-(41.5)] from Class WS-IV to Class C, and the Cape Fear River [Index 18-(10.5)] from Class WS-IV to Class WS-V.
(k) The Schedule of Classifications and Water Ouality Standards for the Cape Fear River Basin was amended effective April 1, 1999 with the reclassification of Buckhorn Creek (Harris Lake) [1ndex No. 18-7-(3)] from the backwaters of Harris Lake to the Dam at Harris Lake from Class $\underline{C}$ to Class WS-V.

Authority G.S. 143-214.1; 143-215.1; 143-215.3(a)(1).
Note: Text shown in bold type has been approved by the RRC and is pending the 1998 Legislative Session.

## . 0313 ROANOKE RIVER BASIN

(a) The schedule may be inspected at the following places:
(1) Clerk of Court:

Bertie County
Caswell County
Forsyth County
Granville County
Guilford County
Halifax County
Martin County
Northampton County
Person County
Rockingham County
Stokes County
Surry County
Vance County
Warren County
Washington County
(2) North Carolina Department of Environment and Natural Resources:
(A) Raleigh Regional Office 3800 Barrett Drive Raleigh, North Carolina
(B) Washington Regional Office $1+2+$ Carolina Avenue Washington, North Carolina
(C) Winston-Salem Regional Office 8025 North Point Boulevard, Suite 100 Winston-Salem, North Carolina.
(b) Unnamed Streams. Such streams entering Virginia are classified "C." Except that aII backwaters of John H. Kerr Reservoir and the North Carolina portion of streams tributary thereto not otherwise named or described shall carry the classification "B," and all backwaters of Lake Gaston and the North Carolina portion of streams tributary thereto not otherwise named or described shall carry the classification "C and $\mathbf{B}^{\prime \prime}$.
(c) The Roanoke River Basin Schedule of Classification and Water Quality Standards was amended effective:
(I) May 18, 1977:
(2) July 9, 1978;
(3) July 18, 1979:
(t) July 13, 1980;
(5) March 1, 1983:
(6) August 1, 1985;
(7) February 1. 1986:
(8) July 1, 1991;
(9) August 3, 1992;
(10) August 1. 1998;
(11) April $1,1999$.
(d) The Schedule of Classifications and Water Quality Standards for the Roanoke River Basin was amended effective July 1. 199 I with the reclassification of Hyco Lake (Index No. 22-58) from Class $C$ to Class B.
(e) The Schedule of Classifications and Water Quality Standards for the Roanoke River Basin was amended effective August 3, 1992 with the reclassification of all water supply waters (waters with a primary classification of WS-1. WS-II or WS-III). These waters were reclassified to WS-I, WS-II, WS-III, WS-IV or WS-V as defined in the revised water supply protection rules, (15A NCAC 2B .0100, . 0200 and .0300) which became effective on August 3, 1992. In some cases, streams with primary classifications other than WS were reclassified to a WS classification due to their proximity and linkage to water supply waters. In other cases, waters were reclassified from a WS classification to an alternate appropriate primary classification after being identified as downstream of a water supply intake or identified as not being used for water supply purposes.
(f) The Schedule of Classifications and Water Quality Standards for the Roanoke River Basin was amended effective August 1, 1998 with the reclassification of Cascade Creek (Camp Creek) [Index No. 22-12] and its tributaries from its source to the backwaters at the swimming lake from Class $B$ to Class $B$ ORW, and
reclassification of Indian Creek [index No. 22-13] and its tributaries from its source to Window Falls from Class C to Class C ORW.
(g) The Schedule of Classifications and Water Quality Standards for the Roanoke River Basin was amended effective August 1, 1998 with the reclassification of Dan River and Mayo River WS-IV Protected Areas. The Protected Areas were reduced in size.
(h) The Schedule of Classifications and Water Quality Standards for the Roanoke River Basin was amended effective April 1. 1999 as follows:
(1) Hyco River including Hyco Lake below elevation 410 [Index No. 22-58-(0.5)] was reclassified from Class B to Class WS-V \& B.
(2) Mayo Creek (Maho Creek) Mayo Reservoir) [Index No. 22-58-15] was reclassified from its source to the dam of Mayo Reservoir from Class C to Class WS-V.

Authority G.S. 143-214.1; 143-215.1; 143-215.3(a)(1).

NTotice is hereby given in accordance with G.S. 150B-21.2 that the EHNR - Coastal Resources Commission intends to amend rule(s) cited as 15 A NCAC 7 H .0310 . Notice of Rule-making Proceedings was published in the Register on December 1, 1997.

Proposed Effective Date: April 1, 1999
A Public Hearing will be conducted at 4:00 p.m. on May 28, 1998 at the Howard Johnson Plaza Hotel, 5032 Market St., Wilmington, NC 28707, (910) 392-1101.

Reason for Proposed Action: The proposed rule will allow construction of piers and shoreline stabilization measures along shorelines of inlet Ha⿱ard areas that have characteristics of Estuarine Shorelines.

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

Fiscal Note: This Rule affects the expenditure or distribution of State funds subject to the Executive Budget Act, Article 1 of Chapter $1 \neq 3$.

## CHAPTER 7-COASTAL MANAGEMENT

## SUBCHAPTER 7H - STATE GUIDELINES FOR AREAS OF ENVIRONMENTAL CONCERN

SECTION .0300-OCEAN HAZARD AREAS

## .0310 USE STANDARDS FOR INLET HAZARD AREAS

(a) Inlet areas as defined by Rule $.030+$ of this Section are
subject to inlet migration, rapid and severe changes in watercourses, flooding and strong tides. Due to this extremely hazardous nature of the inlet hazard areas, all development within these areas shall be permitted in accordance with the following standards:
(1) All development in the inlet hazard area shall be set back from the first line of stable natural vegetation a distance equal to the setback required in the adjacent ocean hazard area;
(2) Permanent structures shall be permitted at a density of no more than one commercial or residential unit per 15,000 square feet of land area on lots subdivided or created after July 23, 1981;
(3) Only residential structures of four units or less or non-residential structures of less than 5,000 square feet total floor area shall be allowed within the inlet hazard area, except that access roads to those areas and maintenance and replacement of existing bridges shall be allowed;
(4) Established common-law and statutory public rights of access to the public trust lands and waters in inlet hazard areas shall not be eliminated or restricted. Development shall not encroach upon public accessways nor shall it limit the intended use of the accessways;
(5) All other rules in this Subchapter pertaining to development in the ocean hazard areas shall be applied to development within the inlet hazard areas;
(b) The inlet hazard area setback requirements shall not apply to the types of development exempted from the ocean setback rules in 15A NCAC 7H .0309(a), nor, to the types of development listed in 15A NCAC 7H .0309(c).
(c) In addition to the types of development excepted under Rule . 0309 of this Section small scale non-essential development that does not induce further growth in the Inlet Hazard Area, such as the construction of single-family piers and small scale erosion control measures that do not interfere with natural inlet movement may be permitted on those portions of shoreline within a designated Inlet Hazard Area that exhibits fearures characteristic of Estuarine Shoreline. Such features include the presence of wetland vegetation, lower wave energy and lower erosion rates than in the adjoining Ocean Erodible Area. Such development shall be permitted under the standards set out in Rule 0208 of this Subchapter.

Authority G.S. 113A-107; 113A-113(b); 113A-124.

NTotice is hereby given in accordance with G.S. 150B-21.2 that the ENR - Commission for Health Senvices intends to amend rules cited as 15A NCAC 18A.3101-.3106; and adopt nules cited as 15A NCAC 18A.3107-.3111. Notice of Rule-making Proceedings was published in the Register on December 1, 1997.

Proposed Effective Date: April 1, 1999
A Public Hearing will be conducted at 9:00 a.m. on May 6, 1998 at the Archdale Building, Ground Floor Hearing Room, 512 N. Salisbury St., Raleigh, NC.

Reason for Proposed Action: These Rules will provide clarification and conformity with recently adopted legislation governing Childhood Lead Exposure Control.

Comment Procedures: Written comments should be mailed to Ed Norman, DENR, Division of Environmental Health, PO Box 29534, Raleigh, NC 27626-0534.

Fiscal Note: This Rule affects the expenditure or distribution of State funds subject to the Executive Budget Act, Article 1 of Chapter 143.

## CHAPTER 18 - ENVIRONMENTAL HEALTH

## SUBCHAPTER I8A - SANITATION

## SECTION . 3100 - LEAD POISONING PREVENTION IN CHILDREN PROGRAM

## . 3101 DEFINITIONS

As used in this article, unless the context requires otherwise:
(1) "Abatement" means the elimination or control of fead poisoning hazands by methods approved by the Đepartment:
(2) "Confirmed elevated blood leat-level" meams a blood lead concentration- of 20 micrograms per deciliter or greater determined by the lower of two eomsecutive blood tests within a six month period.
(3) "Day eare facility"- means a strueture or-stmetures used as a sehool, nursery, child eare center, clinic-, treatment eenter or other facitity serving the needs of ehitdren-under six-years of age inctuding the grounds, any outbuittings, or other struetures appurtenant to the facitity.
(4) "Đepartment" means the Department of Environment, Heath, and Naturat Resourees or its authorized agent.
(5) "Dwetting" or-"Dwetling unit" means a strueture, att or part of which is designed or usect for human habitation, including the common-areas, the grounds, any outbuithings, or other-structures appurtenant to the dwetting or dwetting unit.
(6) "Elevated blood Head level" means.
(a) For the purposes of reporting by taboratories, a blood lead level of 1 mierogram per deciliter or greater, or
(b) For the purposes of investigation, iefentiffeation, and notifieation of lead poisoning hazards, a persistent elevated
blood lead level of 15-19-mierograms-per deciliter, or
(c) For the purposes of investigation, identification, notification, and abtement of tead poisoning hazarts, aconfirmedelevated blourt leat tevel of 20 -mierograms per deciliter or greater.
(7) "Lead poisoning hazard" means -the presence of readily aceessibic or mouthable lead-bearimg substances measuring 1.0 mithigram per square eentimeter or greater by x -ray fltureseence or 0.5 percent or greater by chemical-analysis, or 400 patts per miltion or greater in soit, or 15 parts per biltion or greater in drinking water, or 100 mierograms per square foot or greater for dust on floors, or 500 mictograms per square foot or greater for dust on wintow sitts, or 800 mierograms per square foot or greater for dutust in window troughs.
(8) "Managing agent" means any person- who has eharge, care, or control of a butitding or part thereof in which dwelling units or rooming units are leasect.
(9) "Mouthable lead-bearing substance" means any substance on surfaces on fixtures 5 feet or less from the floor or ground that form-aprotruting comtrer or simitar edge, or protrute $1 / 2$ ineh or more from a flat wall surface, or are free-standing, containing tead-omtaminated dust at a level that constitutesa teat poisoning hazard. Mouthatle-surfaees or fixtures include toys, doors, door jams, stairs, stair raits, windows, window sitts, and baseboarts.
(10) "Persistent elevated blood leat level" means-a blood leat coneentration of $15-19$ mierograms per teeititer-determined by the lowest of three eonsecutive blood tests. The first wo bloot tests shatt be performect within a six month period and the third bfood test shall be-performed at least 12 weeks and not more than six months after the second bloodtest:
(H1) "Readily aceessible-lead-bearing substance"-means any substance containing lead at a levet that comstitutes a tead poisoming hazand which ean be ingested or inhated by a chitd-under six years of age. Readily aceessible substances inelude deterioratect paint that is peeting, chipping, eracking, flaking, or blistering to the extent that the paint has separated from the substrate. Reatily aceessible substanees atso include soil, water, and paint that is chalking.
(12) "Regulaty visits" means presence at a dwelline, twelline unit, sehool, or chay eare factity for at teast twodays a week for more than three hours per day.
(13) "Supplemental Address" means a dwetling, dwelling unit, sehool, or day eare facility where a ehild with a persistent elerated bloud lead level or a
eonfirmentetevated blood lead levet regutarly visits or attends. Stupptemental address atso means a twelling. dwelting unit, sehool, or day eare facitity where a chitd resited, regutarty visitect, or attended within the six months immediately preceding the determination of a persistent-clevated blood lead tevelor a confirmectelevated blood lead levet.
(1) "Adequately trained maintenance supervisor" is a person who has completed a one-day course approved by the Department that provides basic information on lead-based paint hazards and good practices for operations and maintenance and interim controls.
(2) "Adequately trained worker" is a person who has either completed a one-day course approved by the Department that provides basic information on lead-based paint hazards and good practices for operations and maintenance and interim controls or has an understanding of lead-based paint hazards. unsafe work practices, occupant protection, and dust cleanup methods by such means as on-the-job training and video instruction as approved by the Department.
(3) "Inspection" is a surface by surface investigation to determine the presence of lead-based paint and may include dust and soil sampling and a report of the results.
(4) "Risk assessment" is an on-site investigation of a residential housing unit to discover any lead-based paint hazards. A risk assessment includes:
(a) an investigation of the age history management. and maintenance of the residential housing unit:
(b) the number of children less than six years old and women of child-bearing age who are residents:
(c) a visual assessment;
(d) limited environmental sampling: and
(e) preparation of a report identifying acceptable abatement, remediation, and interim control strategies based on specific conditions.
(5) "Safe work practices" are methods used to avoid creating lead-based paint hazards during on-site work that disturbs paint that may contain lead. Such methods include:
(a) taking precautions to prevent the spread of lead-contaminated dust by limiting access to the work area to workers only until final cleanup is completed and by having workers remove protective clothing such as gloves and shoes before leaving the work area:
(b) covering the work area including doorways and sealing floors, closets, and cabinets with heavy duty polyethylene plastic secured with duct tape or the equivalent;
(c) for exterior surfaces securing heavy duty polyethylene plastic on the ground from the
foundation extending 10 feet beyond the perimeter of the work area;
(d) shutting off the heating ventilation and cooling system and covering heating, ventilation, and cooling registers with heavy duty polyethylene plastic secured with duct tape or the equivalent;
(e) protecting workers by providing necessary protective equipment training, and cleanup equipment and by not allowing eating, drinking, chewing gum or tobacco or smoking in the work area:
(f) protecting occupants which may include temporary relocation as necessary:
(g) protecting occupants' belongings by covering with heavy duty polyethylene plastic secured with duct tape or the equivalent or by removing them from the work area;
(h) misting interior painted surfaces before disturbing and hand scraping all loose paint. wallpaper, and plaster:
(i) wet sweeping and collecting and containing visible debris and plastic sheeting in a secure container:
(j) performing specialized cleaning upon completion of work to remove residual dust and debris;
(k) removing all materials, tools, and contained debris from the work area and the residential housing unit upon completion of maintenance activities: and
(l) avoiding unsafe practices including prohibited methods listed in G.S. 130A$131.9 \mathrm{C}(\mathrm{g})$.
(6) "Specialized cleaning" is the use of cleaning protocols that have been shown to be effective in removing lead-contaminated dust as specified by the U.S. Department of Housing and Urban Development in the Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing and any updates and revisions.
(7) "Visual inspection" is an on-site investigation by a certified lead inspector or a certified lead risk assessor to determine the completion of abatement, remediation and maintenance standard activities. A visual inspection may include paint dust, and soil sampling and a notification of the results.

Authority G.S. 130A-131.5; 130A-131.7; 130A-131.8; 130A-131.9A-G.

## . 3102 PERSISTENT ELEVATED BLOOD LEAD LEVEL

All laboratories doing business in this State shall report to the Deparment elevated blood-leat-levels-for chitdren less than six years of age and-for individuats whose ages are unknown at the time of testing. Reports shall be mate within
five working days after test completion on forms provided by the Department or on self-generated forms containing: the ehitd's full name, date of birth, sex, raee, address, and mediesid number, if any, the name, atdress, and tetephone number of the requesting heath eare provider, the name, address, and tetephone number of the testing laboratory, the taboratory results, the specimen type-venous or capiltary, the taboratory sample number, and the dates the sample was eotlectect and analyzect. Such reports may be-made by etectronic stbmissions.
The determination of a persistent elevated blood lead level may be based on more than three consecutive blood lead tests performed within the timeframe set forth in G.S. 130A-131.7 so long as all of the consecutive blood lead test results are equal to 15 micrograms per deciliter or greater. Individual blood lead test results in the sequence may exceed 19 micrograms per deciliter so long as no two consecutive blood lead test results are equal to 20 micrograms per deciliter or greater.

Authority G.S. 130A-131.5; 130A-131.7; 130A-131.8; 130A-131.9A-G.

## . 3103 EXAMINATION AND TESTING

When the Department has a reasonable strspicion that a ehitd less than six years of age has a persistent elevated blood lead level or a confirmed elevated blood lead level, the Bepartment shath require that chitd to be examined and tested within 30 days. The Department shall require-from the owner, managing agent, or tenant of the dwelting, dwetting unit, sehool, or day care facility information on each ehifd who resides in, regutatly visits, or attents, or, who has within the past six-months, resided in, regulatly visited, or attended the dwetting or facitity. The information required shall inelucte each child's name and date of birth, the names and addresses of each child's parents, legal guartian, or fult= time eustodian. The owner, managing agent, or tenant shat submit the required information within 10 days of receipt of the request from the Department.
(a) When the Department learns of a lead poisoning hazard in a residential housing unit or a child-occupied facility the Department shall notify the parents of all children less than six years old who reside in regularly visit, of attend the unit or facility. The notice shall advise the parents of the adverse health effects of lead exposure and recommend that they have their child examined and tested.
(b) Examination and testing shall be required for all children in a residential housing unit or a child-occupied facility in which a lead poisoning hazard has been identified if any child tested who has resided in regularly visited or attended the unit or facility has an elevated blood lead level.
(c) Notification of the need for testing shall be repeated every six months until all lead-based paint hazards have been abated and all other lead poisoning hazards have been remediated.
(d) Children less than six months old are not required to be lested when lead poisoning hazards are identified in a
residential housing unit or a child-occupied facility. The Department may require that these children be examined and tested within 30 days after reaching six months of age if they continue to reside in regularly visit, or attend a unit or facility containing lead poisoning hazards.

Authority G.S. 130A-131.5; 130A-131.7; 130A-131.8; 130A-131.9A-G.

## . 3104 INVESTIGATION TO IDENTIFY LEAD POISONING HAZARDS

(a) When the Department tearns-of a persistent elevated blood tead level or aconfirmedelevated blood lead level, the Bepartment shath conduct an investigation to identify the lead poisoning hazarts to ehiteren. The Department shatt investigate the dwelling, dwelling unit, sehoot, or day care facility where the enitd with the persistent elevated blood lead tevel or the confirmed eterated btood lead terel resides, regutaty visits. or attends. The Department shall atso investigate the supplementat addresses of the chith who has a persistent elevated blood teat tevet or a confirmed etevated blood tead levet:
(b) The Department shatl atso conduet an-investigation when it reasomably suspeets that a tead poisoning hazand to ehituren exists in a dwetling, dwelling unit, sehool, or day eare facility oeeupied,-regulariy visited, or attended by a ethith less tharsix years of age:
(e) In conduetiny an investigation, the Department may take samples of surface materiats, or other materiats suspeeted of containing lead, for anatysis and testing. If samples are taken, ehemieat determination of the leat content of the samples shatl be by atomic-absorption spectroseopy or equivatent methods approved by the Department:
(a) Reasonable suspicion of a lead poisoning hazard to children may be based on the presence of the following characteristics:
(1) a residential housing unit or a child-occupied facility built before 1950 a unit or facility built before 1978 that contains readily accessible deteriorated paint or a unit or facility built before 1978 that is undergoing or has undergone renovations or remodeling within the last six months, unless the unit is lead-safe housing or is in compliance with the maintenance standard;
(2) a child less than six years old residing in regularly visiting or attending the unit or facility; and
(3) a referral by a local, state, or federal health or environmental official, building inspector, or child care consultant.
(b) Notwithstanding the existence of a certificate of compliance with the maintenance standard the Department shall investigate a residential housing unit occupied or regularly visited by a child less than six years old who has a persistent elevated blood lead level or confirmed lead poisoning.
(c) The Department may upon request conduct an investigation to identify lead poisoning hazards at a proposed
or substitute residential housing unit of a child less than six years old with a persistent elevated blood lead level or confirmed lead poisoning who is seeking alternative housing.

Authority G.S. 130A-131.5; 130A-131.7; 130A-131.8; 130A-131.9A-G.

## . 3105 LEAD POISONING HAZARD AND CLEARANCE STANDARD FOR SOIL

Upon determination that a tead poisoning hazartexists, the Bepartment shath give written notice of the lead poisoning hazard to the owner or managing agent of the dwelling, dwetling unit, school or day eare facitity and to ath persons residing in or attenting the dwelling or facitity. The written notice to the owner or managing agent shatl inetude a list of possible method's of abatement of the leat poisoning hazart.
(a) Bare soil at a residential housing unit or a childoccupied facility is a lead poisoning hazard when:
(1) it contains 400 parts per million lead or greater in high contact areas for children including sandboxes, gardens, play areas, pet sleeping areas, and areas within three feet of a residential housing unit or a child-occupied facility:
(2) it contains 2000 parts per million lead or greater in other locations at a residential housing unit or a child-occupied facility where contact by children is less likely: or
(3) it is determined by the Department to be hazardous to children less than six years old pursuant to 15 U.S.C. \& 2681 et seq. 42 U.S.C. $\$ \$ 4851$ et seq. and the regulations promulgated under these Sections.
(b) Unless otherwise determined by the Department on the basis of credible site-specific evidence including soil lead bioavailability speciation, or particle size, land use and condition, or epidemiologic or other relevant scientific data, all remediation plans pursuant to G.S. 130A-131.9C shall require that:
(1) bare soil lead concentrations of 400 parts per million or greater and less than 5000 parts per million at a residential housing unit or a childoccupied facility in high contact areas for children including sandboxes gardens, play areas pet sleeping areas and areas within three feet of the unit or facility be:
(A) permanently covered with four to six inches of gravel mulch, or sod with a vegetative cover:
(B) physically restricted by a permanent barrier; (C) removed; or
(D) paved over with concrete or asphalt:
(2) bare soil lead concentrations of 2000 parts per million or greater and less than 5000 parts per million in other locations at a residential housing unit or a child-occupied facility be:
(A) permanently covered with four to six inches of gravel, mulch, or sod with a vegetative

## cover:

## (B) physically restricted by a permanent barrier: (C) removed; or

(D) paved over with concrete or asphalt:
(3) bare soil lead concentrations of 5000 parts per million or greater at a residential housing unit or a child-occupied facility must be removed or paved with concrete or asphalt: and
(4) ground coverings such as gravel mulch, sod, or other vegetative covers must be properly installed, established and maintained.

Authority G.S. 130A-131.5; 130A-131.7; 130A-131.8; 130A-131.9A-G.

## . 3106 ABATEMENT AND REMEDIATION

(a) Upon determination that a chitd less than six years of age has a confirmed elevated blood lead level of 20 micrograms per deciliter or greater and that chith resides in, attends, or regutarly visits, adwelting, dwelling unit, sehoot or day care facitity containing lead poisoning hazards, the Department shall require abatement- of the tead poisoning trazards. The Department shathatso require the abatement of the lead poisoning hazarts identified at the supplementat addresses of a child less than six years of age with a confirmed elevated btood lead level of 20 mierograms per deeititer or greater:
(b) Wherr abatement is required under Paragraph (a) of this Rute, the owner or managing agent-shall submit a written fead poisoning hazard abatement plan to the Department within-14-days of receipt of the lead poisoning hazard notification and shathobtainwritten approvat of the plan prion to initiating abatement. The lead poisoning hazard abatement ptan shalt comply with Paragraphs (g), (h), and (i) of this Rule.
(c) If the abatement plan submitted faits to meet the requirements of this Rute, the Department shall issue an abatement order requiring submission of a-modified abatement plan. The order shall indieate the modifications which shall be made to the abatement plan and the date by which the plan as modified shatl be submittect to Department.
(d) If the owner or managing agent does not submit-an abatement plan within 14 days, the Department shall issue an abatement onder requiring submission of an abatement plan within five tays of receipt of the order.
(e) The owner or managing agent shatt notify the Department and the oeeupants of the dates of abatement activities at least three days prior to the commencement of abatement activities.
(f) Abatement shall be completect within 60 days of the Department's approval of the abatement plan. If the abatement aetivities are-not completed within 60 days as required, the Department shall-issue an-order requiring completion of abatement aetivities. An owner or managing agent may apply to the Department-for-an extension of the teadline for abatement. The Department may isstre ant order extending the deadtine for 30 days upon proper written
application by the owner or managing agent.
(g) The following methods of abatement of lead poisoning hazards in paint are prohibited.
(1) stripping paint on-site with methylene ehtoride-based solutions,
(2) torch or flame burning;,
(3) heating paint with a heat-gun above 1100 degrees Fatrentheit,
(4) covering with new paint or wallpaper-untess-att readily aceessible-lead-based paint has been removed,
(5) uncontroltectabrasive blasting; or
(6) uneontrolled waterblasting.
(h) All lead-containing waste-and residue of the abatement of lead shalt be removed and disposed of by the person performing the abatement in aceordance with applicable federat, state, and Hoeal taws and rutes.
(i) All abatement plans shall require that the lead poisoning hazarts be reducect to betow the following tevets.
(1) Ftoor leachdust levels are less than 100 mierograms per square foot,
(2) Window sill lead dust levels are less than 500 micrograms per square foor,
(3) Wintow trough lead dutust levets are less than 800 mierograms per square foor,
(4) Soil lead levels are less than-400 parts per mittion, and
(5) Drimking water lead levels less than 15 parts per biltion:
(j) The Department shatl verify by visuat inspeetion that the approved abatement plan has been completed. The Đepartment may also verify plan completion by residual lead dust monitoring and soil or drinking water lead levet measurement.
(a) Notwithstanding the existence of a certificate of compliance, the Department may require abatement of leadbased paint hazards and remediation of other lead poisoning hazards identified at a residential housing unit that is occupied or regularly visited by a child less than six years old who has confirmed lead poisoning when:
(1) a visual inspection reveals that the owner or managing agent has failed to continue to comply with the maintenance standard; or
(2) the blood lead level of a child with confirmed lead poisoning increases on two consecutive blood tests within a six-month period.
(b) When compliance with the maintenance standard is used to meet remediation requirements, maintenance standard activities must be conducted in accordance with an approved remediation plan in accordance with G.S. 130A-131.9C. The remediation plan must address all lead poisoning hazards identified on interior and exterior surfaces including floors. walls, ceilings, windows, porches, decks, garages, railings, steps, and bare soil.
(c) Abandonment $\underline{o f}$ a residential housing unit or a childoccupied facility is an acceptable method of remediation. A remediation plan of abandonment shall contain a statement
that the owner or managing agent agrees to submit a modified remediation plan to the Department at least 14 days before the abandoned unit or facility is reoccupied if the property will be used as a residential housing unit or a child-occupied facility. The lead-based paint hazards must be abated and other lead poisoning hazards must be remediated in accordance with an approved remediation plan. Nothing in this Rule shall be construed as authorizing an owner or managing agent to evict an occupant of a residential housing unit in violation of G.S. 42.
(d) Demolition of a residential housing unit or a childoccupied facility is an acceptable method of remediation. The remediation plan shall indicate containment measures for lead-contaminated dust and soil and storage and disposal methods for lead-contaminated construction debris. The owner or managing agent must notify the Department and the occupants of any adjacent unit or facility of the dates of demolition at least three days prior to commencement of demolition.

Authority G.S. 130A-131.5; 130A-131.7; 130A-131.8; 130A-131.9A-G.

## . 3107 MAINTENANCE STANDARD

(a) Using safe work practices:
(1) repair and repaint deteriorated paint on interior surfaces of a residential housing unit and correct the cause of deterioration including structural conditions causing water infiltration, interior moisture and poor paint adhesion;
(2) for pre-1950 single family and duplex residential housing units, both interior and exterior surfaces including all walls, ceilings, windows, porches, decks, garages, railings, and steps must be repaired and repainted and the causes of deterioration corrected. In addition, a vegetative cover must be established and maintained in areas of bare soil within three feet of the residential housing unit.
(b) Use specialized cleaning on interior horizontal surfaces to remove dust that may contain lead.
(c) Correct conditions in which painted surfaces are rubbing binding or being damaged to protect the integrity of the paint and to prevent the generation of lead dust.
(d) Steam shampoo carpets or use other specialized cleaning methods to remove dust that may contain lead.
(e) Provide smooth and cleanable interior horizontal surfaces by recoating deteriorated hardwood floors with a durable coating, replacing or recovering worn-out linoleum floors, making interior window sills smooth and cleanable, capping window troughs with vinyl or aluminum coil stock. and providing drainage from storm window frames.
(f) Provide occupants with the Environmental Protection Agency-developed pamphlet "Protect Your Family from Lead in Your Home" any summaries of reports prepared by a certified lead inspector or a certified lead risk assessor on lead-based paint hazards, an educational pamphlet developed by the Department describing the maintenance standard and
the effects of compliance on the owner and information related to previous certificates of compliance issued.

Authority G.S. 130A-131.5; 130A-131.7; 130A-131.8; 130A-131.9A-G.

## . 3108 APPLICATION AND ISSUANCE OF CERTIFICATE OF COMPLIANCE

(a) Written application for a certificate of compliance shall be made by an owner or managing agent on a form and in a manner prescribed by the Deparment and shall include a copy of the tax record or other documentation indicating the date of construction of the residential housing unit.
(b) To obtain a certificate of compliance with the maintenance standard an owner or managing agent shall comply with the provisions of G.S. 130A-131.7 and these Rules.
(c) Proof of compliance shall include:
(1) a sworn statement by the owner or managing agent that all work was conducted by adequately trained workers under the on-site supervision of an adequately trained maintenance supervisor:
(2) a swom statement by the occupants, if any, acknowledging that information was provided as required under G.S. $130 \mathrm{~A}-131.7$ and these Rules:
(3) a written summary in a manner prescribed by the Department of the visual inspection conducted by a certified lead inspector or a certified lead risk assessor: and
(4) laboratory measurements of at least two composite dust samples, one each from floors and either interior window sills or window troughs collected by a certified lead inspector or a certified lead risk assessor indicating the absence of dust that constitutes a lead poisoning hazard. Each composite sample must contain no more than four subsamples including a bedroom, a playroom, a den and a kitchen. All samples must be analyzed by a laboratory recognized by the U.S. Environmental Protection Agency pursuant to section 405 (b) of the Toxic Substances Control Act as being capable of performing analyses for lead in paint, dust, and soil samples, or a laboratory otherwise approved by the Department.
(d) The Department shall issue a certificate of compliance within 30 days after receipt of proof of compliance unless the residential housing unit has been designated for on-site monitoring by the Department. If the residential housing unit has been selected for on-site monitoring the certificate of compliance shall be issued within 30 days after the Department has verified compliance with G.S. 130A-131.7 and these Rules by a visual inspection. The visual inspeciion shall occur within 30 days after receipt of the application for a certificate of compliance.
(e) The certificate of compliance shall be signed. dated, and issued by the Department. The certificate shall state the date of issue, the date of expiration. and the address of the
residential housing unit.
(f) The certificate of compliance shall expire one year from the date of its issuance.
(g) The owner or managing agent shall notify the Department and the occupants of a residential housing unit three days prior to commencing maintenance, renovation, or remodeling activities that occur after a certificate of compliance is issued but before the certificate expires. Such activities shall be performed using safe work practices.
(b) The Department shall notify the occupants at the time a certificate of compliance is issued or reissued. Such notification shall include an educational pamphlet describing the maintenance standard and the effects of compliance on the owner and the lead poisoning hazard information package described in these Rules.

Authority G.S. 130A-131.5; 130A-131.7; 130A-131.8; 130A-131.9A-G.
. 3109 REVOCATION AND DENIAL OF CERTIFICATE OF COMPLIANCE
(a) The Department may deny or revoke a certificate of compliance when:
(1) the Department finds failure or refusal to comply or maintain compliance with G.S. 130A-131.7 or these Rules:
(2) the Department finds that the information submitted by the owner or managing agent is incomplete or falsified; or
(3) the Department is denied entry by the owner or managing agent to conduct a visual inspection.
(b) The Department shall give notice of denial or revocation to the owner or managing agent within 30 days after receipt of the application for a certificate of compliance, or within 30 days after the Department was denied entry by the owner or managing agent to conduct a visual inspection. or within 30 days after the Department finds that the owner or managing agent failed to comply or maintain compliance with the provisions of G.S. 130A-131.7 or these Rules.
(c) The notice of denial or revocation of a certificate of compliance shall be in writing and shall set forth the grounds for the denial or revocation.
(d) The notice of denial or revocation shall indicate that
the owner or managing agent has the right to appeal the denial or revocation in accordance with G.S. 130A-24(al).
(e) The notice of denial or revocation shall be sent by certified mail return receipt requested or by a method approved by the Department.

Authority G.S. 130A-131.5; 130A-131.7; 130A-131.8; 130A-131.9A-G.

## .3110 MONITORING

(a) The Department shall monitor the validity of information submitted by owners who seek certificates of compliance with the maintenance standard.
(b) Monitoring activities shall include a review of application materials submitted and may include on-site compliance monitoring to verify the accuracy and adequacy of the information provided.
(c) The Department shall design and implement a plan to conduct visual inspections of up to $50 \%$ of the residential housing units for which applications are submitted for certificates of compliance with the maintenance standard.
(d) For residential housing units subject to abatement and remediation requirements, the Department shall conduct visual inspections and residual lead dust monitoring to verify continued compliance with the maintenance standard annually and at any other time the Department deems necessary to carry out the provisions of G.S. 130A-131.7 or these Rules.

Authority G.S. 130A-131.5; 130A-131.7; 130A-131.8; 130A-131.9A-G.

## . 3111 RESIDENT RESPONSIBILITIES

When a child less than six years old has an elevated blood lead level of 10 micrograms per deciliter or greater the Department shall provide to the owner or managing agent and the parents or legal guardians of the child a lead poisoning hazard information package. The information provided shall comply with the provisions of G.S. 130A-131.9G.

Authority G.S. 130A-131.5; 130A-131.7; 130A-131.8; 130A-131.9A-G.

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

## TITLE I5A - DEPARTMENT OF ENVIRONMENT and natural resources

Rule-making Agency: Environmental Management Commission - DENR

Rule Citation: 15A NCAC 2B . 0233
Effective Date: April 22, 1998
Findings Reviewed and Approved by: Beecher R. Gray
Authority for the rule-making: G.S. 143-214.1; 143-
214.7; 143-215.3(a)(1); 143B-282(d); S.L. 1995, c. 572

Reason for Proposed Action: The Neuse River estuary has been plagued by algal blooms and fish kills and the North Carolina General Assembly has asked that action be taken to reduce nitrogen input into the river system. House Bill 1339 (1995 [Regular Session, 1996] Session, Chapter 572) required the Environmental Management Commission (Commission) to develop a plan to achieve a $30 \%$ reduction in nitrogen loading to the Neuse River estuan by the year 2001.

One of the most ecologically critical components of the plan is the maintenance of vegetated areas along streams and surface waters in the Neuse River basin. The purpose of this rule making is to require maintenance and protection of riparian areas with existing forest vegetation along surface waters in the Neuse River Basin (intermittent steams, perennial streams, lakes, ponds and estuaries) as indicated on the most recent versions of the United States Geological Survey 1:24,000 scale topographic maps or other site-specific evidence. Protection of these streamside areas is a vital component of an overall plan to remove nitrogen from adjacent land uses before the nitrogen enters surface waters of the Neuse River.
This Rule was a portion of the plan previously published. Notice of Rule-Making Proceedings for the original nule was published on April 15, 1996. The rule became effective as a temporary rule on July 22, 1997. Notice of Text was published on August 15, 1996, republished on October 15, 1996 and republished again on September 15, 1997. A second round of public hearings were held on October 7 , 1997.

Comment Procedures: Comments were previously accepted on this Rule for 60 davs as noticed in the North Carolina Register, Vol 12:6, September 15, 1997.

## CHAPTER 2 - ENVIRONMENTAL MANAGEMENT

## SUBCHAPTER 2B - SURFACE WATER AND WETLAND STANDARDS

## SECTION 0200 - CLASSIFICATIONS AND WATER QUALITY STANDARDS APPLICABLE to SURFaCE WATERS AND WETLANDS OF NORTH CAROLINA

NEUSE RIVER BASIN: NUTRIENT SENSITIVE WATERS MANAGEMENT STRATEGY: PROTECTION AND manNTENANCE OF RIPARIAN AREAS WITH EXISTING FOREST VEGETATION
The following is the management strategy for maintaining and protecting riparian areas in the Neuse River Basin:
(1) Riparian areas shall be protected and maintained in accordance with this Rule on all sides of surface waters in the Neuse River Basin (intermittent streams, perennial streams, lakes, ponds, and estuaries) as indicated on the most recent versions of United States Geological Survey 1:24,000 scale ( 7.5 minute quadrangle) topographic maps or other site-specific evidence. This Rule only applies to riparian areas where forest vegetation is established in Zone 1 [as described in Sub-Item (3)(a) of this Rule] as of July 22, 1997. Forest vegetation, as defined in 15A NCAC 2B .0202, of any width in Zone 1 must be protected and maintained in accordance with this Rule. This Rule does not establish new buffers in riparian areas. Exceptions to the requirements of this Rule for riparian areas are described in Sub-Items (2)(a)-(h) of this Rule. Maintenance of the riparian areas shall be such that, to the maximum extent possible, sheet flow of surface water is achieved. This Rule specifies requirements that shall be implemented in riparian areas to ensure that the pollutant removal functions of the riparian area are protected and maintained.
(2) The following waterbodies and land uses are exempt from the riparian area protection requirements:
(a) Ditches and manmade conveyances other than modified natural streams;
(b) Areas mapped as intermittent streams, perennial streams. lakes, ponds, or estuaries on the most recent versions of United States Geological Survey $1: 24,000$ scale ( 7.5 minute quadrangle) topographic maps where no perennial waterbody, intermittent waterbody. lake, pond or estuary actually exists on the ground;
(c) Ponds and lakes created for animal watering,
irrigation, or other agricultural uses that are not part of a natural drainage way that is classified in accordance with 15A NCAC 2B .0100;
(d) Water dependent structures as defined in 15A NCAC 2B .0202, provided that they are located, designed, constructed and maintained to provide maximum nutrient removal, to have the least adverse effects on aquatic life and habitat and to protect water quality;
(e) The following uses may be allowed where no practical alternative exists. A lack of practical alternatives may be shown by demonstrating that, considering the potential for a reduction in size, configuration or density of the proposed activity and all alternative designs, the basic project purpose cannot be practically accomplished in a manner which would avoid or result in less adverse impact to surface waters. Also, these structures shall be located, designed, constructed, and maintained to have minimal disturbance, to provide maximum nutrient removal and erosion protection, to have the least adverse effects on aquatic life and habitat, and to protect water quality to the maximum extent practical through the use of best management practices.
(i) Road crossings, railroad crossings, bridges, airport facilities, and utility crossings may be allowed if conditions specified in Sub-Item (2)(e) of this Rule are met.
(ii) Stormwater management facilities and ponds, and utility construction and maintenance corridors for utilities such as water, sewer or gas, may be allowed in Zone 2 of the riparian area as long as the conditions specified in Sub-Item (2)(e) of this Rule are met and they are located at least 30 feet from the top of bank or mean high water line. Additional requirements for utility construction and maintenance corridors are listed in Sub-Item (2)(f) of this Rule.
(f) A corridor for the construction and maintenance of utility lines, such as water, sewer or gas, (including access roads and stockpiling of materials) may run parallel to the stream and may be located within Zone 2 of the riparian area, as long as no practical alternative exists and they are located at least 30 feet from the top of bank or mean high water line and best management practices are installed to minimize runoff and maximize
water quality protection to the maximum extent practicable. Permanent, maintained access corridors shall be restricted to the minimum width practicable and shall not exceed 10 feet in width except at manhole locations. A 10 feet by 10 feet perpendicular vehicle turnaround is allowed provided they are spaced at least 500 feet apart along the riparian area.
(g) Stream restoration projects, scientific studies, stream gauging, water wells, passive recreation facilities such as boardwalks, trails, pathways, historic preservation and archaeological activities are allowed provided that they are located in Zone 2 and are at least 30 feet from the top of bank or mean high water line and are designed, constructed and maintained to provide the maximum nutrient removal and erosion protection, to have the least adverse effects on aquatic life and habitat, and to protect water quality to the maximum extent practical through the use of best management practices. Activities that must cross the stream or be located within Zone 1 are allowed as long as all other requirements of this Item are met.
(h) Stream crossings associated with timber harvesting are allowed if performed in accordance with the Forest Practices Guidelines Related to Water Quality (15A NCAC 1J .0201-.0209).
(3) The protected riparian area shall have two zones as follows:
(a) Zone 1 shall be an undisturbed area of forest vegetation. Any forest vegetation, as defined in Rule .0202 of this Section, in Zone 1 as of July 22, 1997 shall be maintained and protected in accordance with this Rule.
(i) Location of Zone 1: Zone 1 begins at the top of bank for intermittent streams and perennial streams and extends landward a distance of 30 feet on all sides of the waterbody, measured horizontally on a line perpendicular to the waterbody. For all other waterbodies, Zone 1 begins at the top of bank or mean high water line and extends landward a distance of 30 feet, measured horizontally on a line perpendicular to the waterbody.
(ii) The following practices and activities are allowed in Zone l:
(A) Natural regeneration of forest vegetation and planting vegetation to enhance the
riparian area if disturbance is minimized, provided that any plantings shall primarily consist of locally native trees and shrubs;
(B) Setective removat of individuat high vatue euting of individuat trees of high value in the outer 20 feet of Zone 1, provided that the basat area (measured as 12 inch diameter at breast height) remains at or above 0.52 square feet per 15 running feet of the ourer 20 feet of Zone 1, as measured atong the bank of the stream or waterbody. Limited mechanized equipment is athowed in this area. Selective cutting of individual trees of high value in the outer 20 feet of Zone 1 provided that the basal area of this outer 20 -foot wide area remains at or above 75 square feet per acre and is computed according to the following method. Basal area of this outer 20 -foot wide area shall be computed every 100 feet along the stream to ensure even distribution of forest vegetation and shall be based on all trees measured at 4.5 feet from ground level. No tracked or wheeled equipment is allowed in Zone 1 except at stream crossings which are designed, constructed and maintained in accordance with Forest Practice Guidelines Related to Water Quality 15 A NCAC $1 \mathrm{~J} .0201=.0209$ )
(C) Horticulture or silvicultural practices to maintain the health of individual trees;
(D) Removal of individual trees which are in danger of causing damage to dwellings, other structures or the stream channel; and
(E) Removal of dead trees and other timber cutting techniques necessary to prevent extensive pest or disease infestation if recommended by the Director, Division of Forest Resources and approved by the Director, Division of Water euality.

## Quality: and

(F) Ongoing agricultural operations provided that existing forest vegetation is protected and requirements in Rules .0236 and .0238 of this Section are followed.
(iii) The following practices are not allowed in Zone 1:
(A) Land-disturbing activities and placement of fill and other materials, other than those allowed in Items (2) and (3)(a)(ii) of this Rule, that would disturb forest vegetation, as defined in Rule .0200 of this Section;
(B) New development, except as provided in Sub-Items (2)(d), (2)(e) and (2)(f) of this Rule;
(C) New on-site sanitary sewage systems which use ground adsorption:
(D) The application of fertilizer; and
(E) Any activity that threatens the health and function of the vegetation including, but not limited to, application of chemicals in amounts exceeding the manufacturer's recommended rate, uncontrolled sediment sources on adjacent lands, and the creation of any areas with bare soil.
(b) Vegetation in Zone 2 shall consist of a dense ground cover composed of herbaceous or woody species which provides for diffusion and infiltration of runoff and filtering of pollutants.
(i) Location of Zone 2: Zone 2 begins at the outer edge of Zone 1 and extends landward a minimum of 20 feet as measured horizontally on a line perpendicular to the waterbody. The combined minimum width of Zones 1 and 2 shall be 50 feet on all sides of the waterbody.
(ii) The following practices and activities are allowed in Zone 2 in addition to those allowed in Zone 1:
(A) Periodic mowing and removal of plant products such as timber, nuts, and fruit is allowed on a periodic basis provided the intended purpose
of the riparian area is not compromised by harvesting, disturbance, or loss of forest or herbaceous ground cover.
(B) Forest vegetation in Zone 2 may be managed to minimize shading on adjacent land outside the riparian area if the water quality function of the riparian area is not compromised.
(C) On-going agricultural operations provided that requirements of Rules .0236 and .0238 of this Section are followed.
(iii) The following practices and activities are not allowed in Zone 2:
(A) Land disturbing activities and placement of fill and other materials, other than those allowed in Items (2) and (3)(b)(ii) of this Rule;
(B) New development, except as provided in Sub-ltems (2)(e) and (2)(f) of this Rule;
(C) New on-site sanitary sewage systems which use ground adsorption;
(D) The application of fertilizer; and
(E) Any activity that threatens the health and function of the vegetation including, but not limited to, application of chemicals in amounts exceeding the manufacturer's recommended rate, uncontrolled sediment sources on adjacent lands, and the creation of any areas with bare soil.
(c) Timber removal and skidding of trees shall be directed away from the water course or water body. Skidding shall be done in a manner to prevent the creation of ephemeral channels perpendicular to the water body. Any tree removal must be performed in a manner that does not compromise the intended purpose of the riparian area and is in accordance with the Forest Practices Guidelines Related to Water Quality (15A NCAC 1J .0201-.0209).
(d) Maintenance of sheet flow in Zones 1 and 2 is required in accordance with this Item.
(i) Sheet flow must be maintained to the maximum extent practical through
dispersing concentrated flow and reestablishment of vegetation to maintain the effectiveness of the riparian area.
(ii) Concentrated runoff from new ditches or manmade conveyances must be dispersed into sheet flow before the runoff enters Zone 2 of the riparian area. Existing ditches and manmade conveyances, as specified in Sub-Item (2)(a) of this Rule, are exempt from this requirement; however, care shall be taken to minimize pollutant loading through these existing ditches and manmade conveyances from fertilizer application or erosion.
(iii) Periodic corrective action to restore sheet flow shall be taken by the landowner if necessary to impede the formation of erosion gullies which allow concentrated flow to bypass treatment in the riparian area.
(e) Periodic maintenance of modified natural streams such as canals is allowed provided that disturbance is minimized and the structure and function of the riparian area is not compromised. A grassed travelway is allowed on one side of the waterbody when alternative forms of maintenance access are not practical. The width and specifications of the travelway shall be only that needed for equipment access and operation. The travelway shall be located to maximize stream shading.
(4) If a local government has been issued a Municipal Separate Stormwater Sewer System permit or has been delegated to implement a local stormwater program, then the local government shall ensure that the riparian areas to be protected are, recorded on new or modified plats.
(5) Where the standards and management requirements for riparian areas are in conflict with other laws, regulations, and permits regarding streams, steep slopes, erodible soils, wetlands, floodplains, forest harvesting, surface mining, land disturbance activities, development in Coastal Area Management Act Areas of Environmental Concern, or other environmental protection areas, the more protective shall apply.
(6) Where application of this Rule would prevent all reasonable uses of a lot platted and recorded prior to the effective date of this Rule, a variance may be granted by the Environmental Management Commission if it finds that:
(a) practical difficulties or unnecessary hardships would result in strict application of the rule;
(b) such difficulties or hardships result from
conditions which are peculiar to the property involved; and
(c) the general purpose and intent of the rule would be preserved, water quality would be protected and substantial justice would be done if the variance were granted.

History Note: Authority G.S. 143-214.1; 143-214.7; 143215.3(a)(1); S.L. 1995, c. 572;

Temporary Adoption Eff. July 22, 1997;
Temporary Amendment Eff. April 22, 1998: January 22, 1998.

This Section contains the agenda for the next meeting of the Rules Review Commission on Wednesday, April $15,1998$. 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 April 13, 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<br>Teresa L. Smallwood, Vice Chairman<br>Jim Funderburke<br>Vernice B. Howard<br>Philip O. Redwine David Twiddy

Appointed by House<br>Paul Powell, Chairman<br>Anita White, $2^{\text {nd }}$ Vice Chairman<br>Mark Garside<br>Steve Rader<br>George Robinson

## RULES REVIEW COMMISSION MEETING DATES

April 15, 1998
May 21, 1998
June 18, 1998

July 16, 1998
August 20, 1998
September 17, 1998

MEETING DATE: APRIL 15, 1998

## LOG OF FILINGS

RULES SUBMITTED: FEBRUARY 20, 1998 THROUGH MARCH 20, 1998

AGENCY/DIVISION RULE NAME RULE CITATION ACTION

AGRICULTURE/NC STRUCTURAL PEST CONTROL COMMITTEE

| Definitions | 2 NCAC 34.0102 | Amend |
| :--- | :--- | :--- |
| Application for Licenses | 2 NCAC 34.0302 | Amend |
| Dates of Examination | 2 NCAC 34.0303 | Amend |
| Mailing of Renewal Forms | 2 NCAC 34.0306 | Amend |
| Display of Certified Applicator's Card | 2 NCAC 34.0308 | Amend |
| Recertification | 2 NCAC 34.0309 | Amend |
| Information | 2 NCAC 34.0312 | Amend |
| Registered Technician's Cards | 2 NCAC 34.0313 | Amend |
| Display of License | 2 NCAC 34.0323 | Amend |
| Duty of License Holder | 2 NCAC 34.0325 | Amend |
| Records | 2 NCAC 34.0328 | Amend |
| Public Safety | 2 NCAC 34.0401 | Amend |
| Labeling Pesticide Containers | 2 NCAC 34.0402 | Amend |
| First Aid | 2 NCAC 34.0403 | Amend |
| Notification | 2 NCAC 34.0404 | Amend |
| Spill Control | 2 NCAC 34.0406 | Amend |
| Wood-Destroying Insects | 2 NCAC 34.0501 | Amend |
| Pesticides/Subterranean Termite Control | 2 NCAC 34.0502 | Amend |
| Subterranean Termite Control | 2 NCAC 34.0503 | Amend |
| Reporting Damage | 2 NCAC 34.0504 | Amend |
| Subterranean Termite Prevention | 2 NCAC 34.0505 | Amend |

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Wood-Destroying 1nsect
Wood-Destroying Organisms
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Precautions
Written Records
Written Records
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2 NCAC 34.0506
2 NCAC 34.0507
2 NCAC 34.0508
2 NCAC 34.0602
2 NCAC 34.0604
2 NCAC 34.0605
2 NCAC 34.0701
2 NCAC 34.0703
2 NCAC 34.0803
2 NCAC 34.0902
2 NCAC 34.0904
2 NCAC 34.1101

CULTURAL RESOURCES/USS NORTH CAROLINA BATTLESHIP COMMISSION

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7 NCAC 5.0203

10 NCAC 26H. 0602

11 NCAC 12.1801
11 NCAC 12.1802
11 NCAC 12.1803
11 NCAC 12.1804

15A NCAC 1J . 0401 15A NCAC 1J . 0402

15A NCAC 2D . 0105
15A NCAC 2D . 0535
15A NCAC 2D . 0927
15A NCAC 2D . 1102
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15A NCAC 2D . 1205
15A NCAC 2Q . 0101
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15A NCAC 2Q. 0301
15A NCAC 2Q . 0501
15A NCAC 2Q . 0701
15A NCAC 2Q . 0702
15A NCAC 2Q. 0703 Adopt
15A NCAC 2Q. 0704 Adopt
15A NCAC 2Q. 0705 Adopt
15A NCAC 2Q. 0706 Adopt
15A NCAC 2Q. 0707 Adopt
15A NCAC 2Q . 0708 Adopt
15A NCAC 2Q. 0709 Adopt
15A NCAC 2Q. 0710 Adopt
15A NCAC 2Q. 0711 Adopt
15A NCAC 2Q. 0712 Adopt
15A NCAC 2Q . 0713 Adopt

DENR/ENVIRONMENTAL MANAGEMENT COMMISSION

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DENR/COASTAL RESOURCES COMMISSION
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| 15A NCAC 2R .0101 | Adopt |
| :--- | :--- |
| 15A NCAC 2R .0102 | Adopt |
| 15A NCAC 2R .0201 | Adopt |
| 15A NCAC 2R .0202 | Adopt |
| 15A NCAC 2R .0203 | Adopt |
| 15A NCAC 2R .0301 | Adopt |
| 15A NCAC 2R .0302 | Adopt |
| 15A NCAC 2R .0401 | Adopt |
| 15A NCAC 2R .0402 | Adopt |
| 15A NCAC 2R .0403 | Adopt |
| 15A NCAC 2R .0501 | Repeal |
| 15A NCAC 2R .0502 | Repeal |
| 15A NCAC 2R .0503 | Repeal |
| 15A NCAC 2R .0504 | Repeal |

15A NCAC 3J . 0202 Amend
15A NCAC 3M. 0513 Amend

15A NCAC 7H . 1601 Amend
15A NCAC 7H . 1604 Amend
15A NCAC 7H . 1605 Amend

15A NCAC 10B . 0113 Amend 15A NCAC 10B . 0202 Amend 15A NCAC 10B . 0203 Amend 15A NCAC 10B . 0209 Amend 15A NCAC 10B . 0216 Amend 15A NCAC 10C. 0203 Amend 15A NCAC 10C. 0205 Amend 15A NCAC 10C. 0212 Amend 15A NCAC 10C . 0304 Amend 15A NCAC 10C . 0305 Amend 15A NCAC 10C. 0401 Amend 15A NCAC 10C . 0402 Amend 15A NCAC 10C . 0407 Amend 15A NCAC 10D . 0002 Amend 15A NCAC 10D . 0003 Amend 15A NCAC 10D . 0004 Amend 15A NCAC 10F . 0102 Amend 15A NCAC 10F . 0103 15A NCAC 10F . 0104 15A NCAC 10F . 0105 15A NCAC 10F . 0109 15A NCAC 10F. 0345 15A NCAC 10F . 0347 15A NCAC 10G. 0402 15A NCAC 10G. 0403 15A NCAC 10G . 0404 15A NCAC 10 H .0802 15A NCAC 10 H .0810

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## NC STATE BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS

| Definitions | 21 NCAC 8A.0301 | Amend |
| :--- | :--- | :--- |
| Concentration in Accounting | 21 NCAC 8A.0309 | Amend |
| Filing of Exam | 21 NCAC 8F.0103 | Amend |
| Conditioning Requirements | 21 NCAC 8F.0105 | Amend |
| Education and Work Experience | 21 NCAC 8F.0302 | Amend |
| Work Experience | 21 NCAC 8F.0401 | Amend |
| Education Required | 21 NCAC 8F.0410 | Adopt |
| Requirements for CPE Credit | 21 NCAC 8G.0404 | Amend |
| Reciprocal Certificates | 21 NCAC 8H .0001 | Amend |
| Modification of Discipline | 21 NCAC 81.0004 | Amend |
| Revocation of Certificate | 21 NCAC 8I .0005 | Amend |
| Annual Renewal | 21 NCAC 8J.0001 | Amend |
| Retired and Inactive Status | 21 NCAC 8J.0005 | Amend |
| Forfeiture | 21 NCAC 8J.0006 | Amend |
| Firm Registration | 21 NCAC 8J.0008 | Amend |
| Registration and SQR Fees | 21 NCAC 8J .0010 | Amend |
| Registered Limited Liability | 21 NCAC 8K.0301 | Amend |
| Purpose | 21 NCAC 8M.0101 | Amend |
| Registration Requirements | 21 NCAC 8M .0102 | Amend |
| Selection | 21 NCAC 8M .0201 | Amend |
| Certain Offices Excused | 21 NCAC 8M.0204 | Amend |

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| 21 NCAC 46.1414 | Amend |
| :--- | ---: |
| 21 NCAC 46.1813 | Amend |
| 21 NCAC 46.2611 | Amend |

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Amend

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Depositions
Surveying Procedures
Classification of Boundary Surveys
Mapping Requirements
Requirements
Units
Determination of Credit
Forms

21 NCAC 56.0606
21 NCAC 56.0701
21 NCAC 56.0702
21 NCAC 56.0901
21 NCAC 56.0902
21 NCAC 56.1102
21 NCAC 56.1103
21 NCAC 56.1104
21 NCAC 56.1105
21 NCAC 56.1106
21 NCAC 56.1201
21 NCAC 56.1203
21 NCAC 56.1205
21 NCAC 56.1301
21 NCAC 56.1302
21 NCAC 56.1403
21 NCAC 56.1409
21 NCAC 56.1411
21 NCAC 56.1602
21 NCAC 56.1603
21 NCAC 56.1604
21 NCAC 56.1703
21 NCAC 56.1704
21 NCAC 56.1705
21 NCAC 56.1711

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NC SUBSTANCE ABUSE PROFESSIONAL CERTIFICATION BOARD

Definitions
Board Mailing Address
Scope
Definitions
Application for Deemed Status
Three-Year Standards Review
Certification Requirements
Renewal of Individual Certification
Revocation
Complaint Procedures
Investigation of Complaint
Confidentiality

21 NCAC 68.0101
21 NCAC 68.0102
21 NCAC 68.0301
21 NCAC 68.0302
21 NCAC 68.0303
21 NCAC 68.0304
21 NCAC 68.0305
21 NCAC 68.0306
21 NCAC 68.0307
21 NCAC 68.0602
21 NCAC 68.0603
21 NCAC 68.0608

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## OFFICE OF ADMINISTRATIVE HEARINGS

Introduction
Definitions
Content and Filing Procedures
Time
Initial Determination

| 26 NCAC 4.0101 | Amend |
| :--- | :--- |
| 26 NCAC 4.0201 | Adopt |
| 26 NCAC 4.0202 | Adopt |
| 26 NCAC 4.0203 | Adopt |
| 26 NCAC 4.0204 | Adopt |

## RULES REVIEW COMMISSION

## March 19, 1998 MINUTES

The Rules Review Commission met on March 19, 1998, in the Assembly Room of the Methodist Building, 1307 Glenwood Avenue, Raleigh, North Carolina. Commissioners in attendance were Vice Chairman Teresa L. Smallwood, Mark P. Garside, George S. Robinson, Jim R. Funderburk, Steven P. Rader, David R. Twiddy, and Anita A. White.

Staff members present were: Joseph J. DeLuca, Staff Director: Bobby Bryan, Rules Review Specialist; Glenda Gruber, Administrative Assistant; and Sandy Webster.

The following people attended:

Juanita Gaskill
John McFadyen
Tracy Baroni
Roslyn Saviut
Bernard Cox
Bill Hale
Julia Lohn
B. D. Moore

David Brook
Peggy Morris
Dedra Alston
Robin Stancil
Tim Simmons
Jeff Adolphson
Denise Haskell
Ellie Sprenkel
Mary Giguere
Charlote Hall
Harry Wilson
Bayard Alcorn
Marc Lodge
Jim Wellons
Mark Cuilla
Bob Bode
Tony Toibi
Janice Thompson
Carolyn Holman
Tom West
Lena Williams
R. Sandy
D. Hanrath

Mary Bushnell
Wendi Oglesby
Dee Williams
Eric Mussler
Ann Christian
Sari Earl
Liz Kovasckitz
Russell Capps
Nancy Ratcliffe
John Allen
Jim Cain
Ron Ferrell
Jean Stanley
Ann Forbes
Jim Hall
Paul Mahoney
Janice Fain
Anna Cayter
Nancy Guy
M. Farmer

McKinley Wooten

DENR/Marine Fisheries
DENR
National Association of Chain Drug Stores
NC Child Care Coalition
Insurance
Insurance
NC Sheriffs' Commission
NC Sheriffs' Commission
Cultural Resources
Labor
DENR
Cultural Resources
Cultural Resources
Cultural Resources
NC Board of Pharmacy
Insurance
DHHS
DHHS/MD/DD/SAS
State Board of Education
DENR/Parks and Recreation
DHHS
Attomey General
DENR/DAQ
Bode, Call and Stroupe
Bode, Call and Stroupe
Victory Village Day Care
Victory Village Day Care
Poyner \& Spruill
DHHS
Labor
Labor
NC Child Care and Resource Referral Network
Transportation
Cosmetic Art Examiners
Price Waterhouse
Attorney
Committee on State Taxation
DENR/DWQ
NC House
NC Voice for Child Care
Price Waterhouse
Kilpatrick Stockton
DENR/DWQ
Board of Nursing
Board of Nursing
DENR/NC Child Care Commission
NC Association of Health
DHHS/Child Development
DHHS/Child Development
DHHS/Child Development
DHHS/Child Development
Attorney General

| Sabra Faires | Revenue |
| :--- | :--- |
| Tim Kent | American Institute of Architecture |
| Emily Lee | Transportation |
| Anna Tefft | OSBM |
| Mark Sisak | OSBM |
| Robin Munger | DENR/Parks \& Recreation |
| John Poole | DENR/Parks \& Recreation |

## APPROVAL OF MINUTES

The meeting was called to order at 10:05 a.m. with Vice Chairman Smallwood presiding. She asked for any discussion, comments, or corrections concerning the minutes of the February 19, 1998 meeting. There being none, the minutes were approved.

## FOLLOW-UP MATTERS

10 NCAC 14V . 7104 DHHS/Secretary of Health and Human Services: The rewritten rule submitted by the agency was approved by the Commission.

15A NCAC 2R . 0503 DENR/Environmental Management Commission: The rule submitted by the agency was approved by the Commission.

15A NCAC 31.0117 DENR/Marine Fisheries Commission: The rewritten rule submitted by the agency was approved by the Commission.

15A NCAC 18D . 0201, .0308, and . 0405 DENR/Water Treatment Facility Operators Certification Board The rewritten rules submitted by the agency were approved by the Commission.

16 NCAC 7.0202 Education/NC Standards Board for Public School Administration: The Commission received no response from the agency on this rule.

21 NCAC 12 .0204 NC Licensing Board for General Contractors: The Commission received no response from the agency on this rule.

21 NCAC 46.1810 NC Board of Pharmacy: The rewritten rule submitted by the agency was approved by the Commission.
21 NCAC 50.1210, and . 1212 State Board of Examiners of Plumbing, Heating and Fire Sprinkler Contractors: The Commission received no response from the agency on these rules.

## LOG OF FILINGS

Vice Chairman Smallwood presided over the review of the $\log$ and all rules were approved with the following exceptions:
7 NCAC 4R .0909, .0910, .0911, .0912, .0913, .0914, and .0915 CULTURAL RESOURCES/NC Historical Commission: The Commission objected to these rules due to ambiguity. It is unclear how they are to be read or interpreted in light of similar and overlapping rules (.0901-.0908) that precede these.

10 NCAC 3U . 0302 DHHS/Child Care Commission: The Commission objected to this rule due to lack of statutory authority. There is no authority cited to prohibit a person from even applying for a license while and for a period after enforcement action is or has been taken. According to G.S. 110-93(b) if a person meets the conditions for licensure, "the Secretary shall issue a license." There is no authority to refuse to review the application to determine if a person does meet those conditions.

10 NCAC 3U . 0605 - DHHS/Child Care Commission: Commissioner Rader made a motion to extend the period of review on this rule. The motion failed for lack of a second.

10 NCAC 3U . 0704 - DHHS/Child Care Commission: The Commission objected to this rule due to lack of statutory authority. There is no specific authority cited for the Commission to authorize someone to serve as a child care administrator who does not
meet the qualifications of $110-91(8)$, to set alternate requirements to those qualifications, or to set qualifications other than what is listed in the statute. Commissioner White voted not to object to the rule.

10 NCAC 3 U .0710 - DHHS/Child Care Commission: The Commission extended the period of review on this rule in order to determine the relationship of this rule's requirements relating to the NC Early Childhood Credential, the NC Community College curriculum requirements, and S.B. 929 's prohibition (sec. 28.3) against "promoting or requiring the utilization of training materials, curriculum, or policy developed or provided by the National Association for the Education of Young Children or the National Institute for Early Childhood Professional Development."

10 NCAC 3 U .0806 - DHHS/Child Care Commission: The Commission objected to this rule due to ambiguity. It is unclear who is responsible for doing the toilet training. If it is the child care center, it is unclear what they are supposed to do if they are unsuccessful. It is also unclear what constitutes "individual readiness."

10 NCAC 3 U . 1702 - DHHS/Child Care Commission: The Commission objected to this rule due to lack of statutory authority. $\ln (\mathrm{g})$ there is a repetition of the language and problem in .0302 .

10 NCAC 3 U .1720 - DHHS/Child Care Commission: The Commission objected to this rule due to ambiguity. It is unclear who is responsible for doing the toilet training at (d). If it is the child care center, it is unclear what they are supposed to do if they are unsuccessful. It is also unclear what constitutes "individual readiness." The dimension "approximately four feet high" in (8) is unclear.

Commissioner Rader voted not to approve the remainder of the rules from Child Day Care.
12 NCAC 7D. 0204 JUSTICE/NC Private Protective Services Board: The Commission objected to this rule due to ambiguity. It is unclear what is meant or intended by "lawfully gained experience" in (c).

12 NCAC 7D . 1106 - JUSTICE/NC Private Protective Services Board: The Commission objected to this rule due to ambiguity. It is unclear what is meant or intended by "experience legally gained" in (a).

16 NCAC 6C. 0602 STATE BOARD OF EDUCATION: The Commission objected to this rule due to ambiguity. In (b) there is reference to practicing "the professional standards of federal, state, and local governing bodies." That appears to mean published codes, except that the statement is found within a paragraph labeled "generally recognized professional standards." (And that phrase is used later in the paragraph.) It is unclear if they actually exist. It also states that any act "in deliberate disregard or abandonment" of those standards is "prohibited." It is unclear what is meant by "deliberate disregard or abandonment." It is unclear what constitutes, in (b)(4)(A), "inappropriate use of language that is considered profane, vulgar, or demeaning."

17 NCAC 5C . 0102 and . 0703 DEPARTMENT OF REVENUE: These rules were referred to the Office of State Budget and Management for a statement from them as to whether or not there would be a substantial economic impact from these rules. The Commission also requested that these rules be sent to the Attorney General's office for an opinion on whether the tax costs are part of the economic impact.

17 NCAC 5E . 0103 - DEPARTMENT OF REVENUE: This rule was also referred to the Office of State Budget and Management for the same reasons as 5C. 0102 and . 0703 .

18NCAC 6.1104 SECRETARY OF STATE: The Commission objected to this rule due to lack of statutory authority. The use of the term "order" in (i) implies that the Administrator does not have to go through the rulemaking process or set standards for the recognition of securities manuals. There is no authority for such action. This objection applies to existing language in the rule.

18NCAC 6 . 1206-SECRETARY OF STATE: The Commission objected to this rule due to lack of statutory and ambiguity. In (a)(1), it is not clear what would constitute "good cause" for waiving a disqualification. Subparagraph (a)(11) is a waiver provision without specific guidelines in violation of G.S. 150B-19(6). This objection applies to existing language in the rule.

18 NCAC 6.1212 - SECRETARY OF STATE: The Commission objected to this rule due to ambiguity. In (a), it is not clear if electronic filing of Form NF is permitted.

18 NCAC 6.1401 -SECRETARY OF STATE: The Commission objected to this rule due to ambiguity. In (a)(5), it is not clear what other information the Administrator requires. In (c), there are two references to filing notices with the Administrator no later than 30 days. It is not clear if this means 30 days after the actions, notification of the action, or some other event. This objection applies to existing language in the rule.

18 NCAC 6.1509-SECRETARY OF STATE: The Commission objected to this rule due to lack of necessity. Agencies are no longer required to publish a list of their forms, so this rule is not necessary. This objection applies to existing language in the rule.

18 NCAC 6 . 1702 - SECRETARY OF STATE: The Commission objected to this rule due to ambiguity. In (a)(6), it is not clear what other information the Administrator requires. In (c), it is not clear what the 30 days deadline is after. This objection applies to existing language in the rule.

18NCAC 6.1703-SECRETARY OF STATE: The Commission objected to this rule due to lack of statutory authority and ambiguity. The first sentence in (b) contains a waiver provision without specific guidelines. In the first sentence in (c), it is not clear what event triggers the 30 day deadline. This objection applies to existing language in the rule.

18NCAC 6.1705-SECRETARY OF STATE: The Commission objected to this rule due to ambiguity. In (c), in two places, it is not clear what standards the Administrator will use in determining if a form is acceptable. This objection applies to existing language in the rule.

18 NCAC 6.1706-SECRETARY OF STATE: The Commission objected to this rule due to ambiguity. In (e)(1), it is not clear what is meant by an "appropriate" office. This objection applies to existing language in the rule.

18 NCAC 6.1802 and .1803 -SECRETARY OF STATE: These rules were withdrawn by the agency.
18 NCAC 6.1805 -SECRETARY OF STATE: The Commission objected to this rule due to ambiguity. In (a)(4)(A), it is not clear what would constitute the "immediate family." This objection applies to existing language in the rule.

18 NCAC 6 . 1811 - SECRETARY OF STATE: The Commission objected to this rule due to lack of necessity. Because agencies are no longer required to publish a list of their forms in their rules, this rule is not necessary. This objection applies to existing language in the rule.

21 NCAC 2.0904 NC Board of Architecture: The Commission objected to this rule due to ambiguity. It is not clear what standards the Board will use in approving course sponsors, courses and programs. In (1), it is not clear what the requirements are for sponsor agreements. In (3), it is not clear what is meant by "qualifying" courses or programs.

21 NCAC 2.0906 - NC Board of Architecture: The Commission objected to this rule due to ambiguity. In (3), it is not clear what standards the board will use in approving documentation of physical disability or illness.

21 NCAC 8 NC State Board of CPA Examiners: These rules were withdrawn by the agency.
21 NCAC 14H . 0005 NC State Board of Cosmetic Art Examiners: The Commission objected to this rule due to ambiguity. Paragraph (a) establishes two sanitary grades, A and B. Paragraph (f) requires establishments to maintain at least a D grade. Apparently there is no such thing as a D grade.

21 NCAC 14J . 050 I - NC State Board of Cosmetic Art Examiners: The Commission objected to this rule due to ambiguity. In (a), it is not clear what standards the Board will use in approving credit for instruction in another state. This objection applies to existing language in the rule.

21 NCAC 14 K .0003 - NC State Board of Cosmetic Art Examiners: The Commission objected to this rule due to ambiguity. In (a)(2), it is not clear how many chairs are "adequate." In (a)(3), it is not clear how much light is "adequate." This objection applies to existing language in the rule.

21 NCAC 14 N .0102 - NC State Board of Cosmetic Art Examiners: The Commission objected to this rule due to ambiguity. Paragraph (b) makes no sense. An applicant needing special arrangements must include either (1) an application or (2) the same application.

21 NCAC 14 N .0107 - NC State Board of Cosmetic Art Examiners: The Commission objected to this rule due to ambiguity. It is unclear what (c) means.

21 NCAC $1+\mathrm{N} .0113$ - NC State Board of Cosmetic Art Examiners: The Commission objected to this rule due to lack of statutory authority. Paragraph (f) is not consistent with G.S. $88-16(4)$. The student is required to take at least 200 additional hours of basic training in an approved school, not a specific course of study designed for him and requiring specific approval. This objection applies to existing language in the rule.

21 NCAC 18B. 0209 NC State Board of Examiners of Electrical Contractors: The Commission objected to this rule due to lack of statutory authority and ambiguity. Paragraph (d) states that the APA rulemaking provisions allow the Board to vary its fees. That simply is not true, and there is no authority for this paragraph. In $(\mathrm{f})(2)$, it is not clear what the Board means by "extenuating circumstances." This does not amount to specific guidelines for a waiver. This objection applies to existing language in the rule.

21 NCAC 18B.0404-NC State Board of Examiners of Electrical Contractors: The Commission objected to this rule due to lack of statutory authority. In (c), there is no authority to vary fees without going through the complete rulemaking process. This objection applies to existing language in the rule.

21 NCAC 18B.0802 - NC State Board of Examiners of Electrical Contractors: The Commission objected to this rule due to lack of statutory authority. While the Board clearly has authority to establish a special restricted classification, the procedures set out in (c) and (d) are not consistent with the Administrative Procedure Act. Once the agency has accepted a petition, it must begin the rulemaking process by publishing a notice of rulemaking proceedings and accept comments prior to coming up with the final proposal. It also may not adopt the final proposal until after the process is complete, not before beginning it. This objection applies to existing language in the rule.

21 NCAC 36.0605 NC Board of Nursing: This rule was withdrawn by the agency.
21 NCAC 46 . 1804 NC Board of Pharmacy: This rule was sent to Office of State Budget and Management for economic impact determination.

21 NCAC 48A. 0103 NC Board of Physical Therapy Examiners: The Commission objected to this rule due to lack of statutory authority. There is no authority for paragraph (a) of this rule. G.S. 90-270.25 gives authority for soliciting nominations and compiling a list of nominees for the Governor to the North Carolina Physical Therapy Association, Inc., and not to the North Carolina Board of Physical Therapy Examiners. This objection applies to existing language in the rule.

21 NCAC 48A. 0105 - NC Board of Physical Therapy Examiners: The Commission objected to this rule due to ambiguity. In (2), it is not clear what testing agencies are approved by the Board or what the standards for approval are. In (8) and (10), it is not clear what exams have been approved or what the standards for approval are. This objection applies to existing language in the rule.

21 NCAC 48C.0401 - NC Board of Physical Therapy Examiners: The Commission objected to this rule due to lack of statutory authority. Physical therapy aide is defined in G.S. $90-270.24(5)$ and there is therefore no authority for the Board to define the term.

21 NCAC 48D . 0102 - NC Board of Physical Therapy Examiners: The Commission objected to this rule due to ambiguity. It is not clear what testing agency is recognized by the Board.

21 NCAC 48D.0105 - NC Board of Physical Therapy Examiners: The Commission objected to this rule due to ambiguity. In (a), it is not clear what is meant by "a nationally recognized testing service." In (b)(2), it is not clear how much "the fee" is. This objection applies to existing language in the rule.

21 NCAC 48D.0112-NC Board of Physical Therapy Examiners: The Commission objected to this rule due to ambiguity. It is not clear what National Testing Service has been recognized by the Board.

21 NCAC 48F.0102-NC Board of Physical Therapy Examiners: The Commission objected to this rule due to lack of statutory authority. The fees set out in $(a)(1)(C)$ and $(D)$ and $(a)(2)(C)$ and (D) seem to be beyond the agency's statutory authority. While the agency has the authority to establish the manner in which lapsed licenses may be reviewed, they may only charge a
maximum of $\$ 25$ in addition to the renewal fee to do so. This objection applies to existing language in the rule.
21 NCAC 48G . 0203 - NC Board of Physical Therapy Examiners: The Commission objected to this rule due to lack of statutory authority and ambiguity. $\ln (2)$, there is no authority to charge a lapsed license revival application fee greater than the statutory revival fee. In (2)(b), it is not clear what the standards are for approval of course work. It is also not clear what standards it will use in determining whether to authorize training. This objection applies to existing language in the rule.

21 NCAC 48G . 0404 - NC Board of Physical Therapy Examiners: The Commission objected to this rule due to ambiguity. In (b), it is not clear what is meant by "private" reprimand. Any action taken by the Board is a public record.

21 NCAC 48G . 0601 - NC Board of Physical Therapy Examiners: The Commission voted to extend the period of review on this rule in order to allow the agency to review the behavior and activities listed in paragraph (a) to determine if they could be written any more clearly so that a licensed individual can be more certain what behavior and activities could result in disciplinary action. Specific concerns were expressed about items (6), (8), (10), and (18).

21 NCAC 58A, B, and E NC Real Estate Commission: Commissioner Robinson voted not to approve these rules.

## DIRECTOR'S REPORT

There was no Director's Report this month due to the length of the Commission meeting.

## COMMISSION PROCEDURES AND OTHER MATTERS

The next meeting of the Rules Review Commission is to be held on April 15, 1998.
The meeting adjourned at $3: 20 \mathrm{p} . \mathrm{m}$.
Respectfully submitted,
Sandy Webster

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 inder 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 <br> Senior Administrative Law Judge <br> FRED G. MORRISON JR. 

ADMINISTRATIVE LAW JUDGES

Brenda B. Becton<br>Sammie Chess Jr.<br>Beecher R. Gray

Meg Scott Phipps<br>Robert Roosevelt Reilly Jr.<br>Dolores O. Smith

| AGENCI | $\begin{gathered} \text { CASE } \\ \text { MUMBER } \end{gathered}$ | ALJ | $\begin{aligned} & \text { DATE OF } \\ & \text { DECISION } \end{aligned}$ | PUBLISHED DECISION REGISTER CITATION |
| :---: | :---: | :---: | :---: | :---: |
| ADMINISTRATION |  |  |  |  |
| E. Edward Gambill v Deparment of Administraton | 97 DOA 0364 | Reilly | 09/10/97 |  |
| Triangle CAD Solutions, Inc. v. Div Purchase and Contract, EHNR | 97 DOA 0670 | Reilly | 12/19/97 |  |
| Henry Bryon Brewer v NC Commission of Indıan Affairs | 97 DOA 0959 | Gray | 12/17/97 |  |
| OFFICE OF ADMINISTRATIVE HEARINGS |  |  |  |  |
| Sir Gregory Leo Kelly, Ruby Louise Kelly v. Sheila Director Ocean House and Mental Health Southeastern Regional Wilmington, NC | 97 OAH 0714 | Chess | 03/24/98 |  |
| Sir Gregory Leo Kelly, Ruby Louse Kelly v. Client Complaint Secretary (Art Constantini) Mental Health Director | 97 OAH 0715 | Chess | 03/2 4 /98 |  |
| ALCOHOLIC BEVERAGE CONTROL COMAIISSION |  |  |  |  |
| Michael's Mini Mart v. Alcoholic Beverage Control Commission | 92 ABC 1601 | Gray | 08/18/97 |  |
| Everette Cratg Hornbuckle v Alcoholic Beverage Control Commission | 93 ABC 0987 | Gray | 08/18/97 |  |
| Saleh Ahmed Ali Futhah v. Alcoholic Beverage Control Commission | 94 ABC 0264 | Gray | 08/18/97 |  |
| Carolyn T Ray v. Alcoholic Beverage Control Commission | 95 ABC 0429 | Gray | 09/23/97 |  |
| Alcoholic Beverage Control Commission v Fast Fare. Inc. | 96 ABC 0483 | Morrison | 06/18/97 |  |
| Alcoholic Beverage Control Commission v. Mendoza Enterprises, Inc. | 96 ABC 1196 | Gray | 08/26/97 |  |
| Paul Tyler IV Enterprises, Inc, Alpha Vinson T/A Mırrors (Sid's | 96 ABC 1804 | Morrison | 09/29/97 |  |
| Showgirls) v. Alcoholic Beverage Control Commission and |  |  |  |  |
| City of Goldsboro and |  |  |  |  |
| Gurnan Khera |  |  |  |  |
| George Robert Scott v Alcoholic Beverage Control Commission | 96 ABC 1995 | Reilly | 12/05/97 |  |
| Nasar Sader v. Alcoholic Beverage Control Commission | 97 ABC 0030 | Phipps | 10/08/97 |  |
| Alcoholic Beverage Control Commission v. Paradise Landing, Inc. | 97 ABC 0031 | Gray | 06/13/97 |  |
| OFFISS, lnc. v. Alcoholic Beverage Control Cormission | 97 ABC 0118 | Gray | 09/17/97 |  |
| Alcoholic Beverage Control Commissionv. Fast Fare, Inc. No. 576 | 97 ABC 0197 | Morrison | 01/15/98 |  |
| Alcoholic Beverage Control Commission v. Altaf Hussain | 97 ABC 0312 | Mann | 07/29/97 |  |
| Alcoholic Beverage Control Commission v. Robert Johnson | 97 ABC 0321 | Gray | 08/25/97 |  |
| Alcoholic Beverage Control Commission v Masonboro County Store, Inc. | 97 ABC 0432 | Reilly | 09/09/97 |  |
| Damel Gary Ledbetter v Alcoholic Beverage Control Commission | 97 ABC 0443 | Gray | 07/08/97 |  |
| Alcoholic Beverage Control Comm, v. Raymond Lee | 97 ABC 0488 | Smith | 10/30/97 |  |
| Alcoholic Beverage Control Comm. v. Percy Damel Bowen | 97 ABC 0495 | Morrison | 09/24/97 |  |
| Alcoholic Beverage Control Commission v. Bridgette Dee Williams | 97 ABC 0576 | Phipps | 09.04/97 |  |
| Alcoholic Beverage Control Commission v. Westside Tavern, Inc. | 97 ABC 0586 | Phupps | 09/17/97 |  |
| Alcoholic Beverage Control Commission * Grove Park Inn Resort, Inc. | 97 ABC 0706 | Morrison | 09/15/97 | 12:07 NCR 609 |
| Bradford Allan Capps \& Garland Lewis W'illiams v. Alc. Bev Cil. Comm. | 97 ABC 0820 | Reilly | 02/05/98 |  |
| Alcoholic Beverage Control Commissionv Soo Jung Pak | 97 ABC 0834 | Reilly | 03:04/98 |  |
| Sunset Enterprises. Inc.v Atcoholic Beverage Control Commission | 97 ABC 0846 | Gray | 12/10/97 |  |


| AGENCY | $\begin{gathered} \text { CASE } \\ \text { NUMBER } \end{gathered}$ | ALJ | $\begin{aligned} & \text { DATE OF } \\ & \text { DECISION } \end{aligned}$ | PUBLISHED DECISION <br> REGISTER CITATION |
| :---: | :---: | :---: | :---: | :---: |
| Alcoholic Beverage Control Commission v. 6 Twelve Corporation | 97 ABC 0895 | Reilly | 12/16/97 |  |
| Alcoholic Beverage Control Commussion v. Kimberly Loette Hankins | 97 ABC 0897 | Gray | 10/06/97 |  |
| Alcoholic Bev. Cal Comm. v. Nonterrey Mex. Rest of Greensboro, Inc. | 97 ABC 0965 | Morrison | 01/15/98 |  |
| Alcoholic Beverage Control Comm. v. Fiesta Mexicana, Inc | 97 ABC 0983 | Mann | 02/17/98 |  |
| Alcoholic Beverage Control Commission v. James Martini | 97 ABC 1036 | Gray | 12/31/97 |  |
| Alcoholic Beverage Control Comm. v. Cynthia Lea Wagner | 97 ABC 1115 | Morrison | 02/19/98 |  |
| Alcoholic Beverage Control Comm. v. B B. \& S., Inc. | 97 ABC 1250 | Gray | 02/24/98 |  |
| Alcoholic Beverage Control Comm. v. Ali Mohmood Ahmed | 97 ABC 1289 | Morrison | 02/26/98 |  |
| Momhammed H. Darwish \& Hazeem M Eldara v. Alcoholic Bev Ctl Comm | 97 ABC 1429 | Smith | 12/31/97 |  |
| Alcoholic Beverage Control Comm. v. Circle K. Stores, Inc. | 97 ABC 1538 | Smith | 03/13/98 |  |
| COMMUNITY COLLEGES |  |  |  |  |
| James Elliot Price v. Dept. of Community Colleges, St. Bd. of Comm. Col | 98 DCC 0136 | Gray | 03/11/98 |  |
| CORRECTION |  |  |  |  |
| David M. Boone v. Correction, Div. of Prison Admin. Remedy Procedure | 97 DOC 0534 | Morrison | 06/16/97 |  |
| CRIME CONTROL AND PUBLIC SAFETY |  |  |  |  |
| Della Sherrod v. Crime Victims Compensation Commission | 96 CPS 0300 | Chess | 07/18/97 |  |
| Stanley D. Carter, Sr. v. Victims Compensation Commission | 96 CPS 1887 | Chess | 01/26/98 |  |
| Mary A. Kearney v. CPS, Victims Compensation Commission | 96 CPS 2033 | Becton | 09/26/97 |  |
| Mae Allen Murray v. Crime Victims Compensation Commission | 96 CPS 2110 | Chess | 10/31/97 |  |
| Beverly McLaughlin v. Crime Victims Compensation Commission | 97 CPS 0170 | Phipps | 08/29/97 |  |
| Malcolm W. Fields v. Crime Victims Compensation Commission | 97 CPS 0360 | Chess | 09/12/97 |  |
| Rodney P. Hodge v. Crime Victims Compensation Commission | 97 CPS 0449 | Reilly | 07/01/97 |  |
| Billy Steen v. Crime Victims Compensation Commission | 97 CPS 0472 | Morrison | 07/23/97 |  |
| Clifford R. Pulley v. Crime Victims Compensation Commission | 97 CPS 0523 | Gray | 08/06/97 |  |
| Curtis Jermaine Newkirk v. Crime Victims Compensation Commission | 97 CPS 0645 | Morrison | 10/03/97 |  |
| Huston Christopher Mason v. Victims Compensation Commission | 97 CPS 0691 | Becton | 12/04/97 |  |
| Percival R. Johnson, AKA Reeves Johnson v. Crime Victims Comp. Comm. | 97 CPS 0779 | Gray | 02/06/98 |  |
| Gregory Bynum v. Crime Victims Compensation Commission | 97 CPS 0901 | Reilly | 10/16/97 |  |
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Hassell B Lawrence, Sr, Gordon Lawrence, Bobby G Gillikin, Norman W. Gillikin, Oliver C. Lawrence, Hiram Gillikin, Louis Gray Thomas, Je.. Faye Thomas, Mark Allen Gillıkin, Millie Lawrence, June Martin
Hassell B Lawrence, Sr., Gordon Laurence, Bobby G Gillikin, Norman W Gillikin, Oliver C. Lawrence, Hiram Gillikin, Lous Gray Thomas, Jr. Faye Thomas, Mark Allen Gillikin, Millie Lawrence, June Martin
Hassell B Lawrence, Sr., Gordon Lawrence, Bobby G Gillikin, Norman W. Gillikin, Oliver C. Lawrence, Hiram Gillikin, Louis Gray Thomas, Jr. Faye Thomas, Mark Allen Gillikin, Millie Lawrence, June Martin
Hassell B Lawrence, Sr., Gordon Lawrence, Bobby G Gillikin, Norman W. Gillikin. Oliver C. Lawrence. Hiram Gillikin, Louis Gray Thomas, Jr. , Faye Thomas, Mark Allen Gillikin, Millie Lawrence, June Martin
Hassell B Lawrence, Sr., Gordon Lawrence, Bobby G Gillikin, Norman W Gillikin, Oliver C. Lawrence, Hıram Glllikin, Louis Gray Thomas, Jr., Faye Thomas, Mark Allen Gillikin, Millie Lawrence, June Martin
Hassell B Lawrence, Sr., Gordon Lawrence, Bobby G Gillikin, Norman W. Gillikin, Oliver C. Lawrence, Hiram Gillikin, Louis Gray Thomas, Jr., Faye Thomas, Mark Allen Gillikin, Millie Lawrence, June Martin
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Smuth
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| RAYCO Utilities, lnc., Melbille Heights MHP | 97 EHR 0644** | Smith | 10/29/97 |  |

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## Morrison

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| 96 CRA 1482 | Reilly | 08/21/97 |
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| 96 CRA 1857 | Gray | 01/16/98 |
| 96 CRA 1859 | Reilly | 10/21/97 |
| 96 CRA 1863 | Becton | 12/16/97 |
| 96 CRA 1866*14 | Gray | 08/18/97 |
| 96 CRA 1892 | Reilly | 07/18/97 |
| 96 CRA 1898 | Becton | 07/11/97 |
| 96 CRA 1905 | Smith | 09/05/97 |
| 96 CRA 1915 | Gray | 09/24/97 |
| 96 CRA 1939*37 | Reilly | 02/20/98 |
| 96 CRA 1943 | Phipps | 08/13/97 |
| 96 CRA 1948 | Reilly | 12/08/97 |
| 96 CRA 1984 | Smith | 02/04/98 |
| 96 CRA 2027 | Phipps | 02/26/98 |
| 96 CRA 2069 | Mann | 03/24/98 |
| 96 CRA 2070 | Morrison | 02/04/98 |
| 96 CRA 2085*플 | Smith | 10/02/97 |
| 96 CRA 2088 | Phipps | 02/04/98 |
| 97 CRA 0036 | Chess | 02/06/98 |
| 97 CRA 0043 | Phipps | 06/19/97 |
| 97 CRA 0280 | Reilly | 06/16/97 |
| 97 CRA 0436*15 | Phipps | 08/11/97 |
| 97 CRA 0477 | Reilly | 07/18/97 |
| 97 CRA 0620 | Becton | 08/12/97 |
| 97 CRA 0720 | Reilly | 07/30/97 |
| 97 CRA 0788 | Gray | 09/10/97 |
| 97 CRA 0974 | Mann | 11/19/97 |
| 97 CRA 1020 | Becton | 10/23/97 |
| 97 CRA 1160 | Reilly | 12.08/97 |
| 97 CRA 1363 | Gray | 01/13/98 |
| 97 CRA 1418 | Mann | 02/23/98 |
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Harriet Tolson v. Department of Human Resources
John W. Scolt v Department of Human Resources
Edgar C. Lewis, Jr. v Department of Human Resources
Willie L Berry v Deparment of Human Resources
Tony Orlando Sieele v Department of Human Resources
Carl Locklear v Department of Human Resources
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| 96 CSE 0484 | Chess | 09/23/97 |
| 96 CSE 1220 | Reilly | 08/21/97 |
| 96 CSE 1235* ${ }^{10}$ | Becton | 08/12/97 |
| 96 CSE 1249** | Becton | 07/11/97 |
| 96 CSE 1277 | Mann | 07/01/97 |
| 96 CSE 1278*16 | Becton | 08/12/97 |
| 96 CSE 1280 | Reilly | 08/21/97 |
| 96 CSE 1286 | Becton | 10/09/97 |
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| $96 \operatorname{CSE~} 1340{ }^{* *}$ | Morrison | 08/04/97 |
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| 96 CSE 1382 | Becton | 07/11/97 |
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| 96 CSE 1446 | Mann | 10/22/97 |
| 96 CSE 1449** | Reilly | 08/21/97 |
| 96 CSE 1453** | Chess | 07/22/97 |
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| 96 CSE 1508*13 | Mann | 08/13/97 |
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Karen L. Holgersen v. Department of Public Instruction
Meridith Kirkpatrick, by her parent, Susan Kirkpatrick and Meridith
Kirkpatrick, Individually v. Lenoir County Board of Education
Brian Allen Hoffman v. Department of Public Instruction
Alexander \& Linda Brody \& their son, James Brody v. Dare County Public Schools
Jay and Elisabeth Miller v. Henderson County Public Schools
Brenda Joyce Brooks Lovely v. State Board of Education
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Norman D. Crotts v. State Board of Education
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Carl Smith Herman v. State Board of Education
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96 EDC 0808
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96 EDC 1095
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97 EDC 0736
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97 EDC 1167
97 EDC 1550

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| Morrison | $06 / 20 / 97$ |
| Gray | $10 / 06 / 97$ |
| Phipps | $09 / 11 / 97$ |
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| 97 OSP 1404 | Phipps | $01 / 09 / 98$ |
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| 97 OSP 0310 | Phipps | $06 / 12 / 97$ |
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| 87 OSP 1250 | Morrison | $01 / 28 / 98$ |
| 93 OSP 0687*33 | Gray | $01 / 28 / 98$ |
| 93 OSP 1379*33 | Gray | $12 / 18 / 97$ |
| 96 OSP 0254 | Reilly | $12 / 08 / 97$ |
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| 96 OSP 0654*32 | West | $03 / 10 / 98$ |

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## Enployment Security Commission

B ixie J. Nelson צ. Employment Securuty Commission
Sirdra T Shearin v Employment Security Commission
May H Ransonv Employment Security Commission
Cirtie F Luther v Employment Security Commission
Frasces P Gray v. Employment Securny Commission

## Ei ironment, Health, and Vatural Resources

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Betty J Souther r. New River Area MH DD SA Program Kenneth B Cooper v Piedmont Area Mental Health Willie D Parks : Cherry Hospital. Deparment of Hurnan Resources Robert Tilson Moriey : Department of Human Resources Glen Sutton w. Cumberland County Department of Social Services Brenda C. Burgess : Dept of Human Resources (Broughton Hospital) Felicia Ann Baker, Lenoir County DSS. Jack B. Jones Sharron S Bloten: Lenorr County DSS, Jack B Jones Pamela Massey \& Department of Human Resources
Clitton Dean Hill v Department of Human Resources

## CASE \TYIBER

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| AGENCY | $\begin{gathered} \text { CASE } \\ \text { NUMIBER } \end{gathered}$ | ALJ | DATE OF DECISION | PUBLISHED DECISION REGISTER CITATION |
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| Bennie Allen Sutte 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 |  |
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| 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*26 | Phipps | 11/13/97 | 12:11 NCR 979 |
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Darrell J. Hampton v NC Central University
Clinton A Browne v. NC A\&T State University
Kenneth L. Jarman v. East Carolina University
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STATE OF NORTH CAROLINA

IN THE OFFICE OF ADMINISTRATIVE HEARINGS<br>97 DST 1373

COUNTY OF RANDOLPH

|  | RECOMMENDED DECISION |
| :---: | :---: |
| LINDA GAIL SWAIM |  |
| Petitioner, |  |
|  |  |
| v. |  |
|  |  |
| STATE OF N.C. DEPARTMENT OF STATE TREASURER, |  |
| RETIREMENT SYSTEM DIVISION |  |
| Respondent. |  |
|  |  |
| and |  |
|  |  |
| LISA JENKINS, |  |
| Party-Respondent. |  |
|  |  |

This matter came on for hearing on February 27, 1998 before Administrative Law Judge Dolores O. Smith in High Point, North Carolina.

|  | APPEARANCES |
| :--- | :--- |
| Petitioner: | E. Edward Vogler, Jr. |
|  | Hall \& Vogler, L.L.P. |
|  | 181 South Main Street |
|  | Mocksville, North Carolina 27028 |
| Respondent: | Attorney for Petitioner |
|  | Robert M. Curran |
|  | Assistant Attorney General |
|  | N.C. Department of Justice |
|  | P.O. Box 629 |
|  | Raleigh, North Carolina 27602-0629 |
|  | Attorney for Respondent |

## STATUTE AND RULES IN ISSUE

N.C. Gen. Stat. 128-27(f)

## ISSUE

Is the Petitioner entitled to the return of accumulated contributions of the retirement fund of decedent Timothy Jenkins?

Based upon careful consideration of the testimony and evidence presented at the hearing, the documents and exhibits received into evidence and the entire record in the proceeding, the undersigned makes the following:

## FINDINGS OF FACT

1. On August 9, 1993, Timothy Jenkins filed with the retirement system a Notice of Enrollment Form designating Lisa Jenkins, his wife, as his beneficiary for the return of accumulated contributions.
2. The designation was acknowledged by the Retirement System and returned to Mr. Jenkins.
3. On January 26, 1995, Mr. Jenkins and Lisa Jenkins were divorced.
4. On July 31, 1996, Timothy Jenkins completed the Form 2C, Change of Beneficiary, changing his beneficiary to Linda Swaim (his mother). The document was certified by a notary public on July 31, 1996 and was submitted to his employer, the City of Winston-Salem's Personnel Department.
5. Joseph R. Tschamler, City of Winston-Salem Personnel Supervisor testified that on August 2, 1996, Mr. Jenkins' Change of Beneficiary Form 2C was sent from Winston Salem to the State Retirement System in Raleigh. Mr. Tschamler testified that he has no personal knowledge of the document being placed in the mail but that it is a routine mail-out and his office is very careful about Change of Beneficiary Forms. He testified that he does not routinely receive an acknowledgment of such forms from the Office of State Retirement.
6. Mr. Tschamler further testified that the routine sending of Change of Beneficiary Forms by the Winston-Salem Personnel Department is carefully controlled and a log is kept of the mail-outs to be certain there are no errors.
7. On May 25, 1997 while still in the employ of the City of Winston-Salem, Timothy R. Jenkins died.
8. On June 24, 1997, a month after Mr. Jenkins' death, Mr. Tschamler wrote to the Retirement System in reference to Timothy Jenkins. He stated in that letter:

This letter is to inform you of the passing of Mr. Jenkins. He was killed in an automobile accident on May 25, 1997. Mr. Jenkins was an active employee with the City of WinstonSalem. I have enclosed copies of a certified copy of the Death Certificate. In addition, I have enclosed a Change of Beneficiary Form Mr. Jenkins submitted last July. For some reason it was not processed by the Retirement System. Your organization still has his former wife listed as his beneficiary. His correct beneficiary is his mother, Ms. Linda Swaim of 4748 Fairview Drive, Trinity, North Carolina 27370. (Emphasis added)
9. On August 11, 1997, an employee of the Retirement System wrote to Linda Swaim expressing sympathy on the death of Mr. Jenkins and stating:

The member designated you as beneficiary of the retum of contributions. The enclosed form DB228, Tax Selection-Direct Transfer Certificate, should be completed by you and retumed to us promptly...
10. Marshall Barnes, the Deputy Director of the Retirement System testified that the letter from the Retirement System of August $11^{\text {th }}$ to Ms. Swaim was an error and does not reflect the position of the Retirement System. He speculated that the benefit section employee who wrote the letter probably got Ms. Swaim's name from one of the letters from Winston-Salem personnel.
11. On August 27, 1997, Mr. Tschamler again wrote to the Retirement System in reference to Mr. Jenkins. That letter stated, and it is found as fact, that:

> Per our discussion of last week concerning the beneficiary designation of Mr. Jenkins, the following information is submitted. On July 31,1996 , Mr. Jenkins filed with the City of Winston-Salem a properly notarized $2 C$, changing the beneficiary from his former wife to his mother. This form was received in our finance department and a copy was retained in the employee's retirement file. Darcell Hargrave of our finance department has affirmed that the original was mailed to the retirement system on August 2 , 1996 . However, the retirement system has not acknowledged receiving the form. Mr. Jenkins died in a iragic automobile accident on May 25 . 1997 . The City of Winston-Salem requests that the retirement system honors the beneficiary change and pay the refund of contributions to Mr. Jenkins" mother.
12. On September 9, 1997, the Retirement System wrote to Mr. Tschamler. That letter stated that after researching the records the system had determined that it had never received Mr. Jenkins' Change of Beneficiary in August of 1996. The letter further stated that the statutes governing the payment provide that payment must be made to the designated beneficiary on file at the time of the member's death. Since Lisa Jenkins was still on file as the beneficiary, the letter stated there was no statutory basis in which to issue payment to Ms. Linda Swaim.
13. Michelle Conley was the fiancee of Timothy Jenkins. She stated that she was engaged to Mr. Jenkins at the time he changed his beneficiary to his mother. They discussed the matter and Mr. Jenkins stated that he took his wife off as beneficiary and replaced her with his mother. He said that he had signed the forms.
14. Mr Barnes testified that a member may change the beneficiary at any time but that change is not effected until the form is received at the Office of the State Retirement System and acknowledged.
15. Mr. Barnes further testified that Form 2C clearly states on the back The Form must be filed with the Retirement System before a change in beneficiary becomes effective.
16. Mr. Barnes testified that he searched the record and there was no Change of Beneficiary Form from Mr. Jenkins. He testified that the Change Form 2C was first received in June of 1997 after Mr. Jenkins' death.
17. N.C. 128-27(f) provides, in pertinent part:

Upon receipt of proof satisfactory to the Board of Trustees of the death, prior to retirement, of a member or former member there shall be paid to such person or persons as he shall have nominated by written designation duly acknowledged and filed with the Board of Trustees, if such person or persons are living at the time of the member's death... (Emphasis added)
18. Mr. Barnes further testified that in 1996 the Retirement System was converting to a data imaging system but he testified if it came in the door, it got scanned.
19. Mr. Barnes testified that it is the Retirement System's interpretation of the statute that the 2 C Change of Beneficiary Form must be received by the Retirement System before the member's death.

Based upon the above Findings of Fact, the undersigned makes the following:

## CONCLUSIONS OF LAW

1. The evidence in this mater clearly shows that Timothy Jenkins completed a Change of Beneficiary Form 2C in July of 1996. It was signed, notarized and otherwise properly correctly executed.

The evidence also shows that Mr. Jenkins gave this form to his employer, the City of Winston-Salem.
Additionally, the evidence indicates that the City of Winston-Salem Personnel Department kept a copy on file and forwarded a copy to the State Retirement Office.

The evidence tends to indicate that the copy of the Form 2C sent to the Retirement System was lost either in the mail or at the Office of State Retirement, which Office at that time was going through a change in their data imaging system.
2. The Respondent asserts that whether or not they lost Mr. Jenkins' Form 2C, the onus is upon Mr. Jenkins since the statute (G.S. 128-27(f)) provides that the form must be filed with the Board and duly acknowledged.

We do not know whether or not Mr. Jenkins received an acknowledgment of the 1996 Form 2C.
However, the Respondent argues that if Mr. Jenkins did not receive back a copy of that form from the State Retirement Office which copy would be stamped as received then Mr. Jenkins should have pursued the matter to be certain that his Form 2 C was in fact filed. The Respondent asserts that members are informed of this responsibility by (a) the language of the statute and (b) the instructions on the back of the Form 2C.

The instructions on the back of Form 2C indicate that the form must be filed with the Department of State Treasurer and that one copy will be dated as received by the Retirement System's Division and returned to the member for his or her records.

Additionally, the back of the Form 2C states The form must be filed with the Retirement System before a change in beneficiary becomes effective.

Although the words duly acknowledged are not defined, the Respondent asserts that duly acknowledged means that the State employee must receive back a copy of their form which has been stamped by the Retirement System and if the State employee has not received that form they should know that that means their form has not been filed.

Other than the language in the instructions on the back of the form, there is no regulation explaining the serious nature of a form being duly acknowledged.

It is not a particularly common business practice to expect an acknowledgment when a document is submitted to the proper authorities. While there are instances where a business entity may indeed acknowledge receipt of a certain document, there are also many instances where they do not. For example, submission of one's annual tax return is not acknowledged by the IRS.
3. More importantly, and dispositive of the matter at hand, the Respondent Retirement System takes the position that a duly executed Form 2C which arrives at their office for filing after the member's death will not be honored. For this position, the Respondent has no authority in law or regulation.
G.S. 128-27(f) provides that the beneficiary shall receive the contributions if that beneficiary is living at the time of member's death. There is no additional explanation which states that a duly executed Form 2C which arrives at the Retirement Office after the member's death should not be honored.

While there may be a concern with fraudulent activity (which could occur at any time), a form which has been notarized, signed and filed with the member's employer, is above reproach.
4. The receipt of the Form 2C in June of 1997 occurred approximately one month after Mr. Jenkins' death. The form had in fact been completed the year before and was on file with the Winston-Salem Personnel Department. When the State Retirement System received the form in June of 1997, even though Mr. Jenkins had died, the form was properly executed, properly filed, above suspicion as to fraud, and the Retirement System acknowledged receipt of that copy of the form.

## RECOMMENDED DECISION

Based on the above, it is recommended that the Retirement System honor the Change of Beneficiary Form 2C and pay the retum of contributions to the new beneficiary, the decedent's mother, Linda Swaim.

## ORDER

It is hereby ordered that the agency serve a copy of the final decision on the Office of Administrative Hearing, P.O. Drawer 27447, Raleigh, NC 27611-7447, in accordance with North Carolina General Statute 150B-36(b).

## NOTICE

The agency making the final decision in this contested case is required to give each party an opportunity to file exceptions to this recommended decision and to present written arguments to those in the agency who will make the final decision. G.S. 150B-36(a).

The agency is required by G.S. $150 \mathrm{~B}-36 \mathrm{~b}$ to serve a copy of the final agency decision on all parties and to furnish a copy to the parties' attomey on record and to the Office of Administrative Hearings.

The agency that will make the final decision in this contested case is the Board of Trustees of the Local Governmental Retirement System.

This the 20th day of March, 1998.

Dolores O. Smith<br>Administrative Law Judge

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
TITLE DEPARTMENT
LICENSING BOARDS
CHAPTER

| 1 | Administration | Acupuncture | 1 |
| :---: | :---: | :---: | :---: |
| 2 | Agriculture | Architecture | 2 |
| 3 | Auditor | Athletic Trainer Examiners | 3 |
| 4 | Commerce | Auctioneers | 4 |
| 5 | Correction | Barber Examiners | 6 |
| 6 | Council of State | Certified Public Accountant Examiners | 8 |
| 7 | Cultural Resources | Chiropractic Examiners | 10 |
| 8 | Elections | Employee Assistance Professionals | 11 |
| 9 | Governor | General Contractors | 12 |
| 10 | Health and Human Services | Cosmetic Art Examiners | 14 |
| 11 | Insurance | Dental Examiners | 16 |
| 12 | Justice | Dietetics/Nutrition | 17 |
| 13 | Labor | Electrical Contractors | 18 |
| 14A | Crime Control \& Public Safety | Electrolysis | 19 |
| 15A | Environment and Natural | Foresters | 20 |
|  | Resources | Geologists | 21 |
| 16 | Public Education | Hearing Aid Dealers and Fitters | 22 |
| 17 | Revenue | Landscape Architects | 26 |
| 18 | Secretary of State | Landscape Contractors | 28 |
| 19A | Transportation | Marital and Family Therapy | 31 |
| 20 | Treasurer | Medical Examiners | 32 |
| *21 | Occupational Licensing Boards | Midwifery Joint Committee | 33 |
| 22 | Administrative Procedures | Mortuary Science | 34 |
| 23 | Community Colleges | Nursing | 36 |
| 24 | Independent Agencies | Nursing Home Administrators | 37 |
| 25 | State Personnel | Occupational Therapists | 38 |
| 26 | Administrative Hearings | Opticians | 40 |
| 27 | NC State Bar | Optometry | 42 |
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|  |  | Pastoral Counselors, Fee-Based Practicing | 45 |
|  |  | Pharmacy | 46 |
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|  |  | Therapeutic Recreation Certification | 65 |
|  |  | Veterinary Medical Board | 66 |

Note: Title 21 contains the chapters of the various occupational licensing boards.

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|  |  |  |  |  | Actlon | 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: $\mathbf{S}=$ Rule affects the expenditure or distribution of state funds. $\mathrm{L}=$ Rule affects the expenditure or distribution of local government funds. $\mathrm{SE}=\mathrm{Rule}$ 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. I50B-2 1.4 .
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| 2 NCAC 43L. 0403 | 11:14 NCR 1107 |  | 11:22 NCR 1706 | * | Approve | 05/15/97 |  |  | 11:30 NCR 2314 |  |  |
| 2 NCAC 43L. 0405 | 11:14 NCR 1107 |  | 11:22 NCR 1706 | * | Approve | 05/15/97 | * |  | 11:30 NCR 2314 |  |  |
| Plant Conservation Board |  |  |  |  |  |  |  |  |  |  |  |
| 2 NCAC 48F. 0301 | 11:07 NCR 407 |  | 11:11 NCR 883 | * | Approve | 03/20/97 |  |  | 11:26 NCR 2004 |  |  |
| 2 NCAC 48F. 0302 | 11:07 NCR 407 |  | 11:11 NCR 883 | * | Approve | 03/20/97 |  |  | 11:26 NCR 2004 |  |  |
| 2 NCAC 48F.0304 | 11:07 NCR 407 |  | 11:11 NCR 883 | * | Approve | 03/20/97 | * |  | 11:26 NCR 2004 |  |  |
| 2 NCAC 48F. 0305 | 11:07 NCR 407 |  | 11:11 NCR 883 | * | Approve | 03/20/97 | * |  | 11:26 NCR 2004 |  |  |
| 2 NCAC 48F. 0306 | 11:07 NCR 407 |  | 11:11 NCR 883 | * | Approve | 03/20/97 | * |  | 11:26 NCR 2004 |  |  |
| Structural Pest Control |  |  |  |  |  |  |  |  |  |  |  |
| 2 NCAC 34.0102 | 12:09 NCR 743 |  | 12:14 NCR 1234 | * |  |  |  |  |  |  |  |
| 2 NCAC 34.0302 | 12:09 NCR 743 |  | 12:14 NCR 1234 | * |  |  |  |  |  |  |  |
| 2 NCAC 34.0303 | 12:09 NCR 743 |  | 12:14 NCR 1234 | * |  |  |  |  |  |  |  |
| 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 <br> NCR 1419 | 12:15 |
| 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 |  |  |  |  |  | Addendum NCR 1419 | 12:15 |
| 2 NCAC 34.0323 | 12:09 NCR 743 |  | 12:14 NCR 1234 | * |  |  |  |  |  |  |  |
| 2 NCAC 34.0325 | 12:09 NCR 743 |  | 12:14 NCR 1234 | * |  |  |  |  |  |  |  |
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| 2 NCAC 34.0403 | 12:09 NCR 743 |  | 12:14 NCR 1234 | * |  |  |  |  |  |  |  |
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| 2 NCAC 34.0503 |  | 11:21 NCR 1651 | 12:06 NCR 455 | * |  |  |  |  |  |  |  |
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| 2 NCAC 34.0605 | 12.09 NCR 743 |  | 12:14 NCR 1234 | * |  |  |  |  |  |  |
| 2 NCAC 34.0701 | 12.09 NCR 743 |  | 12:14 NCR 1234 | * |  |  |  |  |  |  |
| 2 NCAC 34.0702 | 12:09 NCR 743 |  |  |  |  |  |  |  |  |  |
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| 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/L/SE |  |  |  |  |  |  |
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| 21 NCAC 02.0903 | 12:04 NCR 244 |  | 12:09 NCR 795 | S/L/SE |  |  |  |  |  |  |
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| 21 NCAC 02.0905 | 12:04 NCR 244 |  | 12:09 NCR 795 | S/L/SE |  |  |  |  |  |  |
| 21 NCAC 02.0906 | 12:04 NCR 244 |  | 12:09 NCR 795 | S/L/SE | Object | 03/19/98 |  |  |  |  |
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| 21 NCAC 081.0004 | 12:08 NCR 619 |  | 12:13 NCR 1138 | * |  |  |  |  |  |  |
| 21 NCAC 081.0005 | 12:08 NCR 619 |  | 12:13 NCR 1138 | * |  |  |  |  |  |  |
| 21 NCAC 085.0001 | 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 085.0008 | 12:08 NCR 619 |  | 12:13 NCR 1138 | * |  |  |  |  |  |  |
| 21 NCAC 085.0010 | 12:08 NCR 619 |  | 12:13 NCR 1138 | * |  |  |  |  |  |  |
| 21 NCAC 08 K .0301 | 12:08 NCR 619 |  | 12:13 NCR 1138 | * |  |  |  |  |  |  |
| 21 NCAC 08 M .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 | * |  |  |  |  |  |  |
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| 4 NCAC 01 K .0501 | 11:09 NCR 569 |  |  |  |  |  |  |  |  |  |
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| 4 NCAC 01 K .0506 | 11:09 NCR 569 |  |  |  |  |  |  |  |  |  |
| 4 NCAC 19L. 0401 | 11:09 NCR 569 |  | 11:14 NCR 1113 | * | Object Approve | $\begin{aligned} & 11 / 20 / 97 \\ & 12 / 18 / 97 \end{aligned}$ | * |  | 12:17 NCR 1620 |  |
| 4 NCAC 19L. 0403 | 11:09 NCR 569 |  | 11:14 NCR 1113 | * | Approve | 11/20/97 | * |  | 12:16 NCR 1521 |  |
| 4 NCAC 19L. 0404 | 11:09 NCR 569 |  | 11:14 NCR 1113 | * | Object | 11/20/97 |  |  |  |  |

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| 4 NCAC 19L. 1805 | 11:09 NCR 569 |  | 11:14 NCR 1113 | * | Object | 11/20/97 |  |  |  |  |
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| 4 NCAC 191. 1900 | 11:09 NCR 569 |  |  |  |  |  |  |  |  |  |
| Credit Union Division |  |  |  |  |  |  |  |  |  |  |
| 4 NCAC 06 C .0205 | 10:18 NCR 2398 |  | 11:29 NCR 2182 | * | Approve | 08/21/97 |  |  | 12:07 NCR 561 |  |
| 4 NCAC 06 C 0407 | 10:18 NCR 2398 |  | 11:29 NCR 2182 | * | Object | 08/21/97 |  |  |  |  |
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| 4 NCAC 06 C .0409 | 10•18 NCR 2398 |  | 11:29 NCR 2182 | * | Approve | 08/21/97 |  |  | 12:07 NCR 561 |  |
| State Ports Authority |  |  |  |  |  |  |  |  |  |  |
| 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 13 A .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 13 A .0204 | 10:24 NCR 3056 |  | 11:13 NCR 1040 | * | Approve | 06/19/97 |  |  | 12:03 NCR 213 |  |
| $4 \mathrm{NCAC} \mathrm{13B.0001}$ | 10:24 NCR 3056 |  | 11:13 NCR 1040 | * | Approve | 06/19/97 |  |  | 12:03 NCR 213 |  |
| 4 NCAC 1313.0002 | 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 |  |  | 1203 NCR 213 |  |
| 4 NCAC 1313.0004 | 10:24 NCR 3056 |  | 11:13 NCR 1040 | * | Approve | 06/19/97 |  |  | 12:03 NCR 213 |  |
| 4 NCAC 131 B .0005 | 10:24 NCR 3056 |  | 11:13 NCR 1040 | * | Approve | 06/19/97 |  |  | 12:03 NCR 213 |  |
| $4 \mathrm{NCAC} \mathrm{13C}$. | 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 |  |
| $4 \mathrm{NCAC} \mathrm{13E.0102}$ | 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 |  |
| 4 NCAC 13 E .0201 | 10:24 NCR 3056 |  | 11:13 NCR 1040 | * | Approve | 06/19/97 |  |  | 12:03 NCR 213 |  |
| 4 NCAC 13E. 0202 | 10:24 NCR 3056 |  | 11:13 NCR 1040 | * | Approve | 06/19/97 |  |  | 12:03 NCR 213 |  |
| 4 NCAC 13E. 0301 | 10:24 NCR 3056 |  | 11:13 NCR 1040 | * | Approve | 06/19/97 |  |  | 12:03 NCR 213 |  |
| 4 NCAC 13E. 0302 | 10:24 NCR 3056 |  | 11:13 NCR 1040 | * | Approve | 06/19/97 |  |  | 12:03 NCR 213 |  |
| 4 NCAC 13E 0401 | 10:24 NCR 3056 |  | 11:13 NCR 1040 | * | Approve | 06/19/97 |  |  | 12:03 NCR 213 |  |


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| Approve | $01 / 15 / 98$ |
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| Object | $01 / 15 / 98$ |
| Approve | $02 / 1998$ |
| Approve | $01 / 15 / 98$ |
| Approve | $01 / 15 / 98$ |
| Object | $01 / 15 / 98$ |
| Approve | $02 / 19 / 98$ |
| Approve | $01 / 15 / 98$ |
| Approve | $01 / 15 / 98$ |
| Approve | $01 / 15 / 98$ |
| Object | $01 / 16 / 97$ |
| Approve | $02 / 20 / 97$ |
| Approve | $01 / 15 / 98$ |
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Governor's Crime Commission

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|  |  |  |  |  | Action | Date |  |  |  |  |
| 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 |
| EMPLOYEE ASSISTANCE PROFESSIONALS, BOARD OF |  |  |  |  |  |  |  |  |  |  |
| 21 NCAC 11.0101 | 12:19 NCR 1764 |  |  |  |  |  |  |  |  |  |
| 21 NCAC 11.0102 | 12:19 NCR 1764 |  |  |  |  |  |  |  |  |  |
| 21 NCAC 11.0103 | 12:19 NCR 1764 |  |  |  |  |  |  |  |  |  |
| 21 NCAC 11.0104 | 12:19 NCR 1764 |  |  |  |  |  |  |  |  |  |
| 21 NCAC 11.0105 | 12:19 NCR 1764 |  |  |  |  |  |  |  |  |  |
| 21 NCAC 11.0105 | 12:19 NCR 1764 |  |  |  |  |  |  |  |  |  |
| 21 NCAC 11.0107 | 12:19 NCR 1764 |  |  |  |  |  |  |  |  |  |
| 21 NCAC 11.0108 | 12:19 NCR 1764 |  |  |  |  |  |  |  |  |  |
| 21 NCAC 11.0109 | 12:19 NCR 1764 |  |  |  |  |  |  |  |  |  |
| 21 NCAC 11.0110 | 12:19 NCR 1764 |  |  |  |  |  |  |  |  |  |
| 21 NCAC 11.0111 | 12:19 NCR 1764 |  |  |  |  |  |  |  |  |  |
| 21 NCAC 11.0112 | 12:19 NCR 1764 |  |  |  |  |  |  |  |  |  |
| ENVIRONMENT AND NATURAL RESOURCES |  |  |  |  |  |  |  |  |  |  |
| Notice of Intent to Redevelop a Brownfields Property |  |  |  |  |  |  |  |  |  | 12:10 NCR 864 |
| 15A Public Notice - Division of Water Quality |  |  |  |  |  |  |  |  |  | 12:03 NCR 112 |
| 15A Administrative Order on Consent - Division of Waste Management |  |  |  |  |  |  |  |  |  | 12:03 NCR 158 |
| 15A NCAC 01J. 0401 | 12:08 NCR 614 | 12:09 NCR 833 | 12:14 NCR 1266 | * |  |  |  |  |  |  |
| 15A NCAC 01J. 0402 | 12:08 NCR 614 | 12:09 NCR 833 | 12:14 NCR 1266 | * |  |  |  |  |  |  |
| 15A NCAC 01 K | 10:19 NCR 2506 |  |  |  |  |  |  |  |  |  |
| 15A NCAC 01 M .0101 |  | 11:19 NCR 1439 | Temp Expired |  |  |  |  |  |  |  |
| 15A NCAC 01 M .0102 |  | 11:19 NCR 1439 | Temp Expired |  |  |  |  |  |  |  |
| 15A NCAC 01M . 0201 |  | 11:19 NCR 1439 | Temp Expired |  |  |  |  |  |  |  |
| 15A NCAC 01 M .0202 |  | 11:19 NCR 1439 | Temp Expired |  |  |  |  |  |  |  |
| 15A NCAC 0IM 0301 |  | 11:19 NCR 1439 | Temp Expired |  |  |  |  |  |  |  |
| 15A NCAC 01 M .0302 |  | 11:19 NCR 1439 | Temp Expired |  |  |  |  |  |  |  |

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|  |  |  |  |  | Action | Date |  |  |  |  |
| 15A NCAC 01 N .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 01 N .0901 | 12:08 NCR 614 | 12:16 NCR 1511 |  |  |  |  |  |  |  |  |
| 15A NCAC 0IN . 0902 | 12:08 NCR 614 | 12:16 NCR 1511 |  |  |  |  |  |  |  |  |
| 15A NCAC 010.0101 | 12:16 NCR 1482 | 12:17 NCR 1617 |  |  |  |  |  |  |  |  |
| 15A NCAC 010.0102 | 12:16 NCR 1482 | 12:17 NCR 1617 |  |  |  |  |  |  |  |  |
| 15A NCAC 010.0103 | 12:16 NCR 1482 | 12:17 NCR 1617 |  |  |  |  |  |  |  |  |
| 15A NCAC 010.0104 | 12:16 NCR 1482 | 12:17 NCR 1617 |  |  |  |  |  |  |  |  |
| 15A NCAC 010.0105 | 12:16 NCR 1482 | 12:17 NCR 1617 |  |  |  |  |  |  |  |  |
| 15A NCAC 010.0106 | 12:16 NCR 1482 | 12:17 NCR 1617 |  |  |  |  |  |  |  |  |
| 15A NCAC 010.0107 | 12:16 NCR 1482 | 12:17 NCR 1617 |  |  |  |  |  |  |  |  |
| 15A NCAC 010.0108 | 12:16 NCR 1482 | 12:17 NCR 1617 |  |  |  |  |  |  |  |  |
| 15A NCAC 010.0109 | 12:16 NCR 1482 | 12:17 NCR 1617 |  |  |  |  |  |  |  |  |
| 15A NCAC 12B. 0901 |  | 12:03 NCR 209 |  |  |  |  |  |  |  |  |
| 15A NCAC 19C. 0206 |  | 12:15 NCR 1451 |  |  |  |  |  |  |  |  |
| 15A NCAC 19G. 0102 | 12:02 NCR 52 | 12:03 NCR 209 | 12:14 NCR 1266 | S/L |  |  |  |  |  |  |
| Coastal Resources Commission |  |  |  |  |  |  |  |  |  |  |
| 15A NCAC 07 | 11:04 NCR 183 |  |  |  |  |  |  |  |  |  |
| 15A NCAC 07H . 0106 | 11:19 NCR 1408 |  | 11:27 NCR 2058 | * | State Budget Extend Review Approve | 12/18/97 <br> 01/15/98 <br> 02/19/98 | * |  |  |  |
| 15A NCAC 07H . 0201 | 11:22 NCR 1704 |  | 11:27 NCR 2058 | * | State Budget <br> Extend Review Approve | 12/18/97 01/15/98 02/19/98 |  |  |  |  |
| 15A NCAC 07H . 0202 | 11:22 NCR 1704 |  | 11:27 NCR 2058 | * | State Budget Extend Review Approve | 12/18/97 01/15/98 02/19/98 |  |  |  |  |
| 15A NCAC 07H . 0203 | 11:22 NCR 1704 |  | agency withdrew |  |  |  |  |  |  |  |
| 15A NCAC 07H . 0204 | 11:22 NCR 1704 |  | 11:27 NCR 2058 | * | State Budget Extend Budget Approve | 12/18/97 01/15/98 02/19/98 |  |  |  |  |
| 15A NCAC 07 H .0205 | 11:22 NCR 1704 |  | 11:27 NCR 2058 | * | State Budget <br> Extend Review | 12/18/97 01/15/98 |  |  |  |  |

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> 11:27 NCR 2071 11:27 NCR 2071 11:27 NCR 2071 11:11 NCR 907 11:11 NCR 907
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Other
Extend Com. Period
12:13 NCR 1095
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| Notice of Text | Fiscal Note | RRC Status |  | Text differs from proposal |
| :---: | :---: | :---: | :---: | :---: |
|  |  | Aetion | Date |  |
| 12:01 NCR 6 | * | Approve | 01/15/98 | * |
| 12:01 NCR 6 | * | Approve | 01/15/98 | * |
| 12:04 NCR 270 | * | Approve | 01/15/98 |  |
| 12:04 NCR 270 | * | Approve | 01/15/98 |  |
| 12:04 NCR 270 | * | Approve | 01/15/98 |  |
| 12:04 NCR 270 | * | Approve | 01/15/98 |  |
| 12:04 NCR 270 | * | Approve | 01/15/98 | * |

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Approved Rule $\quad$ Other
$11: 29$ NCR 2211
11:29 NCR 2211

$\begin{array}{ll}\text { Approve } & 01 / 15 / 98 \\ \text { Approve } & 04 / 17 / 97\end{array}$

| Notice of <br> Text | Fiscal <br> Note | RRC Status |  |
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Date
11:29 NCR 221
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| Agency/Rule (itation | Rule-making Proccedings | TemporaryRule | Notice of Text | Fiscal Note | RRC Status |  | Text differs from | Effective by | Approved Rule | Other |
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|  |  |  |  |  | Action | Date |  | Governor |  |  |

12:08 NCR 650 12:10 NCR 867
12:10 NCR 867
12:04 NCR 270
12:10 NCR 867
12:04 NCR 270
12:08 NCR 650 12:08 NCR 650 12:08 NCR 650
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|  |  |  |  |  | Action | Date |  |  |  |  |


| 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 | * | Approve | 01/15/98 |  |  |
| 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 | * | Approve | 01/15/98 |  |  |
| 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 | * | Approve | 01/15/98 |  |  |
| 15A NCAC 02D . 1404 | 11:15 NCR 1200 |  |  |  |  |  |  |
| 15A NCAC 02D . 1500 | 11:19 NCR 1408 |  |  |  |  |  |  |
| 15A NCAC 02D . 1500 | 12:20 NCR 1817 |  |  |  |  |  |  |
| 15A NCAC 02D . 1503 | 11:15 NCR 1200 | 12:04 NCR 270 | * | Approve | 01/15/98 |  |  |
| 15A NCAC 02D . 1603 | 11:15 NCR 1200 | 12:04 NCR 270 | * | Approve | 01/15/98 |  |  |
| 15A NCAC 02D . 1701 | 11:15 NCR 1200 | 12:04 NCR 270 | * | Approve | 01/15/98 |  |  |
| 15A NCAC 02D. 1702 | 11:15 NCR 1200 | 12:04 NCR 270 | * | Approve | 01/15/98 |  |  |
| 15A NCAC 02D. 1703 | 11:15 NCR 1200 | 12:04 NCR 270 | L | Approve | 01/15/98 |  |  |
| 15A NCAC 02D .1704 | 11:15 NCR 1200 | 12:04 NCR 270 | * | Approve | 01/15/98 |  |  |
| 15A NCAC 02D . 1705 | 11:15 NCR 1200 | 12:04 NCR 270 | L | Approve | 01/15/98 |  |  |
| 15A NCAC 02D. 1706 | 11:15 NCR 1200 | 12:04 NCR 270 | * | Approve | 01/15/98 |  |  |
| 15A NCAC 02D . 1707 | 11:15 NCR 1200 | 12:04 NCR 270 | L | Approve | 01/15/98 |  |  |
| 15A NCAC 02D. 1708 | 11:15 NCR 1200 | 12:04 NCR 270 | L | Approve | 01/15/98 | * |  |

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12:08 NCR 650
12:08 NCR 650
11:06 NCR 350

| Approve | $01 / 15 / 98$ |
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$\begin{array}{ll}\text { Approve } & 01 / 15 / 98 \\ \text { Approve } & 01 / 15 / 98 \\ & 01 / 15 / 98\end{array}$
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12:14 NCR 1267 12:14 NCR 1267 12:14 NCR 1267 12:08 NCR 650 12:14 NCR 1267

 12:14 NCR 1267 12:08 NCR 650 12:14 NCR 1267
11:20 NCR 1552 N/A
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|  |  |  |  |  | Action | Date |  |  |  |  |

$\begin{array}{lr}\text { Approve } & 02 / 19 / 98 \\ \text { Ext. Review } & 12 / 18 / 97 \\ \text { Object } & 01 / 15 / 98 \\ \text { Approve } & 02 / 19 / 98 \\ \text { Ext. Review } & 12 / 18 / 97 \\ \text { Object } & 01 / 15 / 98 \\ \text { Approve } & 02 / 19 / 98 \\ \text { Ext. Review } & 12 / 18 / 97 \\ \text { Approve } & 01 / 15 / 98 \\ \text { Ext. Review } & 12 / 18 / 97 \\ \text { Object } & 01 / 15 / 98 \\ \text { Approve } & 02 / 19 / 98 \\ \text { Ext. Review } & 12 / 18 / 97 \\ \text { Approve } & 01 / 15 / 98 \\ \text { Ext. Review } & 12 / 18 / 97 \\ \text { Object } & 01 / 15 / 98 \\ \text { Ext. Review } & 12 / 18 / 97 \\ \text { Object } & 01 / 15 / 98 \\ \text { Ext. Review } & 12 / 18 / 97 \\ \text { Approve } & 01 / 15 / 98\end{array}$
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| $15 \wedge$ NCAC 18A 2601 | 12.04 NCR 240 |  | 12:08 NCR 696 | - | Approve | 01/15/98 | * |  |  |  |
| 15ANCAC 18A 2602 | 12.04 NCR 240 |  | 12:08 NCR 696 | * | Approve | 01/15/98 |  |  |  |  |
| 15ANCAC 18A 260.3 | 12.04 NC'R 240 |  | 12.08 NCR 696 | * | Approve | 01/15/98 | * |  |  |  |
| 15ANCAC 18A 2604 | 12.04 NCR 240 |  | 12:08 NCR $6 \% 6$ | * | Approve | 01/15/98 | * |  |  |  |
| 15ANCAC 18A 2005 | 12.04 NCR 240 |  | 12:08 NCR $6 \% 6$ | - | Approve | 01/15/98 |  |  |  |  |
| 15ANCAC'18A 2606 | 12:04 NCR 240 |  | 12:08 NCR 696 | * | Approve | 01/15/98 | * |  |  |  |
| 15ANCAC 18A 2607 | 12.04 NCR 240 |  | 12:08 NCR 696 | * | Approve | 01/15/98 | * |  |  |  |
| 15A NCAC18A 2608 | 12.04 NCR 240 |  | 12:08 NCR 696 | * | Approve | 01/15/98 | * |  |  |  |
| 15ANCAC18A 2609 | 12:04 NCR 240 |  | 1208 NCR 696 | * | Approve | 01/15/98 | * |  |  |  |
| 15ANCAC 18A 2610 | 12.04 NCR 240 |  | 12:08 NCR 696 | * | Approve | 01/15/98 | * |  |  |  |
| 15ANCAC 18A 26.12 | 12:04 NCR 240 |  | 12:08 NCR 696 | * | Approve | 01/15/98 | * |  |  |  |
| 15ANCAC 18 A 26.12 |  | 12:14 NCR 1352 |  |  |  |  |  |  |  |  |
| 15ANCAC 18A 2613 | 12:04 NCR 240 |  | 12:08 NCR 696 | * | Approve | 01/15/98 |  |  |  |  |
| 15A NCAC18A 261.4 | 12:04 NCR 240 |  | 12:08 NCR 696 | * | Approve | 01/15/98 |  |  |  |  |
| 15A NCAC 18A 2615 | 1204 NCR 240 |  | 12:08 NCR 696 | - | Approve | 01/15/98 |  |  |  |  |
| 15ANCAC 18A 2616 | 12:04 NCR 240 |  | 12:08 NCR 696 | * | Approve | 01/15/98 |  |  |  |  |
| 15ANCAC 18A 2617 | 1204 NCR 240 |  | 12.08 NCR 696 | * | Approve | 01/15/98 | * |  |  |  |
| 15ANCAC 18A 2618 | 1204 NCR 240 |  | 12.08 NCR 696 | * | Approve | 01/15/98 | * |  |  |  |
| 15ANCAC 18^. 2620 | 12.04 NCR 240 |  | 12:08 NCR 696 | * | Approve | 01/15/98 |  |  |  |  |
| 15ANCAC 18 A 2621 | 12.04 NCR 240 |  | 12.08 NCR 696 | * | Approve | 01/15/98 | * |  |  |  |
| 15ANCAC 18A 2622 | 12.04 NCR 240 |  | 12:08 NCR 696 | * | Approve | 01/15/98 |  |  |  |  |
| 15ANCAC 18A 2623 | 12.04 NCR 240 |  | 12:08 NCR 696 | * | Approve | 01/15/98 | * |  |  |  |
| 15ANCAC18A 2624 | 12.04 NCR 240 |  | 12:08 NCR 696 | * | Approve | 01/15/98 |  |  |  |  |
| 15ANCAC 18A 2626 | 1204 NCR 240 |  | 12:08 NCR 696 | * | Approve | 01/15/98 |  |  |  |  |
| 15ANCAC 18A. 2627 | 12.04 NCR 240 |  | 12:08 NCR 696 | * | Appruve | 01/15/98 | * |  |  |  |
| 15A NCAC 18A. 2628 | 12:04 NCR 240 |  | 12:08 NCR 696 | * | Approve | 01/15/98 | * |  |  |  |
| 15A NCAC I8A. 26.30 | 12:04 NCR 240 |  | 12:08 NCR 696 | - | Approve | 01/15/98 |  |  |  |  |
| 15ANCAC 18A. 2632 | 12:04 NCR 240 |  | 12.08 NCR 696 | * | Approve | 01/15/98 | * |  |  |  |
| 15ANCAC 18A. 2633 | 12:04 NCR 240 |  | 12:08 NCR 696 | * | Approve | 01/15/98 | * |  |  |  |
| 15ANCAC 18A. 26.38 | 12:04 NCK 240 |  | 12:08 NCR 696 | * | Approve | 01/15/98 | * |  |  |  |

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12:08 NCR 696 * Approve 01/15/98
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| 15ANCAC 18A 2830 | 12.16 NCR 1482 | 12:19 NCR 1782 |  |  |  |  |  |  |
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| 15A NCAC 18A 2831 | 12:16 NCR 1482 | 1219 NCR 1782 |  |  |  |  |  |  |
| 15ANCAC 18A. 2832 | 12:16 NCR 1482 |  |  |  |  |  |  |  |
| 15A NCAC 18A 2833 | 12•16 NCR 1482 | 12:19 NCR 1782 |  |  |  |  |  |  |
| 15A NCAC 18A. 2834 | 12:16 NCR 1482 | 12:19 NCR 1782 |  |  |  |  |  |  |
| 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 | 12:20 NCR 1829 | S |  |  |  |  |
| 15ANCAC 18A. 3102 | 12.11 NCR 920 | 12.12 NCR 1064 | 1220 NCR 1829 | S |  |  |  |  |
| 15ANCAC 18A. 3103 | 12.11 NCR 920 | 12:12 NCR 1064 | 12:20 NCR 1829 | S |  |  |  |  |
| 15A NCAC 18A. 3104 | 12:11 NCR 920 | 12•12 NCR 1064 | 12:20 NCR 1829 | S |  |  |  |  |
| 15A NCAC 18A. 3105 | 12:11 NCR 920 | 12.12 NCR 1064 | 12:20 NCR 1829 | S |  |  |  |  |
| 15A NCAC 18A. 3106 | 12.11 NCR 920 | 12:12 NCR 1064 | 1220 NCR 1829 | S |  |  |  |  |
| 15A NCAC 18A. 3107 | 12:11 NCR 920 | 12:12 NCR 1064 | 12:20 NCR 1829 | S |  |  |  |  |
| 15A NCAC 18A. 3108 | 12:11 NCR 920 | 12:12 NCR 1064 | 12.20 NCR 1829 | S |  |  |  |  |
| 15A NCAC 18A. 3109 | 12:11 NCR 920 | 12:12 NCR 1064 | 12.20 NCR 1829 | S |  |  |  |  |
| 15A NCAC 18A.3110 | 12:11 NCR 920 | 12:12 NCR 1064 | 12.20 NCR 1829 | S |  |  |  |  |
| 15A NCAC 18A.3111 | 12:11 NCR 920 | 12:12 NCR 1064 | 12:20 NCR 1829 | S |  |  |  |  |
| 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 |  |  |  |  |
| 15ANCAC 19C.0804 | 12:10 NCR 866 |  | 12:14 NCR 1272 | S |  |  |  |  |
| 15ANCAC 19C.0805 | 12:10 NCR 866 |  | 12:14 NCR 1272 | S |  |  |  |  |
| 15A NCAC 19C. 0806 | 12:10 NCR 866 |  | 12:14 NCR 1272 | S |  |  |  |  |

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|  | 12:14 NCR 1272 | S |  |  |  |  |  |  |
|  | 12:14 NCR 1272 | S |  |  |  |  |  |  |
|  | 12:14 NCR 1272 | S |  |  |  |  |  |  |
| 11:07 NCR 422 | 11:20 NCR 1552 | * | Approve | 04/17/97 | * |  | 11:29 NCR 2211 |  |
| 11:07 NCR 422 | 11:20 NCR 1552 | * | Approve | 04/17/97 | * |  | 11:29 NCR 2211 |  |
| 11:24 NCR 1827 | 12:02 NCR 61 | S | Approve | 10/16/97 |  |  | 12:11 NCR 947 |  |
| 12:01 NCR 31 | 12:07 NCR 519 | S | Approve | 12/18/97 |  |  | 12:17 NCR 1620 |  |

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$\begin{array}{ll}\text { Approve } & 01 / 15 / 98 \\ \text { Approve } & 01 / 15 / 98 \\ & \\ \text { Approve } & 04 / 17 / 97 \\ \text { Approve } & 08 / 21 / 97 \\ \text { Approve } & 01 / 15 / 98 \\ & \\ \text { Approve } & 08 / 21 / 97 \\ \text { Approve } & 01 / 15 / 98 \\ \text { Approve } & 08 / 21 / 97 \\ & \\ & \\ & \\ \text { Approve } & 08 / 21 / 97 \\ \text { Approve } & 08 / 21 / 97 \\ \text { Approve } & 01 / 15 / 98\end{array}$
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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 ISA NCAC 12B. 1201 12:13 NCR 1097 15A NCAC 12K . 0101 12:02 NCR 52 15A NCAC 12K 0103 12:02 NCR 52 15A NCAC $12 \mathrm{~K} .0104 \quad$ 12:02 NCR 52 15A NCAC 12K. 0105 12:02 NCR 52 15A NCAC 12K. 0106 12:02 NCR 52 15A NCAC 12K . 0107 12:02 NCR 52 15A NCAC 12K. 0108 12:02 NCR 52 15A NCAC 12 K .0109 12:02 NCR 52 15A NCAC 12K. 0110 12:02 NCR 52 15A NCAC 12K. 0111 12:02 NCR 52 12:04 NCR 240

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| 15A NCAC 11.0405 | 12.04 NCR 240 |  | 12:09 NCR 749 | * | Approve | 01/15/98 |  |  |  |  |
| 15ANCAC 11.0406 | 12:04 NCR 240 |  | 12:09 NCR 749 | * | Approve | 01/15/98 |  |  |  |  |
| 15A NCAC 11.0407 | 12:04 NCR 240 |  | 12:09 NCR 749 | * | Approve | 01/15/98 |  |  |  |  |
| 15ANCAC 11.0408 | 12:04 NCR 240 |  | 12:09 NCR 749 | * | Approve | 01/15/98 |  |  |  |  |
| 15A NCAC 11.0409 | 12:04 NCR 240 |  | 12:09 NCR 749 | * | Approve | 01/15/98 |  |  |  |  |
| 15A NCAC 11.0410 | 12:04 NCR 240 |  | 12:09 NCR 749 | * | Approve | 01/15/98 |  |  |  |  |
| 15A NCAC 11.0411 | 12:04 NCR 240 |  | 12:09 NCR 749 | - | Approve | 01/15/98 |  |  |  |  |
| 15A NCAC 11.0412 | 12:04 NCR 240 |  | 12:09 NCR 749 | * | Approve | 01/15/98 |  |  |  |  |
| 15A NCAC 11.0413 | 12:04 NCR 240 |  | 12:09 NCR 749 | * | Approve | 01/15/98 |  |  |  |  |
| 15A NCAC 11.0414 | 12:04 NCR 240 |  | 12:09 NCR 749 | * | Approve | 01/15/98 |  |  |  |  |
| 15ANCAC 11.0415 | 12:04 NCR 240 |  | 12:09 NCR 749 | * | Approve | 01/15/98 |  |  |  |  |
| 15A NCAC 11.0416 | 12:04 NCR 240 |  | 12:09 NCR 749 | - | Approve | 01/15/98 |  |  |  |  |
| 15A NCAC 11.0417 | 12:04 NCR 240 |  | 12:09 NCR 749 | * | Approve | 01/15/98 |  |  |  |  |
| 15A NCAC 11.0418 | 12:04 NCR 240 |  | 12:09 NCR 749 | * | Approve | 01/15/98 |  |  |  |  |
| 15A NCAC 110419 | 12:04 NCR 240 |  | 12.09 NCR 749 | * | Approve | 01/15/98 |  |  |  |  |
| 15A NCAC 11.0420 | 12:04 NCR 240 |  | 12:09 NCR 749 | * | Approve | 01/15/98 |  |  |  |  |
| 15A NCAC 11.0421 | 12:04 NCR 240 |  | 12:09 NCR 749 | * | Approve | 01/15/98 |  |  |  |  |
| 15A NCAC 11.0422 | 12:04 NCR 240 |  | 12:09 NCR 749 | * | Approve | 01/15/98 |  |  |  |  |
| 15A NCAC 11.0423 | 12:04 NCR 240 |  | 12:09 NCR 749 | * | Approve | 01/15/98 |  |  |  |  |
| 15A NCAC 11.0424 | 12:04 NCR 240 |  | 12:09 NCR 749 | - | Approve | 01/15/98 |  |  |  |  |
| 15A NCAC 11.0425 | 12:04 NCR 240 |  | 12:09 NCR 749 | * | Approve | 01/15/98 |  |  |  |  |
| 15A NCAC 11.0426 | 12:04 NCR 240 |  | 12:09 NCR 749 | * | Approve | 01/15/98 |  |  |  |  |
| 15A NCAC 11.0427 | 12:04 NCR 240 |  | 12:09 NCR 749 | - | Approve | 01/15/98 |  |  |  |  |
| 15A NCAC 11.0428 | 12:04 NCR 240 |  | 12:09 NCR 749 | - | Approve | 01/15/98 |  |  |  |  |
| 15A NCAC 11.1100 | 12:04 NCR 240 |  |  |  |  |  |  |  |  |  |
| 15A NCAC 11.1400 | 12:04 NCR 240 |  |  |  |  |  |  |  |  |  |
| 15A NCAC 11.1601 | 12:04 NCR 240 |  | 12:09 NCR 749 | * | Approve | 01/15/98 |  |  |  |  |
| 15A NCAC 11.1603 | 12:04 NCR 240 |  | 12:09 NCR 749 | * | Approve | 01/15/98 | * |  |  |  |
| 15ANCAC 11.1611 | 12:04 NCR 240 |  | 12:09 NCR 749 | * | Approve | 01/15/98 |  |  |  |  |
| 15A NCAC 11.1620 | 12:04 NCR 240 |  | 12:09 NCR 749 | - | Approve | 01/15/98 |  |  |  |  |

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| 15A NCAC 11.1647 | 12:04 |  | 12:09 NCR 749 | * | Approve | 01/15/98 |
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| Soll \& Water Conservation |  |  |  |  |  |  |
| 15A NCAC 06E . 0104 | N/A | N/A | N/A |  | Object | 10/16/97 |
|  |  |  |  |  | Approve | 12/18/97 |
| 15A NCAC 06E. 0105 | N/A | N/A | N/A |  | Object | 10/16/97 |
|  |  |  |  |  | Approve | 12/18/97 |
| 15A NCAC 06E . 0105 | 12:20 NCR 1817 |  |  |  |  |  |
| 15A NCAC 06E . 0106 | N/A | N/A | N/A |  | Approve | 10/16/97 |
| 15A NCAC 06E . 0107 | N/A | N/A | N/A |  | Approve | 10/16/97 |
| 15A NCAC 06E .0108 | N/A | N/A | N/A |  | Approve | 10/16/97 |
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| 15A NCAC 08A | 11:26 NCR 1976 |  |  |  |  |  |
| 15A NCAC 08B | 11:26 NCR 1976 |  |  |  |  |  |
| 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 |
| 15A NCAC 08F . 0102 |  | 11:19 NCR 1442 | 11:28 NCR 2123 | * | Withheld | 09/18/97 |
|  |  |  |  |  | Approve | 11/20/97 |
| 15A NCAC 08F . 0201 | 11:19 NCR 1442 |  | 11:28 NCR 2123 | S | Object | 09/18/97 |
|  |  |  | Approve |  | 11/20/97 |
| 15A NCAC 08F . 0202 |  | 11:19 NCR 1442 |  | 11:28 NCR 2123 | S | Approve | 09/18/97 |
| 15A NCAC 08F.0203 |  | 11:19 NCR 1442 | 11:28 NCR 2123 | S | Object | 09/18/97 |
|  |  |  |  |  | Object | 11/20/97 |
|  |  |  |  |  | Approve | 12/18/97 |
| 15A NCAC 08F . 0301 |  | 11:19 NCR 1442 | 11:28 NCR 2123 | S | Approve | 09/18/97 |
| 15A NCAC 08F . 0401 |  | 11:19 NCR 1442 | 11:28 NCR 2123 | * | Approve | 09/18/97 |
| 15A NCAC 08F . 0402 |  | 11:19 NCR 1442 | 11:28 NCR 2123 | S | Approve | 09/18/97 |
| 15A NCAC 08F . 0403 |  | 11:19 NCR 1442 | 11:28 NCR 2123 | S | Withheld | 09/18/97 |
|  |  |  |  |  | Approve | 11/20/97 |
| 15A NCAC 08F . 0404 |  | 11:19 NCR 1442 | 11:28 NCR 2123 | S | Approve | 09/18/97 |
| 15A NCAC 08F . 0405 |  | 11:19 NCR 1442 | 11:28 NCR 2123 | S | Approve | 09/18/97 |
| 15A NCAC 08F . 0406 |  | 11:19 NCR 1442 | 11:28 NCR 2123 | S | Approve | 09/18/97 |


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|  |  |  |  |  | Action | Date |  |  |  |  |
| 15A NCACO8F 0407 |  | 11:19 NCR 1442 | 11:28 NCR 2123 | S | Approve | 09/18/97 | * |  | 12:10 NCR 878 |  |
| 15A NCAC $081^{\circ} 0501$ |  | 11:19 NCR 1442 | 11:28 NCR 2123 | * | Approve | 09/18/97 | * |  | 12:10 NCR 878 |  |
| 15A NCACO81: 0502 |  | 1119 NCR 1442 | 11.28 NCR 2123 | S | Approve | 09/18/97 |  |  | 12:10 NCR 878 |  |
| 15A NCAC $081: 0503$ |  | 11:19 NCR 1442 | 11.28 NCR 2123 | S | Approve | 09/18/97 |  |  | 12:10 NCR 878 |  |
| 15A NCAC $081 \% .0504$ |  | 11:19 NCR 1442 | 11:28 NCR 2123 | S | Approve | 09/18/97 |  |  | 12:10 NCR 878 |  |
| 15A NCAC 081: .0505 |  | 11:19 NCR 1442 | 11:28 NCR 2123 | S | Approve | 09/18/97 | * |  | 12:10 NCR 878 |  |
| 15A NCAC 081 E 0506 |  | 11:19 NCR 1442 | $11: 28$ NCR 2123 | * | Approve | 09/18/97 |  |  | 12:10 NCR 878 |  |
| Water Treatment Facility Certification Board |  |  |  |  |  |  |  |  |  |  |
| 15ANCAC 181).0105 | 10:18 NCR 2317 |  | 12.11 NCR 922 | * | Approve | 02/19/98 | * |  |  |  |
| 15A NCAC 181).0201 | 10:18 NCR 2317 |  | 12:11 NCR 922 | S/L |  |  |  |  |  |  |
| 15ANCAC 181) 0307 | 10:18 NCR 2317 |  | 12:11 NCR 922 | * | Approve | 02/19/98 |  |  |  |  |
| 15A NCAC 181) .0308 | 10:18 NCR 2317 |  | 12:11 NCR 922 | S/L |  |  |  |  |  |  |
| 15A NCAC 181).0309 | 10:18 NCR 2317 |  | 12:11 NCR 922 | * | Approve | 02/19/98 | * |  |  |  |
| 15A NCAC 181).0405 | 10:18 NCR 2317 |  | 12:11 NCR 922 | * |  |  |  |  |  |  |
| 15A NCAC 181) 0701 | 10:18 NCR 2317 |  | 12:11 NCR 922 | * | Approve | 02/19/98 | , |  |  |  |
| Wildlife Resources Commission |  |  |  |  |  |  |  |  |  |  |
| 15ANCAC 1013.0100 | 12:06 NCR 445 |  |  |  |  |  |  |  |  |  |
| 15A NCAC 1013.0111 | 12:06 NCR 445 |  | 12:12 NCR 1004 | * |  |  |  |  |  |  |
| 15A NCAC 1013.0113 | 12:06 NCR 445 |  | 12:12 NCR 1004 | * |  |  |  |  |  |  |
| 15A NCAC 1013.0115 | 11:11 NCR 882 | Agency Withdrew | e-making |  |  |  |  |  |  |  |
| 15A NCAC 1013.0116 | 11:12 NCR 959 |  | 11:18 NCR 1372 | * | Approve | 04/17/97 |  |  | 11:29 NCR 2211 |  |
| 15A NCAC 1013.0200 | 12:06 NCR 445 |  |  |  |  |  |  |  |  |  |
| 15A NCAC 103 .0202 | 12:06 NCR 445 |  | 12:12 NCR 1004 | * |  |  |  |  |  |  |
| 15A NCAC 1013.0203 | 12:06 NCR 445 |  | 12:12 NCR 1004 | * |  |  |  |  |  |  |
| 15A NCAC 1013.0208 | 11:02 NCR 76 |  | 11:08 NCR 495 | * | Agency Withdrew Rule-making |  |  |  |  |  |
| 15A NCAC 1013.0209 | 12:06 NCR 445 |  | 12:12 NCR 1004 | * |  |  |  |  |  |  |
| 15A NCAC 1013.0216 | 12:06 NCR 445 |  | 12:12 NCR 1004 | * |  |  |  |  |  |  |
| 15A NCAC 1013.0300 | 12:06 NCR 445 |  |  |  |  |  |  |  |  |  |
| 15A NCAC 10 B . 0400 | 12:06 NCR 445 |  |  |  |  |  |  |  |  |  |
| 15ANCAC 10C 0101 | 12:06 NCR 445 |  |  |  |  |  |  |  |  |  |

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12:12 NCR 1004
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Agency Withdrew Rule-making
11:14 NCR 1150
12:16 NCR 1518 12:16 NCR 1518 11:14 NCR 1150 11:29 NCR 2206
12:13 NCR 1186 12:07 NCR 517
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11:19 NCR 1427 12:17 NCR 1608 11:20 NCR 1551 12:17 NCR 1608
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| Approve | $01 / 15 / 98$ |
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| Approve | $04 / 17 / 97$ |
| Approve | $09 / 18 / 97$ |
| Approve | $02 / 19 / 98$ |
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| Approve | $10 / 16 / 97$ |
|  |  |
| Approve | $01 / 15 / 98$ |

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| 15A NCAC 101.0005 | 12:06 NCR 445 |  |  |  |  |  |  |  |  |  |
| 15A NCAC 10J 0001 | 12:06 NCR 445 |  |  |  |  |  |  |  |  |  |
| 15A NCAC 10J 0002 | 12.06 NCR 445 |  |  |  |  |  |  |  |  |  |
| 15A NCAC 10 J .0003 | 12:06 NCR 445 |  |  |  |  |  |  |  |  |  |
| 15A NCAC 10 J .0004 | 12:06 NCR 445 |  |  |  |  |  |  |  |  |  |
| FINAL DECISION LETTERS |  |  |  |  |  |  |  |  |  |  |
| Voting Rights Act |  |  |  |  |  |  |  |  |  | 12:01 NCR 4 |
| Voting Rights Act |  |  |  |  |  |  |  |  |  | 12:02 NCR 50 |
| Voting Rights Act |  |  |  |  |  |  |  |  |  | 12:04 NCR 236 |
| Voting Rights Act |  |  |  |  |  |  |  |  |  | 12:05 NCR 334 |
| Voting Rights Act |  |  |  |  |  |  |  |  |  | 12.07 NCR 507 |
| Voting Rights Act |  |  |  |  |  |  |  |  |  | 12:11 NCR 918 |
| Voting Rights Act |  |  |  |  |  |  |  |  |  | 12:12 NCR 992 |
| Voting Rights Act |  |  |  |  |  |  |  |  |  | 12:13 NCR 1096 |
| Voting Rights Act |  |  |  |  |  |  |  |  |  | 12:14 NCR 1231 |
| Voting Rights Act |  |  |  |  |  |  |  |  |  | 12:15 NCR 1414 |
| Voting Rights Act |  |  |  |  |  |  |  |  |  | 12:16 NCR 1480 |
| Voting Rights Act |  |  |  |  |  |  |  |  |  | 12:18 NCR 1692 |
| Voting Rights Act |  |  |  |  |  |  |  |  |  | 12:19 NCR 1751 |
| Voting Rights Act |  |  |  |  |  |  |  |  |  | 12:20 NCR 1816 |
| GENERAL CONTRACTORS LICENSING BOARD |  |  |  |  |  |  |  |  |  |  |
| 21 NCAC 12.0202 |  | 11:24 NCR 1828 | 12:07 NCR 524 | * | Approve | 12/18/97 |  |  | 12:17 NCR 1620 |  |
| 21 NCAC 12.0204 | 11:28 NCR 2117 |  | 12:04 NCR 292 | * |  |  |  |  |  |  |
| 21 NCAC 12.0503 | 11:28 NCR 2117 |  |  |  |  |  |  |  |  |  |
| 21 NCAC 12.0504 | 11:28 NCR 2117 |  |  |  |  |  |  |  |  |  |
| 21 NCAC 12.0901 | 11:28 NCR 2117 |  | 12:04 NCR 292 | * | Approve | 02/19/98 |  |  |  |  |
| 21 NCAC 12.0902 | 11:28 NCR 2117 |  |  |  |  |  |  |  |  |  |
| 21 NCAC 12.0903 | 11:28 NCR 2117 |  | 12:04 NCR 292 | * | Approve | 02/19/98 | * |  |  |  |
| 21 NCAC 12.0904 | 11:28 NCR 2117 |  | 12:04 NCR 292 | * | Approve | 02/19/98 |  |  |  |  |

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| 24 NCAC $01 P .0101$ |  | 11:14 NCR 1154 | 11:28 NCR 2132 | S | Approve | 07/17/97 |  |  | 12:04 NC'R 317 |  |
| 24 NCAC 01P 0102 |  | 11:14 NCR 1154 | 11:28 NCR 2132 | s | Approve | 07/17/97 |  |  | 12:04 NCR 317 |  |
| 24 NCAC 01 P 0103 |  | 11:14 NCR 1154 | 11:28 NCR 2132 | S | Object | 07/17/97 |  |  |  |  |
|  |  |  |  |  | Approve | 08/21/97 | * |  | 12:07 NCR 561 |  |
| 24 NCAC $01 P .0201$ |  | 11:14 NCR 1154 | 11:28 NCR 2132 | S | Approve | 07/17/97 | * |  | 12:04 NCR 317 |  |
| 24 NCAC 011 P 0202 |  | 11:14 NCR 1154 | 11:28 NCR 2132 | S | Approve | 07/17/97 | * |  | 12:04 NCR 317 |  |
| 24 NCAC 011 C .0203 |  | 11:14 NCR 1154 | 11:28 NCR 2132 | S | Approve | 07/17/97 |  |  | 12:04 NCR 317 |  |
| HEALTH AND HUMAN SERVICES |  |  |  |  |  |  |  |  |  |  |
| 10 NCACC01130501 | 11:23 NCR 1779 |  | 12:09 NCR 747 | * | Approve | 01/15/98 | * |  |  |  |
| 10 NCAC 0113.0502 | 11:23 NCR 1779 |  | 12:09 NCR 747 | * | Object <br> Approve | $\begin{aligned} & 01 / 15 / 98 \\ & 02 / 19 / 98 \end{aligned}$ | * |  |  |  |
| 10 NCAC 4913.0315 |  | 12:18 NCR 1703 |  |  |  |  |  |  |  |  |
| Aging |  |  |  |  |  |  |  |  |  |  |
| 10 NCAC 22 | 10:23 NCR 2956 |  |  |  |  |  |  |  |  |  |
| Child Day Care Commission |  |  |  |  |  |  |  |  |  |  |
| 10 NCAC 03 U .0102 | 12:08 NCR 617 |  | 12:13 NCR 1098 | * | Approve | 03/19/98 | * |  |  |  |
| 10 NCAC 03 U .0201 | 12:08 NCR 617 |  | 12:13 NCR 1098 | * | Approve | 03/19/98 |  |  |  |  |
| 10 NCAC 03 U .0202 | 12:08 NCR 617 |  | 12:13 NCR 1098 | * | Approve | 03/19/98 |  |  |  |  |
| 10 NCAC 03 U .0204 | 12:08 NCR 617 |  | 12:13 NCR 1098 | * | Approve | 03/19/98 |  |  |  |  |
| 10 NCAC 03 U .0205 | 12:08 NCR 617 |  | 12:13 NCR 1098 | * | Approve | 03/19/98 | * |  |  |  |
| 10 NCAC 03 U .0206 | 12:08 NCR 617 |  | 12:13 NCR 1098 | * | Approve | 03/19/98 |  |  |  |  |
| 10 NCAC 03 U .0207 | 12:08 NCR 617 |  | 12:13 NCR 1098 | * | Approve | 03/19/98 |  |  |  |  |
| 10 NCAC 034.0301 | 12:08 NCR 617 |  | 12:13 NCR 1098 | * | Approve | 03/19/98 |  |  |  |  |
| 10 NCAC 03U. 0302 | 11:24 NCR 1817 | Agency withdrew | -making |  |  |  |  |  |  |  |
| 10 NCAC 03 U .0302 | 12:08 NCR 617 |  | 12:13 NCR 1098 | * | Object | 03/19/98 |  |  |  |  |
| 10 NCAC 03 U .0303 | 12:08 NCR 617 |  | 12:13 NCR 1098 | * | Approve | 03/19/98 |  |  |  |  |
| 10 NCAC 03 U .0304 | 12:08 NCR 617 |  | 12:13 NCR 1098 | * | Approve | 03/19/98 |  |  |  |  |
| 10 NCAC 03 U .0401 | 12:08 NCR 617 |  | 12:13 NCR 1098 | * | Approve | 03/19/98 |  |  |  |  |
| 10 NCAC 03U.0403 | 12:08 NCR 617 |  | 12:13 NCR 1098 | * | Approve | 03/19/98 |  |  |  |  |
| 10 NCAC 03 U .0505 | 12:08 NCR 617 |  | 12:13 NCR 1098 | * | Approve | 03/19/98 | * |  |  |  |
| 10 NCAC 03 U .0506 | 11:24 NCR 1817 | Agency withdrow | -making |  |  |  |  |  |  |  |
| 10 NCAC 03 U .0506 | 12:08 NCR 617 |  | 12:13 NCR 1098 | * | Approve | 03/19/98 |  |  |  |  |

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| 10 NCAC 03U 0507 | 12:08 NCR 617 |  | 12:13 NCR 1098 | * | Approve | 03/19/98 |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 10 NCAC 03 U .0508 | 12:08 NCR 617 |  | 12:13 NCR 1098 | * | Approve | 03/19/98 |
| 10 NCAC 03 U .0509 | 11:24 NCR 1817 | Agency withdrew | -making |  |  |  |
| 10 NCAC 03U 0509 | 12:08 NCR 617 |  | 12:13 NCR 1098 | * | Approve | 03/19/98 |
| 10 NCAC 03 U .0510 | 12:08 NCR 617 |  | 12:13 NCR 1098 | * | Approve | 03/19/98 |
| 10 NCAC 03U . 0511 | 12:08 NCR 617 |  | 12:13 NCR 1098 | * | Approve | 03/19/98 |
| 10 NCAC 03U 0601 | 11:24 NCR 1817 | Agency withdrew | -making |  |  |  |
| 10 NCAC 03 U .0602 | 11:24 NCR 1817 | 12:08 NCR 710 |  |  |  |  |
| 10 NCAC 03U. 0602 | 12:08 NCR 617 |  | 12:13 NCR 1098 | * | Approve | 03/19/98 |
| 10 NCAC 03 U .0604 | 11:03 NCR 109 |  | 11:09 NCR 571 | * | Approve | 03/20/97 |
| 10 NCAC 03 U .0604 | 11:24 NCR 1817 | 12:08 NCR 710 |  |  |  |  |
| 10 NCAC 03 U .0604 | 12:08 NCR 617 |  | 12:13 NCR 1098 | * | Approve | 03/19/98 |
| 10 NCAC 03U.0605 | 11:24 NCR 1817 | 12:08 NCR 710 |  |  |  |  |
| 10 NCAC 03 U .0605 | 12:08 NCR 617 |  | 12:13 NCR 1098 | S/L | Approve | 03/19/98 |
| 10 NCAC 03U 0701 | 12:08 NCR 617 |  | 12:13 NCR 1098 | * | Approve | 03/19/98 |
| 10 NCAC 03 U .0702 | 12:08 NCR 617 |  | 12:13 NCR 1098 | * | Approve | 03/19/98 |
| 10 NCAC 03 U .0703 | 12:08 NCR 617 |  | 12:13 NCR 1098 | * | Approve | 03/19/98 |
| 10 NCAC 03 U .0704 | 12:08 NCR 617 |  | 12:13 NCR 1098 | * | Object | 03/19/98 |
| 10 NCAC 03 U .0705 | 11:14 NCR 1108 |  | 11:27 NCR 2054 | * |  |  |
| 10 NCAC 03 U .0705 | 11:24 NCR 1817 | 12:08 NCR 710 |  |  |  |  |
| 10 NCAC 03U 0705 | 12:08 NCR 617 |  | 12:13 NCR 1098 | * | Approve | 03/19/98 |
| 10 NCAC 03U . 0707 | 11:08 NCR 449 |  | 11:17 NCR 1338 | * | Object Approve | $\begin{aligned} & 03 / 20 / 97 \\ & 04 / 17 / 97 \end{aligned}$ |
| 10 NCAC 03U 0707 | 12:08 NCR 617 |  | 12:13 NCR 1098 | * | Approve | 03/19/98 |
| 10 NCAC 03U 0708 | 12:08 NCR 617 |  | 12:13 NCR 1098 | * | Approve | 03/19/98 |
| 10 NCAC 03U 0709 | 12:08 NCR 617 |  | 12:13 NCR 1098 | * | Approve | 03/19/98 |
| 10 NCAC 03U 0710 | 12:08 NCR 617 |  | 12:13 NCR 1098 | * |  |  |
| 10 NCAC 03U 0711 | 12:08 NCR 617 |  | 12:13 NCR 1098 | * | Approve | 03/19/98 |
| 10 NCAC 03 U .0712 | 12:08 NCR 617 |  | 12:13 NCR 1098 | * | Approve | 03/19/98 |
| 10 NCAC 03U 0713 | 12:08 NCR 617 |  | 12:13 NCR 1098 | * | Approve | 03/19/98 | \&

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| 10 NCAC 03 R .3000 | 11:23 NCR 1780 |  |  |  |  |  |  |  |  |  |
| 10 NCAC 03 R .3001 | 10:23 NCR 2956 |  | 11:06 NCR 328 | S/L/SE |  |  |  |  |  |  |
| 10 NCAC 03R 3002 |  | 11:21 NCR 1655 | 12:04 NCR 246 | * | Approve | 11/20/97 |  |  | 12:16 NCR 1521 |  |
| 10 NCAC 03R 3020 | 10:23 NCR 2956 |  | 11:06 NCR 328 | S/L/SE |  |  |  |  |  |  |
|  |  |  |  |  | Object <br> Approve | $\begin{aligned} & 11 / 21 / 96 \\ & 03 / 20 / 97 \end{aligned}$ |  |  | 11:26 NCR 2004 |  |
| 10 NCAC 03R 3030 | 10:23 NCR 2956 |  | 11:06 NCR 328 | S/L/SE |  |  |  |  |  |  |
| 10 NCAC 03R . 3030 |  | 10:21 NCR 2699 | 11:08 NCR 452 | S/L/SE | Object | 10/17/96 |  |  |  | 11:11 NCR 888 |
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|  |  |  |  |  | Approve | 03/20/97 | * |  | 11:26 NCR 2004 |  |
| 10 NCAC 03R 3031 | 11:23 NCR 1780 |  | 11:08 NCR 459 |  | Extend Review | 03/20/97 | * |  |  |  |
|  |  |  |  |  | Approve | 08/21/97 | * |  | 12:07 NCR 561 <br> 12:10 NCR 878 |  |
| 10 NCAC 03R . 3032 | 10:23 NCR 2956 |  | 11:06 NCR 328 | S/L/SE |  |  |  |  |  |  |
| 10 NCAC 03R 3033 |  | 10:21 NCR 2699 | 11:08 NCR 452 | S/L/SE | Object | 01/16/97 |  |  |  |  |
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|  |  |  |  |  | Approve | 08/21/97 | * |  | 12:07 NCR 561 |  |
| 10 NCAC 03R 3034 |  | 10:21 NCR 2699 | 11:08 NCR 452 | S/L/SE | Object | 01/16/97 |  |  |  |  |
|  |  |  |  |  | Return to agency | 03/20/97 |  |  |  |  |
| 10 NCAC 03 R .3035 |  | 10:21 NCR 2699 | 11:08 NCR 452 | S/L/SE | Object | $01 / 16 / 97$ |  |  |  |  |
| 10 NCAC 03R 3036 |  | 10:21 NCR 2699 | 11:08 NCR 452 | S/L/SE | Retum to agency <br> Object | $\begin{aligned} & 03 / 20 / 97 \\ & 01 / 16 / 97 \end{aligned}$ |  |  |  |  |
|  |  |  |  |  | Return to agency | 03/20/97 |  |  |  |  |
| 10 NCAC 03R 3037 |  | 10:21 NCR 2699 | 11:08 NCR 452 | S/L/SE | Object | 01/16/97 |  |  |  |  |
|  |  |  |  |  | Return to agency | 03/20/97 |  |  |  |  |
| 10 NCAC 03R 3038 |  | 10:21 NCR 2699 | 11:08 NCR 452 | S/L/SE | Object | 01/16/97 |  |  |  |  |
|  |  |  |  |  | Return to agency | 03/20/97 |  |  |  |  |
| 10 NCAC 03R 3040 | 10:23 NCR 2956 |  | 11:06 NCR 328 | S/L/SE |  |  |  |  |  |  |
| 10 NCAC 03 R .3050 | 10:23 NCR 2956 |  | 11:06 NCR 328 | S/L/SE |  |  |  |  |  |  |
| 10 NCAC 03R 3051 |  | 11:21 NCR 1655 | 12:04 NCR 246 | * | Approve | 11/20/97 |  |  | 12:16 NCR 1521 |  |
| 10 NCAC 03R 3051 |  | 12:15 NCR 1431 |  |  |  |  |  |  |  |  |
| 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 |  |  |  |  |  |  |  |  |
| 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 |  |

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| Approve | 11/20/97 | * | 12:16 NCR 1521 |
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| Approve | 11/20/97 | * | 12:16 NCR 1521 |
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| 10 NCAC 03R.6117 |  | 11:15 NCR 1431 |  |  |  |  |  |  |  |  |
| $10 \mathrm{NCAC} \mathrm{03R} \mathrm{}$. |  | 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 |  |  |  |  |  |  |  |  |
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| 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 |  |  |  |  |  |  |  |  |
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| 10 NCAC 26B.0103 | 12:18 NCR 1694 |  |  |  |  |  |  |  |  |  |
| 10 NCAC 26B. 0113 | 10:16 NCR 1721 |  | 11:28 NCR 2118 | S/L | Agency w <br> Approve | $\begin{aligned} & 09 / 18 / 97 \\ & 10 / 16 / 97 \end{aligned}$ | * |  | 2:11 NCR 947 |  |

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| 10 NCAC 2613.0123 |  | 11:19 NCR 1436 | 11:24 NCR 1824 | * | Approve | 06/19/97 | * |  | 12:03 NCR 213 |  |
| 10 NCAC 260 0110 | 12.06 NCR 444 |  |  |  |  |  |  |  |  |  |
| 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 2611.0101 | 11:14 NCR 1108 |  |  |  |  |  |  |  |  |  |
| 10 NCAC 2611.0102 | 11:14 NCR 1108 |  |  |  |  |  |  |  |  |  |
| 10 NCAC 2611.0102 | 12:09 NCR 743 | 12:14 NCR 1341 | 12:18 NCR 1696 | S/L/SE |  |  |  |  |  |  |
| 10 NCAC 26110104 | 11:16 NCR 1268 | 12:14 NCR 1341 | 11:23 NCR 1781 | S/L | Approve | 05/15/97 | * |  | 11:30 NCR 2314 |  |
| 10 NCAC 2611.0211 | 12:09 NCR 743 | 12:14 NCR 1341 | 12:18 NCR 1696 | S/L/SE |  |  |  |  |  |  |
| 10 NCAC 2611.0212 |  | 11:15 NCR 1205 | Temp Expired |  |  |  |  |  |  |  |
| 10 NCAC 2611.0212 |  | 12:09 NCR 827 |  |  |  |  |  |  |  |  |
| 10 NCAC 2611.0213 |  | 11:15 NCR 1205 | Temp Expired |  |  |  |  |  |  |  |
| 10 NCAC 2611.0213 | 11:18 NCR 1368 |  | 12:07 NCR 511 | S/SE | Approve | 01/15/98 | * |  |  |  |
| 10 NCAC 26 H .0213 |  | 11:26 NCR 1997 |  |  |  |  |  |  |  |  |
| 10 NCAC 261 H .0213 |  | 12:09 NCR 827 |  |  |  |  |  |  |  |  |
| 10 NCAC 2611.0401 | 12:08 NCR 618 | 12:14 NCR 1341 |  |  |  |  |  |  |  |  |
| 10 NCAC 2611.0506 | 10:21 NCR 2686 |  |  |  |  |  |  |  |  |  |
| 10 NCAC 2611.0506 |  | 11:19 NCR 1438 | 11:29 NCR 2205 | S/L/SE | Approve | 09/18/97 | * |  | 12:10 NCR 878 |  |
| 10 NCAC 2611.0602 |  | 12:04 NCR 313 | 12:15 NCR 1419 | SLL |  |  |  |  |  |  |
| 10 NCAC 26 K .0106 | 12:05 NCR 337 |  |  |  |  |  |  |  |  |  |
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| 10 NCAC 26 M .0202 | 12:06 NCR 444 |  |  |  |  |  |  |  |  |  |
| 10 NCAC 26M. 0203 | 12:05 NCR 337 |  |  |  |  |  |  |  |  |  |
| 10 NCAC 26 M .0203 | 12:06 NCR 444 |  |  |  |  |  |  |  |  |  |
| 10 NCAC 26 M .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 50 B .0202 | 12:06 NCR 444 |  |  |  |  |  |  |  |  |  |
| 10 NCAC 50 B .0404 |  | 11:10 NCR 841 | 11:28 NCR 2118 | L | Approve | 07/17/97 |  |  | 12:04 NCR 317 |  |
| 10 NCAC 50B 0409 |  | 11:10 NCR 841 | 11:28 NCR 2118 | * | Approve | 07/17/97 |  |  | 12:04 NCR 317 |  |

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| 10 NCAC 03D 0915 | 11:23 NCR 1779 |  | 12:05 NCR 339 | * | Object | 01/15/98 |  |  |  |  |
|  |  |  |  |  | Approve | 02/19/98 | * |  |  |  |
| 10 NCAC 03D 0916 | 11:23 NCR 1779 |  | 12:05 NCR 339 | * | Object | 01/15/98 | * |  |  |  |
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| 10 NCAC 03D 0917 | 11:23 NCR 1779 |  | 12:05 NCR 339 | * | Approve | 01/15/98 |  |  |  |  |
| 10 NCAC 03D .0918 | 11:23 NCR 1779 |  | 12:05 NCR 339 | * | Approve | 01/15/98 |  |  |  |  |
| 10 NCAC 03D .0919 | 11:23 NCR 1779 |  | 12:05 NCR 339 | * | Approve | 01/15/98 |  |  |  |  |
| 10 NCAC 031). 0920 | 11:23 NCR 1779 |  | 12:05 NCR 339 | * | Approve | 01/15/98 |  |  |  |  |
| 10 NCAC 03D 0921 | 11:23 NCR 1779 |  | 12:05 NCR 339 | * | Approve | 01/15/98 |  |  |  |  |
| 10 NCAC 03D 0922 | 11:23 NCR 1779 |  | 12:05 NCR 339 | * | Approve | 01/15/98 |  |  |  |  |
| 10 NCAC 03D 0923 | 11:23 NCR 1779 |  | 12:05 NCR 339 | * | Approve | 01/15/98 |  |  |  |  |
| 10 NCAC 03D 0924 | 11:23 NCR 1779 |  | 12:05 NCR 339 | S/L | Approve | 01/15/98 |  |  |  |  |
| 10 NCAC 03D . 0925 | 11:23 NCR 1779 |  | 12:05 NCR 339 | * | Object Approve | $\begin{aligned} & 01 / 15 / 98 \\ & 02 / 19 / 98 \end{aligned}$ | * |  |  |  |
| 10 NCAC 03D 0926 | 11:23 NCR 1779 |  | 12:05 NCR 339 | * | Approve | 01/15/98 |  |  |  |  |
| 10 NCAC 03D .1001 | 11:23 NCR 1779 |  | 12:05 NCR 339 | S/L | Approve | 01/15/98 | * |  |  |  |
| 10 NCAC 03D . 1002 | 11:23 NCR 1779 |  | 12:05 NCR 339 | S/L | Approve | 01/15/98 |  |  |  |  |
| 10 NCAC 03D 1003 | 11:23 NCR 1779 |  | 12.05 NCR 339 | S/L | Approve | 01/15/98 | * |  |  |  |
| 10 NCAC 03D 1004 | 11:23 NCR 1779 |  | 12:05 NCR 339 | * | Approve | 01/15/98 |  |  |  |  |
| 10 NCAC 03D 1103 | 11:23 NCR 1779 |  | 12:05 NCR 339 | * | Approve | 01/15/98 | * |  |  |  |
| 10 NCAC 03D 1202 | 11:23 NCR 1779 |  | 12:05 NCR 339 | S/L | Object <br> Approve | $\begin{aligned} & 01 / 15 / 98 \\ & 02 ' 19 / 98 \end{aligned}$ | * |  |  |  |
| 10 NCAC 03 D .1203 | 11:23 NCR 1779 |  | 12:05 NCR 339 | * | Object | 01/15/98 |  |  |  |  |
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| 10 NCAC 03D 1204 | 11:23 NCR 1779 |  | 12:05 NCR 339 |  | Approve |  |  |  |  |  |
| 10 NCAC 03D 1205 | 11:23 NCR 1779 |  | 12:05 NCR 339 | S/L | Approve | 01/15/98 | * |  |  |  |
| 10 NCAC 03D . 1206 | 11:23 NCR 1779 |  | 12:05 NCR 339 | S/L | Approve | 01/15/98 | * |  |  |  |
| 10 NCAC 03D 1301 | 11:23 NCR 1779 |  | 12:05 NCR 339 | * | Object | 01/15/98 |  |  |  |  |
| 10 NCAC 03D 1302 |  |  |  | , | Approve Object | $\begin{aligned} & 02 / 19 / 98 \\ & 01 / 15 / 98 \end{aligned}$ | * |  |  |  |
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| 10 NCAC 03D 1401 | 11:23 NCR 1779 |  | 12:05 NCR 339 | * | Object | 01/15/98 |  |  |  |  |
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| 10 NCAC 03D 1403 | 11:23 NCR 1779 |  | 12:05 NCR 339 | * | Object Approve | $\begin{aligned} & 01 / 15 / 98 \\ & 02 / 19 / 98 \end{aligned}$ | * |  |  |  |
| 10 NCAC 03D . 1500 | 11:23 NCR 1779 |  |  |  | Approve | 021988 |  |  |  |  |


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10 NCAC 14V.4305 12:19 NCR 1762 10 NCAC 14V. 4306 12:19 NCR 1762 10 NCAC 14V . 5000 12:20 NCR 1820 10 NCAC 14V . 5602 11:08 NCR 449 10 NCAC 15A. 0128 11:08 NCR 449 10 NCAC 15A. 0129 11:08 NCR 449 10 NCAC 18 W .0201 10:15 NCR 1478 10 NCAC 18 W . 0202 10:15 NCR 1478 10 NCAC 18 W .0203 10:15 NCR 1478 10 NCAC 18 W .0204 10:15 NCR 1478 10 NCAC 18W 0205 10:15 NCR 1478 10 NCAC 18 W . 0206 10:15 NCR 1478 10 NCAC $18 \mathrm{WW} .0207 \quad 10: 15$ NCR 1478 10 NCAC 18W.0208 10:15 NCR 1478 10 NCAC 18W.0209 10:15 NCR 1478 10 NCAC $18 \mathrm{WW} .0210 \quad 10: 15$ NCR 1478 10 NCAC 18 W .0211 10:15 NCR 1478 10 NCAC 18 W .0212 10:15 NCR 1478
 10 NCAC 18W. 0214 10:15 NCR 1478 10 NCAC 18 W .0215 10:15 NCR 1478 10 NCAC 18W. 0216 10:15 NCR 1478

 10 NCAC 18W. 0219 10:15 NCR 1478 10 NCAC $4511.0200 \quad 11.08$ NCR 449
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|  |  |  |  |  | Actlon | Date |  |  |  |  |


| 10 NCAC 45H. 0203 | 11:08 NCR 449 | 11:29 NCR 2208 | 11:29 NCR 2208 |
| :---: | :---: | :---: | :---: |
| 10 NCAC 45H. 0205 | 11:19 NCR 1762 |  |  |
| Secretary of Health and Human Services |  |  |  |
| 10 NCAC 14C. 1151 | 12:20 NCR 1820 |  |  |
| 10 NCAC 14V. 7006 |  | 12:01 NCR 31 | 12:07 NCR 511 |
| 10 NCAC 14 V .7101 | 11:30 NCR 2300 |  | 12:06 NCR 459 |
| 10 NCAC 14V. 7102 | 11:30 NCR 2300 |  | 12:06 NCR 459 |
| 10 NCAC 14 V .7103 | 11:30 NCR 2300 |  | 12:06 NCR 459 |
| 10 NCAC 14V. 7104 | 11:30 NCR 2300 |  | 12:06 NCR 459 |
| 10 NCAC 14V. 7105 | 11:30 NCR 2300 |  | 12:06 NCR 459 |
| 10 NCAC 21B 0117 |  | 12:17 NCR 1616 |  |
| Social Services Commission |  |  |  |
| 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 |
| 10 NCAC 35E. 0105 |  | 11:16 NCR 1288 | 11:30 NCR 2301 |
| 10 NCAC 35E. 0106 |  | 11:16 NCR 1288 | 11:30 NCR 2301 |
| 10 NCAC 35E. 0308 |  | 11:16 NCR 1288 | 11:30 NCR 2301 |
| 10 NCAC 41A. 0007 |  | 12:11 NCR 938 | 12:15 NCR 1420 |
| 10 NCAC 41 E | 12:11 NCR 919 |  |  |
| 10 NCAC 41F. 0707 |  | 12:11 NCR 938 | 12:15 NCR 1420 |
| 10 NCAC 41F. 0813 |  | 12:11 NCR 938 | 12:15 NCR 1420 |
| 10 NCAC 41G | 12:11 NCR 919 |  |  |
| 10 NCAC 411.0100 | 10:17 NCR 2228 |  |  |
| 10 NCAC 411.0102 | 10:17 NCR 2228 |  | 10:21 NCR 2687 |
| 10 NCAC 42C. 3401 |  | 12:13 NCR 1180 |  |
| 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 |

11:30 NCR 2301 11:16 NCR 1288
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|  |  |  |  |  | Action | Date |  |  |  |  |
| 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 <br> Approve | $\begin{aligned} & 08 / 21 / 97 \\ & 09 / 18 / 97 \end{aligned}$ | * |  | 12:10 NCR 878 |  |
| 10 NCAC 42R 0201 | 12:11 NCR 919 | 12:13 NCR 1180 |  |  |  |  |  |  |  |  |
| 10 NCAC 47 A .0502 |  | 12:11 NCR 938 | 12:15 NCR 1420 | * |  |  |  |  |  |  |
| 10 NCAC 47 B .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 | * |  |  |  |  |  |  |
| 10 NCAC 49B . 0608 | 12:20 NCR 1822 |  |  |  |  |  |  |  |  |  |
| Vocatlonal Rehabilitatlon Services |  |  |  |  |  |  |  |  |  |  |
| 10 NCAC 20C.0201 | 12:08 NCR 618 |  | 12:13 NCR 1135 | * | Approve | 03/19/98 |  |  |  |  |
| 10 NCAC 20C. 0202 | 12:08 NCR 618 |  | 12:13 NCR 1135 | * | Approve | 03/19/98 |  |  |  |  |
| 10 NCAC 20C 0203 | 12:08 NCR 618 |  | 12:13 NCR 1135 | * | Approve | 03/19/98 |  |  |  |  |
| 10 NCAC 20C.0601 | 12:08 NCR 618 |  | 12:13 NCR 1135 | * | Approve | 03/19/98 |  |  |  |  |
| 10 NCAC 20C 0603 | 12:08 NCR 618 |  | 12:13 NCR 1135 | * | Approve | 03/19/98 |  |  |  |  |
| 10 NCAC 20C 0604 | 12:08 NCR 618 |  | 12:13 NCR 1135 | * | Approve | 03/19/98 |  |  |  |  |
| 10 NCAC 20C. 0606 | 12:08 NCR 618 |  | 12:13 NCR 1135 | * | Approve | 03/19/98 |  |  |  |  |
| INSURANCE |  |  |  |  |  |  |  |  |  |  |
| 11 NCAC 06 | 12:09 NCR 744 |  |  |  |  |  |  |  |  |  |
| 11 NCAC 10.0105 | 12:09 NCR 744 |  | 12:14 NCR 1255 | * | Approve | 03/19/98 | * |  |  |  |
| 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 | * | Approve | 03/19/98 |  |  |  |  |
| 11 NCAC 11B. 0602 | 12:09 NCR 744 |  | 12:14 NCR 1255 | * | Approve | 03/19/98 |  |  |  |  |
| 11 NCAC 11 B .0603 | 12:09 NCR 744 |  | 12:14 NCR 1255 | * | Approve | 03/19/98 |  |  |  |  |
| 11 NCAC 11 B .0604 | 12:09 NCR 744 |  | 12:14 NCR 1255 | * | Approve | 03/19/98 |  |  |  |  |
| 11 NCAC 11 B .0605 | 12:09 NCR 744 |  | 12:14 NCR 1255 | * | Approve | 03/19/98 |  |  |  |  |

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Agency Withdrew 03/97 $\begin{array}{ll}\text { Agency Withdrew } \\ \text { Approve } & 06 / 19 / 97\end{array}$ Agency Withdrew 03/97 Agency Withdrew 03/97 Approve 06/19/97 $\begin{array}{ll}\text { Agency Withdrew 03/97 } \\ \text { Approve } & 06 / 19 / 97\end{array}$ Approve
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|  |  |  |  |  | Action | Date |  |  |  |  |
| 11 NCAC 08.1302 | 12:09 NCR 744 |  | 12:14 NCR 1253 | * | Approve | 03/19/98 | * |  |  |  |
| 11 NCAC 08.1303 | 12:09 NCR 744 |  | 12:14 NCR 1253 | * | Approve | 03/19/98 |  |  |  |  |
| 11 NCAC 08.1304 | 12:09 NCR 744 |  | 12:14 NCR 1253 | * | Approve | 03/19/98 |  |  |  |  |
| 11 NCAC 08.1305 | 12:09 NCR 744 |  | 12:14 NCR 1253 | * | Approve | 03/19/98 |  |  |  |  |
| 11 NCAC 08.1306 | 12:09 NCR 744 |  | 12:14 NCR 1253 | * | Approve | 03/19/98 |  |  |  |  |
| 11 NCAC 08.1307 | 12:09 NCR 744 |  | 12:14 NCR 1253 | * | Approve | 03/19/98 |  |  |  |  |
| 11 NCAC. 08.1308 | 12:09 NCR 744 |  | 12:14 NCR 1253 | * | Approve | 03/19/98 | * |  |  |  |
| JUSTICE |  |  |  |  |  |  |  |  |  |  |
| Alarm Systems Licensing Board |  |  |  |  |  |  |  |  |  |  |
| 12 NCAC 11 | 11:30 NCR 2300 |  |  |  |  |  |  |  |  |  |
| 12 NCAC 11.0202 | 10:24 NCR 3057 |  | 11:14 NCR 1136 | * | Tabled Approve | $\begin{aligned} & 06 / 19 / 97 \\ & 08 / 21 / 97 \end{aligned}$ |  |  | 12:07 NCR 561 |  |
| 12 NCAC 11.0204 | 12:12 NCR 993 |  | 12:20 NCR 1823 | * |  |  |  |  |  |  |
| 12 NCAC 11.0210 | 12:08 NCR 618 |  | 12:20 NCR 1823 | * |  |  |  |  |  |  |
| 12 NCAC 11.0501 | 11:30 NCR 2300 |  | 12:20 NCR 1823 | * |  |  |  |  |  |  |
| 12 NCAC 11.0502 | 11:30 NCR 2300 |  | 12:20 NCR 1823 | * |  |  |  |  |  |  |
| 12 NCAC 11.0503 | 11:30 NCR 2300 |  | 12:20 NCR 1823 | * |  |  |  |  |  |  |
| 12 NCAC 11.0504 | 11:30 NCR 2300 |  | 12:20 NCR 1823 | * |  |  |  |  |  |  |
| 12 NCAC 11.0505 | 11:30 NCR 2300 |  | 12:20 NCR 1823 | * |  |  |  |  |  |  |
| 12 NCAC 11.0506 | 11:30 NCR 2300 |  | 12:20 NCR 1823 | * |  |  |  |  |  |  |
| 12 NCAC 11.0507 | 11:30 NCR 2300 |  | 12:20 NCR 1823 | * |  |  |  |  |  |  |
| Criminal Justice Education and Training Standards Commission |  |  |  |  |  |  |  |  |  |  |
| 12 NCAC 09A 0103 | 11:14 NCR 1109 |  | 11:20 NCR 1539 | * | Approve | 04/17/97 |  |  | 11:29 NCR 2211 |  |
| 12 NCAC 09B .0102 | 11:14 NCR 1109 |  | 11:20 NCR 1539 | * | Object Approve | $\begin{aligned} & 04 / 17 / 97 \\ & 05 / 15 / 97 \end{aligned}$ | * |  | 11:30 NCR 2314 |  |
| 12 NCAC 09B. 0111 | 11:14 NCR 1109 |  | 11:20 NCR 1539 | * | Approve | 04/17/97 |  |  | 11:29 NCR 2211 |  |
| 12 NCAC 09 B .0206 | 11:14 NCR 1109 |  | 11:20 NCR 1539 | * | Approve | 04/17/97 |  |  | 11:29 NCR 2211 |  |
| 12 NCAC 09 B .0224 | 11:14 NCR 1109 |  | 11:20 NCR 1539 | * | Approve | 04/17/97 |  |  | 11:29 NCR 2211 |  |
| 12 NCAC 09 B .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 |  |

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| 12 NCAC 09 C .0307 | 11:14 NCR 1109 |  | 11:20 NCR 1539 | * | Approve | 04/17/97 | * |  | 11:29 NCR 2211 |  |
| 12 NCAC 09 C .0309 | 11:14 NCR 1109 |  | 11:20 NCR 1539 | * | Approve | 04/17/97 |  |  | 11:29 NCR 2211 |  |
| 12 NCAC 09 C .0601 | 11:14 NCR 1109 |  | 11:20 NCR 1539 | * | Approve | 04/17/97 |  |  | 11:29 NCR 2211 |  |
| 12 NCAC 09 C .0602 | 11:14 NCR 1109 |  | 11:20 NCR 1539 | * | Approve | 04/17/97 |  |  | 11:29 NCR 2211 |  |
| 12 NCAC 09 C .0603 | 11:14 NCR 1109 |  | 11:20 NCR 1539 | * | Approve | 04/17/97 |  |  | 11:29 NCR 2211 |  |
| 12 NCAC 09 C .0604 | 11:14 NCR 1109 |  | 11:20 NCR 1539 | * | Approve | 04/17/97 |  |  | 11:29 NCR 2211 |  |
| 12 NCAC 09 C .0605 | 11:14 NCR 1109 |  | 11:20 NCR 1539 | * | Approve | 04/17/97 |  |  | 11:29 NCR 2211 |  |
| 12 NCAC 09 C .0606 | 11:14 NCR 1109 |  | 11:20 NCR 1539 | * | Approve | 04/17/97 |  |  | 11:29 NCR 2211 |  |
| 12 NCAC 09 C .0607 | 11:14 NCR 1109 |  | 11:20 NCR 1539 | * | Approve | 04/17/97 |  |  | 11:29 NCR 2211 |  |
| 12 NCAC 09 C .0608 | 11:14 NCR 1109 |  | 11:20 NCR 1539 | * | Approve | 04/17/97 |  |  | 11:29 NCR 2211 |  |
| Private Protectlve Services Board |  |  |  |  |  |  |  |  |  |  |
| 12 NCAC 07D 0104 | 11:16 NCR 1268 |  | 12:09 NCR 748 | * |  |  |  |  |  |  |
| 12 NCAC 07 D .0201 | 11:10 NCR 818 |  | 12:08 NCR 622 | * |  |  |  |  |  |  |
| 12 NCAC 07D . 0204 | 11:14 NCR 1108 |  | 12:08 NCR 622 | * | Object | 03/19/98 |  |  |  |  |
| 12 NCAC 07 D .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 | * | Object | 03/19/98 |  |  |  |  |
| 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 | * |  |  |  |  |  |  |
| 12 NCAC 07 D .1302 | 11:16 NCR 1268 |  | 12:14 NCR 1263 | * |  |  |  |  |  |  |
| 12 NCAC 07D .1303 | 11:16 NCR 1268 |  | 12:14 NCR 1263 | * |  |  |  |  |  |  |
| $12 \mathrm{NCAC} \mathrm{07D} .1304$ | 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 | * |  |  |  |  |  |  |
| Sherifls' Education and Training Standards Commisslon |  |  |  |  |  |  |  |  |  |  |
| $12 \mathrm{NCAC} \mathrm{10B.0101}$ | 12:04 NCR 242 |  | 12:08 NCR 624 | * | Approve | 12/18/97 |  |  | 12:17 NCR 1620 |  |

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|  |  |  |  |  | Actlon | Date |  |  |  |  |
| 12 NCAC 10130103 | 12:07 NCR 508 | 12:18 NCR 1703 | 12:12 NCR 995 | * |  |  |  |  |  |  |
| 12 NCAC 1013.0107 | 12:04 NCR 242 |  | 12:08 NCR 624 | * | Approve | 12/18/97 | * |  | 12:17 NCR 1620 |  |
| 12 NCAC 1013.0109 | $\mathrm{N} / \mathrm{A}$ | N/A | N/A |  | Approve | 01/15/98 |  |  |  |  |
| 12 NCAC 1013.0202 | 12:04 NCR 242 |  | 12:08 NCR 624 | * | Approve | 12/18/97 | * |  | 12:17 NCR 1620 |  |
| 12 NCAC 1013.0204 | 12:04 NCR 242 |  | 12:08 NCR 624 | * | Approve | 12/18/97 | * |  | 12:17 NCR 1620 |  |
| 12 NCAC 1013.0206 | 12:04 NCR 242 |  | 12:08 NCR 624 | * | Approve | 12/18/97 | * |  | 12:17 NCR 1620 |  |
| 12 NCAC 1013.0206 | 12:07 NCR 508 | 12:18 NCR 1703 | 12:18 NCR 1703 | * |  |  |  |  |  |  |
| 12 NCAC 1013.0304 | 12:04 NCR 242 | 12:18 NCR 1703 | 12:08 NCR 624 | L |  |  |  |  |  |  |
| 12 NCAC 1013.0401 | 12:07 NCR 508 | 12:18 NCR 1703 | 12:12 NCR 995 | S/L. | Agency w | 01/15/98 |  |  |  |  |
| 12 NCAC 10 B .0402 | 12:07 NCR 508 | 12:18 NCR 1703 | 12:12 NCR 995 | * |  |  |  |  |  |  |
| 12 NCAC 10B . 0403 | 12:07 NCR 508 | 12:18 NCR 1703 | 12:12 NCR 995 | * |  |  |  |  |  |  |
| 12 NCAC 1013.0403 | $\mathrm{N} / \mathrm{A}$ | N/A | N/A |  | Approve | 01/15/98 |  |  |  |  |
| 12 NCAC 10 B .0406 | 12:07 NCR 508 | 12:18 NCR 1703 | 12:12 NCR 995 | * |  |  |  |  |  |  |
| 12 NCAC 1013.0407 | 12:07 NCR 508 | 12:18 NCR 1703 | 12:12 NCR 995 | * |  |  |  |  |  |  |
| 12 NCAC 1013.0408 | 12:07 NCR 508 | 12:18 NCR 1703 | 12:12 NCR 995 | * |  |  |  |  |  |  |
| 12 NCAC 1011.0409 | 12:07 NCR 508 | 12:18 NCR 1703 | 12:12 NCR 995 | * |  |  |  |  |  |  |
| 12 NCAC 1013.0505 | 12:04 NCR 242 |  | 12:08 NCR 624 | * | Approve | 12/18/97 | - |  | 12:17 NCR 1620 |  |
| 12 NCAC 10 B .0505 | $\mathrm{N} / \mathrm{\Lambda}$ | N/A | N/A |  | Approve | 01/15/98 |  |  |  |  |
| 12 NCAC 1013.0601 | 12:04 NCR 242 |  | 12:08 NCR 624 | * | Approve | 12/18/97 | * |  | 12:17 NCR 1620 |  |
| 12 NCAC 1013.0601 | N/A | N/A | N/A |  | Approve | 01/15/98 |  |  |  |  |
| 12 NCAC 10 B .0602 | N/A | N/A | N/A |  | Approve | 01/15/98 |  |  |  |  |
| $12 \mathrm{NCAC} \mathrm{10B} \mathrm{.0603}$ | 12:04 NCR 242 |  | 12:08 NCR 624 | * | Approve | 12/18/97 | * |  | 12:17 NCR 1620 |  |
| $12 \mathrm{NCAC} \mathrm{108.0603}$ | N/A | $\mathrm{N} / \mathrm{A}$ | N/A |  | Approve | 01/15/98 |  |  |  |  |
| 12 NCAC 108 . 0605 | 12:04 NCR 242 |  | 12:08 NCR 624 | * | Approve | 12/18/97 | * |  | 12:17 NCR 1620 |  |
| 12 NCAC 1013.0701 | 12:07 NCR 508 | 12:18 NCR 1703 | 12:12 NCR 995 | * |  |  |  |  |  |  |
| 12 NCAC 10B.0701 | $\mathrm{N} / \mathrm{A}$ | N/A | N/A |  | Approve | 01/15/98 |  |  |  |  |
| 12 NCAC 10B . 0702 | 12:04 NCR 242 |  | 12:08 NCR 624 | * | Approve | 12/18/97 |  |  | 12:17 NCR 1620 |  |
| 12 NCAC 10 Br 0702 | 12:07 NCR 508 | 12:18 NCR 1703 | 12:12 NCR 995 | * |  |  |  |  |  |  |
| 12 NCAC 108.0703 | 12:04 NCR 242 |  | 12:08 NCR 624 | * | Approve | 12/18/97 | * |  | 12:17 NCR 1620 |  |
| 12 NCAC 10B.0704 | 12:04 NCR 242 |  | 12:08 NCR 624 | * | Approve | 12/18/97 | * |  | 12:17 NCR 1620 |  |

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| 12 NCAC 1013.1204 | 12.04 NCR 242 |  | 12:08 NCR 624 | * | Approve | 12/18/97 |  |  | 12:17 NCR 1620 |  |
| 12 NCAC 10131205 | 12.04 NCR 242 |  | 12:08 NCR 624 | * | Approve | 12/18/97 |  |  | 12:17 NCR 1620 |  |
| 12 NCAC 10B. 1206 | 12.04 NCR 242 |  | 12:08 NCR 624 | * | Approve | 12/18/97 | * |  | 12:17 NCR 1620 |  |
| 12 NCAC 10 B .1301 | 12:07 NCR 508 | 12:18 NCR 1703 | 12:12 NCR 995 | * |  |  |  |  |  |  |
| 12 NCAC 1013.1302 | 12:07 NCR 508 | 12:18 NCR 1703 | 12:12 NCR 995 | S |  |  |  |  |  |  |
| 12 NCAC 10B. 1303 | 12:07 NCR 508 | 12:18 NCR 1703 | 12:12 NCR 995 | s |  |  |  |  |  |  |
| 12 NCAC 10B. 1304 | 12:07 NCR 508 | 12:18 NCR 1703 | 12:12 NCR 995 | S |  |  |  |  |  |  |
| 12 NCAC 10B 2001 | N/A | N/A | N/A |  | Approve | 01/15/98 |  |  |  |  |
| 12 NCAC 1013.2002 | 12:07 NCR 508 | 12:18 NCR 1703 | 12:12 NCR 995 | * |  |  |  |  |  |  |
| 12 NCAC 10B. 2101 | 12:07 NCR 508 | 12:18 NCR 1703 | 12:12 NCR 995 | * |  |  |  |  |  |  |
| 12 NCAC 10B. 2102 | 12:07 NCR 508 | 12:18 NCR 1703 | 12:12 NCR 995 | * |  |  |  |  |  |  |
| 12 NCAC 10B. 2104 | 12:07 NCR 508 | 12:18 NCR 1703 | 12:12 NCR 995 | * |  |  |  |  |  |  |
| 12 NCAC 10B. 2105 | 12:07 NCR 508 | 12:18 NCR 1703 | 12:12 NCR 995 | * |  |  |  |  |  |  |
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| 12 NCAC 04E. 0103 | 11:11 NCR 881 |  | 11:17 NCR 1339 | * | Approve | 05/15/97 |  |  | 11:30 NCR 2314 |  |
| 12 NCAC 04 E .0104 | 11:17 NCR 1336 |  | 11:22 NCR 1710 | * | Approve | 07/17/97 | * |  | 12:04 NCR 317 |  |
| 12 NCAC 04 E .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 04 E .0405 | 11:17 NCR 1336 |  | 11:22 NCR 1710 | * | Approve | 07/17/97 | * |  | 12:04 NCR 317 |  |
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| * 13 NCAC 07F . 0101 |  |  |  |  |  |  |  |  | 12:20 NCR 1815 |  |
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| * 13 NCAC 07F . 0501 |  |  |  |  |  |  |  |  |  | 12:08 NCR 613 |
| *13 NCAC 07F . 0502 |  |  |  |  |  |  |  |  |  | 12:08 NCR 613 |

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| 13 NCAC 07 A .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 07 F .0102 | 11:26 NCR 1984 |  | 12:03 NCR 170 | * | Approve | 11/20/97 |  |  | 12:16 NCR 1521 |  |
| 13 NCAC 07 F .0201 | 11:03 NCR 106 |  |  |  |  |  |  |  |  |  |
| 13 NCAC 07F. 0201 | 11:09 NCR 568 |  |  |  |  |  |  |  |  | repubsshed 1124 NCR 1817 |
| 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 07 F .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 07 F .0426 | 11:26 NCR 1984 |  | 12:03 NCR 170 | * | Approve | 11/20/97 | * |  | 12:16 NCR 1521 |  |
| 13 NCAC 07 F .0501 | 11:26 NCR 1984 |  | 12:03 NCR 170 | * | Approve | 11/20/97 | * |  | 12:16 NCR 1521 |  |
| 13 NCAC 07 F .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 | * |  | 12:17 NCR 1620 | . |
| 13 NCAC 16.0102 | 11:26 NCR 1984 |  | 12:05 NCR 412 | * | Approve | 12/18/97 | * |  | 12:17 NCR 1620 |  |
| 13 NCAC 16.0103 | 11:26 NCR 1984 |  | 12:05 NCR 412 | * | Approve | 12/18/97 |  |  | 12:17 NCR 1620 |  |
| 13 NCAC 16.0201 | 11:26 NCR 1984 |  | 12:05 NCR 412 | * | Approve | 12/18/97 | * |  | 12:17 NCR 1620 |  |
| 13 NCAC 16.0202 | 11:26 NCR 1984 |  | 12:05 NCR 412 | * | Approve | 12/18/97 |  |  | 12:17 NCR 1620 |  |
| 13 NCAC 16.0203 | 11:26 NCR 1984 |  | 12:05 NCR 412 | * | Approve | 12/18/97 |  |  | 12:17 NCR 1620 |  |
| 13 NCAC 16.0204 | 11:26 NCR 1984 |  | 12:05 NCR 412 | * | Approve | 12/18/97 |  |  | 12:17 NCR 1620 |  |
| 13 NCAC 16.0205 | 11:26 NCR 1984 |  | 12:05 NCR 412 | * | Approve | 12/18/97 |  |  | 12:17 NCR 1620 |  |
| 13 NCAC 16.0206 | 11:26 NCR 1984 |  | 12:05 NCR 412 | * | Approve | 12/18/97 |  |  | 12:17 NCR 1620 |  |
| 13 NCAC 16.0207 | 11:26 NCR 1984 |  | 12:05 NCR 412 | * | Approve | 12/18/97 |  |  | 12:17 NCR 1620 |  |
| 13 NCAC 16.0208 | 11:26 NCR 1984 |  | 12:05 NCR 412 | * | Approve | 12/18/97 |  |  | 12:17 NCR 1620 |  |
| 13 NCAC 16.0301 | 11:26 NCR 1984 |  | 12:05 NCR 412 | * | Approve | 12/18/97 | * |  | 12:17 NCR 1620 |  |
| 13 NCAC 16.0302 | 11:26 NCR 1984 |  | 12:05 NCR 412 | * | Approve | 12/18/97 |  |  | 12:17 NCR 1620 |  |
| 13 NCAC 16.0303 | 11:26 NCR 1984 |  | 12:05 NCR 412 | * | Approve | 12/18/97 |  |  | 12:17 NCR 1620 |  |

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| 13 NCAC 16.0401 | 11:26 NCR 1984 |  | 12:05 NCR 412 | - | Approve | 12/18/97 |  |  | 12:17 NCR 1620 |  |
| 13 NCAC 16.0402 | 11:26 NCR 1984 |  | 12:05 NCR 412 | - | Approve | 12/18/97 | * |  | 12:17 NCR 1620 |  |
| 13 NCAC 16.0501 | 11:26 NCR 1984 |  | 12:05 NCR 412 | * | Approve | 12/18/97 | * |  | 12:17 NCR 1620 |  |
| 13 NCAC 16.0502 | 11:26 NCR 1984 |  | 12:05 NCR 412 | * | Approve | 12/18/97 |  |  | 12:17 NCR 1620 |  |
| 13 NCAC 16.0601 | 11:26 NCR 1984 |  | 12:05 NCR 412 | * | Agency did | dopt |  |  |  |  |
| 13 NCAC 16.0602 | 11:26 NCR 1984 |  | 12:05 NCR 412 | * | Agency did |  |  |  |  |  |
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| 21 NCAC 26.0104 |  | 12:08 NCR 730 |  |  |  |  |  |  |  |  |
| 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 |  |  |  |  |  |  |  |  |
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| 21 NCAC 3213 | 12:04 NCR 245 |  |  |  |  |  |  |  |  |  |
| 21 NCAC $321^{\circ} .0103$ <br> 21 NCAC 32F. 0103 |  | 11:18 NCR 1386 Temp Expired 12:14 NCR 1354 | 12:04 NCR 294 | * |  |  |  |  |  |  |
| 21 NCAC 3211.0102 | 11:26 NCR 1986 |  | 12:04 NCR 294 | * | Approve | 12/18/97 | * |  | 12:17 NCR 1620 |  |
| 21 NCAC 32 H .0201 | 11:26 NCR 1986 |  | 12:04 NCR 294 | * | Approve | 12/18/97 | - |  | 12:17 NCR 1620 |  |
| 21 NCAC 3211.0202 | 11:26 NCR 1986 |  | 12:04 NCR 294 | * | Approve | 12/18/97 |  |  | 12:17 NCR 1620 |  |
| 21 NCAC 3211.0203 | 11:26 NCR 1986 |  | 12:04 NCR 294 | * | Approve | 12/18/97 |  |  | 12:17 NCR 1620 |  |
| 21 NCAC 32H. 0301 | 11:26 NCR 1986 |  | 12:04 NCR 294 | * | Approve | 12/18/97 |  |  | 12:17 NCR 1620 |  |
| 21 NCAC 3211.0302 | 11:26 NCR 1986 |  | 12:04 NCR 294 | * | Approve | 12/18/97 |  |  | 12:17 NCR 1620 |  |
| 21 NCAC 3211.0303 | 11:26 NCR 1986 |  | 12:04 NCR 294 | * | Approve | 12/18/97 |  |  | 12:17 NCR 1620 |  |
| 21 NCAC 3211.0401 | 11:26 NCR 1986 |  | 12:04 NCR 294 | * | Approve | 12/18/97 |  |  | 12:17 NCR 1620 |  |
| 21 NCAC 3211.0402 | 11:26 NCR 1986 |  | 12:04 NCR 294 | * | Approve | 12/18/97 | * |  | 12:17 NCR 1620 |  |
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| 21 NCAC 34C | 12:09 NCR 745 |  |  |  |  |  |  |  |  |  |
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| 21 NCAC 36.0109 | 11:24 NCR 1821 |  | 11:28 NCR 2130 | * | Approve | 12/18/97 |  |  | 12:17 NCR 1620 |  |
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| 21 NCAC 36.0320 | 11:14 NCR 1109 |  | 11:19 NCR 1428 | * | Object <br> Approve | $\begin{aligned} & 03 / 20 / 97 \\ & 04 / 17 / 97 \end{aligned}$ | * |  | 11:29 NCR 2211 |  |
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| 21 NCAC 36.0605 | 12:01 NCR 5 |  | 12:06 NCR 479 | * |  |  |  |  |  |  |
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| 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 |  |
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| 21 NCAC 40.0104 | 12:09 NCR 745 |  | 12:14 NCR 1338 | * |  |  |  |  |  |  |
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| 21 NCAC 40.0108 | 12:09 NCR 745 |  | 12:14 NCR 1338 | S |  |  |  |  |  |  |
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| 21 NCAC 48E. 0104 | 12:08 NCR 619 |  | 12:13 NCR 1150 | * |  |  |
| 21 NCAC 48E . 0110 | 12:08 NCR 619 |  | 12:13 NCR 1150 | * |  |  |
| 21 NCAC 48F . 0102 | 12:08 NCR 619 |  | 12:13 NCR 1150 | * | Object | 03/19/98 |
| 21 NCAC 48G. 0202 | 12:08 NCR 619 |  | 12:13 NCR 1150 | * |  |  |
| 21 NCAC 48G. 0203 | 12:08 NCR 619 |  | 12:13 NCR 1150 | * | Object | 03/19/98 |
| 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 | * | Object | 03/19/98 |
| 21 NCAC 48G. 0504 | 12:08 NCR 619 |  | 12:13 NCR 1150 | * |  |  |
| 21 NCAC 48G . 0512 | 12:08 NCR 619 | Agency Withdrew | c-making |  |  |  |
| 21 NCAC 48G. 0601 | 12:08 NCR 619 |  | 12:13 NCR 1150 | * | Object | 03/19/98 |
| 21 NCAC 4811. 0701 | 12:08 NCR 619 |  | 12:13 NCR 1150 | * |  |  |
| 21 NCAC 48H. 0704 | 12:08 NCR 619 |  | 12:13 NCR 1150 | * |  |  |
| PLUMBING, HEATING AND FIRE SPRINKLER CONTRACTORS, EXAMINERS OF |  |  |  |  |  |  |
| 21 NCAC 50.0106 | $\begin{aligned} & \text { 12:07 NCR } 509 \\ & \text { N/A } \end{aligned}$ | N/A | N/A |  | Approve | 02/19/98 |
| 21 NCAC 50.0202 | $\begin{aligned} & \text { 12:07 NCR } 509 \\ & \text { N/A } \end{aligned}$ | N/A | N/A |  | Approve | 02/19/98 |
| 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 |  |  |  |  |


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12:07 NCR 509
 12:07 NCR 509 12:07 NCR 509 12:07 NCR 509 12:07 NCR 509
N/A 509
21 NCAC $50.1206 \quad$ 12:07 NCR 509
21 NCAC $50.1210 \quad$ 12:07 NCR 509 21 NCAC $50.1212 \quad$ 12:07 NCR 509
21 NCAC 50.0510 21 NCAC 50.0511 21 NCAC 50.1102 21 NCAC 50.1104 21 NCAC 50.1201 21 NCAC 50.1205 21 NCAC 50.1302
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 12:16 NCR 1492 12:16 NCR 1492 12:16 NCR 1492 PSYCHOLOGY BOARD
21 NCAC $54.1611 \quad$ 12:05 NCR 338 21 NCAC $54.1612 \quad$ 12:05 NCR 338 21 NCAC 54.1613 12:05 NCR 338 21 NCAC $54.2006 \quad$ 12:05 NCR 338 21 NCAC $54.2010 \quad$ 12:05 NCR 338 21 NCAC $54.2104 \quad$ 12:05 NCR 338 21 NCAC 54.2301 12:05 NCR 338
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| 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 |  |  |  |  |  |  |  |  |  |
| 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 |  |  |  |  |  |  |  |  |  |
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| 16 NCAC 06C . 0307 |  |  | 12:01 NCR 18 | * | Object <br> Approve | $\begin{aligned} & 10 / 16 / 97 \\ & 12 / 18 / 97 \end{aligned}$ | * |  | 12:17 NCR 1620 |  |
| 16 NCAC 06C . 0310 |  |  | 12:01 NCR 18 | * |  |  |  |  |  |  |

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| 16 NCAC 06C . 0502 | 12.09 NCR 834 | 12.19 NCR 1773 | N/A |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 16 NCAC 06C . 0601 |  | 12:12 NCR 1050 | * |  |  |  |  |
| 16 NCAC 06C . 0602 |  | 12:12 NCR 1050 | * | Object | 03/19/98 |  |  |
| 16 NCAC 06D .0103 |  | 12:01 NCR 18 | * | Object | 10/16/97 |  |  |
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| 16 NCAC 06D 0301 |  | 12:01 NCR 18 | * | Object | 10/16/97 |  |  |
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| 16 NCAC 0611.0303 |  | 12:01 NCR 18 | * | Approve | 10/16/97 |  | 12:11 NCR 947 |
| 16 NCAC 06D . 0305 |  | 12:01 NCR 18 | * | Approve | 10/16/97 |  | 12:11 NCR 947 |
| 16 NCAC 061 D .0306 |  | 12:01 NCR 18 | * | Approve | 10/16/97 |  | 12:11 NCR 947 |
| 16 NCAC 06E . 0105 | 12:05 NCR 433 | 12:19 NCR 1773 | N/A |  |  |  |  |
| 16 NCAC 06 O .0304 |  | 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 |  |  |
|  |  |  |  | Approve | 12/18/97 | * | 12:17 NCR 1620 |
| 16 NCAC 06G . 0305 |  | 12:19 NCR 1773 | N/A |  |  |  |  |
| 16 NCAC 06G. 0306 |  | 12:01 NCR 18 | * | Object | 10/16/97 |  |  |
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| 16 NCAC 06G. 0307 |  | 12:01 NCR 18 | S | Object | 10/16/97 |  |  |
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| 16 NCAC 06G. 0308 |  | 12:01 NCR 18 | S | Object | 10/16/97 |  |  |
|  |  |  |  | Approve | 12/18/97 | * | 12:17 NCR 1620 |
| 16 NCAC 06G . 0309 |  | 12:01 NCR 18 | S | Approve | 10/16/97 | * | 12:11 NCR 947 |
| 16 NCAC 06G. 0310 |  | 12:19 NCR 1773 | N/A |  |  |  |  |
| 16 NCAC 06G 0401 |  | 12:01 NCR 18 | * | Approve | 10/16/97 |  | 12:11 NCR 947 |
| 16 NCAC 06G . 0402 |  | 12:01 NCR 18 | * | Approve | 10/16/97 |  | 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 06 G .0501 | 12:12 NCR 1071 | 12:19 NCR 1773 | N/A |  |  |  |  |
| Public School Administration, Standards Board fur |  |  |  |  |  |  |  |
| 16 NCAC 07.0201 | 12:07 NCR 533 | 12:12 NCR 1052 | * | Approve | 02/19/98 | * |  |
| 16 NCAC 07.0202 | 12:07 NCR 533 | 12:12 NCR 1052 | * |  |  |  |  |
| 16 NCAC 07.0301 | 12:07 NCR 533 | 12:12 NCR 1052 | * | Approve | 02/19/98 |  |  |
| 16 NCAC 07.0302 | 12:07 NCR 533 | 12:12 NCR 1052 | * | Approve | 02/19/98 | * |  |
| 16 NCAC 07.0303 | 12:07 NCR 533 | 12:12 NCR 1052 | * | Approve | 02/19/98 | * |  |

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| 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 <br> Approve | $\begin{aligned} & 12 / 19 / 96 \\ & 01 / 16 / 97 \end{aligned}$ | * |  | 11:22 NCR 1717 |  |
| 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 <br> Approve | $\begin{aligned} & 12 / 19 / 96 \\ & 01 / 16 / 97 \end{aligned}$ | * |  | 11:22 NCR 1717 |  |
| 21 NCAC 58A. 1502 | 10:22 NCR 2829 |  | 11:03 NCR 114 | * | Object <br> Approve | $\begin{aligned} & 12 / 19 / 96 \\ & 01 / 16 / 97 \end{aligned}$ | * |  | 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 | * |  |  |  |  |  |  |
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| 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 | * |  |  |  |  |  |  |

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| 17 NCAC 04D . 0505 |  |  | 12:14 NCR 1283 | * |  |  |  |  |  |  |
| 17 NCAC 04 D .0508 |  |  | 12:14 NCR 1283 | * |  |  |  |  |  |  |
| 17 NCAC 04D 0901 |  |  | 12:14 NCR 1283 | * |  |  |  |  |  |  |
| 17 NCAC 05 C .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 OSE 0103 |  |  | 12:14 NCR 1285 | * |  |  |  |  |  |  |
| 17 NCAC 05 E .0105 |  |  | 12:14 NCR 1285 | * |  |  |  |  |  |  |
| 17 NCAC 06 B .0104 |  |  | 12:14 NCR 1288 | * |  |  |  |  |  |  |
| 17 NCAC 063.0106 |  |  | 12:14 NCR 1288 | * |  |  |  |  |  |  |
| 17 NCAC 0613.0107 |  |  | 12:14 NCR 1288 | * |  |  |  |  |  |  |
| 17 NCAC 06 B .0112 |  |  | 12:14 NCR 1288 | * |  |  |  |  |  |  |
| 17 NCAC 06 B .0117 |  |  | 12:14 NCR 1288 | * |  |  |  |  |  |  |
| 17 NCAC 06B. 0118 |  |  | 12:14 NCR 1288 | * |  |  |  |  |  |  |
| 17 NCAC 06 B .0609 |  |  | 12:14 NCR 1288 | * |  |  |  |  |  |  |
| 17 NCAC 0613.3204 |  |  | 12:17 NCR 1610 | * |  |  |  |  |  |  |
| 17 NCAC 06 B .3503 |  |  | 12:14 NCR 1288 | * |  |  |  |  |  |  |
| 17 NCAC 0613.3526 |  |  | 12:14 NCR 1288 | * |  |  |  |  |  |  |
| 17 NCAC 0613.3714 |  |  | 12:14 NCR 1288 | * |  |  |  |  |  |  |
| 17 NCAC 06 B .3725 |  |  | 12:14 NCR 1288 | * |  |  |  |  |  |  |
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| 17 NCAC 06C .0201 |  |  | 12:14 NCR 1288 | * |  |  |  |  |  |  |
| 17 NCAC 06C. 0203 |  |  | 12:14 NCR 1288 | * |  |  |  |  |  |  |
| 17 NCAC 07 B .0104 |  |  | 12:14 NCR 1296 | * |  |  |  |  |  |  |
| 17 NCAC 07 B .0207 |  |  | 12:14 NCR 1296 | * |  |  |  |  |  |  |
| 17 NCAC 078.0901 |  |  | 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 | * |  |  |  |  |  |  |

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| 17 NCAC 07 B .1701 |  |  | 12:14 NCR 1296 | * |  |  |  |  |  |  |
| 17 NCAC 07 B .1702 |  |  | 12:14 NCR 1296 | * |  |  |  |  |  |  |
| 17 NCAC 07B. 1703 |  |  | 12:14 NCR 1296 | * |  |  |  |  |  |  |
| 17 NCAC 07 B .1801 |  |  | 12:14 NCR 1296 | * |  |  |  |  |  |  |
| 17 NCAC 0713.1802 |  |  | 12:14 NCR 1296 | * |  |  |  |  |  |  |
| 17 NCAC 07B 2201 |  |  | 12:14 NCR 1296 | * |  |  |  |  |  |  |
| 17 NCAC 07 B .2212 |  |  | 12:14 NCR 1296 | * |  |  |  |  |  |  |
| 17 NCAC 07 B .3104 |  |  | 12:14 NCR 1296 | * |  |  |  |  |  |  |
| 17 NCAC 07 B .3301 |  |  | 12:14 NCR 1296 | * |  |  |  |  |  |  |
| 17 NCAC 07B 3302 |  |  | 12:14 NCR 1296 | * |  |  |  |  |  |  |
| 17 NCAC 07 B .3303 |  |  | 12:14 NCR 1296 | * |  |  |  |  |  |  |
| 17 NCAC 07 B .3304 |  |  | 12:14 NCR 1296 | * |  |  |  |  |  |  |
| 17 NCAC 07 B .3305 |  |  | 12:14 NCR 1296 | * |  |  |  |  |  |  |
| 17 NCAC 07 B .3306 |  |  | 12:14 NCR 1296 | * |  |  |  |  |  |  |
| 17 NCAC 07 B .3901 |  |  | 12:14 NCR 1296 | * |  |  |  |  |  |  |
| 17 NCAC 07 B .3910 |  |  | 12:14 NCR 1296 | * |  |  |  |  |  |  |
| 17 NCAC 07 B .4301 |  |  | 12:14 NCR 1296 | * |  |  |  |  |  | - |
| 17 NCAC 091.0102 |  |  | 12:14 NCR 1310 | * |  |  |  |  |  |  |
| 17 NCAC 091.0304 |  |  | 12:14 NCR 1310 | * |  |  |  |  |  |  |
| 17 NCAC 09J 0203 |  |  | 12:14 NCR 1310 | * |  |  |  |  |  |  |
| 17 NCAC 09 K .0205 |  |  | 12:14 NCR 1310 | * |  |  |  |  |  |  |
| 17 NCAC 09 K .0511 |  |  | 12:14 NCR 1310 | * |  |  |  |  |  |  |
| 17 NCAC 09 K .0513 |  |  | 12:14 NCR 1310 | * |  |  |  |  |  |  |
| 17 NCAC 09L. 0302 |  |  | 12:17 NCR 1610 | * |  |  |  |  |  |  |
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(Updated through April 8, 1998)

| $\begin{aligned} & \text { Agency/Rule } \\ & \text { Citation } \end{aligned}$ | Rule-making Proceedings | TemporaryRule | Notice of Text | Fiscal Note | RRC Status |  | Text differs from proposal | Effective by Governor | Approved Rule | Other |
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| 18 NCAC 06.1104 |  | 12:07 NCR 534 | 12:14 NCR 1312 | * | Object | 03/19/98 |  |  |  |  |
| 18 NCAC 06.1205 |  | 12:07 NCR 534 | 12:14 NCR 1312 | * |  |  |  |  |  |  |
| 18 NCAC 06.1206 |  | 12:07 NCR 534 | 12:14 NCR 1312 | * | Object | 03/19/98 |  |  |  |  |
| 18 NCAC 06.1211 |  | 12:07 NCR 534 | 12:14 NCR 1312 | * |  |  |  |  |  |  |
| 18 NCAC 06.1212 |  | 12:07 NCR 534 | 12:14 NCR 1312 | * | Object | 03/19/98 |  |  |  |  |
| 18 NCAC 06.1304 |  | 12:07 NCR 534 | 12:14 NCR 1312 | * |  |  |  |  |  |  |
| 18 NCAC 06.1401 |  | 12:07 NCR 534 | 12:14 NCR 1312 | * | Object | 03/19/98 |  |  |  |  |
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| 18 NCAC 06.1506 |  | 12:07 NCR 534 | 12:14 NCR 1312 | * |  |  |  |  |  |  |
| 18 NCAC 06.1509 |  | 12:07 NCR 534 | 12:14 NCR 1312 | * | Object | 03/19/98 |  |  |  |  |
| 18 NCAC 06.1702 |  | 12:07 NCR 534 | 12:14 NCR 1312 | * | Object | 03/19/98 |  |  |  |  |
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| 18 NCAC 06.1713 |  | 12:07 NCR 534 | 12:14 NCR 1312 | * |  |  |  |  |  |  |
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| 18 NCAC 06.1802 |  | 12:07 NCR 534 | 12:14 NCR 1312 | * |  |  |  |  |  |  |
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| 18 NCAC 06.1805 |  | 12:07 NCR 534 | 12:14 NCR 1312 | * | Object | 03/19/98 |  |  |  |  |
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| 18 NCAC 06.1811 |  | 12:07 NCR 534 | 12:14 NCR 1312 | * | Object | 03/19/98 |  |  |  |  |

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$\begin{array}{ll}\text { Object } & 07117 / 97 \\ \text { Approve } & 08 / 21 / 97 \\ \text { Approve } & 10 / 16 / 97 \\ \text { Approve } & 10 / 16 / 97 \\ \text { Approve } & 07 / 17 / 97\end{array}$
$\begin{array}{ll}\text { Object } & 07117 / 97 \\ \text { Approve } & 08 / 21 / 97 \\ \text { Approve } & 10 / 16 / 97 \\ \text { Approve } & 10 / 16 / 97 \\ \text { Approve } & 07 / 17 / 97\end{array}$
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| DESCRIPITON | CODE | ANNUAL SUBSCRIPTON PRICE |
| :---: | :---: | :---: |
| Title 1 - Dept. of Administration - Complete Titte | 20100001 | \$90.00 |
| Division of Purchase \& Contract | 20110051 | \$30.00 |
| Federal Block Grant Funds | 20110331 | \$25.00 |
| Titte 2 - Depl. of Agriculture - Complete Title | 20200001 | \$140.00 |
| Food \& Drug Protection Division | 20215091 | \$35.00 |
| Structural Pest Control Committee | 20215341 | \$30.00 |
| Agricultural Markets | 20215431 | \$30.00 |
| Plant Industry | 20215481 | \$30.00 |
| Animal Industry | 20215521 | \$30.00 |
| Title 3 - Dept. of State Auditor - Complete Title | 20300001 | \$25.00 |
| Titte 4 - Dept. of Commerce - Complete Title | 20400001 | \$125.00 |
| Alcoholic Beverage Control Commission | 20415021 | \$45.00 |
| Banking Commission | 20415031 | \$45.00 |
| Credit Union Division | 20415061 | \$25.00 |
| Savings \& Loan Division | 20415091 | \$25.00 |
| Industrial Commission/Workers Compensation | 20415101 | \$30.00 |
| Savings Institutions Division | 20415161 | \$35.00 |
| Title 5 - Dept. of Corrections - Complete Title | 20500001 | \$70.00 |
| Division of Prisons | 20515021 | \$35.00 |
| Title 6-Council of State - Complete Tite | 20600001 | \$30.00 |
| Title 7 - Dept. of Cultural Resources - Complete Title | 20700001 | \$60.00 |
| Tite 8 - State Board of Elections - Complete Tite | 20800001 | \$30.00 |
| Title 9-Offices of the Governor \& Lt. Governor - Complete Titte | 20900001 | \$45.00 |
| Title 10-Dept. of Human Resources - Complete Title | 21000001 | \$470.00 |
| Licensing of Health Facilities | 21020101 | \$95.00 |
| Detention Facilites | 21020201 | S40.00 |
| Mental Health \& Rehabilitation Services | 21020301 | \$110.00 |
| Social Services | 21020401 | \$185.00 |
| Children Services/Day Care | 21020411 | \$55.00 |
| Services for the Aging | 21020421 | \$45.00 |
| Services for the Blind | 21020431 | \$40.00 |
| Services for the Deaf \& Hard of Hearing | 21020441 | \$25.00 |
| Employment Opportunities | 21020451 | \$45.00 |
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| Insurance | 21110011 | \$80.00 |
| Consumer Services | 21110041 | \$30.00 |
| Fire \& Rescue Services | 21110051 | \$25.00 |
| Agent Services | 21110061 | \$35.00 |
| Engineering \& Building Codes | 21110081 | \$30.00 |
| Title 12 - Dept. of Justice - Complete Titte | 21200001 | \$90.00 |
| Private Protective Services | 21210071 | \$30.00 |
| Policf \& Sheriff's Education \& Training Standards | 21210091 | \$ 40.00 |
| NC Alarm Systems Licensing Board | 21210111 | \$30.00 |
| Tithe 13-Dept. of Labor - Complete Title | 21300001 | \$110.00 |
| Mine \& Quarry Safety | 21315061 | \$25.00 |
| General Safety/OSHA | 21320001 | \$70.00 |
| Wage \& Hour Rules | 21315121 | \$25.00 |
| Boiler \& Pressure Vessel Safety | 21315131 | \$25.00 |
| Apprenticeship \& Training | 21315141 | \$25.00 |
| Elevator \& Amusement Device Safety | 21315151 | \$25.00 |
| Tite 14A - Dept. of Crime Control \& Public Safery - Complete Titte Alcohol Law Enforcement Victims Compensation Fund | 21400001 21400081 21400111 | $\$ 45.00$ $\$ 25.00$ $\$ 25.00$ |
| Tite 15A - Dept. of Environ., Health, \& Nat. Resources - Complete Tite | 21500001 | \$395.00 |
| Environmental Management | $21515001$ | $\$ 165.00$ |
| Air Quality <br> Water Quality | 21515101 21515201 | $\$ 90.00$ |
| Land \& Waste Management | 21515201 21515301 | 585.00 585.00 |
| Solid Waste Management | 21515311 | 550.00 |



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