

NORTH CAROLINA REGISTER

VOLUME 14 • ISSUE 17 • Pages 1492 - 1592

March 1, 2000

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Voting Rights Letters
Agriculture
Commerce
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Environment and Natural Resources
Health and Human Services
Housing Finance Agency
Pharmacy, Board of
Public Education
Secretary of State
Social Work Certification & Licensure Board
Rules Review Commission
Contested Case Decisions

PUBLISHED BY

***The Office of Administrative Hearings
Rules Division***

6714 Mail Service Center

Raleigh, NC 27699-6714

Telephone (919) 733-2678

Fax (919) 733-3462

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

Rule Notices, Filings, Register, Deadlines, Copies of Proposed Rules, etc.

Office of Administrative Hearings
Rules Division

Capehart-Crocker House
424 North Blount Street
Raleigh, North Carolina 27601-2817

(919) 733-2678
(919) 733-3462 FAX

contact: Molly Masich, Director APA Services
Ruby Creech, Publications Coordinator

mmasich@oah.state.nc.us
rcreech@oah.state.nc.us

Fiscal Notes & Economic Analysis

Office of State Budget and Management
116 West Jones Street
Raleigh, North Carolina 27603-8005

(919) 733-7061
(919) 733-0640 FAX

contact: Warren Plonk, Economist III

wplonk@osbm.state.nc.us

Rule Review and Legal Issues

Rules Review Commission
1307 Glenwood Ave., Suite 159
Raleigh, North Carolina 27605

(919) 733-2721
(919) 733-9415 FAX

contact: Joe DeLuca Jr., Staff Director Counsel
Bobby Bryan, Staff Attorney

Legislative Process Concerning Rule-making

Joint Legislative Administrative Procedure Oversight Committee
545 Legislative Office Building
300 North Salisbury Street
Raleigh, North Carolina 27611

(919) 733-2578
(919) 715-5460 FAX

contact: Mary Shuping, Staff Liaison

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

(919) 715-2893

contact: Jim Blackburn or Rebecca Troutman

NC League of Municipalities
215 North Dawson Street
Raleigh, North Carolina 27603

(919) 715-4000

contact: Paula Thomas

NORTH CAROLINA REGISTER

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March 1, 2000

This issue contains documents officially filed
through February 9, 2000.

Office of Administrative Hearings
Rules Division
424 North Blount Street (27601)
6714 Mail Service Center
Raleigh, NC 27699-6714
(919) 733-2678
FAX (919) 733-3462

Julian Mann III, Director
Camille Winston, Deputy Director
Molly Masich, Director of APA Services
Ruby Creech, Publications Coordinator
Linda Dupree, Editorial Assistant
Jessica Flowers, Editorial Assistant
Dana Sholes, Editorial Assistant

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NORTH CAROLINA ADMINISTRATIVE CODE CLASSIFICATION SYSTEM

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 Resources	Foresters	20
16	Public Education	Geologists	21
17	Revenue	Hearing Aid Dealers and Fitters	22
18	Secretary of State	Landscape Architects	26
19A	Transportation	Landscape Contractors	28
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Note: Title 21 contains the chapters of the various occupational licensing boards.

NORTH CAROLINA REGISTER

Publication Schedule For January 2000 - December 2000

FILING DEADLINES			NOTICE OF RULE-MAKING PROCEEDINGS	NOTICE OF TEXT						TEMPORARY RULE	
volume and Issue number	issue date	last day for filing	earliest register issue for publication of text	earliest date for public hearing	non-substantial economic impact			substantial economic impact			270 th day from issue date
					end of required comment period	deadline to submit to RRC for review at next meeting	first legislative day of the next regular session	end of required comment period	deadline to submit to RRC for review at next meeting	first legislative day of the next regular session	
14:13	01/04/00	12/09/99	03/15/00	01/19/00	02/03/00	02/21/00	05/09/00	03/06/00	03/20/00	05/09/00	09/30/00
14:14	01/14/00	12/21/99	03/15/00	01/31/00	02/14/00	02/21/00	05/09/00	03/14/00	03/20/00	05/09/00	10/10/00
14:15	02/01/00	01/10/00	04/03/00	02/16/00	03/02/00	03/20/00	05/09/00	04/03/00	04/20/00	01/26/01	10/28/00
14:16	02/15/00	01/25/00	04/17/00	03/01/00	03/16/00	03/20/00	05/09/00	04/17/00	04/20/00	01/26/01	11/11/00
14:17	03/01/00	02/09/00	05/01/00	03/16/00	03/31/00	04/20/00	01/26/01	05/01/00	05/22/00	01/26/01	11/26/00
14:18	03/15/00	02/23/00	05/15/00	03/30/00	04/14/00	04/20/00	01/26/01	05/15/00	05/22/00	01/26/01	12/10/00
14:19	04/03/00	03/13/00	06/15/00	04/18/00	05/03/00	05/22/00	01/26/01	06/02/00	06/20/00	01/26/01	12/29/00
14:20	04/17/00	03/27/00	07/03/00	05/02/00	05/17/00	05/22/00	01/26/01	06/16/00	06/20/00	01/26/01	01/12/01
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14:22	05/15/00	04/24/00	07/17/00	05/30/00	06/14/00	06/20/00	01/26/01	07/14/00	07/20/00	01/26/01	02/09/01
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15:02	07/17/00	06/23/00	09/15/00	08/01/00	08/16/00	08/21/00	01/26/01	09/15/00	09/20/00	01/26/01	04/13/01
15:03	08/01/00	07/11/00	10/02/00	08/16/00	08/31/00	09/20/00	01/26/01	10/02/00	10/20/00	01/26/01	04/28/01
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15:06	09/15/00	08/24/00	11/15/00	10/02/00	10/16/00	10/20/00	01/26/01	11/14/00	11/20/00	01/26/01	06/12/01
15:07	10/02/00	09/11/00	12/01/00	10/17/00	11/01/00	11/20/00	01/26/01	12/01/00	12/20/00	05/2002	06/29/01
15:08	10/16/00	09/25/00	12/15/00	10/31/00	11/15/00	11/20/00	01/26/01	12/15/00	12/20/00	05/2002	07/13/01
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15:10	11/15/00	10/24/00	01/16/01	11/30/00	12/15/00	12/20/00	05/2002	01/16/01	01/22/01	05/2002	08/12/01
15:11	12/01/00	11/07/00	02/01/01	12/18/00	01/02/01	01/22/01	05/2002	01/30/01	02/20/01	05/2002	08/28/01
15:12	12/15/00	11/22/00	02/15/01	01/02/01	01/16/01	01/22/01	05/2002	02/13/01	02/20/01	05/2002	09/11/01

EXPLANATION OF THE PUBLICATION SCHEDULE

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

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

**EXECUTIVE ORDER NO. 167
EMERGENCY RELIEF FOR DAMAGE
CAUSED BY JANUARY 2000 WINTER STORM**

WHEREAS, I have proclaimed that a state of emergency and disaster exists in North Carolina due to a winter storm; and

WHEREAS, the North Carolina Department of Transportation has declared a State emergency justifying an exemption from 49 C.F.R. 390-397 (Federal Motor Carrier Safety Regulations); and

WHEREAS, under the provisions of N.C.G.S. 166A-4(3) and 166A-6(c)(3), the Governor, with the concurrence of the Council of State, may regulate and control the flow of vehicular traffic and the operation of transportation services; and

WHEREAS, with the concurrence of the Council of State, I have found that if vehicles carrying salt to alleviate slippery conditions on ice-covered streets, roads and highways and equipment used to restore public utilities must adhere to the registration requirements of N.C.G.S. 20-86.1 and 20-382, fuel tax requirements of N.C.G.S. 105-449.47, and the size and weight requirements of N.C.G.S. 20-116 and N.C.G.S. 20-118, then streets, roads and highways will not be cleared of slippery conditions in an expeditious manner and this will result in an imminent threat of widespread damage within the meaning of N.C.G.S. 166-A-4(3);

NOW, THEREFORE, pursuant to the authority vested in me as Governor by the Constitution and the laws of the State of North Carolina, and with the concurrence of the Council of State, IT IS ORDERED:

Section 1. The Division of Motor Vehicles shall waive certain size and weight restrictions and penalties therefore arising under N.C.G.S. 20-116 and N.C.G.S. 20-118, and certain registration requirements and penalties therefore arising under N.C.G.S. 20-86.1, 20-382, 105-449.47, 105-449.49 for vehicles transporting salt, and equipment used to restore public utilities, along our streets, roads and highways to North Carolina's winter storm stricken counties.

Section 2. Notwithstanding the waivers set forth above, size and weight restrictions and penalties have not been waived under the following conditions:

- (A) When the vehicle weight exceeds the maximum gross weight criteria established by the manufacturer (GVWR) or 90,000 pounds gross weight, whichever is less.
- (B) When the tandem axle weight exceeds 42,000 pounds and the single axle weight exceeds 22,000 pounds.
- (C) When a vehicle/vehicle combination exceeds 12 feet in width and a total overall vehicle combination length of 75 feet from bumper to bumper.

Section 3. Vehicles referenced under section 1 shall be exempt from the following registration requirements:

- (A) The \$50.00 fee listed in N.C.G.S. 105-449.49 for a

temporary trip permit is waived for the vehicles described above. No quarterly fuel tax is required because the exception in N.C.G.S. 105-449.45(a)(1) applies.

- (B) The registration requirement under N.C.G.S. 20-382 concerning intrastate and interstate for-hire authority is waived; however, vehicles shall maintain the required limits of insurance.
- (C) Non-participants in North Carolina's International Registration Plan will be permitted into North Carolina in accordance with the spirit of the exemptions identified by this Executive Order.

Section 4. The size and weight exemption for vehicles will be allowed on all routes designated by the North Carolina Department of Transportation. This order shall not be in effect on bridges posted pursuant to N.C.G.S. 136-72.

Section 5. The waiver of regulations under 49 C.F.R. 390-397 (Federal Motor Carrier Safety Regulations) does not apply to the CDL and Insurance Requirements. This waiver shall be in effect for 30 days or for the duration of the emergency, whichever is less.

Section 6. The North Carolina Department of Transportation shall enforce the conditions set forth in Sections 1, 2, and 3 in a manner which will best accomplish the implementation of this rule without endangering motorists in North Carolina.

Section 7. Upon request, exempted vehicles shall be required to produce identification sufficient to establish that its load consists of salt and equipment used to restore public utilities which will be used for emergency relief efforts associated with the January 2000 winter storm and the alleviation of slippery conditions along North Carolina streets, roads and highways.

This Executive Order is effective immediately and shall remain in effect for thirty (30) days from the date provided below.

Done in the Capital City of Raleigh, North Carolina this 28th day of January, 2000.

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.

CHAPTER 63 - SOCIAL WORK CERTIFICATION

NOTICE OF PUBLIC HEARING

The North Carolina Social Work Certification and Licensure Board ("Board") will hold an additional public hearing to take comment on proposed permanent rules. The Board published a Notice of Text in Volume 14, Issue 14 of the North Carolina Register indicating its intent to adopt, amend and repeal rules located at Title 21, Chapter 63 of the North Carolina Administrative Code. That Notice of Text included notice of a public hearing which was held on February 7, 2000. It also included notice that the comment period mandated by G.S. 150B-21.2(f) would run through February 14, 2000. The Board will hold an additional public hearing on March 16, 2000. The hearing will begin at 9:00 a.m., and will be held in Room G-22 of the Old Education Building, 114 W. Edenton St., Raleigh, North Carolina. Pursuant to G.S. 150B-21.2(f) the Board will hold open the comment period through March 16, 2000. Questions regarding the public hearing and any written comments on the proposed rules should be directed to Grady L. Balentine, Jr., Assistant Attorney General, N.C. Dept. of Justice, P.O. Box 629, Raleigh, NC 27602-0629, telephone (919) 716-6840. The Board will consider the proposed rules at a meeting on March 17, 2000, by conference telephone. Anyone wishing to listen to the March 17, 2000 meeting should contact the Board Office at (336) 625-1679.

U.S. Department of Justice

Civil Rights Division

JDR:DHH:DCM:par
DJ 166-012-3
1999-1978
1999-2745

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

January 14, 2000

Robert E. Hornik, Jr., Esq.
The Brough Law Firm
1829 East Franklin St., Suite 800-A
Chapel Hill, NC 27514

Dear Mr. Hornik:

This refers to the June 1, 1969, March 9, 1970, April 26, 1971, annexations, 14 other annexations (Ordinance Nos. 72-11, 76-8, 79-5, 79-13, 79-35, 80-37, 80-38, 80-46, 82-14, 82-31, 85-47, 90-16, 99-9, and 99-10), and the designation of the annexed areas to wards of the Town of Tarboro in Edgecombe 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 December 15, 1999.

The Attorney General does not interpose any objection of 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,

Joseph D. Rich
Acting Chief, Voting Section

U.S. Department of Justice

Civil Rights Division

JDR:DHH:SMC:bab
DJ 166-012-3
1999-3686
1999-3834

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

January 14, 2000

David A. Holec, Esq.
City Attorney
P.O. Box 7207
Greenville, NC 27835

Dear Mr. Holec:

This refers to 13 annexations (Ordinance Nos. 95 through 103 and 129 through 132 (1999)) and their designation to districts of the City of Greenville in Pitt 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 November 29 and December 16, 1999.

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,

Joseph D. Rich
Acting Chief, Voting Section

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

TITLE 10 - DEPARTMENT OF HEALTH AND HUMAN SERVICES

CHAPTER 3 - FACILITY SERVICES

Notice of Rule-making Proceedings is hereby given by the NC Child Care 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 rule-making proceedings and any comments received on this notice.

Citation to Existing Rules Affected by this Rule-Making: 10 NCAC 3U .0300, .0600, .0800, .1300, .1600-.2200 - Other rules may be proposed in the course of the rule-making process.

Authority for the rule-making: G.S. 143B-168.3.

Statement of the Subject Matter: Child care rules regarding the health and safety of children in child care centers and homes.

Reason for Proposed Action: The Child Care Commission proposes rulemaking to review requirements pertaining to the health and safety of children in child care centers and family child care homes. The Commission will also review rules that may need updated terminology or references.

Comment Procedures: Questions or written comments regarding this matter may be directed to Janice Fain, APA Coordinator, Division of Child Development, 2201 Mail Service Center, Raleigh, NC 27699-2201, (919)662-4543.

TITLE 15A - DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

CHAPTER 2 - ENVIRONMENTAL MANAGEMENT

Notice of Rule-making Proceedings is hereby given by the DENR/Environmental Management Commission in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(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: 15A NCAC 2H .0227 - Other rules may be proposed in the course of the rule-making process.

Authority for the rule-making: G.S. 143-215.1; 143-

215.3(a)(1); S.L. 1999, c. 329.

Statement of the Subject Matter: The proposed rule will set forth the procedures and requirements for collection system owners to meet the requirements of S.L. 1999, c. 329. The proposed rule will also define collection system since this term is not defined in the statutes. The following test is the proposed rule test which the Environmental Management Commission plans to adopt.

Reason for Proposed Action: On July 20, 1999 the N. C. General Assembly ratified House Bill 1160. Section 11.2. of Part XI, entitled "Environmental Management Commission to Develop Engineering Standards and Implement a Permit Program for Municipal and Domestic Wastewater Collections," states, "The Environmental Management Commission shall develop and implement a permit program for municipal and domestic wastewater collection systems on a systemwide basis...the Commission shall implement the permit program over a five-year period beginning 1 July 2000." The term "collection system" is not defined in the State's statutes or administrative code.

A rule which addresses the scope and requirements of the new permitting program must be added to 15A NCAC 2H .0200 - "Waste Not Discharged to Surface Waters." March 1, 2000 has been selected as the proposed effective date of the temporary rule so that applications may be distributed, completed, and returned prior to the initiation of permitting on July 1, 2000. This Rule will define collection system and address the scope and requirements of the new permitting program. The temporary rule is intended to become permanent. However, time does not permit the adoption of a permanent rule prior to the mandated implementation date. The Environmental Management Commission will approve the rule and grant staff the authority to proceed with temporary and permanent rule making procedures for publication in the NC Register.

Comment Procedures: Written comments may be submitted to Kim H. Colson, Division of Water Quality, Water Quality Section, Non-Discharge Permitting Unit, 1617 Mail Service Center, Raleigh, NC 27699-1617. An information package may be obtained by contacting the Non-Discharge Permitting Unit at (919)733-5083 (EXT. 574 OR 524).

SUBCHAPTER 2H - PROCEDURES FOR PERMITS: APPROVALS

SECTION .0200 - WASTE NOT DISCHARGED TO SURFACE WATERS

.0227 SYSTEM-WIDE COLLECTION SYSTEM

PERMITTING

(a) In accordance with the North Carolina Clean Water Act of 1999, S. L. 1999 c. 329, s. 11.2, the Director may issue system-wide permits for collection systems.

(b) The following definitions apply to this Section:

- (1) "Collection system" means a group of contiguous sewer systems that convey municipal or domestic wastewater to a wastewater treatment facility or separately-owned sewer system.
- (2) "High-priority sewer line" means any aerial line, sub-waterway crossing, line contacting surface waters, siphon, line positioned parallel to streambanks that are subject to eroding in such a manner that may threaten the sewer line, or line designated as high priority in a permit.

(c) Permit applications for the initial issuance of a collection system permit shall be completed and submitted to the Division within 60 days of the collection system owner's receipt of the Division's request for application submittal. The Division shall request the initial application submittal by certified mail. Permit renewal requests shall be submitted to the Director at least 180 days prior to expiration, unless the permit has been revoked in accordance with Rule .0213 of this Section. All applications must be submitted in triplicate and made on official forms completely filled out, where applicable, and fully executed.

(d) Collection systems that have a design flow and convey an actual flow less than 200,000 gallons per day shall be deemed to be permitted pursuant to G.S. 143-215.1(b)(4)e, and it shall not be necessary for the Division to issue individual permits for the operation and maintenance of the these systems and their associated management programs provided that the following criteria are met:

- (1) The sewer system is effectively maintained and operated at all times to prevent discharge to land or surface waters, and any contravention of the groundwater standards in 15A NCAC 2L .0200 or the surface water standards in 15A NCAC 2B .0200;
- (2) A map of the sewer system has been developed prior to January 1, 2004 and is actively maintained;
- (3) An operation and maintenance plan has been developed and implemented;
- (4) Pump stations that are not connected to a telemetry system are inspected at least three times per week until July 1, 2000; thereafter, pump stations are inspected at least daily, as defined in 15A NCAC 2B .0503(5), until July 1, 2001; and thereafter, pump stations are inspected every day. Pump stations that are connected to a telemetry system are inspected at least once per week;
- (5) High-priority sewer lines are inspected at least once per every six-month period of time;
- (6) A general observation of the entire sewer system is conducted at least once per year;
- (7) Inspection and maintenance records are maintained for a period of at least three years; and
- (8) Overflows and bypasses are reported to the appropriate Division regional office in accordance with 15A NCAC 2B .0506(a), and public notice is

provided as required by G.S. 143-215.1C.

(e) The Director may, on a case by case basis, determine that a collection system should not be deemed to be permitted in accordance with this Rule and require the owner of the collection system to obtain an individual collection system permit from the Division if:

- (1) The owner of the collection system does not maintain compliance with the requirements of Paragraph (d) of this Rule; or
- (2) The collection system is determined to be contributing to the impairment of surface waters specified on the Division's list generated as a result of the Federal Water Pollution Control Act (Clean Water Act) Section 303(d), 33 U.S.C. Section 1313(d).

Authority G.S. 143-215.1(a); 143-215.3(a),(d); North Carolina Clean Water Act of 1999, S.L. 1999 c. 329.

TITLE 16 - DEPARTMENT OF PUBLIC EDUCATION

CHAPTER 6 - ELEMENTARY AND SECONDARY EDUCATION

Notice of Rule-making Proceedings is hereby given by the State Board of Education 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:

16 NCAC 6C .0401, .0404, .0501 - Other rules may be proposed in the course of the rule-making process.

Authority for the rule-making: *G.S. 115-12(8), 115-272, 115-285, 115-302.1, 115-316, 115-333, 115-408*

Statement of the Subject Matter: *Local school employee leave provisions and evaluation.*

Reason for Proposed Action: *These rule-making proceedings were initiated by the State Board of Education to make clarifying amendments to school personnel leave policies and to update the employee evaluation process.*

Comment Procedures: *Written comments may be submitted to Harry E. Wilson, State Board of Education, 301 N. Wilmington St., Raleigh, NC 27601-2625.*

TITLE 18 - DEPARTMENT OF SECRETARY OF STATE

CHAPTER 6 - SECURITIES DIVISION

Notice of Rule-making Proceedings is hereby given by the NC Department of the Secretary of State 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: 18 NCAC 6 .1402, .1413, .1709 Other rules may be proposed in the course of the rule-making process.

Authority for the rule-making: G.S. 78A-37(a); 78A-39; 78A-(b)(4); 78A-49(a); 78C-19(b); 78C-30(a); 78-30(b).

Statement of the Subject Matter: *These amendments relate to the examinations required of applicants for registration as investment advisors, investment advisor representatives, and securities salesmen. They are intended to implement a uniform and coordinated policy by state securities regulators developed and promoted by the North American Securities Administrators Association(NASAA).*

Reason for Proposed Action: *As of January 1, 2000, NASAA implemented a revised Uniform Investment Advisor State Law Examination (known as a Series 65 Exam) and retired the Series 65 Exam contemplated by 18 NCAC 6 .1709 that was in use prior to that date. Additionally, as of January 1, 2000, NASAA requires that a person desiring to take the Uniform Combined State Law Examination (known as the Series 66 Exam) to qualify candidates as both securities agents and investment adviser representatives must pass the NASD General Securities Representative Examination (known as the Series 7 Exam) as a co-requisite for taking the Series 66 Exam.*

Comment Procedures: *Comments concerning these rules may be addressed to David S. Massey, Deputy Securities Administrator at 300 N. Salisbury St., Suite 100, Raleigh, NC 27603, (919) 733-3924. Comments must be received no later than May 1, 2000.*

SECTION .1400 - REGISTRATION OF DEALERS AND SALESMEN

.1402 APPLICATION FOR REGISTRATION OF SALESMEN

(a) The application for registration as a salesman shall contain the following:

- (1) an executed Uniform Application for Securities and Commodities Industry Representative and/or Agent (Form U-4) or the appropriate successor form;
- (2) a fee in the amount of fifty-five dollars (\$55.00);
- (3) evidence of a passing grade of 70 percent on either:
 - (A) the Uniform Securities Agent State Law Examination (USASLE-Series 63); or
 - (B) both the Uniform Combined State Law Examination (Series 66 Exam) and the General Securities Representative Examination (Series 7 Exam), as well as the appropriate NASD

examination as required by Rule .1413 of this Section.

(b) The application for registration as a salesman shall be filed as follows:

- (1) NASD member dealers shall file all salesman applications for registration in the State of North Carolina with the NASAA/NASD Central Registration Depository, P.O. Box 37441, Washington, D.C. 20013; P.O. Box 9401, Gaithersburg, MD 28898-9401.
- (2) Non-NASD member dealers shall file all salesman applications for registration in the State of North Carolina directly with the Securities Division.

(c) The salesman or the dealer for which the salesman is registered shall file with the administrator, as soon as practicable but in no event later than 30 days, notice of any disciplinary action taken against a salesman by any exchange of which the dealer is a member; the Securities and Exchange Commission; the Commodity Futures Trading Commission; any national securities association registered with the Securities and Exchange Commission pursuant to Section 15A of the Securities Exchange Act of 1934 or any state securities commission and of any civil suit, warrant, criminal warrant, or criminal indictment filed against the salesman alleging violation of any federal or state securities laws. If the information contained in any document filed with the administrator is or becomes inaccurate or incomplete in any material respect, the salesman or the dealer for which the salesman is registered shall file a correcting amendment as soon as practicable but in no event later than thirty days. Such filing is to be made by NASD member dealers and their salesmen to the NASAA/NASD Central Registration Depository and non-NASD member dealers and their salesmen shall make such filing directly with the Securities Division.

(d) Registration becomes effective at noon of the 30th day after a completed application is filed or such earlier time upon approval of the application by the administrator, unless proceedings are instituted pursuant to G.S. 78A-39. The administrator may by order defer the effective date after the filing of any amendment but no later than noon of the 30th day after the filing of the amendment.

(e) A salesman shall only be registered in this State with one dealer.

Authority G.S. 78A-37(a); 78A-37(b); 78A-38(c); 78A-39(b)(4); 78A-49(a).

.1413 SALESMAN EXAMINATION REQUIRED

(a) Every application for registration as a salesman shall show evidence of a minimum passing grade of seventy percent on either:

- (1) the Uniform Securities Agent State Law Examination (USASLE-Series 63); or
- (2) both the Uniform Combined State Law Examination (Series 66 Exam) and the General Securities Representative Examination (Series 7 Exam). The USASLE-Series 63 examination is These examinations are given by the National Association of Securities Dealers (NASD). Each application for

registration must also show that the applicant has passed the appropriate NASD exam applicable to applicants for registration as a securities salesman. The scheduled dates, times and locations may be obtained by contacting the NASD, 1735 K-Street Northwest, Washington, D.C. Central Registration Depository, P.O. Box 9401, Gaithersburg, MD 28898-9401 (202) 728-8800 (301) 590-6500 or the Securities Division.

(b) The requirement of Paragraph (a) of this Rule shall not apply to any salesman who has been registered continuously since April 1, 1981; provided that a lapse in registration in this State of less than one year shall not require compliance with Paragraph (a) of this Rule. New registrants after April 1, 1981; who have not been registered previously in this State and previously registered salesmen in this State whose registration has lapsed for one year or more shall comply with Paragraph (a) of this Rule.

(c) The administrator may, upon a showing of undue hardship good cause, waive the requirements of Paragraph (a) of this Rule. For purposes of this Rule, "good cause" for waiver of the examination requirement is shown by a demonstration that the applicant's understanding of the ethics and legal guidelines applicable to securities salesmen is comparable to that shown by evidence of a passing grade on the examination for which waiver is sought.

(d) Termination of the salesman's registration with the NASD for violation of NASD rules shall automatically terminate the salesman's registration with the State of North Carolina.

Authority G.S. 78A-39(b)(4); 78A-49(a).

SECTION .1700 - REGISTRATION OF INVESTMENT ADVISERS AND INVESTMENT ADVISER REPRESENTATIVES

.1709 EXAMINATIONS FOR INVESTMENT ADVISERS AND INVESTMENT ADVISER REPRESENTATIVES

(a) Unless otherwise waived by the administrator, an investment adviser registered or required to be registered under the Act shall take and pass the Uniform Investment Adviser State Law Examination with a score of 70 or better as a condition of registration as an investment adviser. If the investment adviser is not an individual, an officer (if the applicant is a corporation) or a general partner (if the applicant is a partnership) shall take and pass this examination.

(b) Unless otherwise waived by the administrator, an investment adviser representative registered or required to be registered under the Act shall take and pass the Uniform Investment Adviser State Law Examination with a score of 70 percent or better.

(c) Any person who was registered as an investment adviser or investment adviser representative in this state as of the effective date of these Rules shall not be required to take and pass the Uniform Investment Adviser State Law Examination.

(d) An applicant who has taken and passed the Uniform Investment Adviser State Law Examination with a score of 70 percent or better within two years prior to the date the application is filed with the administrator, or at any time if the applicant has not been inactive in the investment advisory business for more than two years when the application is filed, shall not be required to take and pass the Uniform Investment Adviser State Law Examination again.

(a) Examination Requirements. A person applying to be registered as an investment adviser or investment adviser representative under the Investment Advisers Act shall provide the Administrator with proof that he or she has obtained a passing score on either:

- (1) The Uniform Investment Adviser Law Examination (Series 65 Exam); or
- (2) The General Securities Representative Examination (Series 7 Exam) and the Uniform Combined State Law Examination (Series 66 Exam).

In the event the applicant for registration as an investment adviser is an entity, rather than an individual, the examination shall be taken on behalf of the applicant by one of its officers, a general partner, a manager, or other managing executive of comparable status and position.

(b) Grandfathering. An individual who has not been registered in any jurisdiction for a period of two years shall be required to comply with the examination requirements of Paragraph (a) of this Rule.

(c) Waivers. The examination requirement shall not apply to an individual who currently holds one of the following professional designations:

- (1) Certified Financial Planner (CFP) awarded by the International Board of Standards and Practices for Certified Financial Planners, Inc.;
- (2) Chartered Financial Consultant (ChFC) awarded by the American College, Bryn Mawr, Pennsylvania;
- (3) Personal Financial Specialist (PFS) awarded by the American Institute of Certified Public Accountants;
- (4) Chartered Financial Analyst (CFA) awarded by the Institute of Chartered Financial Analysts;
- (5) Chartered Investment Counselor (CIC) awarded by the Investment Counsel Association of America, Inc.; or
- (6) Such other professional designation as the Administrator may by order recognize.

Authority G.S. 78C-19(b)(5); 78C-30(a); 78C-30(b).

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

TITLE 10 - DEPARTMENT OF HEALTH AND HUMAN SERVICES

Notice is hereby given in accordance with G.S. 150B-21.2 that the DHHS - Division of Medical Assistance intends to amend rules cited as 10 NCAC 26B .0113; 26H .0304 and repeal the rules cited as 10 NCAC 26M .0301-.0305. Notice of Rule-making Proceedings was published in the Register on August 16, 1999 for 10 NCAC 26B .0113; 26M .0301-.0305 and on September 1, 1999 for 10 NCAC 26H .0304.

Proposed Effective Date: August 1, 2000

A Public Hearing will be conducted at 1:30 p.m. on March 21, 2000 at 1985 Umstead Dr., Room 132, Kirby Building, Raleigh, NC 27603.

Reason for Proposed Action: 10 NCAC 26B .0113, 26M .0301-.0305 - The action was necessitated by the termination of the Carolina Alternatives Waiver and the exclusion of state hospitals as eligible providers.

10 NCAC 26H .0304 - The application of the upper payment limit is an annual test performed by the Division of Medical Assistance to assure that the program is in compliance with the applicable federal regulations. The review this year of the cost report information for the fiscal period ending June 30, 1998, adjusted forward for inflation, would be expected to have a total of payments that would exceed the total of cost.

Comment Procedures: Written comments concerning this rule-making action must be submitted by March 31, 2000 to Portia W. Rochelle, Rule-making Coordinator, Division of Medical Assistance, 1985 Umstead Drive, 2504 Mail Service Center, Raleigh, NC 27699-2504.

Fiscal Impact

State	Local	Sub.	None
✓	✓	✓	10 NCAC 26M .0301-.0305 10 NCAC 26B .0113; 26H .0304

CHAPTER 26 - MEDICAL ASSISTANCE

SUBCHAPTER 26B - MEDICAL ASSISTANCE PROVIDED

SECTION .0100 - GENERAL

.0113 NC MEDICAID CRITERIA FOR CONTINUED ACUTE STAY IN AN INPATIENT PSYCHIATRIC FACILITY

The following criteria apply to individuals under the age of 21

in a psychiatric hospital or in a psychiatric unit of a general hospital, and to individuals aged 21 through 64 receiving treatment in a psychiatric unit of a general hospital. These criteria shall be applied after the initial admission period of up to three days. To qualify for Medicaid coverage for a continuation of an acute stay in an inpatient psychiatric facility a patient must meet each of the conditions specified in Items (1) through (4) of this Rule. To qualify for Medicaid coverage for continued post-acute stay in an inpatient psychiatric facility a patient must meet all of the conditions specified in Item (5) of this Rule.

- (1) The patient has one of the following:
 - (a) A current DSM-IV, Axis I diagnosis; or
 - (b) A current DSM-IV, Axis II diagnosis and current symptoms/behaviors which are characterized by all of the following:
 - (i) Symptoms/behaviors are likely to respond positively to acute inpatient treatment; and
 - (ii) Symptoms/behaviors are not characteristic of patient's baseline functioning; and
 - (iii) Presenting problems are an acute exacerbation of dysfunctional behavior patterns which are recurring and resistive to change.
- (2) Symptoms are not due solely to mental retardation;
- (3) The symptoms of the patient are characterized by:
 - (a) At least one of the following:
 - (i) Endangerment of self or others; or
 - (ii) Behaviors which are grossly bizarre, disruptive, and provocative (e.g. feces smearing, disrobing, pulling out hair); or
 - (iii) Related to repetitive behavior disorders which present at least five times in a 24-hour period; or
 - (iv) Directly result in an inability to maintain age appropriate roles; and
 - (b) The symptoms of the patient are characterized by a degree of intensity sufficient to require continual medical/nursing response, management, and monitoring.
- (4) The services provided in the facility can reasonably be expected to improve the patient's condition or prevent further regression so that treatment can be continued on a less intensive level of care, and proper treatment of the patient's psychiatric condition requires services on an inpatient basis under the direction of a physician.
- (5) Except for patients receiving services through Carolina Alternatives and except for patients in state

hospitals where the discharge requirements are set out in 10-NCAC-15A, in the event that not all of the requirements specified in Items (1) through (4) of this Rule are met, reimbursement may be provided for patients through the age of 17 for continued stay in an inpatient psychiatric facility at a post-acute level of care to be paid at the High Risk Intervention Residential High (HRI-R High) rate if the facility and program services are appropriate for the patient's treatment needs and provided that all of the following conditions are met:

- (a) The psychiatric facility has made a referral for case management and after care services to the area Mental Health, Developmental Disabilities, Substance Abuse (MH/DD/SA) program which serves the patient's county of eligibility.
- (b) The area MH/DD/SA program has found that no appropriate services exist or are accessible within a clinically acceptable waiting time to treat the patient in a community setting.
- (c) The area MH/DD/SA program has agreed that the patient has a history of sudden decompensation or significant regression and experiences weakness in his or her environmental support system which are likely to trigger a decompensation or regression. This history must be documented by the patient's attending physician.
- (d) The inpatient facility must have a contract to provide HRI-R, High with the area MH/DD/SA program which serves the patient's county of eligibility, or the area program's agent. Psychiatric hospitals or psychiatric units in general hospitals are eligible to establish contract relationships with all non-Carolina Alternatives area MH/DD/SA programs or their agents in accordance with statutory procedures as defined in G.S. 122C-142.
- (e) The Child and Family Services Section of the Division of Mental Health, Developmental Disabilities, Substance Abuse Services shall approve the use of extended HRI-R, High, based on criteria in Sub-items (a)-(c) of this Item.
- (f) The area MH/DD/SA program shall approve the psychiatric facility for the provision of extended HRI-R High, receive claims from the inpatient facility, and provide reimbursement to the facility in accordance with the terms of its contract.

NOTE: The bold text reflects the changes which were approved by the Rules Review Commission and is waiting for Legislative Session 2000.

.0304 RATE SETTING METHOD FOR NON-STATE FACILITIES

(a) A prospective rate shall be determined annually for each non-state facility to be effective for dates of service for a 12 month rate period beginning each July 1. The prospective rate shall be paid to the provider for every Medicaid eligible day during the applicable rate year. The prospective rate may be determined after the effective date and paid retroactively to that date. The prospective rate may be changed due to a rate appeal under Rule .0308 of this **State Plan Section** or facility reclassification under Paragraph (b) of this Rule. Each non-state facility, except those facilities where Paragraph (v) of this Rule applies, shall be classified into one of the following groups:

- (1) Group 1- Facilities with 32 beds or less.
- (2) Group 2- Facilities with more than 32 beds.
- (3) Group 3- Facilities with medically fragile clients. For rate reimbursement purposes under this Rule medically fragile clients are defined as any individual with complex medical problems who have chronic debilitating diseases or conditions of one or more physiological or organ systems which generally make them dependent upon 24-hour a day medical/nursing/health supervision or intervention.
- (4) Facilities in group 1 or 2 in Subparagraph (a)(1) or (2) of this Rule shall be further classified in accordance to the level of disability of the facility's clients, as measured by the Developmental Disabilities Profile (DDP) **copyrighted** assessment instrument which along with the scoring instrument are hereby incorporated by reference, including subsequent amendments and editions. This material is available for inspection and copies may be obtained from the Division of Medical Assistance, 1985 Umstead Drive, Raleigh, North Carolina 27603 at a cost of twenty cents (\$.20) per page. A summary of the levels of disability is shown in the following chart:

FACILITY DDP SCORE

Level	Low	High
1	200.00	300.00
2	125.00	199.99
3	100.00	124.99
4	75.00	99.99
5	50.00	74.99

(b) Facilities shall be reclassified into appropriate groups as defined in Paragraph (a) of this Rule.

- (1) When a facility is reclassified, the rate shall be adjusted retroactively back to the date of the event that caused the reclassification. This adjustment shall give full consideration to any reclassification based

Authority G.S. 108A-25(b); 108A-54; 42 C.F.R. 441, Subpart D.

SUBCHAPTER 26H - REIMBURSEMENT PLANS

SECTION .0300 - ICF-MR PROSPECTIVE RATE PLAN

on the change in facts or circumstances during the year. Overpayments related to this retroactive rate adjustment shall be repaid to the Medicaid program. Underpayments related to this retroactive rate adjustment shall be paid to the provider.

- (2) The provider shall be given the opportunity to appeal the merits of the reclassification of any facility, prior to any decision by the Division of Medical Assistance.
- (3) The provider shall be notified in writing 30 days before the implementation of new rates resulting from the reclassification of any facility.
- (4) The providers and the Division of Medical Assistance shall make every reasonable effort to ensure that each facility is properly classified for rate setting purposes.
- (5) A provider shall file any request for facility reclassification in writing with the Division of Medical Assistance no later than 60 days subsequent to the proposed reclassification effective date.
- (6) For facilities certified prior to July 1, 1993, the facility DDP score calculated for fiscal year 1993 shall be used to establish proper classification at July 1, 1995.
- (7) For facilities certified after June 30, 1993, the most recent facility DDP score shall be used to establish proper classification.
- (8) A facility reclassification review shall use the most current facility DDP score.
- (9) A facility's DDP score shall be subject to independent validation by the Division of Medical Assistance.
- (10) A new facility that has not had a DDP survey conducted on its clients shall be categorized as a level 2 facility for rate setting purposes, pending completion of the DDP survey. Upon completion of the DDP survey, the facility shall be subject to reclassification and rates shall be adjusted retroactively back to the date of certification. Overpayments related to this retroactive adjustment shall be paid to the Medicaid program. Underpayments related to this retroactive rate adjustment shall be paid to the provider.

(c) Facility rates under this Rule shall be established at July 1, 1995, under the following:

- (1) For facilities certified prior to July 1, 1993, rates shall be derived from the 1993 cost reports.
- (2) For facilities certified during fiscal year 1993-1994, the fiscal year 1994 facility specific cost report shall be used to derive rates.
- (3) For facilities certified during fiscal year 1994-1995, the fiscal year 1995 facility specific cost report shall be used to derive rates.
- (A) Rates for these facilities shall not be adjusted, except for the impact of inflation under Paragraph (k) of this Rule, until the fiscal year 1995 cost report has been properly reviewed. Rates for these facilities shall be adjusted retroactively back to July 1, 1995, once the fiscal year 1995 facility specific cost report has

been properly reviewed. Overpayments related to this retroactive rate adjustment shall be repaid to the Medicaid program. Underpayments related to this retroactive rate adjustment shall be paid to the provider.

- (4) Facilities with rates established during a rate appeal proceeding with the Division of Medical Assistance during fiscal years 1994 or 1995 shall not have their rates established in accordance with Subparagraph (c)(1), (c)(2), or (c)(3) of this Rule.

(A) The rates for these facilities shall remain at the level approved in the rate appeal proceeding adjusted only for inflation, as reflected in Paragraph (k) of this Rule.

(d) For facilities certified after June 30, 1993, rates developed from filed cost reports for fiscal years subsequent to 1993 may be retroactively adjusted if there is found to exist more than a two percent difference between the filed per diem cost and either the desk audited or field audited per diem cost for the same reporting period. Rates developed from desk audited cost reports may be retroactively adjusted if there is found to exist more than a two percent difference between the desk audited per diem cost and the field audited per diem cost for the same reporting period. The rate adjustment may be made after written notification to the provider 30 days prior to implementation of the rate adjustment.

(e) Each prospective rate developed in accordance with Subparagraph (c)(1), (c)(2), or (c)(3) of this Rule consists of the sum of two components as follows:

- (1) Indirect care rate.
- (2) Direct care rate.

(f) A uniform industry wide indirect care rate shall be established for each facility category shown under Subparagraph (a)(1), (a)(2), or (a)(3) of this Rule.

- (1) The indirect rate for group 1 facilities is based on the fiftieth percentile of the following costs incurred by all group 1 facilities with six beds or less, except those related by common ownership or control to more than 40 said facilities:

(A) The sum of the cost of property ownership and use, administrative and general, and operation and maintenance of plant, as determined by the Myers and Stauffer study performed on the 1993 base year cost reports.

- (2) The indirect rate for group 2 facilities is based on the fiftieth percentile of the costs noted in Part (f)(1)(A) of this Rule incurred by the group 2 facilities, as determined by the Myers and Stauffer study performed on the 1993 base year cost reports
- (3) The indirect rate for group 3 facilities is based on the fiftieth percentile of the costs noted in Part (f)(1)(A) of this Rule incurred by the group 3 facilities, as determined by the Myers and Stauffer study performed on the 1993 base year cost reports.
- (4) The indirect rates established under Subparagraphs (f)(1), (f)(2), and (f)(3) of this Rule shall be reduced as determined based on industry cost analysis by an amount not to exceed four percent to account for

expected operating efficiencies.

(g) The direct care rate for facilities certified prior to July 1, 1993, shall be based on the Myers and Stauffer study performed on the 1993 base year cost reports.

(1) The direct care rate for all facilities certified during fiscal years subsequent to fiscal year 1993 is based on the first facility specific cost report filed after certification. Based on said cost report, the direct care rate is equal to the sum of all allowable costs reflected in the ICF-MR cost report cost centers, as included in the ICF-MR cost report format effective July 1, 1993, except for the following indirect cost centers:

- (A) Property Ownership and Use
- (B) Operation and Maintenance of Plant and Housekeeping-Non-Labor
- (C) Administrative and General

(2) The direct care rate shall be limited to the lesser of the actual amount incurred in the base year or the cost limit derived from the fiftieth percentile of direct care costs incurred by the related facility group in the fiscal year 1993 base year, based on the Myers and Stauffer study.

(3) The fiftieth percentile cost limit shall be reduced by one percent each year, for the four year period beginning July 1, 1996, in order to account for expected operating efficiencies, as determined based on industry cost analysis.

(4) The fiftieth percentile cost limit shall be increased each year by price level changes calculated in accordance with Paragraph (k) of this Rule.

(h) The indirect rate shall not be subject to cost settlement.

(1) Costs above the indirect rate shall not be paid to the provider.

(2) Costs savings below the indirect rate shall not be recouped from the provider.

(i) The direct care rate shall be subject to cost settlement, based on the cost report, subject to audit, filed with the Division of Medical Assistance.

(1) Costs above the direct rate shall not be paid to the provider.

(2) Cost savings below the direct rate shall be recouped from the provider.

(j) Facilities with rates established during a rate appeal proceeding with the Division of Medical Assistance during fiscal years 1994 or 1995 may choose to cost settle under the provisions of Paragraphs (h) and (i) of this Rule, or under the following procedure:

(1) If, during a cost reporting period, total allowable costs are less than total prospective payments, then a provider may retain one-half of said difference, up to an amount of five dollars (\$5.00) per patient day. The balance of unexpended payments shall be refunded to the Division of Medical Assistance. Costs in excess of a facility's total prospective payment rate are not reimbursable.

(2) The facilities subject to ~~the~~ this Paragraph shall make the election on cost settlement methodology on or

before the filing of the annual cost report with the Division of Medical Assistance.

(3) An election to follow the cost settlement procedures of Paragraphs (h) and (i) of this Rule shall be irrevocable.

(4) Rates established for these facilities during future rate appeal proceedings shall be subject to the cost settlement procedures of Paragraphs (h) and (i) of this Rule.

(k) To compute each facility's current prospective rate, the direct and indirect rates established by Paragraphs (f) and (g) of this Rule shall be adjusted for price level changes since the base year. No inflation factor for any provider shall exceed the maximum amount permitted for that provider by federal or state law and regulations.

(1) Price level adjustment factors are computed using aggregate costs in the following manners:

(A) Costs shall be separated into three groups:

- (i) Labor,
- (ii) Non-labor,
- (iii) Fixed.

(B) The relative weight of each cost group is calculated to the second decimal point by dividing the total costs of each group (labor, nonlabor, and fixed) by the total cost of the three categories.

(C) Price level adjustment factors for each cost group shall be established as follows:

(i) Labor. The percentage change for labor costs is based on the projected average hourly wage of North Carolina service workers. Salaries for all personnel shall be limited to levels of comparable positions in state owned facilities or levels specified by the Division of Medical Assistance: Assistance based upon market analysis.

(ii) Nonlabor. The percentage change for nonlabor costs is based on the projected annual change in the implicit price deflator for the Gross National Product as provided by the North Carolina Office of State Budget and Management.

(iii) Fixed. No price level adjustment shall be made for this category.

(D) The weights computed in Part (k)(1)(B) of this Rule shall be multiplied by the rates computed in Part (k)(1)(C) of this Rule. These weighted rates shall be added to obtain the composite inflation rate to be applied to both the direct and indirect rates.

(2) If necessary, the Division of Medical Assistance shall adjust the annual inflation factor in order to prevent payment rates from exceeding upper payment limits established by Federal Regulations.

(l) Effective July 1, 1995, any rate reductions resulting from this ~~State Plan Rule~~ shall be implemented based on the

following deferral methodology:

- (1) Rates shall be reduced for the excess of current rates over base year costs plus inflation.
- (2) Rates shall be reduced a maximum of 50 percent of the fiscal 1996 inflation rate for the excess of actual costs over applicable cost limits. This reduction shall result in the facility receiving at a minimum 50 percent of the 1996 inflation rate. Any excess reduction shall be carried forward to future years.
- (3) Total reduction in future years related to the excess reduction carried forward from Subparagraph (1)(2) of this Rule, shall not exceed the annual rate of inflation. This reduction shall result in the facility receiving at a minimum the rate established in Paragraph (1)(2) of this Rule. Any excess reduction shall be carried forward to future years, until the established rate equals that generated by Paragraphs (f), (g), and (k) of this Rule.
- (4) Rates calculated based on Subparagraphs (1)(2) and (3) of this Rule shall be cost settled based on the provisions of Subparagraph (j)(1) of this Rule until the fiscal year that the facility receives full price level increase under Paragraph (k) of this Rule.
 - (A) A provider may make an irrevocable election to cost settle under the provisions of Paragraphs (h) and (i) of this Rule during the deferral period.
 - (B) Once the rates calculated based on Subparagraphs (1)(2) and (3) of this Rule reach the fiscal year that the facility receives the full price level increase under Paragraph (k) of this Rule, then said fiscal year's rates shall be cost settled based on Paragraphs (h) and (i) of this Rule.
 - (C) Chain providers are allowed to file combined cost reports, for cost settlement purposes, for facilities that use the same cost settlement methodology and have the same uniform rate.
 - (D) A provider may **request from the Division of Medical Assistance permission elect** to continue cost settlement under Subparagraph (j)(1) of this Rule after the deferral period expires. Said **request election** shall be made each year, 30 days prior to the cost report due date.
- (m) The initial rate for facilities that have been awarded a Certificate of Need is established at the lower of the fair and reasonable costs in the provider's budget, as determined by the Division of Medical Assistance, or the projected costs in the provider's Certificate of Need application, adjusted from the projected opening date in the Certificate of Need application to the current rate period in which the facility is certified based on the price level change methodology set forth in Paragraph (k) of this Rule, or the rate currently paid to the owning provider, if the provider currently has an approved chain rate for facilities in the related facility category. The rate may be rebased to the actual cost incurred in the first full year of normal operations in the year an audit of the first year of normal operation is completed.

- (1) In the event of a change in ownership, the new owner receives no more than the rate of payment assigned to the previous owner.
- (2) Except in cases wherein the provider has failed to file supporting information as requested by the Division of Medical Assistance, initial rates shall be granted to new enrolled facilities no later than 60 days from the provider's filing of properly prepared budgets and supporting information.
- (3) The initial rate for a new facility shall be applicable to all dates of service commencing with the date the facility is certified by the Medicaid Program.
- (4) The initial rate for a new facility shall not be entered into the Medicaid payment system until the facility is **properly** enrolled in the Medicaid program and a Medicaid identification number has been assigned to the facility by the Division of Medical Assistance.
- (n) A provider with more than one facility may be allowed to recover costs through a combined uniform rate for all facilities.
 - (1) Combined uniform rates for chain providers shall be approved upon written request from the provider and after review by the Division of Medical Assistance.
 - (2) In determining a combined uniform rate for a particular facility group, the weighted average of each facility's rate, calculated in accordance to all other provisions of this Rule, shall be used.
 - (3) A chain provider with facility(s) that fall under Paragraphs (h) and (i) of this Rule and with facility(s) that fall under Subparagraph (1)(4) of this Rule may elect to include the facilities in a combined cost report and elect to cost settle under either Paragraphs (h) and (i) or Subparagraph (1)(4) of this Rule. The cost settlement election shall be made each year, 30 days prior to the cost report due date.
- (o) Each out-of-state provider shall be reimbursed at the lower of the applicable North Carolina rate, as established by this **plan Rule** for in-state facilities, or the provider's per diem rate as established by the state in which the provider is located. An out-of-state provider is defined as a provider that is enrolled in the Medicaid program of another state and provides ICF-MR services to a North Carolina Medicaid client in a facility located in the state of enrollment. Rates for out-of-state providers are not subject to cost settlement.
- (p) Under no circumstances shall the Medicaid per diem rate exceed the private pay rate of a facility.
- (q) Should the Division of Medical Assistance be unable to establish a rate for a facility, based on this Rule and the applicable facts known, the Division of Medical Assistance may approve an interim rate.
 - (1) The interim rate shall not exceed the rate cap established under this Rule for the applicable facility group.
 - (2) The interim rate shall be replaced by a permanent rate, effective retroactive to the commencement of the interim rate, by the Division of Medical Assistance, upon the determination of said rate based on this Rule and the applicable facts.
 - (3) The provider shall repay to the Division of Medical

Assistance any overpayment resulting from the interim rate exceeding the subsequent permanent rate.

(r) In addition to the prospective per diem rate developed under this Rule, effective July 1, 1992, an interim payment add on shall be applied to the total rate to cover the estimated cost required under Title 29, Part 1910, Subpart 2, Rule 1910.1030 of the Code of Federal Regulations. The interim rate shall be subject to final settlement reconciliation with reasonable cost to meet the requirements of Rule 1910.1030. The final settlement reconciliation shall be effectuated during the annual cost report settlement process. An interim rate add on to the prospective rate shall be allowed, subject to final settlement reconciliation, in subsequent rate periods until cost history is available to include the cost of meeting the requirements of Rule 1910.1030 in the prospective rate. This interim add on shall be removed, upon 10 days written notice to providers, should it be determined by appropriate authorities that the requirements under Title 29, Part 1910, Subpart 2, Rule 1910.1030 of the Code of Federal Regulations do not apply to ICF-MR facilities.

(s) All rates, except those noted otherwise in this Rule, approved under this Rule are considered to be permanent.

(t) In the event that the rate for a facility cannot be developed so that it shall be effective on the first day of the rate period, due to the provider not submitting the required reports by the due date, the average rate for facilities in the same facility group, or the facility's current rate, whichever is lower, shall be in effect until such time as the Division of Medical Assistance can develop a new rate.

(u) When the Division of Medical Assistance develops a new rate for a facility for which a rate was paid in accordance with Paragraph (t) of this Rule, the rate developed shall be effective on the first day of the second month following the receipt by the Division of Medical Assistance of the required reports. The Division of Medical Assistance may, upon its own motion or upon application and just cause related to patient care shown by the provider, within 60 days subsequent to submission of the delinquent report, make the rate retroactive to the beginning of the rate period in question. Any overpayment to the provider resulting from this temporary rate being greater than the final approved prospective rate for the facility shall be repaid to the Medicaid Program.

(v) ICF-MR facilities meeting the requirements of the North Carolina Division of Facility Services as a facility affiliated with one or more of the four medical schools in the state and providing services on a statewide basis to children with various developmental disabilities who are in need of long-term high acuity nursing care, dependent upon high technology machines (i.e. ventilators and other supportive breathing apparatus) monitors, and feeding techniques shall have a prospective payment rate that approximates cost of care. The payment rate may be reviewed periodically, no more than quarterly, to assure proper payment. A cost settlement at the completion of the fiscal period year end is required. Payments in excess of cost are to be returned to the Division of Medical Assistance.

(w) A special payment in addition to the prospective rate shall be made in the year that any provider changes from the cash basis to the accrual basis of accounting for vacation leave costs. The amount of this payment shall be determined in

accordance with Title XVIII allowable cost principles and shall equal the Medicaid share of the vacation accrual that is charged in the year of the change including the cost of vacation leave earned for that year and all previous years less vacation leave used or expended over the same time period and vacation leave accrued prior to the date of certification. The payment shall be made as a lump sum payment that represents the total amount due for the entire fiscal year. An interim payment may be made based on an estimate of the cost of the vacation accrual. The payment shall be adjusted to actual cost after audit.

(x) The annual prospective rate, effective beginning each July 1, for facilities that commenced operations under the Medicaid Program subsequent to the base year used to establish rates, and therefore did not file a cost report for the base year, shall be based on the facility's initial rate, established in accordance with Paragraph (m) of this Rule, and the applicable price level changes, in accordance with Paragraph (l) of this Rule.

(y) Effective for fiscal years beginning on or after fiscal year 1998, installation cost of Fire Sprinkler Systems in an ICF-MR Facility shall be reimbursed in the following manner.

(1) Upon receipt of the documentation listed in Parts (A) through (E) of this Subparagraph, the Division of Medical Assistance shall reimburse directly to the provider 90 percent of the verified cost.

(A) All related invoices.

(B) Verification from the Division of Facility Services that the Sprinkler System is needed; needed to maintain certification for participation in the Medicaid program.

(C) Statement from appropriate authorities that the Sprinkler System has been installed. Examples of appropriate authorities for this purpose would include local building inspectors, fire/safety inspectors, insurance company inspectors, or the construction section of the Division of Facilities Services.

(D) Three bids to install the system.

(E) Prior approval from the Division of Medical Assistance for any installation projected to cost more than twenty-five thousand dollars (\$25,000). Prior approval shall be granted based upon determination by the Division of Medical Assistance that the cost is reasonable considering the specifics of the installation. The burden to provide adequate documentation that the cost is reasonable is the responsibility of the provider.

(2) The unreimbursed installation cost shall be reimbursed after audit through the annual Cost Settlement Process. This portion shall be offset by profits, after taking into consideration any indirect profits and direct losses. Any overpayments determined after audit shall be returned to the program by the provider through the annual cost settlement process.

- (3) The installation of the Sprinkler System is subject to Prudent Buyer Standards contained in the HCFA-15.
- (4) The Sprinkler System's installation costs shall be properly recorded on the provider's ICF-MR Cost Report.

Authority G.S. 108A-25(b); 108A-54; 108A-55; 42 C.F.R. Part 447, Subpart C;

SUBCHAPTER 26M - MANAGED CARE AND PREPAID PLANS

SECTION .0300 - MENTAL HEALTH MANAGED CARE-CAROLINA ALTERNATIVES

- .0301 PROGRAM DEFINITION AND DEFINITION OF TERMS
- .0302 ACCESS TO CARE
- .0303 ENROLLEE EDUCATION
- .0304 RELATIONSHIP WITH SUB-CONTRACTORS
- .0305 ENROLLEE AND SUB-CONTRACTOR APPEALS

Authority G.S. 108A-25(b); 108A-54-55; S.L. 1993, c. 321, s. 222 (g); 42 CFR .431.

TITLE 16 - DEPARTMENT OF PUBLIC EDUCATION

Notice is hereby given in accordance with G.S. 150B-21.2 that the State Board of Education intends to amend the rule cited as 16 NCAC 6C .0402. Notice of Rule-Making Proceedings was published in the Register on December 1, 1999.

Proposed Effective Date: April 1, 2001

A Public Hearing will be conducted at 9:30 am on March 16, 2000 in Room 224, Education Bldg, Raleigh, NC.

Reason for Proposed Action: Chapter 1999-170 enacted G.S. 115C-12.2, requiring the State Board of Education to adopt rules concerning voluntary shared leave.

Comment Procedures: Comments may be presented orally or in writing at the hearing, and in writing through March 31, 2000, by mail directed to Harry Wilson, State Board of Education, 301 N. Wilmington St., Raleigh, 27601-2825; by fax to (919) 715-0764; or by e-mail to hwilson@dpi.state.nc.us.

Fiscal Impact

State	Local	Sub. None
		✓

CHAPTER 6 - ELEMENTARY AND SECONDARY EDUCATION

SUBCHAPTER 6C - PERSONNEL

SECTION .0400 - LEAVE

.0402 SICK LEAVE

(a) Public school employees who earn vacation leave shall also earn sick leave. Full-time employees shall earn one day per month or the number of hours worked daily by a full time employee in that class of work. Part-time employees shall earn and may use sick leave in proportion to the part of the day for which they are employed.

(b) The LEA may allow sick leave to be used for temporary disability which prevents an employee from performing his or her usual duties, illness in the employee's immediate family and attendant medical appointments which require the employee's attendance, death in the immediate family and medical appointments for the employee. The For purposes of this Rule the term immediate family includes shall include spouse, children, parents (including the step-relationship) parents, brothers, sisters, grandparents, grandchildren, and dependents living in the household, except that in the case of death, the term does not include dependents but does include siblings, grandparents, grandchildren, and the step, half and in-law relationships: household. The term shall also include the step, half, and in-law relationships. An employee of any public school system may contribute vacation or sick leave to another immediate family member who is employed by any State agency or public school system.

(c) Employees must take leave in one-half days, whole days, or hours as determined for earning purposes by the local board.

(d) Employees may accumulate sick leave indefinitely and may transfer sick leave as in the case of vacation leave.

(e) LEAs may advance sick leave not to exceed the amount which would be earned within the school year.

(f) An employee who is overdrawn on sick leave when the employee separates from service will have the excess leave corrected through a deduction from the final salary check.

(g) If the period of sick leave taken is less than 30 days, the employee will return to his or her position with the LEA. If the period of temporary disability exceeds 30 days, the superintendent shall determine when the employee is to be reinstated. The superintendent makes this decision based on the welfare of the students and the need for continuity of instruction.

(h) The LEA shall credit an employee who separates from service and returns within 60 months with all sick leave accumulated to the time of separation.

(i) Permanent full or part-time instructional personnel, excluding teacher assistants, who are absent due to their personal illness or injury in excess of their accumulated sick leave, shall be allowed extended sick leave of up to 20 work days throughout the regular term of employment. These days do not have to be consecutive. A new employee must have reported to work to be eligible for extended sick leave. The superintendent may require a doctor's certificate or other acceptable proof of the reason for the absence.

(j) An LEA may establish a voluntary sick leave bank for its employees. Any employee of an LEA that establishes a

voluntary sick leave bank may, but is not required to, participate in the voluntary sick leave bank.

- (1) The LEA shall develop and implement a plan for participation that shall include those factors listed in G.S. 115C-336(b)(i)-(vii) and the following:
 - (A) a uniform number of days to be contributed to the bank by participants;
 - (B) provisions for legitimate usage of days by participants;
 - (C) means to protect against overdraft of total contributed days; and
 - (D) safeguards to prevent abuses by participants.
- (2) The LEA shall establish a sick leave bank committee to administer the sick leave bank.
 - (A) The LEA shall assure that all local personnel are equitably represented on the committee.
 - (B) The LEA shall develop operational rules for the efficient and effective functioning of the bank.
 - (C) The LEA shall develop procedures for participants' usage of days based upon requirements in the plan.
 - (D) The LEA shall specify the limits of the committee's authority.
 - (E) The committee shall notify all participating employees of the ways in which their participation will affect their state retirement account.
- (3) The LEA shall ensure that its operational procedures require:
 - (A) that payment of substitutes and matching social security are charged to the appropriate program report code; and
 - (B) the reporting to the division of school business services of the Department of the number of employees participating itemized by job classification, the number of sick leave days withdrawn, the cost of the leave, and other data required for fiscal and programmatic accountability.

Authority G.S. 115C-12(8); 115C-336.

Notice is hereby given in accordance with G.S. 150B-21.2 that the State Board of Education intends to amend rules cited as 16 NCAC 6D .0305 - .0306, .0503. Notice of Rule-Making Proceedings was published in the Register on December 1, 1999.

Proposed Effective Date: July 1, 2000

A Public Hearing for 16 NCAC 6D .0305 - .0306, .0503 will be conducted at 10:30 am on March 16, 2000 in Room 224, Education Bldg, Raleigh, NC.

Reason for Proposed Action: The State Board of Education has determined that these rules are directly related to the

implementation of the "ABC's Act" and it is proceeding under the authority granted by that Act. The State Board of Education has determined that there should be greater uniformity among high schools in how end-of-course tests are factored into student final grades. The Board has also determined that sanctions for violation of its testing code of ethics are needed to deal with those instances where educators misuse the testing program to distort the student performance of a class or of a school. The Board has also determined that high school students should be allowed to choose among several courses of study, each of which leads to graduation.

Comment Procedures: Comments may be presented orally or in writing at the hearing, and in writing through March 31, 2000, by mail directed to Harry Wilson, State Board of Education, 301 N. Wilmington St., Raleigh, 27601-2825; by fax to (919) 715-0764; or by e-mail to hwilson@dpi.state.nc.us.

<u>Fiscal Impact</u>		
State	Local	Sub. None
		✓

CHAPTER 6 - ELEMENTARY AND SECONDARY EDUCATION

SUBCHAPTER 6D - INSTRUCTION

SECTION .0300 - CERTIFICATION

.0305 END-OF-COURSE TESTS

(a) The LEA shall include each student's end-of-course test results in the student's permanent records and high school transcript.

(b) The LEA shall give each end-of-course test within a 110-minute period within the final ten days of the course.

(c) Starting with the 2000-2001 school year LEAs shall use EOC test results as at least 25% of the student's final grade for the following courses: English I, Algebra I, Biology, US History, and Economic, Legal, and Political Systems (ELPS). LEAs shall use EOC test results from other courses as a part of the student's final grade. LEAs shall adopt policies regarding the use of EOC test results in assigning final grades.

(d) Students who are enrolled for credit in courses in which end-of-course tests are required shall take the appropriate end-of-course test.

(e) Students who are exempt from final exams by local board of education policy shall not be exempt from end-of-course tests.

(f) Each student shall take the appropriate end-of-course test the first time the student takes the course even if the course is an honors or advanced placement course.

(g) Students shall take the appropriate end-of-course test at the end of the course regardless of the grade level in which the course is offered.

(h) Students who are identified as failing a course for which an end-of-course test is required shall take the appropriate end-of-course test.

(i) Effective with the 1999-2000 school year students may

drop a course with an end-of-course test within the first 10 days of a block schedule or within the first 20 days of a traditional schedule.

Authority G.S. 115C-12(9)c; 115C-81(b)(4).

.0306 TESTING CODE OF ETHICS

(a) This Rule shall apply to all public school employees who are involved in the state testing program.

(b) The superintendent or superintendent's designee shall develop local policies and procedures to ensure maximum test security in coordination with the policies and procedures developed by the test publisher. The principal shall ensure test security within the school building.

- (1) The principal shall store test materials in a secure, locked area. The principal shall allow test materials to be distributed immediately prior to the test administration. Before each test administration, the building level test coordinator shall accurately count and distribute test materials. Immediately after each test administration, the building level test coordinator shall collect, count, and return all test materials to the secure, locked storage area.
- (2) "Access" to test materials by school personnel means handling the materials but does not include reviewing tests or analyzing test items. The superintendent or superintendent's designee shall designate the personnel who are authorized to have access to test materials.
- (3) Persons who have access to secure test materials shall not use those materials for personal gain.
- (4) No person may copy, reproduce, or paraphrase in any manner or for any reason the test materials without the express written consent of the test publisher.
- (5) The superintendent or superintendent's designee shall instruct personnel who are responsible for the testing program in testing administration procedures. This instruction shall include test administrations that require procedural modifications and shall emphasize the need to follow the directions outlined by the test publisher.
- (6) Any person who learns of any breach of security, loss of materials, failure to account for materials, or any other deviation from required security procedures shall immediately report that information to the principal, building level test coordinator, school system test coordinator, and state level test coordinator.

(c) Preparation for testing.

- (1) The superintendent shall ensure that school system test coordinators:
 - (A) secure necessary materials;
 - (B) plan and implement training for building level test coordinators, test administrators, and proctors;
 - (C) ensure that each building level test coordinator and test administrator is trained in the implementation of procedural modifications

used during test administrations; and
(D) in conjunction with program administrators, ensure that the need for test modifications is documented and that modifications are limited to the specific need.

- (2) The principal shall ensure that the building level test coordinators:
 - (A) maintain test security and accountability of test materials;
 - (B) identify and train personnel, proctors, and backup personnel for test administrations; and
 - (C) encourage a positive atmosphere for testing.
- (3) Test administrators shall be school personnel who have professional training in education and the state testing program.
- (4) Teachers shall provide instruction that meets or exceeds the standard course of study to meet the needs of the specific students in the class. Teachers may help students improve test-taking skills by:
 - (A) helping students become familiar with test formats using curricular content;
 - (B) teaching students test-taking strategies and providing practice sessions;
 - (C) helping students learn ways of preparing to take tests; and
 - (D) using resource materials such as test questions from test item banks, testlets and linking documents in instruction and test preparation.

(d) Test administration.

- (1) The superintendent or superintendent's designee shall:
 - (A) assure that each school establishes procedures to ensure that all test administrators comply with test publisher guidelines;
 - (B) inform the local board of education of any breach of this code of ethics; and
 - (C) inform building level administrators of their responsibilities.
- (2) The principal shall:
 - (A) assure that school personnel know the content of state and local testing policies;
 - (B) implement the school system's testing policies and procedures and establish any needed school policies and procedures to assure that all eligible students are tested fairly;
 - (C) assign trained proctors to test administrations; and
 - (D) report all testing irregularities to the school system test coordinator.
- (3) Test administrators shall:
 - (A) administer tests according to the directions in the administration manual and any subsequent updates developed by the test publisher;
 - (B) administer tests to all eligible students;
 - (C) report all testing irregularities to the school system test coordinator; and
 - (D) provide a positive test-taking climate.
- (4) Proctors shall serve as additional monitors to help the

test administrator assure that testing occurs fairly.

(e) Scoring. The school system test coordinator shall:

- (1) ensure that each test is scored according to the procedures and guidelines defined for the test by the test publisher;
- (2) maintain quality control during the entire scoring process, which consists of handling and editing documents, scanning answer documents, and producing electronic files and reports. Quality control shall address at a minimum accuracy and scoring consistency.
- (3) maintain security of tests and data files at all times, including:
 - (A) protecting the confidentiality of students at all times when publicizing test results; and
 - (B) maintaining test security of answer keys and item-specific scoring rubrics.

(f) Analysis and reporting. Educators shall use test scores appropriately. This means that the educator recognizes that a test score is only one piece of information and must be interpreted together with other scores and indicators. Test data help educators understand educational patterns and practices. The superintendent shall ensure that school personnel analyze and report test data ethically and within the limitations described in this paragraph.

- (1) Educators shall release test scores to students, parents, legal guardians, teachers, and the media with interpretive materials as needed.
- (2) Staff development relating to testing must enable personnel to respond knowledgeably to questions related to testing, including the tests, scores, scoring procedures, and other interpretive materials.
- (3) Items and associated materials on a secure test shall not be in the public domain. Only items that are within the public domain may be used for item analysis.
- (4) Educators shall maintain the confidentiality of individual students. Publicizing test scores that contain the names of individual students is unethical.
- (5) Data analysis of test scores for decision-making purposes shall be based upon:
 - (A) disaggregation of data based upon student demographics and other collected variables;
 - (B) examination of grading practices in relation to test scores; and
 - (C) examination of growth trends and goal summary reports for state-mandated tests.

(g) Unethical testing practices include, but are not limited to, the following practices:

- (1) encouraging students to be absent the day of testing;
- (2) encouraging students not to do their best because of the purposes of the test;
- (3) using secure test items or modified secure test items for instruction;
- (4) changing student responses at any time;
- (5) interpreting, explaining, or paraphrasing the test directions or the test items;
- (6) reclassifying students solely for the purpose of

avoiding state testing;

- (7) not testing all eligible students;
- (8) failing to provide needed modifications during testing, if available;
- (9) modifying scoring programs including answer keys, equating files, and lookup tables;
- (10) modifying student records solely for the purpose of raising test scores;
- (11) using a single test score to make individual decisions; and
- (12) misleading the public concerning the results and interpretations of test data.

(h) In the event of a violation of this Rule, the SBE may impose any one or more of the following sanctions:

- (1) withhold ABCs incentive awards from individuals or from all eligible staff in a school;
- (2) file a civil action against the person or persons responsible for the violation for copyright infringement or for any other available cause of action;
- (3) seek criminal prosecution of the person or persons responsible for the violation; and
- (4) suspend or revoke the professional license of the person or persons responsible for the violation.

Authority G.S. 115C-12(9)c; 115C-81(b)(4).

SECTION .0500 - PERFORMANCE APPRAISAL SYSTEM

.0503 STATE GRADUATION REQUIREMENTS

(a) In order to graduate and receive a high school diploma, public school students shall meet the requirements of paragraph (b) and shall attain passing scores on competency tests adopted by the SBE and administered by the LEA. Students who satisfy all state and local graduation requirements but who fail the competency tests shall receive a certificate of achievement and transcript and shall be allowed by the LEA to participate in graduation exercises.

- (1) The passing score for the competency test, which is the same as grade-level proficiency as set forth in Rule .0502 of this Subchapter, shall be level III or higher.
- (2) Special education students may apply in writing to be exempted from taking the competency tests. Before it approves the request, the LEA must assure that the parents, or the child if aged 18 or older, understand that each student must pass the competency tests to receive a high school diploma.
- (3) Any student who has failed to pass the competency tests by the end of the last school month of the year in which the student's class graduates may receive additional remedial instruction and continue to take the competency tests during regularly scheduled testing until the student reaches maximum school age.

(b) In addition to the requirements of Paragraph (a), students must successfully complete 20 course units in grades 9-12 as specified below.

(I) Effective with the class entering ninth grade for the first time in the 1998-99 2000-2001 school year, the 20 course units must include: students shall select one of the following three courses of study:

(A) four units in English, which must be English I, H, III, and IV; career preparation, which shall include:

- (i) four credits in English language arts, which shall be English I, II, III, and IV;
- (ii) three credits in mathematics, one of which shall be algebra I (except as limited by G.S. 115C-81(b));
- (iii) three credits in science, which shall include biology, a physical science, and earth/environmental science;
- (iv) three credits in social studies, which shall be Economic, Legal and Political Systems (ELPS), U.S. history, and world studies;
- (v) one credit in health and physical education;
- vi four credits in career/technical education, which shall be in a career concentration or pathway that leads to a specific career field and which shall include a second-level (advanced) course;
- (vii) two elective credits; and
- (viii) other credits designated by the LEA.

(B) three units in mathematics, one of which must be Algebra I; college technical preparation, which shall include:

- (i) four credits in English language arts, which shall be English I, II, III, and IV;
- (ii) three credits in mathematics, which shall be either algebra I, geometry, and algebra II; or algebra I, technical mathematics I, and technical mathematics II; or integrated mathematics I, II, and III;
- (iii) three credits in science, which shall include biology, a physical science, and earth/environmental science;
- (iv) three credits in social studies, which shall be Economic, Legal and Political Systems (ELPS), U.S. history, and world studies;
- (v) one credit in health and physical education;
- (vi) four credits in career/technical education, which shall be in a career concentration or pathway that leads to a specific career field and which shall include a second-level (advanced) course;
- (vii) two elective credits; and
- (viii) other credits designated by the LEA.

(C) three units in social studies, one of which must

be in government and economics, one in United States history and one in world studies; college preparation, which shall include:

- (i) four credits in English language arts, which shall be English I, II, III, and IV;
- (ii) three credits in mathematics, which shall be algebra I, algebra II, and geometry or a higher level course for which algebra II is a prerequisite; or integrated mathematics I, II, and III;
- (iii) three credits in science, which shall include biology, a physical science, and earth/environmental science;
- (iv) three credits in social studies, which shall be Economic, Legal and Political Systems (ELPS), U.S. history, and world studies;
- (v) one credit in health and physical education;
- (vi) six elective credits; and
- (viii) other credits designated by the LEA.

NOTE: For admission into the UNC System it is recommended that at least two elective credits be in one second language and that one of these credits be taken in the twelfth grade.

- (D) three units in science, one of which must be biology, one a physical science, and effective with the class entering ninth grade for the 2000-2001 school year, one earth/environmental science;
- (E) one unit in physical education and health; and
- (F) six units designated by the LEA, which may be undesignated electives or courses designated from the standard course of study.

- (2) LEAs may count successful completion of course work in the ninth grade at a school system which does not award course units in the ninth grade toward the requirements of this Rule.
- (3) LEAs may count successful completion of course work in grades 9-12 at a summer school session toward the requirements of this Rule.
- (4) LEAs may count successful completion of course work in grades 9-12 at an off-campus institution toward the requirements of paragraph (b)(I)(F) this Rule. 23 NCAC 2C .0305 shall govern enrollment in community college institutions.

(c) Effective with the class of 2001, all students must demonstrate computer proficiency as a prerequisite for high school graduation. The passing scores for this proficiency shall be 47 on the multiple choice test and 49 on the performance test. This assessment shall begin at the eighth grade. A student with disabilities shall demonstrate proficiency by the use of a portfolio if this method is required by the student's IEP.

(d) Special needs students as defined by G.S. 115C-109, excluding gifted and pregnant, who do not meet the requirements for a high school diploma shall receive a graduation certificate and shall be allowed to participate in graduation exercises if they meet the following criteria:

- (1) successful completion of 20 course units by general

subject area (4 English, 3 math, 3 science, 3 social studies, 1 health and physical education, and 6 local electives) under Paragraph (b). These students are not required to pass the specifically designated courses such as Algebra I, Biology or United States history,

(2) completion of all IEP requirements.

Authority G.S. 115C-12(9b); 115C-81(b)(4); N.C. Constitution, Article IX, Sec. 5.

This Section includes temporary rules reviewed by the Codifier of Rules and entered in the North Carolina Administrative Code and includes, from time to time, a listing of temporary rules that have expired. See G.S. 150B-21.1 and 26 NCAC 2C .0500 for adoption and filing requirements. Pursuant to G.S. 150B-21.1(e), publication of a temporary rule in the North Carolina Register serves as a notice of rule-making proceedings unless this notice has been previously published by the agency.

TITLE 2 - DEPARTMENT OF AGRICULTURE

Rule-making Agency: *North Carolina Department of Agriculture and Consumer Services*

Rule Citation: *2 NCAC 55 .0101 - .0104; .0201 - .0203; .0301 - .0303; .0401 - .0403; .0501 - .0503*

Effective Date: *February 1, 2000*

Findings Reviewed by Julian Mann III: *Approved*

Authority for the rule-making: *S.L. 1999-463, s.4*

Reason for Proposed Action: *The legislative findings in S.L. 1999-463, the Hurricane Floyd Recovery Act of 1999, document the effects of Hurricane Floyd on agriculture and the need for immediate assistance due to the impact on the public health, safety, and welfare, and are incorporated herein by reference, and copy is attached. Section 4 of S.L. 1999-463 also provides authority for State agencies to adopt temporary rules to implement Hurricane Floyd assistance programs.*

Comment Procedures: *Written comments may be submitted to David S. McLeod, APA Coordinator, North Carolina Department of Agriculture and Consumer Services, Legal Affairs Office, PO Box 27647, Raleigh, NC 27611.*

CHAPTER 55 - HURRICANE FLOYD RECOVERY PROGRAMS FOR AGRICULTURE

SECTION .0100 - PURPOSE; AVAILABILITY OF FUNDS; DEFINITIONS; EXPIRATION

.0101 PURPOSE

The purpose of this Chapter is to establish guidelines for the implementation of disaster assistance programs for farmers who suffered losses as a result of Hurricane Floyd. The assistance provided under this Chapter is intended to supplement federal disaster assistance programs. This program is authorized by the Hurricane Floyd Recovery Act, Session Law 1999-463 of the 1999 Extra Session of the General Assembly.

History Note: Authority S.L. 1999-463, s. 4; Temporary Adoption Eff. February 1, 2000.

.0102 AVAILABILITY OF FUNDS

The assistance programs described in this Chapter are subject to the availability of funds from the Hurricane Floyd Reserve Fund in the Office of State Budget and Management, or from

other sources. This program shall be administered in accordance with the Hurricane Floyd Recovery Act and the requirements of the Office of State Budget and Management.

History Note: Authority S.L. 1999-463, s. 4; Temporary Adoption Eff. February 1, 2000.

.0103 DEFINITIONS

As used in this Chapter:

- (1) "Commissioner" means the Commissioner of Agriculture.
- (2) "Department" means the Department of Agriculture and Consumer Services.
- (3) "Disaster area" means the counties that were declared a disaster by the President of the United States as a result of Hurricane Floyd.
- (4) "FSA" means the Farm Service Agency of the United States Department of Agriculture.
- (5) "USDA" means the United States Department of Agriculture.

History Note: Authority S.L. 1999-463, s. 4; Temporary Adoption Eff. February 1, 2000.

.0104 EXPIRATION

This Chapter shall expire on December 31, 2000.

History Note: Authority S.L. 1999-463, s. 4; Temporary Adoption Eff. February 1, 2000.

SECTION .0200 - CROP LOSS AND LIVESTOCK LOSS ASSISTANCE

.0201 ELIGIBILITY FOR ASSISTANCE

A producer who is eligible for crop or livestock disaster assistance from USDA-FSA shall be eligible for assistance under this program. In addition, a producer who is not eligible for federal assistance may be eligible for assistance under this program if he or she has a loss documented by USDA-FSA. A "swine operation integrator," as defined in G.S. 143-215.10H, shall not be eligible for livestock loss assistance.

History Note: Authority S.L. 1999-463, s. 4; Temporary Adoption Eff. February 1, 2000.

.0202 APPLICATION PROCEDURES

Assistance under this program shall be based on information provided to the Department by USDA-FSA. No additional application shall be required.

*History Note: Authority S.L. 1999-463, s. 4;
Temporary Adoption Eff. February 1, 2000.*

.0203 MAXIMUM LEVEL OF ASSISTANCE

Subject to availability of funds, assistance may be provided in amounts not to exceed:

- (1) 17 percent of a producer's crop loss as documented by USDA-FSA; and
- (2) 30 percent of a producer's livestock loss as documented by USDA-FSA.

*History Note: Authority S.L. 1999-463, s. 4;
Temporary Adoption Eff. February 1, 2000.*

**SECTION .0300 - STRUCTURES AND EQUIPMENT
LOSS ASSISTANCE**

.0301 ELIGIBILITY FOR ASSISTANCE

A farm owner or operator whose uninsured farm structures, farm roads or farm equipment were damaged or destroyed as a result of Hurricane Floyd may submit an application for assistance under this program to the USDA-FSA county office on a form provided by the Department. "Structures" shall not include lagoons, as defined in G.S. 106-802. Applications must be received in the USDA-FSA county office by March 15, 2000.

*History Note: Authority S.L. 1999-463, s. 4;
Temporary Adoption Eff. February 1, 2000.*

.0302 APPLICATION PROCEDURES

Applications shall be forwarded by USDA-FSA to the Department. The Department shall determine eligibility for assistance based on information provided by the farm owner or operator in the application. The application shall include:

- (1) a copy of an invoice or estimate for repairs, not to exceed fair market value prior to Hurricane Floyd; or
- (2) in the case of a total loss, a copy of an appraisal of the fair market value prior to Hurricane Floyd.

The invoice, estimate, appraisal or other supporting information must have been prepared by a person who is known to be competent to prepare such estimates or appraisals and who has no financial interest in the applicant's farm operations.

*History Note: Authority S.L. 1999-463, s. 4;
Temporary Adoption Eff. February 1, 2000.*

.0303 MAXIMUM LEVEL OF ASSISTANCE

Subject to availability of funds, assistance may be provided in amounts not to exceed 40 percent of uninsured structure or equipment loss, or 50 percent of farm road restoration cost.

*History Note: Authority S.L. 1999-463, s. 4;
Temporary Adoption Eff. February 1, 2000.*

**SECTION .0400 - EMERGENCY CONSERVATION
PROGRAM COST SHARE BUY DOWN**

.0401 ELIGIBILITY FOR ASSISTANCE

A producer who is eligible for assistance under the USDA-FSA Emergency Conservation Program shall be eligible for the cost share buy down assistance program.

*History Note: Authority S.L. 1999-463, s. 4;
Temporary Adoption Eff. February 1, 2000.*

.0402 APPLICATION PROCEDURES

Assistance under this program shall be based on information provided to the Department by USDA-FSA from the producer's application for assistance from USDA-FSA under the Emergency Conservation Program. No additional application shall be required.

*History Note: Authority S.L. 1999-463, s. 4;
Temporary Adoption Eff. February 1, 2000.*

.0403 MAXIMUM LEVEL OF ASSISTANCE

Subject to availability of funds, assistance may be provided in amounts not to exceed 18 percent of the total cost of the practice approved by USDA-FSA. Assistance provided under this Section may not be used to repair or rebuild a "lagoon," as defined in G.S. 106-802.

*History Note: Authority S.L. 1999-463, s. 4;
Temporary Adoption Eff. February 1, 2000.*

**SECTION .0500 - COMMODITY ASSOCIATIONS AND
COOPERATIVES ASSISTANCE**

.0501 APPLICATIONS FOR ASSISTANCE

Commodity associations and cooperatives may submit an application for assistance to the Commissioner of Agriculture on a form provided by the Department.

*History Note: Authority S.L. 1999-463, s. 4;
Temporary Adoption Eff. February 1, 2000.*

.0502 ELIGIBILITY FOR ASSISTANCE

A commodity association or cooperative shall provide documentation of losses suffered due to Hurricane Floyd.

*History Note: Authority S.L. 1999-463, s. 4;
Temporary Adoption Eff. February 1, 2000.*

.0503 LEVEL OF ASSISTANCE

Subject to availability of funds, the Commissioner of Agriculture may provide assistance to commodity associations or cooperatives on a pro rata basis for losses suffered due to Hurricane Floyd.

*History Note: Authority S.L. 1999-463, s. 4;
Temporary Adoption Eff. February 1, 2000.*

TITLE 4 - DEPARTMENT OF COMMERCE

Rule-making Agency: *Department of Commerce*

Rule Citation: 4 NCAC 1M.0101-.0107

Effective Date: February 1, 2000

Findings Reviewed and approved by: Julian Mann, III

Authority for the rule-making: S.L. 1999-463

Reason for Proposed Action: Rules governing loans and interest rebates to small businesses damaged by Hurricane Floyd

Comment Procedures: Comments or questions may be directed to Gene Byrd, Department of Commerce, 418 Mail Service Center, Raleigh, NC 27699-4318, (919) 715-5747.

CHAPTER 1 - DEPARTMENTAL RULES

SUBCHAPTER 1M - HURRICANE FLOYD BUSINESS ASSISTANCE PROGRAMS

SECTION .0100 - GENERAL INFORMATION

.0101 SCOPE

(a) The Department of Commerce shall operate a program of assistance to businesses in order to protect jobs in the disaster-damaged counties of eastern North Carolina.

(b) Interest rebates shall be available to business owners who are approved for a disaster business loan from the U. S. Small Business Administration (SBA) for physical damage or economic injury to their business as a result of Hurricane Floyd.

(c) A loan program for businesses that do not qualify for SBA loans shall be known as the NC Recovery and Development Fund (NC READE). Loans will be available to businesses for both physical damage and economic injury suffered as a result of Hurricane Floyd. Loans will be made to businesses that suffered damage and have been unable to qualify for a Small Business Administration (SBA) disaster business loan. A business will be deemed to be unable to qualify for a SBA disaster business loans when:

- (1) an initial application for SBA loan has been declined; and
- (2) an application for reconsideration by SBA has also been declined.

(d) The business must be located in one of the counties declared a major disaster as a result of Hurricane Floyd by the President of the United States under the Stafford Act (P. L. 93-288).

(e) Applications will be accepted for six months following the final application deadline for SBA business loans for physical damage caused by Hurricane Floyd.

(f) NC READE applicants must have contacted a Business Recovery Assistance Center by the final deadline to start the SBA reconsideration process.

History Note: Authority G.S. 150B-21.1; S.L. 1999-463; Temporary Adoption Eff. February 1, 2000 to expire on January 1, 2003.

.0102 ELIGIBILITY

(a) All businesses must apply for a SBA disaster business loan to be eligible for these programs.

(1) Interest rebates will be available to all business owners who borrow from the SBA and will be based on the amount of money borrowed and the repayment terms. Amounts approved by the SBA and amounts actually disbursed by them may differ. Rebates will be based on the funds actually disbursed.

(2) A business owner that exhausts the SBA funding and reconsideration process and submits proof of having been a legitimate business prior to the disaster will be eligible for NC READE funds.

(b) Examples of proof include, but are not limited to, possession of a valid business license, a business plan, and a commercial property lease.

(c) A business must demonstrate the potential to recover from the disaster and remain an going concern with the infusion of NC READE funds.

History Note: Authority G.S. 150B-21.1; S.L. 1999-463; Temporary Adoption Eff. February 1, 2000 to expire on January 1, 2003.

.0103 BENEFITS UNDER THE INTEREST REBATE PROGRAM

The interest rebate program will offer rebates equal to the interest payments projected to be made by the successful SBA business borrower for the first three years on the finalized SBA disaster business loan from damage sustained as a result of Hurricane Floyd.

History Note: Authority G.S. 150B-21.1; S.L. 1999-463; Temporary Adoption Eff. February 1, 2000 to expire on January 1, 2003.

.0104 BENEFITS UNDER NC READE

(a) A NC READE loan will be for a period of eight years. All payments will be deferred for the first three years and the loan will accrue no interest during that period. The final five-year period will accrue interest at 4% and will amortize the principal balance through regular monthly payments of principal and interest. There will be no penalty for early repayment.

(b) Maximum funding under NC READE will be tied to the number of jobs provided by the business prior to Hurricane Floyd. Regardless of the maximum funding for which the business qualifies, funding will not exceed the actual physical damage and economic injury sustained by the business from Hurricane Floyd.

(c) The number of jobs provided by each business will be verified by Form NCUI 101 filed by the business with the Employment Security Commission of North Carolina (ESC).

(1) A business that provides 5 jobs will be eligible for maximum funding of twenty-five thousand dollars (\$25,000).

(2) A business that provides 6-10 jobs will be eligible for maximum funding of twenty-five thousand dollars

(\$25,000), plus four thousand dollars (\$4,000) for each incremental job.

- (3) A business that provides 11-25 jobs will be eligible for maximum funding of forty-five thousand dollars (\$45,000), plus three thousand dollars (\$3,000) for each incremental job.
- (4) A business that provides 26-100 jobs will be eligible for maximum funding of ninety thousand dollars (\$90,000), plus two thousand five hundred dollars (\$2,500) for each incremental job.
- (5) A business that provides in excess of 100 jobs will be eligible for maximum funding of two hundred seventy seven thousand, five hundred dollars (\$277,500) plus two thousand dollars (\$2,000) for each incremental job.
- (6) The N. C. Department of Commerce will determine maximum funding for businesses that provide over 100 jobs on a case-by-case basis.

History Note: Authority G.S. 150B-21.1; S.L. 1999-463; Temporary Adoption Eff. February 1, 2000 to expire on January 1, 2003.

.0105 PROCEDURES FOR INTEREST REBATE FOR SBA BORROWERS

(a) Applicants will apply for interest rebates through the Business Recovery Assistance Centers (BRAC) administered by the University of North Carolina (UNC) Small Business and Technology Development Centers (SBTDC) in cooperation with the Department of Commerce.

(b) The borrower will present to the BRAC Counselor a copy of his Loan Authorization and Agreement and a copy of his most recent disbursement letter showing the outstanding balance of the loan.

- (1) The BRAC counselor will perform a mathematical calculation to estimate the interest to be paid by the borrower over the ensuing three years.
- (2) The borrower will affirm that he is entitled to this interest rebate, that the information is true and correct to the best of his knowledge and that the rebate will not be used to duplicate any benefits received under any Federal program.
- (3) Upon completion of the request and supporting documents, the BRAC counselor will forward said application to one of the two agent banks for payment.

(c) Upon receipt by the bank, the documents will be reviewed for completeness, a check will be prepared and mailed to the borrower. The bank will forward said check to the borrower within five working days of the receipt of the request.

(d) The borrower will receive a notice with the rebate check to inform the recipient that rebate proceeds are subject to federal duplication of benefits limitations and that the State of North Carolina will inform the SBA that the borrower has received the rebate.

History Note: Authority G.S. 150B-21.1; S.L. 1999-463; Temporary Adoption Eff. February 1, 2000 to expire on January

1, 2003.

.0106 PROCEDURES FOR NC READE

(a) Applicants will apply for NC READE through the Business Recovery Assistance Centers (BRAC) administered by the University of North Carolina (UNC) Small Business and Technology Development Centers (SBTDC) in cooperation with the Department of Commerce.

(b) The applicant will bring the decline letter from the SBA to the Business Recovery Assistance Center. Additionally, the applicant should bring a copy of the completed SBA application, the most recent pre-Hurricane Floyd NCUI 101 and other documentation supporting the situation of the business before the hurricane and the extent of damage suffered from the hurricane.

(c) If the applicant does not have the required information, the BRAC will prepare a written request to the SBA for specific file items required to make a decision.

(d) If the SBA, on their first review has declined the applicant, the BRAC will assist the applicant to address any deficiencies noted by the SBA. The BRAC will ensure re-submission of the application.

(e) Upon resubmission to the SBA, the approved NC READE applications will be submitted to agent banks for processing, document preparation and funding.

(f) Should the SBA approve a loan upon reconsideration, the borrower will repay the principal amount of the NC READE loan.

History Note: Authority G.S. 150B-21.1; S.L. 1999-463; Temporary Adoption Eff. February 1, 2000 to expire on January 1, 2003.

.0107 APPEAL

An applicant may appeal a funding decision under these programs to the Office of the Assistant Secretary for Economic Development, NC Department of Commerce. The Assistant Secretary will convene a three-person committee to include himself, the Director of the Commerce Finance Division and one other member named by the Assistant Secretary. Upon a full and complete review of the facts in each case, the committee shall recommend a decision to the Secretary of Commerce. The decision of the Secretary shall be final.

History Note: Authority G.S. 150B-21.1; S.L. 1999-463; Temporary Adoption Eff. February 1, 2000 to expire on January 1, 2003.

TITLE 15A - DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

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

Rule Citation: *15A NCAC 1C .0505; 1P .0101-.0105; 1Q .0101*

Effective Date: February 4, 2000

Findings Reviewed and Approved by: Julian Mann, III

Authority for the rule-making: G.S. 113A-4; 113A-6; 113A-11; 143B-10; S.L. Extra Session 1999-463, Part IV, c. 463, s. 4

Reason for Proposed Action: The NC Department of Environment and Natural Resources plans to adopt temporary rules for the expenditure of funds in relation to the Implementation Plan for Use of Hurricane Floyd Relief Funds - House Bill 2 (Extra Session 1999) to the following Sections:

15A NCAC 1C .0505 - The Hurricane Floyd Recovery Act applies to activities that are funded with public monies from the Hurricane Floyd Reserve Fund and that are taken in response to the damage wrought by the hurricanes which occurred in North Carolina in September and October of 1999. The Department will streamline the breadth and scope of its existing SEPA rules to expedite review of activities funded from the Fund.

15A NCAC 1P.0101-.0105- Grants to Commercial Fishermen for Damages Caused by Hurricanes. To establish the application procedures, eligibility requirements, and process for disbursement of funds to commercial fishermen for loss of income or for damages or loss of equipment.

15A NCAC 1Q.0101- Solid Waste Sites and Junkyards Section. Establish criteria for remediating high risk solid waste sites and junkyards in the 100 year flood plains in areas affected by Hurricane Floyd.

Comment Procedures:

15A NCAC 1C .0505- Comments are welcomed and may be submitted to Ms. Melba McGee, DENR, Division of Legislative and Intergovernmental Affairs, 1601 Mail Service Center, Raleigh, NC 27699-1601, (919) 715-4194.

15A NCAC 1P.0101-.0105 - Comments are welcomed and may be submitted to Juanita Gaskill, DENR, Division of Marine Fisheries, PO Box 769, Morehead City, NC 28557.

15A NCAC 1Q.0101 - Comments are welcomed and may be submitted to Mr. Bill Meyer, Director, DENR, Division of Waste Management, 1646 Mail Service Center, Raleigh, NC 27699, (919) 733-0692, ext. 202.

CHAPTER 1 - DEPARTMENTAL RULES

SUBCHAPTER 1C - CONFORMITY WITH NORTH CAROLINA ENVIRONMENTAL POLICY ACT

SECTION .0500 - MINIMUM CRITERIA

.0505 NON-MAJOR HURRICANE RELIEF ACTIVITY

The following minimum criteria are established as indicators of thresholds for activities undertaken in response to "The Hurricane Floyd Recovery Act of 1999" for which environmental documentation under the North Carolina Environmental Policy Act (NCEPA) is required. Activities which are below these thresholds are sufficiently controlled by

existing statutory and regulatory framework so that no additional environmental documentation under NCEPA is required. As set forth in Rule .0503 of this Section, the Secretary may require environmental documentation for activities that would otherwise qualify under these minimum criteria thresholds. These Hurricane Floyd Recovery Act minimum criteria apply to activities that are funded with public monies from the Hurricane Floyd Reserve Fund and that are conducted in response to the damage wrought by the hurricanes which occurred in North Carolina in September and October of 1999. Except as referenced in this Rule, these Hurricane Floyd Recovery Act minimum criteria temporarily replace the minimum criteria in Rule .0504 of this Section. Activities and buildings including the following require documentation under NCEPA:

- (1) Structures located in the 100-year floodplain that are not raised above the 100-year flood plain building elevation for the site as recommended by FEMA or as required by local ordinance, whichever is more stringent.
- (2) "Subdivisions," as defined in G.S. 153A-335 and 160A-376, not served by an approved septic or other waste disposal system.
- (3) "Subdivisions," as defined in G.S. 153A-335 and 160A-376, without 20% open space included in the development plan or without a 50-foot or greater vegetated buffer along perennial and intermittent streams as indicated on the most current version of the 1:24,000 scale 17.5 minute quadrangle United States Geological Survey topographic map or the county soil survey map prepared by the Natural Resources Conservation Service of the United States Department of Agriculture.
- (4) Expansion of wastewater treatment systems or potable water systems in excess of the capacity required to serve replacement dwellings, replacement commercial structures, and replacement industrial facilities for Hurricane Floyd recovery and in excess of the activities identified in Rule .0504(3)(a), (3)(b) of this Section.
- (5) Filling or otherwise altering wetlands except in the replacement of single family dwellings when the entire tract of land is wetland and wetland fill is less than 1/3 acre and the building site is located so as to have the least negative impact foreseeable on the wetland.
- (6) Groundwater withdrawals in excess of those described in Rule .0504(3)(c) of this Section.
- (7) Land disturbing activities covering an area greater than five acres that require a sediment and erosion control plan and are located within a High Quality Waters Zone or an Outstanding Resource Waters Zone.
- (8) Reforestation of woodlands not in accordance with the National Forest Service or the Division of N.C. of Forest Resources woodlands management plans.
- (9) Use of forestry best management practices not consistent with the performance standards in Forest Practice Guidelines Related to Water Quality codified

as 15A NCAC 11.

- (10) Removal of logs, stumps, trees, and other debris from stream channels in excess of those activities described in Rule .0503(3)(m) of this Section.
- (11) Drainage projects where the mean seasonal water table elevation will be lowered more than one foot over an area of one square mile or more, and riparian and wetland areas will be permanently effected.
- (12) Development activities within Areas of Environmental Concern of the 20-county coastal area which require a CAMA Major or Minor Permit and are listed in Rule .0504(f) of this Section.
- (13) Rebuilding in the 100-year floodplain of any component of a liquid animal waste management system for which a permit is required under Part 1 or Part 1A of Article 21 of Chapter 143 of the General Statutes, other than a land application site, when the total animal waste management system was damaged more than 50% of the total cost of new construction.
- (14) Structures 50 years or older for which no separate law, rule or regulation dictates a formal review and approval process and for which detailed location maps have not been provided by the applicant to the North Carolina Department of Cultural Resources for action by the State's Historic Preservation Officer.

History Note: Authority G.S.: 113A-4; 113A-6; 113A-11; 143B-10; S.L. Extra Session 1999-463, Part IV, c.463, s.; Temporary Adoption Eff. February 3, 2000 to expire on January 1, 2003.

SUBCHAPTER 1P - GRANTS TO COMMERCIAL FISHERMEN FOR HURRICANE DAMAGE

SECTION .0100 - GRANTS TO COMMERCIAL FISHERMEN FOR HURRICANE DAMAGE

.0101 GENERAL

(a) Only commercial fishermen who held a valid Standard Commercial Fishing License, Retired Standard Commercial Fishing License or a Shellfish License for North Carolina Resident without a Standard Commercial Fishing License during September or October, 1999, and are determined by the Division of Marine Fisheries to be an affected fishermen in an affected fishery are eligible to apply for compensation for reimbursement of documented losses of commercial fishing income or for damage to or loss of commercial fishing equipment.

(b) Until funds are exhausted, the maximum amount that shall be reimbursed any individual fisherman shall be 60 percent of the total loss of income and equipment combined. Once the total funds are exhausted, applications shall no longer be processed or accepted.

(c) The Division of Marine Fisheries shall determine affected fisheries by identifying those fisheries which decreased 33 percent or more in landings for the months of September and October, 1999, as compared to September and October, 1998 and September and October, 1997, for the same gear type,

species, and water body, utilizing historical landings data.

(d) The Division of Marine Fisheries shall determine commercial fishing income loss for each affected fishermen who applies for a grant utilizing historical landings data. For each affected fishery, the Division of Marine Fisheries shall calculate the loss of income for the months of September and October, 1999, based on a comparison with the average value of the applicant's landings for the months of September and October for the years 1997 and 1998. Sixty percent of this total shall be granted.

(e) Based on the information supplied in the grant application and information available to the Division through historical landings data and existing files, the Fisheries Director or his designee shall determine the amount of grant, if any, to be paid to an affected fisherman for losses in each affected fishery and any eligible compensation for loss or damage to commercial fishing equipment.

History Note: Authority 1999 S.L. Extra Session 1999, c. 463; Temporary Adoption Effective February 4, 2000 to expire on January 1, 2003.

.0102 DEFINITIONS

The following terms relating to Grants to Commercial Fishermen are hereby defined:

- (1) Commercial fisherman: holders of a valid Standard Commercial Fishing License, a Retired Standard Commercial Fishing License, or a Shellfish License for North Carolina Resident without a Standard Commercial Fishing License. This definition shall not include assignees.
- (2) Affected fishery: a fishery for which landings for the months of September and October, 1999, was decreased 33 % or more from the average landings for September and October 1998 and September and October 1997, for the same gear type, species and waterbody. Affected fisheries shall not include fisheries with a 33 % or more decrease in 1999 landings that the Division of Marine Fisheries has determined to be due to factors other than the effects of hurricanes. Affected fisheries shall also not include fisheries where closures or other regulatory prohibitions would make landings in that fishery illegal except the hard clam fishery and the oyster fishery in areas normally designated as non-prohibited (non-polluted) which were closed due to hurricanes. Fisheries with decreased landings, as compared to the average landings during the months of January through August for 1997 and 1998, during the months of January through August 1999 may not be included in affected fisheries.
- (3) Commercial fishing income: the value of the landings for the appropriate time frame as determined by the Division of Marine Fisheries based on historical landings data.
- (4) Affected fisherman: a commercial fisherman who had a 25 % or greater total loss in commercial fishing income during September and October, 1999, due to

effects of the hurricanes, as compared to the applicant's average commercial fishing income for September and October, 1998 and September and October, 1997, utilizing historical landings data; and, a 25 % or greater income loss in an affected fishery as compared to the applicant's average commercial fishing income for that fishery for September and October, 1998 and September and October, 1997, utilizing historical landings data as determined by the Division of Marine Fisheries.

- (5) Value: average September/October 1997/1998 ex-vessel price of species per pound as determined by the Division of Marine Fisheries utilizing historical landings data.
- (6) Commercial fishing equipment; equipment as listed on the North Carolina Division of Marine Fisheries Trip Tickets with the addition of commercial fishing vessels used in an affected fishery in which the eligible fisherman participated.

History Note: Authority 1999 S.L. Extra Session 1999, c. 463; Temporary Adoption Effective February 4, 2000 to expire on January 1, 2003.

.0103 APPLICATION AND ELIGIBILITY REVIEW PROCESS

(a) Applications for Grants to Commercial Fishermen shall be available at all offices of the Division of Marine Fisheries which are located in Elizabeth City, Wanchese, Columbia, Washington, Morehead City and Wilmington, and must be submitted to the Morehead City Office of the Division of Marine Fisheries, Attention: Hurricane Grants, P.O. Box 769, Morehead City, NC 28557 for processing.

(b) Applications must be received at the Morehead City Division of Marine Fisheries Office, Attention: Hurricane Grants, postmarked no later than May 1, 2000, on a form provided by the Division of Marine Fisheries. The applicant's signature on the application must be notarized.

(c) Incomplete applications shall be returned and shall not be reviewed until determined to be complete by the Division of Marine Fisheries.

(d) Applicants must complete all required information including but not limited to:

- (1) For applications in the name of an individual: full name, physical address, mailing address, county of residence, social security number, date of birth, phone number and participant number of the applicant. For applications in the name of a business entity: full name, physical address, mailing address, county of residence, social security number, date of birth, and phone number of the responsible party and identifying information for the business entity as required on the application form including the participant number and, if applicable, the federal tax identification number.
- (2) Standard Commercial Fishing License Number, Retired Standard Commercial Fishing License Number, or Shellfish License for North Carolina

Resident without a Standard Commercial Fishing License Number.

- (3) Endorsement to Sell Numbers for License Years 1997-1998 and 1998-1999, if applicable and available.
- (4) Certification as to whether or not the applicant has received any other compensation for loss of fisheries income or commercial fishing equipment through insurance, unemployment, FEMA, Small Business Administration or any other disaster program and that the loss resulted from the effects of the hurricane. If such compensation has been received, the level of compensation must be reported and shall be deducted from the total eligible compensation under this grant program.
- (5) For application for compensation for loss of commercial fishing income, the applicant must certify which affected fisheries commercial fishing income loss occurred in from the list of affected fisheries attached to the application.
- (6) For application for compensation for loss of a vessel(s) or equipment used in an affected fishery:
 - (A) The fishermen must have been determined to be an affected fisherman with a documented commercial fishing income loss of five hundred dollars (\$500.00) or more to be eligible to apply for compensation for lost or damaged equipment or vessel(s). Involvement in an affected fishery and the five hundred dollar (\$500.00) loss of commercial fishery income shall be verified by the Division of Marine Fisheries through historical landings data.
 - (B) For compensation for loss or damage to a vessel, the applicant must furnish copies of the Commercial Fishing Vessel Registration, the State motorboat registration, or the U.S. Coast Guard vessel documentation papers, if available. Applicants must furnish documentation of the loss or damage to the vessel. Such documentation may include repair invoices, estimates of damages from a repair facility, photographs of the damages, Wildlife Resources Commission motorboat accident reports, notarized affidavits from individuals with knowledge of the loss, or other relevant verification of the loss.
 - (C) For application for equipment loss or damage, the applicant must furnish copies of receipts for equipment purchased prior to September 16, 1999, and a notarized affidavit from the applicant that equipment has been lost or damaged and must furnish at least one notarized affidavit from an individual involved in commercial fishing or from a fish dealer that the applicant did own and have damages or loss of such equipment. Information required will include the type, description, amount.

location, and the extent of damage of commercial equipment. Only equipment losses between September 16 and October 15, 1999, shall be considered for compensation. Calculation of loss of equipment shall be as follows:

- (I) For equipment losses that have been replaced, compensation shall be based on the actual replacement cost shown on receipts or invoices for replacement.
- (II) For equipment losses that have not been replaced or for which receipts or invoices are not available, compensation shall be based on a standard amount set by the Division of Marine Fisheries to be the fair market replacement cost for each type of equipment.

- (7) The applicant must certify that all information on the application and any supporting documentation is true, accurate, and complete.

(e) Grants shall be issued according to the order that complete applications are received, reviewed and approved.

History Note: Authority 1999 S.L. Extra Session 1999, c. 463; Temporary Adoption Effective February 4, 2000 to expire on January 1, 2003.

.0104 ELIGIBILITY NOTIFICATION - DISPUTE PROCESS

(a) If approved, in whole or in part, applicants shall be notified by letter from the Division of Marine Fisheries of the amount for compensation. Actual compensation shall be mailed directly to the applicant including the statement of income tax liability required by statute.

(b) If denied, applicants shall be notified by a copy of the eligibility decision by the Division of Marine Fisheries.

(c) Applicants may dispute the compensation amount for commercial fishing income loss by providing trip tickets verifying landings in an affected fishery to the Fisheries Director postmarked no later than 30 days from the date the compensation or eligibility decision is mailed by the Division of Marine Fisheries. Based on the trip tickets provided, the Fisheries Director or his designee may reconsider the compensation amount. Additional information may be required by the Fisheries Director or his designee.

(d) Applicants may dispute the compensation amount for commercial fishing equipment or the eligibility decision concerning equipment by providing additional information similar to that information described in 15A NCAC 1P .0103 if not submitted with the original application to the Fisheries Director postmarked no later than 30 days from the date the compensation or eligibility decision is mailed by the Division of Marine Fisheries. Based on the information provided, the Fisheries Director or his designee may reconsider the compensation amount or eligibility decision. Additional information may be required by the Fisheries Director or his designee.

(e) Applicants who receive notification of ineligibility may

dispute the eligibility determination for commercial fishing income by providing trip tickets verifying landings in an affected fishery to the Fisheries Director postmarked no later than 30 days from the date the eligibility decision is mailed by the Division of Marine Fisheries. Based on trip tickets provided, the Fisheries Director or his designee may reconsider the eligibility decision. Additional information may be required by the Fisheries Director or his designee.

History Note: Authority 1999 S.L. Extra Session 1999, c. 463; Temporary Adoption Eff. February 4, 2000 to expire on January 1, 2003.

.0105 APPEAL PROCESS

Written appeal of the final eligibility decision by the Fisheries Director or his designee may be made to the Secretary of the Department of Environment and Natural Resources. The decision will be considered final if the applicant does not submit additional information within 30 days of the mailing of the initial eligibility decision or compensation. Such appeal must include the basis for the appeal and supporting documentation. Individuals appealing notification of ineligibility or the amount of compensation may dispute the eligibility determination by providing trip tickets verifying landings in an affected fishery or additional documentation concerning gear losses to the Secretary. Based on the information provided, the Secretary or his designee may reconsider the eligibility decision. Additional information may be required by the Secretary or his designee. Such appeal must be postmarked no later than 30 days from the date the eligibility decision was mailed by the Division of Marine Fisheries.

History Note: Authority 1999 S.L. Extra Session 1999, c. 463; Temporary Adoption Effective February 4, 2000 to expire on January 1, 2003.

SUBCHAPTER 1Q - JUNKYARDS AND OTHER HIGH-RISK SOLID WASTE SITES

SECTION .0100 - EVALUATION OF HIGH-RISK JUNKYARDS AND OTHER HIGH-RISK SOLID WASTE SITES

.0101 REMEDIATION OF HIGH-RISK JUNKYARDS AND SOLID WASTE SITES

(a) Applications submitted to the Department for use of State money allocated under Section 3.1(h) of Chapter 463 of the 1999 Session Laws, (Extra Session, December 16, 1999), for remediation of high-risk junkyards and other high-risk solid waste sites located in the 100-year flood plains of areas affected by Hurricane Floyd shall be evaluated in accordance with the following criteria. To be eligible for State money, a site shall have a positive ranking on all of the criteria. The Department shall prioritize the eligible sites according to the actual or potential degree of risk posed by the site to the environment and to the public health, safety and welfare, with particular attention to impact of the site upon surface water. Sites for which the cost of clean-up is deemed to be high due to the presence or release

of PCB's, dioxin or similar chemicals requiring special handling, removal and disposal protocols shall not be eligible for remediation under this program.

(b) Criteria for evaluation of applications for site remediation:

- (1) The site is located in a county which sustained severe flood damage from Hurricane Floyd, as determined by FEMA;
- (2) The site poses substantial environmental and/or public health risks and is located in the 100-year flood plain;
- (3) The size of the solid waste or junkyard site;
- (4) The toxicity of potential or actual releases to waters of the state and the frequency of past releases; (5) The proximity of the site to a source of public water supply;
- (6) The potential for construction or mitigation of on-site wetlands;
- (7) Voluntary participation by site or facility owners and operators in assessment and remediation of the site;
- (8) Commitment of owner(s) of site to enter a conservation agreement in the form of an easement, pursuant to G.S. 121-35, which forbids junkyards, solid waste management facilities, agricultural uses and all other uses of the site which may be forbidden or limited under the statute, and commitment to provide access easements from public roads to the conservation easement ;
- (9) Voluntary participation by the local government to accept transfer of restrictive easements located within the 100-year flood plain to be managed as open space, parks or green ways; and
- (10) If the junkyard or solid waste site is located both inside and outside the 100-year flood plain, agreement of the owners and operators to prevent future releases to the environment from activities located outside the floodplain by adopting a system of Best Management Practices as determined by the Department on a site specific basis.

History Note: Authority G.S.: 113A-4; 113A-6; 113A-11; 143B-10; S.L. Extra Session 1999-463, Part IV, c.463, s. 4; Temporary Adoption Eff. February 4, 2000 to expire on January 1, 2003.

Rule-making Agency: *North Carolina Wildlife Resources Commission*

Rule Citation: *15A NCAC 10F .0333, .0339, .0355*

Effective Date: *February 4, 2000*

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

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

Reason for Proposed Action:

15A NCAC 10F .0333 - The Lake Wylie Marine Commission initiated the no-wake zone pursuant to G.S. 75A-15, to protect public safety in the areas by restricting vessel speed.

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

15A NCAC 10F .0355 - The Perquimans County Board of Commissioners initiated the no-wake zone pursuant to G.S. 75A-15, to protect public safety in the areas by restricting vessel speed.

Comment Procedures: *The North Carolina Wildlife Resources Commission has the authority to adopt temporary rules pursuant to G.S. 150B-21.1(a1). This temporary rule is adopted following the public hearing and public comment period established for permanent rule adoption. A public hearing was held on November 15, 1999 for the permanent rule and the record of hearing for public comment was closed on November 19, 1999. The submission for permanent rule is on file with the Rules Review Commission.*

CHAPTER 10 - WILDLIFE RESOURCES AND WATER SAFETY

SUBCHAPTER 10F - MOTORBOATS AND WATER SAFETY

SECTION .0300 - LOCAL WATER SAFETY REGULATIONS

.0333 MECKLENBURG AND GASTON COUNTIES

(a) **Regulated Areas.** This Rule applies only on that portion of the to the following waters of Lake Wylie in which lies within the boundaries of Mecklenburg and Gaston Counties; and to the restricted zones indicated by Paragraphs (b), (c), (d), (e), (f), (g), (h), (i), and (j) of this Rule on such waters:

- (1) McDowell Park - The waters of the coves adjoining McDowell Park and the Southwest Nature Preserve in Mecklenburg County, including the entrances to the coves on either side of Copperhead Island.
- (2) Gaston County Wildlife Club Cove - The waters of the cove at the Gaston County Wildlife Club on South Point Peninsula in Gaston County.
- (3) Buster Boyd Bridge - The areas 250 feet to the north and 150 feet to the south of the Buster Boyd Bridge.
- (4) Highway 27 Bridge - The area beginning 50 yards north of the NC 27 Bridge and extending 50 yards south of the southernmost of two railroad trestles immediately downstream from the NC 27 Bridge.

- (5) Brown's Cove - The area beginning at the most narrow point of the entrance to Brown's Cove and extending 250 feet in both directions.
- (6) Paradise Point Cove - The waters of the Paradise Point Cove between Paradise Circle and Lakeshore Drive as delineated by appropriate markers.

(b) Speed Limit Near Ramps. No person shall operate a vessel at greater than no-wake speed within 50 yards of any public boat-launching ramp in Mecklenburg County.

(c) Speed Limit Near Piers. No person shall operate a vessel at greater than no-wake speed limit within 50 yards of any pier operated by Mecklenburg County for public use.

(d) Speed Limit at McDowell Park. No person shall operate a vessel at greater than no-wake speed on the waters of the coves adjoining McDowell Park and the Southwest Nature Preserve in Mecklenburg County, including the entrances to the coves on either side of Copperhead Island.

(e) Speed Limit at Gaston County Wildlife Club Cove. No person shall operate a vessel at greater than no-wake speed on the waters of the cove at the Gaston County Wildlife Club on South Point Peninsula in Gaston County.

(f)(d) Speed Limit in Mooring Areas. No person shall operate a vessel at greater than no-wake speed while within a marked mooring area established in Mecklenburg County with the approval of the Executive Director, or his representative.

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

(g)(f) Restricted Swimming Areas. No person operating a vessel shall permit it to enter any marked swimming area established in Mecklenburg County with the approval of the Executive Director, or his representative.

(h)(g) Speed Limit Near Boating Facilities. No person shall operate a vessel at greater than no-wake speed within 50 yards of any boat launching ramp, dock, pier, marina, boat storage structure or boat service area on that part of Lake Wylie, including the South Fork River arm, which is located in Gaston County.

(i) No person shall operate a vessel at greater than no-wake speed within the area 250 feet to the north and 150 feet to the south of the Buster Boyd Bridge on Lake Wylie.

(j) Speed Limit Near Highway 27 Bridge. No person shall operate a vessel at greater than no-wake speed beginning 50 yards north of the NC 27 Bridge and extending 50 yards south of the southernmost of two railroad trestles immediately downstream from the NC 27 Bridge.

(k)(h) Placement and Maintenance of Markers. The Boards of Commissioners of Mecklenburg County and Gaston County are designated suitable agencies for placement and maintenance of markers implementing this Rule, subject to the approval of the United States Coast Guard and the United States Army Corps of Engineers. With regard to marking the restricted zones indicated in this Rule, all of the supplementary standards listed in Rule .0301(g) of this Section shall apply.

History Note: Authority G.S. 75A-3; 75A-15;
Eff. July 1, 1980;
Amended Eff. July 1, 1994; June 1, 1985; June 1, 1984; March

1, 1983;
Temporary Amendment Eff. January 1, 1998;
Amended Eff. July 1, 1998;
Temporary Amendment Eff. February 4, 2000.

.0339 MCDOWELL COUNTY

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

- (1) that area adjacent to the shoreline of the McDowell Wildlife Club property;
- (2) that area adjacent to the shoreline of the Marion Moose Club property;
- (3) that area known as Morgan Cove;
- (4) that area within 50 yards of the shoreline at the New Manna Baptist Youth Camp;
- (5) that area within 50 yards of the shoreline at Burnett's Landing;
- (6) the cove area adjacent to the State Park swimming area;
- (7) the cove area adjacent to the State Park picnic area and dock;
- (8) that area within 50 yards of camping areas in the Lake James State Park as designated by the appropriate markers;
- (9) that area within 50 yards of the boat launching ramp at the Marion Lake Club;
- (10) that area within 50 yards in either direction from the marina docks in Plantation Point Cove;
- (11) that designated area of Goodman's Landing Cove within 50 yards of the swimming area and boat docks of Goodman's Campground;
- (12) that area beginning at the rock shoals located at Deerfield Campground downstream for a distance of approximately 200 yards as delineated by appropriate markers;
- (13) that area as delineated by appropriate markers along the shoreline of the development known as Lakeview Pointe;
- (14) that area as delineated by appropriate markers at the Waterylyn Subdivision Cove; Cove;
- (15) that area as delineated by appropriate markers along the shoreline of the Lakeview Shores Subdivision.

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

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

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

History Note: Authority G.S. 75A-3; 75A-15;
Eff. August 23, 1981;
Amended Eff. February 1, 1996; December 1, 1993; March 1, 1992; April 1, 1991;

Temporary Amendment Eff. February 1, 1998;
Amended Eff. July 1, 1998;
Temporary Amendment Eff. February 4, 2000; April 1, 1999.

.0355 PERQUIMANS COUNTY

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

- (1) Perquimans River: ~~the canals of Holiday Island;~~
 - (A) The canals of Holiday Island;
 - (B) The area within 50 yards of the Hertford City Boat Ramp; and
 - (C) The area within 75 yards of the Perquimans River Bridge on U.S. 17 Business also known as the Hertford S-Shaped Bridge.
- (2) Perquimans River: within 50 yards of the Hertford City Boat Ramp;
- (3) Perquimans River: within 75 yards of the Perquimans River Bridge on U.S. 17 Business also known as the Hertford S-Shaped Bridge;
- (4)(2) Yeopim River: within 75 yards of the Albemarle Plantation Marina Piers:
 - (A) The area within 75 yards of the Albemarle Plantation Marina Piers;
 - (B) The area of Beaver Cove as delineated by appropriate markers.

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

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

History Note: Authority G.S. 75A-3; 75A-15;
Eff. November 1, 1988;
Amended Eff. October 1, 1992.
Temporary Amendment Eff. October 1, 1997;
Amended Eff. July 1, 1998;
Temporary Amendment Eff. February 4, 2000.

Rule-making Agency: Department of Health and Human Services

Rule Citation: 15A NCAC 16A .1301-.1307

Effective Date: February 10, 2000

Findings Reviewed and Approved by: Beecher R. Gray

Authority for the rule-making: G.S. 130A

Reason for Proposed Action: Cardiovascular disease and diabetes are leading causes of death and disability in persons over the age of 65, especially those with limited incomes. Financial support for the purchase of medications for the control of these illnesses is intended to extend the productive

years and quality of life of such persons, and to reduce costs related to unnecessary hospital and nursing home admissions.

Comment Procedures: Written comments may be submitted to Charles D. Reed, Pharmacist, North Carolina Division of Public Health, 1915 Mail Service Center, Raleigh, NC 27699-1915, within 60 days after the date of publication of this issue of the North Carolina Register. Copies of the proposed rules may be obtained by contacting Charles Reed at 919-715-3338.

CHAPTER 16 - ADULT HEALTH

SUBCHAPTER 16A - CHRONIC DISEASE

SECTION .1300 - PRESCRIPTION DRUG ASSISTANCE PROGRAM

.1301 GENERAL

The Prescription Drug Assistance Program shall provide financial assistance for prescription drug cost to eligible and enrolled persons over the age of 65 years and who have been diagnosed by a physician as having cardiovascular disease or diabetes and require prescription medication to treat one or more of these conditions.

History Note: Authority S.L. 1999, c. 237, s.11.1.(a);
Temporary Adoption Eff. February 10, 2000.

.1302 DEFINITIONS

(a) "Cardiovascular disease" shall mean diagnoses of hypertension, angina, arrhythmia, or heart failure.

(b) "Diabetes" shall mean diabetes mellitus.

(c) "Prescription drug" shall mean any drug product required by federal or state law to include "Rx only" or "Caution: Federal law prohibits dispensing without prescription" upon its label prior to dispensing of the product to a patient, or any drug required by the North Carolina Medicaid Pharmacy Program to be dispensed pursuant to a prescription.

(d) "Outpatient prescription drug" shall mean any drug defined in (c) that is dispensed by a pharmacy which holds a valid permit issued by the North Carolina Board of Pharmacy to a patient for use outside of a health or medical inpatient facility such as a hospital, long-term care facility, or medical clinic.

History Note: Authority S.L. 1999, c. 237, s.11.1.(a);
Temporary Adoption Eff. February 10, 2000.

.1303 FINANCIAL ELIGIBILITY

Persons who are not eligible for full Medicaid benefits, who do not have other insurance coverage for drugs, and whose income is not more than 150% of the federal poverty level may be enrolled in the program.

History Note: Authority S.L. 1999, c. 237, s.11.1.(a);
Temporary Adoption Eff. February 10, 2000.

.1304 LIMITATIONS

Notwithstanding any other provision of the rules of this

Section, enrollment in the program is subject to the following:

- (1) Until July 1, 2000, enrollment in the program shall be limited to residents of the following 30 North Carolina counties: Beaufort, Bertie, Bladen, Brunswick, Carteret, Columbus, Craven, Duplin, Edgecombe, Greene, Halifax, Hertford, Hyde, Johnston, Jones, Lenoir, Martin, Nash, New Hanover, Northampton, Onslow, Pamlico, Pasquotank, Pender, Pitt, Robeson, Sampson, Washington, Wayne, and Wilson. Thereafter, enrollment in the program shall be open to residents of all counties in the State.
- (2) For 30 days from the inception of the program, persons receiving Medicaid benefits as Qualified Medicare Beneficiaries or Specified Low-Income Medicare Beneficiaries shall be given priority notification and may be enrolled in the program on a first-come first-served basis. Thereafter, enrollment in the program will be open to all eligible persons on a first-come first served basis.
- (3) A waiting list of eligible persons may be established by the program. Admission to the list and subsequent enrollment in the Program shall be on a first-come first-served basis.
- (4) Enrollment of eligible persons and reimbursement to providers shall be subject to the availability of funds.

History Note: Authority S.L. 1999, c. 237, s.11.1.(a); Temporary Adoption Eff. February 10, 2000.

.1305 APPLICATION PROCESS

(a) Applications for enrollment shall be submitted on forms provided by the Prescription Drug Assistance Program, North Carolina Division of Public Health, 1915 Mail Service Center, Raleigh, North Carolina 27699-1915.

(b) Notification of approval or denial of enrollment shall be sent to applicants within 30 calendar days of receipt of application.

(c) Benefits shall be effective upon receipt of a program identification card by the enrollee.

(d) All program identification cards and benefits shall expire on June 30 of each year.

(e) In order to continue receiving benefits, enrollees shall reapply prior to July 1 of each year on forms provided by the Prescription Drug Assistance Program, North Carolina Division of Public Health, 1915 Mail Service Center, Raleigh, North Carolina 27699-1915, except that persons receiving Medicaid benefits as Qualified Medicare Beneficiaries or Specified Low-Income Medicare Beneficiaries shall not be required to reapply. Applications for enrollment received after July 1 of each year will be processed on a first-come first served basis subject to the availability of funds.

History Note: Authority S.L. 1999, c. 237, s.11.1.(a); Temporary Adoption Eff. February 10, 2000.

.1306 COVERED SERVICES

The Prescription Drug Assistance Program shall provide financial assistance for prescription drug cost on behalf of

enrollees as follows:

- (1) Outpatient prescription drugs for the treatment of hypertension, angina, arrhythmia, heart failure, and diabetes mellitus shall be authorized and shall be supplied in quantities:
 - (a) not to exceed a 100 day supply, and
 - (b) consistent with the prescriber's instructions for use.
- (2) Each prescription order dispensed to the enrollee shall be subject to a co-payment of six dollars (\$6.00), payable by the enrollee to the pharmacy provider, for quantities up to a 100 day supply.
- (3) A prescription drug prescribed by a brand or trade name for which one or more generically- equivalent drugs are available shall be considered to be an order for the drug by its generic name, except when the prescriber personally indicates in his or her own handwriting on the prescription order, "Brand Medically Necessary" or "Dispense as Written."

History Note: Authority S.L. 1999, c. 237, s.11.1.(a); Temporary Adoption Eff. February 10, 2000.

.1307 REIMBURSEMENT

(a) Reimbursement for outpatient prescription drugs dispensed to enrollees shall be made to the pharmacy provider of service at a rate not to exceed the lesser of:

- (1) the applicable North Carolina Medicaid Pharmacy Program reimbursement rate, or
- (2) the pharmacy provider's usual and customary charge.

(b) Claims for reimbursement shall be submitted in the manner required by the Prescription Drug Assistance Program and any person or entity engaged in the processing of claims on behalf of the Program.

History Note: Authority S.L. 1999, c. 237, s.11.1.(a); Temporary Adoption Eff. February 10, 2000.

TITLE 21- OCCUPATIONAL LICENSING BOARDS

CHAPTER 14 - BOARD OF COSMETIC ART EXAMINERS

Rule-making Agency: *NC State Board of Cosmetic Arts Examiners*

Rule Citation: *21 NCAC 14I .0104, .0106; 14O .0105.*

Effective Date: *February 10, 2000*

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

Authority for the rule-making: *G.S. 88B*

Reason for Proposed Action: *21 NCAC 14I .0104 - If a student enrolls in a cosmetic art program and attends two days*

and does not return, at this time the student is given credit for 16 hours of classroom time. If the student does not enroll in another school, then the Board has to hold these hours for 5 years. With this Rule, it will decrease our paperwork and also the beauty school does not have to show a dropout on their records with the U.S. Board of Education which affects their status and federal funding.

21 NCAC 141.0106 - This Rule was amended when 88B-19 was ratified decreasing from ten to five years the length of time a student may get credit for their hours earned in a beauty school if they do not graduate. With the passage of Senate Bill 29, it gives us the authority to adopt rules for beauty schools. This Rule needs to be amended to reflect the decrease in time.

21 NCAC 140.0105 - With the passage of Senate Bill 29, (giving us the authority to adopt rules for beauty schools) we now have the authority to implement this Rule. Esthetic courses have already begun in our beauty schools. This identification pin distinguishes which students are taking esthetics.

Comment Procedures: Written comments concerning this rule-making action must be submitted to Dee Williams, Rule-Making Coordinator, NC State Board of Cosmetic Art Examiners, 1201-110 Front St., Raleigh, NC 27609.

SUBCHAPTER 141 - OPERATIONS OF SCHOOLS OF COSMETIC ART

SECTION .0100 - RECORD KEEPING

The text in bold has been approved by Rules Review Commission and is waiting for the 2000 Legislative Session.

.0104 WITHDRAWALS

(a) When a student who is enrolled in a cosmetic art school withdraws from such school, whether by reason of transfer to another school, dismissal, suspension, voluntary disenrollment, or for any reason other than graduation, **a report thereof shall be forwarded to the Board within 30 working days of withdrawal; the cosmetic art school shall report the withdrawal to the Board within 30 working days.**

(b) Such report shall contain the following:

- (1) name of the student,

- (2) Social Security number,
- (3) the last date of attendance,
- (4) the reason for withdrawal (if known),
- (5) the hours completed at the time of withdrawal, and
- (6) copy of all live model/mannequin performances completed at the time of withdrawal.

(c) A student may elect to withdraw from a cosmetic art program up to 5 school days from the first date of attendance. Hours earned during the time period prior to withdrawal will not be credited.

History Note: Authority G.S. 88-23; 88-30;

Eff. February 1, 1976;

Amended Eff. August 1, 1998; April 1, 1991; January 1, 1989; April 1, 1988;

Temporary Amendment Eff. February 10, 2000.

.0106 STUDENT DAILY RECORDS

All daily records kept by a cosmetic art school on a student must be kept in the school's permanent files for future reference until the date the student is accepted for the state board examination or ten five years (effective November 1, 1998) after the date the student first enrolled in the school, whichever occurs earlier.

History Note: Authority G.S. 88B-4(7a);

Eff. February 1, 1976;

Amended Eff. April 1, 1991; January 1, 1989; April 1, 1988;

Temporary Amendment Eff. February 10, 2000.

SUBCHAPTER 140 - ESTHETICIAN CURRICULUM

.0105 IDENTIFICATION PINS

Each student enrolled for an esthetics course only shall where a pin stating "Esthetics". The lettering on a pin must be easily read and in large print.

History Note: Authority G.S. 88B-4;

Temporary Adoption Eff. January 1, 1999;

Temporary Adoption Expired October 12, 1999;

Temporary Adoption Eff. February 10, 2000.

*This Section includes the Register Notice citation to Rules approved by the Rules Review Commission (RRC) at its meeting of November 17, 1999 and December 20, 1999 pursuant to G.S. 150B-21.17(a)(1) and reported to the Joint Legislative Administrative Procedure Oversight Committee pursuant to G.S. 150B-21.16. The full text of rules are published below when the rules have been approved by RRC in a form different from that originally noticed in the Register or when no notice was required to be published in the Register. The rules published in full text are identified by an * in the listing of approved rules. Statutory Reference: G.S. 150B-21.17.*

These rules, unless otherwise noted, will become effective on the 31st legislative day of the 2000 Session of the General Assembly or a later date if specified by the agency unless a bill is introduced before the 31st legislative day that specifically disapproves the rule. If a bill to disapprove a rule is not ratified, the rule will become effective either on the day the bill receives an unfavorable final action or the day the General Assembly adjourns. Statutory reference: G.S. 150B-21.3.

APPROVED RULE CITATION				REGISTER CITATION TO THE NOTICE OF TEXT
4	NCAC	15	.0119*	14:07 NCR 001
10	NCAC	3R	.0111*	not required G.S. 150B-21.5(A)(4) Eff. January 1, 2000
10	NCAC	3R	.6234*	14:03 NCR 152
10	NCAC	3S	.0108-.0109	14:05 NCR 375
10	NCAC	3S	.0207-.0211	14:05 NCR 376
10	NCAC	3S	.0213-.0214	14:05 NCR 377
10	NCAC	3S	.0307-.0308	14:05 NCR 378
10	NCAC	3S	.0407-.0408	14:05 NCR 379
10	NCAC	3S	.0506-.0511	14:05 NCR 380
10	NCAC	3S	.0614-.0619	14:05 NCR 381
10	NCAC	3S	.0706-.0707	14:05 NCR 382
10	NCAC	3S	.0806-.0808	14:05 NCR 383
10	NCAC	3S	.0901-.0904	14:05 NCR 383
10	NCAC	3S	.1001-.1006	14:05 NCR 383
10	NCAC	3S	.1101*	14:05 NCR 383
10	NCAC	3S	.1201*	14:05 NCR 384
10	NCAC	3S	.1202	14:05 NCR 384
10	NCAC	3S	.1203-.1205*	14:05 NCR 385
10	NCAC	3S	.1206	14:05 NCR 386
10	NCAC	3S	.1301*	14:05 NCR 386
10	NCAC	3S	.1302	14:05 NCR 386
10	NCAC	3S	.1303*	14:05 NCR 387
10	NCAC	3S	.1401*	14:05 NCR 387
10	NCAC	3S	.1501	14:05 NCR 387
10	NCAC	3S	.1601*	14:05 NCR 387
10	NCAC	3S	.1701-.1702	14:05 NCR 388
10	NCAC	3S	.1801	14:05 NCR 388
10	NCAC	3S	.1802-.1803*	14:05 NCR 389
10	NCAC	3S	.1804	14:05 NCR 389
10	NCAC	3S	.1805-.1806*	14:05 NCR 389
10	NCAC	3S	.1901-.1903	14:05 NCR 390
10	NCAC	3S	.2001*	14:05 NCR 390
10	NCAC	3S	.2002	14:05 NCR 391
10	NCAC	3S	.2101	14:05 NCR 391
10	NCAC	3S	.2102*	14:05 NCR 391
10	NCAC	3S	.2103-.2106	14:05 NCR 391
10	NCAC	3U	.2501-.2502*	14:03 NCR 157
10	NCAC	3U	.2804*	14:03 NCR 158
10	NCAC	3U	.2811*	14:03 NCR 161
10	NCAC	20B	.0224*	14:05 NCR 392
10	NCAC	20B	.0228	14:05 NCR 393
15A	NCAC	1J	.0101	13:22 NCR 1827

APPROVED RULES

15A	NCAC	1J	.0102*	13:22 NCR 1828	
15A	NCAC	1J	.0202*	13:22 NCR 1829	
15A	NCAC	1J	.0303*	13:22 NCR 1829	
15A	NCAC	1J	.0502	13:22 NCR 1830	
15A	NCAC	1J	.0601	13:22 NCR 1831	
15A	NCAC	1J	.0703	13:22 NCR 1834	
15A	NCAC	1J	.0803	13:22 NCR 1834	
15A	NCAC	1J	.0904*	13:22 NCR 1835	
15A	NCAC	1L	.0101	13:22 NCR 1835	
15A	NCAC	1L	.0102*	13:22 NCR 1835	
15A	NCAC	1L	.0203	13:22 NCR 1836	
15A	NCAC	1L	.0303	13:22 NCR 1836	
15A	NCAC	1L	.0501	13:22 NCR 1837	
15A	NCAC	1L	.0601	13:22 NCR 1838	
15A	NCAC	1L	.0801*	13:22 NCR 1840	
15A	NCAC	1L	.0902*	13:22 NCR 1841	
15A	NCAC	1L	.1004*	13:22 NCR 1842	
15A	NCAC	2D	.0541*	14:03 NCR 188	
15A	NCAC	2D	.1801-.1802*	14:03 NCR 224	
15A	NCAC	3H	.0101	14:06 NCR 444	
15A	NCAC	3H	.0103	14:06 NCR 444	
15A	NCAC	3I	.0101*	14:06 NCR 444	
15A	NCAC	3I	.0105*	14:06 NCR 447	
15A	NCAC	3I	.0114*	14:06 NCR 448	
15A	NCAC	3I	.0117	not required G.S. 150B-21.5	Eff. January 1, 2000
15A	NCAC	3I	.0120	14:06 NCR 448	
15A	NCAC	3J	.0104*	14:06 NCR 449	
15A	NCAC	3J	.0110*	14:06 NCR 450	
15A	NCAC	3J	.0301-.0302*	14:06 NCR 450	
15A	NCAC	3J	.0305*	14:06 NCR 451	
15A	NCAC	3K	.0101*	14:06 NCR 451	
15A	NCAC	3K	.0105-.0106*	14:06 NCR 452	
15A	NCAC	3K	.0202*	14:06 NCR 452	
15A	NCAC	3K	.0502	14:06 NCR 453	
15A	NCAC	3L	.0201*	14:06 NCR 453	
15A	NCAC	3L	.0206	14:06 NCR 453	
15A	NCAC	3M	.0202	14:06 NCR 001	
15A	NCAC	3M	.0503-.0504	14:06 NCR 454	
15A	NCAC	3M	.0507	14:06 NCR 456	
15A	NCAC	3M	.0511	14:06 NCR 456	
15A	NCAC	3M	.0516	14:06 NCR 457	
15A	NCAC	3O	.0102	14:06 NCR 459	
15A	NCAC	3O	.0103-.0104*	14:06 NCR 460	
15A	NCAC	3O	.0105	14:06 NCR 460	
15A	NCAC	3O	.0106*	14:06 NCR 460	
15A	NCAC	3O	.0107	14:06 NCR 461	
15A	NCAC	3O	.0108-.0109*	14:06 NCR 461	
15A	NCAC	3O	.0110	14:06 NCR 463	
15A	NCAC	3O	.0111*	14:06 NCR 463	
15A	NCAC	3O	.0201*	14:06 NCR 463	
15A	NCAC	3O	.0301	14:06 NCR 464	
15A	NCAC	3O	.0302-.0303*	14:06 NCR 464	
15A	NCAC	3O	.0304-.0310	14:06 NCR 466	
15A	NCAC	3O	.0401-.0403*	14:06 NCR 466	
15A	NCAC	3O	.0405	14:06 NCR 468	
15A	NCAC	3O	.0406*	14:06 NCR 468	
15A	NCAC	7H	.0201*	13:23 NCR 1938	
15A	NCAC	7H	.0203	13:23 NCR 1938	

15A	NCAC	7H	.1301*	13:23 NCR 1940
15A	NCAC	7H	.1601*	13:23 NCR 1940
15A	NCAC	7H	.1901*	13:23 NCR 1940
15A	NCAC	7H	.2301	13:23 NCR 1940
15A	NCAC	7K	.0203*	13:23 NCR 1940
15A	NCAC	7K	.0209*	13:23 NCR 1940
15A	NCAC	18C	.0301	14:03 NCR 248
15A	NCAC	18C	.0302-.0303*	14:03 NCR 248
15A	NCAC	18C	.0304	14:03 NCR 249
15A	NCAC	18C	.0305*	14:03 NCR 249
15A	NCAC	18C	.0306	14:03 NCR 250
15A	NCAC	18C	.0307*	14:03 NCR 250
15A	NCAC	18C	.0308	14:03 NCR 253
15A	NCAC	18C	.0309*	14:03 NCR 254
15A	NCAC	18C	.1304*	14:03 NCR 254
21	NCAC	46	.1814*	14:06 NCR 481
21	NCAC	46	.1816	14:06 NCR 482
24	NCAC	1H	.0103*	14:02 NCR 82

TITLE 4 - DEPARTMENT OF COMMERCE

SECTION .0100 - GENERAL INFORMATION

CHAPTER 15 - COMMISSION OF NAVIGATION AND PILOTAGE FOR THE CAPE FEAR RIVER AND BAR

.0111 LOCATION OF THE AGENCY

As used in this Subchapter, the agency is the Certificate of Need Section in the Division of Facility Services, North Carolina Department of Human Resources. The location of the agency is 701 Barbour Drive, Raleigh, North Carolina, 27603. The mailing address of the agency is Certificate of Need Section, Division of Facility Services, 2704 Mail Service Center, Raleigh, NC 27699-2704. The telephone number of the agency is 919-733-6360.

History Note: Authority G.S. 131E-177;

Eff. November 1, 1996;

Amended Eff. January 1, 2000.

SECTION .6200 - PLANNING POLICIES AND NEED DETERMINATIONS FOR 1999

.6234 POLICY FOR NURSING CARE BEDS IN CONTINUING CARE FACILITIES

(a) Qualified continuing care facilities may include from the outset, or add or convert bed capacity for long-term nursing care without regard to the bed need shown in 10 NCAC 3R .6222. To qualify for such exemption, applications for certificates of need shall show that the proposed long-term nursing bed capacity:

- (1) Will only be developed concurrently with, or subsequent to construction on the same site, of facilities for both of the following levels of care:
 - (A) independent living accommodations (apartments and homes) for persons who are able to carry out normal activities of daily living without assistance; such accommodations may be in the form of apartments, flats, houses, cottages, and rooms;

.0119 NUMBER OF PILOTS

(a) The maintenance of efficient pilot service for the river and bar requires a number of pilots in accordance with the following: The commission shall license a number of pilots not to exceed one pilot per 98 piloted vessel arrivals annually or fraction thereof. Piloted vessel arrivals annually shall be determined by a five consecutive calendar year average and can be calculated at any time using the five previous calendar years. The then current active pilots shall continue to serve with the Commission's power of reduction to be effective only in the case of natural attrition except as provided in G.S. 76A-15.

(b) The apprentice system established in Rule .0121 of this Chapter shall be used to fill vacancies in the pilotage service except in the case of extreme emergency, such as incapacity by accident, sickness or death. In such emergency, the Commission may issue, upon recommendation of a majority vote of the association, one or more limited licenses for such term as may be necessary.

Authority G.S. 76A-1; 76A-5; 76A-13; 76A-14;

Eff. August 1, 2000.

TITLE 10 - DEPARTMENT OF HEALTH AND HUMAN SERVICES

CHAPTER 3 - FACILITY SERVICES

SUBCHAPTER 3R - CERTIFICATE OF NEED REGULATIONS

- (B) licensed adult care home beds for use by persons who, because of age or disability require some personal services, incidental medical services, and room and board to assure their safety and comfort.
- (2) Will be used exclusively to meet the needs of persons with whom the facility has continuing care contracts (in compliance with the Department of Insurance statutes and rules) who have lived in a non-nursing unit of the continuing care facility for a period of at least 30 days. Exceptions shall be allowed when one spouse or sibling is admitted to the nursing unit at the time the other spouse or sibling moves into a non-nursing unit, or when the medical condition requiring nursing care was not known to exist or be imminent when the individual became a party to the continuing care contract.
- (3) Reflects the number of beds required to meet the current or projected needs of residents with whom the facility has an agreement to provide continuing care, after making use of all feasible alternatives to institutional nursing care.
- (4) Will not be certified for participation in the Medicaid program.

(b) One half of the long-term nursing beds developed under this exemption shall be excluded from the inventory used to project bed need for the general population. Certificates of need awarded pursuant to the provisions of Chapter 920, Session Laws 1983, or Chapter 445, Session Laws 1985 shall not be amended.

Authority G.S. 131E-176(25); 131E-177(1); 131E-183(b); Eff. August 1, 2000.

SUBCHAPTER 3S - CERTIFICATION OF CARDIAC REHABILITATION PROGRAMS

SECTION .1100 - GENERAL INFORMATION: DEFINITIONS

.1101 DEFINITIONS

The following definitions shall apply throughout this Subchapter:

- (1) "ACLS-trained" means training that is current in Advanced Cardiac Life Support, by the American Heart Association and who has appropriate licensure to administer advanced cardiac life support.
- (2) "ACSM" means the American College of Sports Medicine.
- (3) "Article" means Article 8 of G.S. 131E.
- (4) "Cardiac Rehabilitation Program" has the same meaning as the definition in the Article.
- (5) "Certification" has the same meaning as the definition in the Article.
- (6) "DVRs" means the Division of Vocational Rehabilitation Services, North Carolina Department of Health and Human Services.
- (7) "Department" means the North Carolina Department

- of Health and Human Services.
- (8) "Division" means the Division of Facility Services, North Carolina Department of Health and Human Services.
- (9) "ECG" means electrocardiogram.
- (10) "Graded exercise test" (GXT) means a multistage test that determines a person's physiological response to different intensities of exercise or the person's peak aerobic capacity.
- (11) "Maximal oxygen consumption" means the highest rate of oxygen transport and oxygen use that can be achieved at a person's maximal physical exertion, or functional capacity. This is usually expressed in METs.
- (12) "MET" means "metabolic equivalent," a measure of functional capacity, or maximal oxygen consumption. One MET represents the approximate rate of oxygen consumption by a seated individual at rest: approximately 3.5 ml/kg/min. METs during exercise are determined by dividing metabolic rate during exercise by the metabolic rate at rest.
- (13) "Nurse Practitioner" means a currently licensed registered nurse approved by the NC Board of Nursing and NC Medical Board to practice medicine as a nurse practitioner under the supervision of a physician licensed by the Board.
- (14) "Owner" means the legal owner of the certified cardiac rehabilitation program.
- (15) "Physician" means an individual who is licensed according to G.S. 90, Article 1, by the NC Medical Board to practice medicine.
- (16) "Physician Assistant" means an individual who is licensed and registered according to G.S. 90, Article 1, by the NC Medical Board to practice medicine under the supervision of a physician licensed by the Board.
- (17) "Premises" means "site."
- (18) "Program" means "Cardiac Rehabilitation Program."
- (19) "Risk stratification model" means a method of categorizing patients according to their risk of acute cardiovascular complications during exercise as well as their overall prognosis. Risk status is related primarily to the type and severity of cardiovascular disease. This rating takes into account how well the heart pumps, the presence of heart pain symptoms and/or changes in the electrocardiogram during exercise. Guidelines concerning medical supervision of patients in cardiac rehabilitation programs which are based on risk stratification models are provided by: the American College of Cardiology, the American College of Physicians, the American Association of Cardiovascular and Pulmonary Rehabilitation, the American Heart Association, and the North Carolina Cardiopulmonary Rehabilitation Association.
- (20) "Simple spirometry" means an analysis of air flow which provides information as to the degree and severity of airway obstruction, and serves as an index

of dynamic lung function. It must include, at a minimum, Forced Vital Capacity and Forced Expiratory Volume in 1 second.

- (21) "Site" means the facility in which the cardiac rehabilitation program is held.
- (22) "Supervising physician" means a physician who is on-site during the operation of the cardiac rehabilitation program.
- (23) "Symptom-limited heart rate reserve" means the difference between the symptom-limited maximal heart rate and the resting heart rate.
- (24) "Vocational Questionnaire" means the document used for vocational assessment.
- (25) "Vocational Rehabilitation Counselor" means an individual who provides vocational rehabilitation counseling services.

*Authority G.S. 131E-169;
Eff. July 1, 2000.*

SECTION .1200 - CERTIFICATION

.1201 CERTIFICATE

The named person(s) and the street address of the named premises shall appear on the certificate.

*Authority G.S. 131E-169;
Eff. July 1, 2000.*

.1203 CERTIFICATE RENEWAL

(a) A certificate issued pursuant to the Article and this Subchapter shall expire two years after the effective date but can be renewed upon the successful re-evaluation of the program. To initiate the renewal process, an application for certification shall be filed with the Department by the owner of the program.

(b) Determination of compliance with the provisions of the Article and this Subchapter for purposes of certificate renewal may, at the discretion of the Department, be based upon an inspection or upon review of requested information submitted by a program to the Department.

*Authority G.S. 131E-167; 131E-169;
Eff. July 1, 2000.*

.1204 CERTIFICATION FOLLOWING PROGRAM CHANGES

(a) The Department shall be notified, in writing, at least 30 days prior to the effective date, of any expected occurrences of the following:

- (1) change in program ownership;
- (2) change in program name;
- (3) change of the premises in which a program is conducted; and
- (4) the replacement or termination of employment of the program director.

(b) If a 30-day advanced written notification of any occurrence enumerated in Paragraph (a) of this Rule is not possible, the Department shall be notified immediately, by any

reasonably reliable means of notification, of such expected or completed occurrence, and written notification shall follow immediately thereafter.

(c) Upon the occurrences enumerated in Subparagraphs (a)(1), (2), and (3) of this Rule, the owner of the program shall file with the Department an application for certification, which, at a minimum, shall contain the information specified in Rule .1202(b) of this Subchapter, and shall provide such other documentation and information as requested by the Department.

(d) The revised program shall be evaluated for compliance with the provisions of the Article and this Section. Evaluation may be based upon inspection of the program or upon review of requested information submitted by a program to the Department. After a determination by the Department that the program substantially complies with the provisions of the Article and this Subchapter, a new certificate shall be issued.

*Authority G.S. 131E-169;
Eff. July 1, 2000.*

.1205 INSPECTIONS

(a) In accordance with G.S. 131E-167(c), inspection(s) shall be made by the Department before a program is issued its initial certification as a program defined in the Article.

(b) The Department shall make or cause to be made such other inspections of a program as it deems necessary in accordance with the Article. Circumstances which may be deemed to necessitate an inspection include, but are not limited to:

- (1) change in program ownership;
- (2) change in program name;
- (3) change of the premises in which a program is conducted;
- (4) the replacement or termination of employment of the program director; and
- (5) investigation of complaints.

(c) Inspections shall be announced or unannounced and may be conducted any time during program business hours. The purpose of any inspection shall be discussed with the Program Director or designee during an entrance conference.

(d) Information deemed necessary by the Department to evaluate compliance with the Article and this Subchapter, shall be made available for inspection. The information may include medical records, personnel files, policies and procedures, program records, interviews with program staff, interviews with patients, observation of the program in operation, and any other information necessary to determine compliance.

(e) Following completion of an inspection, an exit conference shall be conducted with one or more representatives of the program's management. An oral summary of the findings shall be presented at the exit conference. The Department shall provide the program with a written report of the findings. The program shall have 10 working days from the receipt of the report to respond with a plan of correction which describes the corrective actions planned and taken to correct any cited deficiency(ies), the date each deficiency was or will be corrected, and the date the program expects to be in compliance with the provisions of the Article and this Subchapter.

*Authority G.S. 131E-169; 131E-170;
Eff. July 1, 2000.*

SECTION .1300 - ADMINISTRATION

.1301 STAFF REQUIREMENTS AND RESPONSIBILITIES

(a) Each program shall be conducted utilizing an interdisciplinary team composed of a program director, medical director, nurse, exercise specialist, mental health professional, dietician or nutritionist, supervising physician, physician assistant or nurse practitioner, and a DVRS or other vocational rehabilitation counselor. The program may employ, full-time or part-time, or contract for the services of team members. Program staff shall be available to patients as needed to perform initial assessments and to implement each patient's cardiac rehabilitation care plan.

(b) Individuals may perform multiple team functions, if qualified for each function, as stated in this Rule:

- (1) Program Director - supervises program staff and directs all facets of the program.
- (2) Medical Director - physician who provides medical assessments and is responsible for supervising all clinical aspects of the program and for assuring the adequacy of emergency procedures and equipment, testing equipment, and personnel.
- (3) Nurse - provides nursing assessments and services.
- (4) Exercise Specialist - provides an exercise assessment, in consultation with the medical director, plans and evaluates exercise therapies.
- (5) Mental Health Professional - provides directly or assists program staff in completion of the mental health screening and referral, if indicated, for further mental health services.
- (6) Dietitian or Nutritionist - provides directly or assists program staff in completion of the nutrition assessment and referral, if indicated, for further nutrition services.
- (7) Supervising Physician, Physician Assistant, or Nurse Practitioner - medical person who is on-site during the operation of programs that are not located within a hospital.
- (8) DVRS or other Vocational Rehabilitation Counselor - screens patients who may be eligible for and interested in vocational rehabilitation services, develops assessment and intervention strategies, and provides other services as needed to meet the vocational goal(s) of patients who may be eligible for and interested in services.

*Authority G.S. 131E-169;
Eff. July 1, 2000.*

.1303 CONTINUOUS QUALITY IMPROVEMENT

(a) The cardiac rehabilitation program shall have an ongoing Continuous Quality Improvement (CQI) program which identifies quality deficiencies and addresses them with corrective plans of action, as indicated.

(b) The CQI program shall evaluate the appropriateness, effectiveness, and quality of the cardiac rehabilitation program, with findings used to verify policy implementation, to identify problems, and to establish problem resolution and policy revision as necessary.

(c) The CQI program shall consist of an overall policy and administration review, including admission and discharge policies, emergency care, patient records, personnel qualifications and program evaluation. Data to be assessed shall include, at a minimum, the following:

- (1) number of patients in the program;
- (2) average length (weeks) patients are in the program;
- (3) patient clinical outcomes;
- (4) adequacy of staff to meet program/patient needs;
- (5) reasons for discharge; and
- (6) untoward events.

(d) A sample of active and closed records shall be reviewed at least semi-annually to assure program policies are followed and the program is in compliance with the Article and the rules contained in this Subchapter.

(e) Documentation of the CQI program shall include the criteria and methods used to collect and analyze data, identification of quality deficiencies, and any action(s) taken by the cardiac rehabilitation program as a result of CQI findings.

*Authority G.S. 131E-169;
Eff. July 1, 2000.*

SECTION .1400 - PATIENT RIGHTS

.1401 PATIENT RIGHTS

(a) Prior to or at the time of admission, the program shall provide each patient with a written notice of the patient's rights and responsibilities. The program shall maintain documentation showing that all patients have been informed of their rights and responsibilities.

(b) Each patient's rights shall include, at a minimum, the right to:

- (1) be informed and participate in developing the patient's plan of care;
- (2) voice grievances about the care provided, and not be subjected to discrimination or reprisal for doing so;
- (3) confidentiality of the patient's records;
- (4) be informed of the patient's liability for payment for services;
- (5) be informed of the process for acceptance and continuation of service and eligibility determination;
- (6) accept or refuse services; and
- (7) be advised of the program's procedures for discharge.

(c) The program shall provide all patients with a telephone number for information, questions or complaints about services provided by the program. The program shall also provide the Division Complaints Hotline number or the Department of Health and Human Services Careline number or both.

(d) The program shall investigate, within seven days, complaints made to the program by the patient, the patient's family, or significant other, and must document both the existence of the complaint and the resolution of the complaint.

*Authority G.S. 131E-169;
Eff. July 1, 2000.*

SECTION .1600 - PATIENT ASSESSMENT

.1601 PATIENT ASSESSMENT

(a) Within five weeks of a patient's admission to the program, the interdisciplinary team shall complete and document a cardiac rehabilitation assessment. At a minimum, the assessment shall include the components specified in this Rule.

(b) Medical Assessment shall include:

- (1) cardiovascular evaluation as to present diagnosis, therapy, and a discharge summary of the patient's last hospitalization; or
- (2) statement by referring physician as to present diagnosis, and therapy;
- (3) resting 12-lead ECG;
- (4) medical record documentation prior to or during the first exercise session of ECG, hemodynamic data, and the presence or absence of symptoms, preferably determined by a graded exercise test. A graded exercise test shall not be required when deemed unnecessary by the patient's attending or personal physician or the program's medical director;
- (5) fasting blood chemistry, as indicated, to include total cholesterol, high density lipoprotein (HDL) cholesterol, low density lipoprotein (LDL) cholesterol, triglycerides, and other comparable measures; and
- (6) simple spirometry, if clinically indicated.

(c) Physical Assessment shall include:

- (1) functional capacity as determined by measured or predicted equivalents (METs);
- (2) height, weight, or other anthropometric measures (i.e., body mass index, percent body fat, waist-to-hip ratio, girth measurements);
- (3) current and past exercise history; and
- (4) physical limitations and disabilities that may impact rehabilitation.

(d) Nursing Assessment shall include:

- (1) coronary risk profile;
- (2) current symptoms such as angina or dyspnea, and recovery from recent cardiac events;
- (3) presence of comorbidities;
- (4) assessment of medications; and
- (5) educational needs.

(e) Nutrition Assessment shall include:

- (1) review of medical history;
- (2) eating patterns as measured by a food diary or food frequency questionnaire;
- (3) fasting blood chemistries as described in Subparagraph (b)(5) of this Rule;
- (4) anthropometric measures as described in Subparagraph (c)(2) of this Rule;
- (5) behavioral patterns; and
- (6) identification of nutritional goals.

(f) Mental Health Assessment shall include:

- (1) past history of mental illness including depression,

anxiety, or hostility or anger; and

- (2) present mental health functioning and need for referral to a mental health professional.

(g) Vocational Assessment shall include:

- (1) vocational questionnaire to determine current vocational status, description of physical requirements of job, working conditions, psychological demands as perceived by the patient; and
- (2) the need for vocational rehabilitation services.

*Authority G.S. 131E-169;
Eff. July 1, 2000.*

SECTION .1800 - PROVISION OF SERVICES

.1802 EXERCISE THERAPY

(a) The medical director, in consultation with program staff, shall establish staff to patient ratios for exercise therapy sessions based on medical acuity, utilizing an acceptable risk stratification model.

(b) If any patient has not had a graded exercise test prior to the first exercise session, the patient's first exercise session must include objective assessment of hemodynamic data, ECG, and symptom response data.

(c) Unless contraindicated by medical and laboratory assessments or the cardiac rehabilitation care plan, each patient's exercise therapy shall include:

- (1) mode of exercise therapy including, but not limited to: walk/jog, aquatic activity, cycle ergometry, arm ergometry, resistance training, stair climbing, rowing, aerobics;
- (2) intensity:
 - (A) up to 85 percent of symptom-limited heart rate reserve;
 - (B) up to 80 percent of measured maximal oxygen consumption;
 - (C) rating of perceived exertion (RPE) of 11 to 13 if a graded exercise test is not performed; or
 - (D) for myocardial infarction patients: heart rate not to exceed 20 beats per minute above standing resting heart rate if a graded exercise test is not performed; and for post coronary artery by-pass graft patients: heart rate not to exceed 30 beats per minute above standing resting heart rate if a graded exercise test is not performed;
- (3) duration: up to 60 minutes, as tolerated, including a minimum of five minutes each for warm-up and cool-down; and
- (4) frequency: minimum of three days per week.

(d) The patient shall be monitored through the use of electrocardiography during each exercise therapy session. The frequency of the monitoring continuous or intermittent shall be based on medical acuity and risk stratification.

(e) At two week intervals, the patient's adherence to the cardiac rehabilitation care plan and progress toward goals shall be monitored by an examination of exercise therapy records and

documented.

(f) The exercise specialist shall be responsible for consultation with the medical director or the patient's personal physician concerning changes in the exercise therapy, results of graded exercise tests, as needed or anticipated (e.g. regular follow-up intervals, graded exercise test conducted, or medication changes). Feedback concerning changes in the exercise therapy shall be discussed with the patient and documented.

(g) Diabetic patients who are taking insulin or oral hypoglycemic agents for control of diabetes shall have blood sugars monitored for at least the first week of cardiac therapy sessions in order to establish the patient's level of control and subsequent response to exercise. Cardiac rehabilitation staff shall record blood sugar measurements pre- and post-exercise. Patients whose blood sugar values are considered abnormal for the particular patient shall be monitored. A carbohydrate food source or serving shall be available. Snacks shall be available in case of a hypoglycemic response.

*Authority G.S. 131E-169;
Eff. July 1, 2000.*

.1803 NUTRITION SERVICES

If indicated, based on the nutrition assessment and cardiac rehabilitation care plan, each patient's program shall include the following nutrition services:

- (1) interpretation and feedback on the patient's eating patterns, blood chemistries, anthropometrics, and behavioral patterns;
- (2) identification of a therapeutic diet plan to determine, at a minimum, a reasonable body weight, caloric, and fat intake;
- (3) patient counseling or behavior modification based on the therapeutic diet plan and goals.

*Authority G.S. 131E-169;
Eff. July 1, 2000.*

.1805 VOCATIONAL REHABILITATION COUNSELING AND SERVICES

(a) The cardiac rehabilitation program shall have a written agreement, with the local DVRS office or other vocational rehabilitation counselor/services, which specifies the following:

- (1) The program shall administer a Vocational Questionnaire to patients.
- (2) After administering the Vocational Questionnaire, the program shall refer to the DVRS or other vocational rehabilitation counselor/services patients who may be eligible for and desire services.
- (3) The DVRS or other vocational rehabilitation counselor shall provide feedback to the cardiac rehabilitation program regarding the eligibility for DVRS or other vocational services of referred patients.
- (4) The DVRS or other vocational rehabilitation counselor shall provide progress reports for patients who are receiving DVRS or other vocational

rehabilitation services.

- (5) The DVRS or other vocational rehabilitation counselor shall attend monthly staff meetings in which eligible vocational rehabilitation clients are discussed. If the counselor cannot attend, the reason for the absence and the means of communicating information prior to and after the meeting shall be documented and attached to the staffing report.

(b) The cardiac rehabilitation program must have written documentation that feedback as described in Subparagraph (a)(3) of this Rule and progress reports as described in Subparagraph (a)(4) of this Rule have been communicated to the cardiac rehabilitation program by the DVRS or other counselor and, if not, the reason(s) why.

(c) If the program is not able to complete a written agreement with the local office of DVRS or other vocational rehabilitation counselor as outlined in Paragraph (a) of this Rule, the program shall have documentation that specifies why such an agreement was not completed.

*Authority G.S. 131E-169;
Eff. July 1, 2000.*

.1806 PATIENT EDUCATION

(a) Each patient's cardiac rehabilitation care plan shall include participation in the program's basic education plan. At a minimum, the education plan shall include the following topics:

- (1) basic anatomy, physiology, and pathophysiology of the cardiovascular system;
- (2) risk factor reductions, including smoking cessation and management of blood pressure, lipids, diabetes, and obesity;
- (3) principles of behavior modification including nutrition, exercise, stress management and other lifestyle changes;
- (4) relaxation training offered at least once per week by staff trained in relaxation techniques;
- (5) cardiovascular medications including compliance, interactions, and side effects;
- (6) basic principles of exercise physiology, guidelines for safe and effective exercise therapy, and guidelines for vocational/recreational exertional activities;
- (7) recognition of cardiovascular signs, symptoms and management; and
- (8) environmental considerations such as exercise in hot or cold climates.

(b) The educational program shall include individual or group sessions utilizing written, audio, or visual educational materials as deemed appropriate and necessary by program staff.

(c) Each session shall be documented and presented on a rotating basis such that each patient has access to all materials and classes offered.

(d) Documentation shall be included in each patient's medical record to indicate which educational programs the patient attended.

Authority G.S. 131E-169;

Eff. July 1, 2000.

SECTION .2000 - MEDICAL RECORDS

.2001 POLICIES AND PROCEDURES FOR MEDICAL RECORDS

The program shall develop and implement policies and procedures to include at least the following:

- (1) maintenance of a complete, accurate, and organized medical record for each patient admitted to the program;
- (2) confidentiality of records;
- (3) accessibility of medical record information to the patient, program staff, and non-employees; and
- (4) authentication of entries in medical records including hard copy records and those kept in electronic medium such as computerized records.

*Authority G.S. 131E-169;
Eff. July 1, 2000.*

SECTION .2100 - FACILITIES AND EQUIPMENT

.2102 GRADED EXERCISE TESTING LABORATORY

If the program performs graded exercise testing, the following facilities and equipment shall be available:

- (1) space for physical examination which allows for visual privacy;
- (2) adequate space and temperature and humidity controls for exercise as described under Rule .2101 of this Subchapter;
- (3) 12-lead ECG equipment for recording the ECG during exercise testing;
- (4) oscilloscope for ECG monitoring or continuous recording;
- (5) treadmill, bicycle ergometer, or arm crank ergometer;
- (6) blood pressure cuff and stethoscope;
- (7) emergency procedures, equipment, and supplies as described in Section .1900 of this Subchapter; and
- (8) access to spirometer for pulmonary function testing.

*Authority G.S. 131E-169;
Eff. July 1, 2000.*

SUBCHAPTER 3U - CHILD DAY CARE STANDARDS

SECTION .2500 - DAY CARE FOR SCHOOL-AGE CHILDREN

.2501 SCOPE

The regulations in this Section apply to all child care centers offering care to three or more school-age children exclusively or as a component of any other program. All rules in this Subchapter pertaining to full-time, part-time, or seasonal child care shall apply to programs for school-age children except as provided in this Section.

Authority G.S. 110-86(3); 110-91; 143B-168.3;

Amended Eff. July 1, 2000.

.2502 SPECIAL PROVISIONS FOR LICENSURE

A center providing care for school-age children exclusively shall be issued a license restricting care to school-age children as defined in Rule .0102 of this Subchapter. A center providing care for school-aged children exclusively on a seasonal basis between May 15 and September 15 shall be licensed as a summer day camp.

*Authority G.S. 110-88(1); 110-91; 143B-168.3;
Amended Eff. July 1, 2000.*

SECTION .2800 - VOLUNTARY RATED LICENSES

.2804 EDUCATION STANDARDS FOR A RATED LICENSE FOR CHILD CARE CENTERS

(a) To achieve two points for education standards for a star rating, child caring staff in the center shall meet the following requirements:

- (1) The on-site administrator shall have:
 - (A) A Level I North Carolina Early Childhood Administration Credential or its equivalent; and
 - (B) Two years of full-time verifiable early childhood work experience.
- (2) For centers with a licensed capacity of 200 or more, there shall be a second administrator on-site for a minimum of 20 hours per week who shall have the Level I North Carolina Early Childhood Administration Credential or its equivalent.
- (3) All lead teachers shall have the North Carolina Early Childhood Credential or its equivalent, and 75% of the lead teachers shall have:
 - (A) Completed or be enrolled in 3 semester hours in early childhood education or child development (not including North Carolina Early Childhood Credential coursework); or
 - (B) One year of full-time verifiable early childhood work experience.
- (4) 50% of the teachers counted in staff/child ratios shall have:
 - (A) Completed or be enrolled in two semester hours in early childhood education or child development; or
 - (B) One year of full-time verifiable early childhood work experience.
- (5) For centers with a school-age care component, the following requirements shall also apply. Completion of these requirements may count toward meeting education and experience requirements in Paragraph (a)(1) through (a)(4) of this Rule.
 - (A) If none of the administrator's verifiable experience includes working with school aged-children in a school-age care or camp setting, he or she shall complete the Basic School-Age Care (BSAC) Training.
 - (B) The individual designated as the program

coordinator as allowed in Rule .2510 shall have at least 200 hours of verifiable experience working with school-aged children in a licensed child care program; or have at least 300 hours of verifiable experience working with school-age children in an unlicensed school-age care or camp setting; or have completed or be enrolled in at least two semester hours of school-age care related coursework.

- (C) For centers with a school-age care component with 200 or more school-aged children enrolled, there shall be two program coordinators on site, one of whom shall not have concurrent group leader responsibilities. The additional program coordinator shall meet the staff requirements in Rule .2510 of this Subchapter.

(b) To achieve three points for education standards for a star rating, child caring staff in the center shall meet the following requirements.

- (1) The on-site administrator shall have:
 - (A) A Level I North Carolina Early Childhood Administration Credential or its equivalent; and
 - (B) Six semester hours in early childhood education or child development (not including North Carolina Early Childhood Administration Credential coursework); and
 - (C) Two years of full-time verifiable early childhood work experience.
- (2) For centers with a licensed capacity of 200 or more, there shall be a second administrator on-site for a minimum of 20 hours per week who shall have the Level I North Carolina Early Childhood Administration Credential or its equivalent.
- (3) All lead teachers shall have the North Carolina Early Childhood Credential or its equivalent, and 75% of the lead teachers shall have:
 - (A) Three semester hours in early childhood education or child development (not including North Carolina Early Childhood Credential coursework); or
 - (B) Two years of full-time verifiable early childhood work experience.
- (4) 50% of the teachers counted in staff/child ratios shall have:
 - (A) Completed or be enrolled in the North Carolina Early Childhood Credential or its equivalent; or
 - (B) Completed or be enrolled in four semester hours in early childhood education or child development; or
 - (C) Three years of full-time verifiable early childhood work experience.
- (5) For centers with a school-age care component, the following requirements shall also apply. Completion of these requirements may count toward meeting

education and experience requirements in Paragraph (b)(1) through (a)(4) of this Rule.

- (A) The administrator shall have at least 300 hours of verifiable experience working with school-aged children in a licensed child care program, or at least 450 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting, or shall complete the BSAC Training.
- (B) The individual designated as the program coordinator as allowed in Rule .2510 shall have at least 400 hours of verifiable experience working with school-age children in a licensed child care program; or have at least 600 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting; or have completed at least two semester hours of school-age care related coursework.
- (C) For centers with a school-age care component with 200 or more school-aged children enrolled, there shall be two program coordinators on site; one of whom shall not have concurrent group leader responsibilities. The additional program coordinator shall meet the staff requirements of Rule .2510 of this Subchapter.
- (D) 25% of the individuals designated as group leaders as allowed in Rule .2510 shall have at least 100 hours of verifiable experience working with school-aged children in a licensed child care program; or have at least 150 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting; or have completed or be enrolled in at least two semester credit hours of school-age care related coursework.

(c) To achieve four points for education standards for a star rating, child caring staff in the center shall meet the following requirements:

- (1) The on-site administrator shall have:
 - (A) A Level II North Carolina Early Childhood Administration Credential or its equivalent; and
 - (B) Two years of full-time verifiable early childhood work experience.
- (2) For centers with a licensed capacity of 200 or more, there shall be a second administrator on-site for a minimum of 20 hours per week who shall have the Level I North Carolina Early Childhood Administration Credential or its equivalent.
- (3) All lead teachers shall have the North Carolina Early Childhood Credential or its equivalent, and 75% shall have:
 - (A) Nine semester hours in early childhood education or child development (not including the North Carolina Early Childhood Credential

- coursework); and
- (B) Two years of full-time verifiable early childhood work experience.
- (4) 50% of the teachers counted in staff/child ratios shall have:
 - (A) The North Carolina Early Childhood Credential or its equivalent; or
 - (B) Four semester hours in early childhood education or child development; or
 - (C) Five years of full-time verifiable early childhood work experience.
- (5) For centers with a school-age care component, the following requirements shall also apply. Completion of these requirements may count toward meeting education and experience requirements in Paragraph (c)(1) through (c)(4) of this Rule.
 - (A) The administrator shall have at least 600 hours of verifiable experience working with school-aged children in a licensed child care program, or at least 900 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting, or shall complete the BSAC Training.
 - (B) The individual designated as the program coordinator as allowed in Rule .2510 of this Subchapter shall have at least 900 hours of verifiable experience working with school-age children in a licensed child care program or at least 1350 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting; and have completed at least four semester hours of school-age care related coursework.
 - (C) For centers with a school-age care component with 200 or more school-aged children enrolled, there shall be two program coordinator's on site, one of whom shall not have concurrent group leader responsibilities. The additional program coordinator shall meet the staff requirements in Rule .2510 of this Subchapter.
 - (D) 50% of the individuals designated as group leaders as allowed in Rule .2510 of this Subchapter shall have at least 300 hours of verifiable experience working with school-aged children in a licensed child care program; or have at least 450 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting; or have completed at least two semester credit hours of school-age care related coursework.
 - (E) Assistant group leaders shall be at least 18 years of age.
- (d) To achieve five points for education standards for a star rating, child caring staff in the center shall meet the following requirements.
 - (1) The on-site administrator shall have:
 - (A) A Level III North Carolina Early Childhood Administration Credential or its equivalent; and
 - (B) Four years of full-time verifiable work experience in an early childhood center teaching young children, or four years of administrative experience, or four years of a combination of both.
 - (2) For centers with a licensed capacity of 200 or more, there shall be a second administrator on-site for a minimum of 20 hours per week who shall have the Level 1 North Carolina Early Childhood Administration Credential or its equivalent.
 - (3) All lead teachers shall have the North Carolina Early Childhood Credential or its equivalent, and 75% of the lead teachers shall have:
 - (A) At least an A.A.S. degree in early childhood education or child development or an A.A.S. degree in any major with 12 semester hours in early childhood education or child development; and
 - (B) Two years of full-time verifiable early childhood work experience.
 - (4) 50% of the teachers counted in staff/child ratios shall have:
 - (A) The North Carolina Early Childhood Credential or its equivalent; and
 - (B) Four semester hours in early childhood education or child development (not including North Carolina Early Childhood Credential coursework); and
 - (C) Two years of full-time verifiable early childhood experience.
 - (5) For centers with a school-age care component, the following requirements shall also apply. Completion of these requirements and may count toward meeting education and experience requirements in Paragraph (d)(1) through (d)(4) of this Rule.
 - (A) The administrator shall have at least 900 hours of verifiable experience working with school-aged children in a licensed child care program, or at least 1350 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting, or shall complete the BSAC Training.
 - (B) The individual designated as the program coordinator as allowed in Rule .2510 of this Subchapter shall have at least 900 hours of verifiable experience working with school-age children in a licensed child care program or at least 1350 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting, and have completed at least six semester hours of school-age care related coursework; or shall have at least 600 hours of verifiable experience working with school-aged children in a licensed child care program or at least 900 hours of verifiable experience working with

school-aged children in an unlicensed school-age care or camp setting, and have completed at least nine semester hours of school-age care related coursework.

- (C) For centers with a school-age care component with 200 or more school-age children, there shall be two program coordinators on site, one of whom shall not have concurrent group leader responsibilities. The additional program coordinator shall meet the minimum staff requirements in Rule .2510 of this Subchapter.
- (D) 75% of the individuals designated as group leaders as allowed in Rule .2510 of this Subchapter shall have at least 600 hours of verifiable experience working with school-aged children in a licensed child care program or at least 900 hours of verifiable experience working with school-aged children in an unlicensed school age care or camp setting; or shall have completed at least two semester hours of school-age care related coursework and have completed or be enrolled in at least two additional semester credit hours of school-age related coursework.
- (E) Assistant group leaders shall be at least 18 years of age.

(e) For centers with a licensed capacity of three to twelve children located in a residence, when an individual has responsibility both for administering the child care program and for planning and implementing the daily activities of a group of children, the educational requirements for lead teacher in this Rule shall apply. All other teachers shall follow the educational requirements for teachers in this Rule.

(f) As used in this Rule, the definition of the term "experience working with school-aged children" in Rule .2510(i) of this Subchapter shall apply.

*Authority G.S. 110-88(7); 110-90(4); 143B-168.3;
Eff. July 1, 2000.*

.2811 EDUCATION STANDARDS FOR CENTERS THAT PROVIDE CARE ONLY TO SCHOOL-AGE CHILDREN

(a) For child care programs that serve school-aged children only, the following staff education requirements apply instead of those in Rule .2804 of this Subchapter.

(b) To achieve two points for education standards for a star rating, child caring staff in the school-age care program shall meet the following requirements:

- (1) The administrator shall have a Level I North Carolina Early Childhood Administration Credential or its equivalent.
- (2) The program coordinator shall have completed the coursework or the requirements for staff described in Rule .2510(b)(2); and have
 - (A) At least 200 hours of verifiable experience working with school-age children in a licensed child care program, or

- (B) At least 300 hours of verifiable experience working with school-age children in an licensed school-age care or camp setting, or
- (C) Completed or be enrolled in at least two additional semester credit hours of school-age care related coursework.

(c) To achieve three points for education standards for a star rating, child caring staff in the school-age care program shall meet the following requirements.

- (1) The administrator shall have:
 - (A) A Level I North Carolina Early Childhood Administration Credential or its equivalent; and
 - (B) At least 300 additional hours of verifiable experience working with school-aged children in a licensed child care program, or at least 450 additional hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting.
- (2) The program coordinator shall have completed the coursework or the requirements for staff described in Rule .2510(b)(2); and have
 - (A) At least 400 hours of verifiable experience working with school-age children in a licensed child care program or supervising the school-age component of a licensed child care program, or
 - (B) At least 600 hours of verifiable experience working with school-age children in an unlicensed school-age care or camp setting or
 - (C) Completed at least two additional semester credit hours of school-age care related coursework.
- (3) Twenty-five percent of group leaders shall have:
 - (1) At least 100 hours of verifiable experience working with school-aged children in a licensed child care program, or
 - (2) At least 150 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting.
- (3) Completed or be enrolled in at least two semester credit hours of school-age care related coursework.

(d) To achieve four points for education standards for a star rating, child caring staff in the school-age care program shall meet the following requirements.

- (1) The administrator shall have:
 - (A) A Level II North Carolina Early Childhood Administration Credential or its equivalent; and
 - (B) At least 600 additional hours of verifiable experience working with school aged children in a licensed program, or at least 900 additional hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting; and.
- (2) The program coordinator shall have completed the

coursework or the requirements for staff described in Rule .2510(b)(2); and have

- (A) At least 900 hours of verifiable experience working with school-age children in a licensed child care program or at least 1350 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting; and
 - (B) Completed at least four additional semester credit hours of school-age care related coursework.
- (3) Fifty percent of group leaders shall have:
- (A) At least 300 hours of verifiable experience working with school-aged children in an licensed school-age care or camp setting, or
 - (B) At least 450 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting, or
 - (C) Completed at least two semester credit hours of school-age care related coursework;
- (4) Assistant group leaders shall be at least 18 years old.
- (e) To achieve five points for education standards for a star rating, child caring staff in the school-age care program shall meet the following requirements.
- (1) The administrator shall have:
 - (A) A Level III North Carolina Early Childhood Administration Credential or its equivalent; and
 - (B) At least 900 additional hours of verifiable experience performing administrative duties in a licensed child care program serving school-age children, or at least 1350 additional hours of verifiable experience performing administrative duties in an unlicensed school-age care or camp setting.
 - (2) The program coordinator shall have completed the coursework or the requirements for staff described in Rule .2510(b)(2); and have
 - (A) At least 900 hours of verifiable experience working with school-age children in a licensed child care program or at least 1350 hours of verifiable experience working with school-aged children in an unlicensed school-age or camp setting, and completed at least six additional semester credit hours of school-age care related coursework; or
 - (B) At least 600 hours of verifiable experience working with school-age children in a licensed child care program or at least 900 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting, and completed at least nine additional semester credit hours of school-age care related coursework.
 - (3) Seventy-five percent of group leaders shall have:
 - (A) At least 600 hours of experience working with school-aged children in a licensed

child care program; or

- (B) At least 900 hours of experience working with school-aged children in an unlicensed school-age care or camp setting; or
- (C) Completed at least two semester credit hours of school-age care related coursework and have completed or be enrolled in at least two additional semester credit hours of school-age care related coursework.

(4) Assistant group leaders shall be at least 18 years old.

(f) Unless otherwise stated in this Rule, group leaders and assistant group leaders shall meet the minimum qualifications required in Rule .2510 of this Subchapter, including completion of BSAC Training.

(g) For programs with a licensed capacity of 200 or more school-age children, there shall be two program coordinators on site, one of whom shall not have concurrent group leader responsibilities. The additional program coordinator shall meet the staff requirements in Rule .2510 of this Subchapter.

(h) As used in this Rule, the definition of the term "experience working with school-aged children" in Rule .2510(i) of this Subchapter shall apply.

Authority G.S. 110-88(7); 110-90(4); 110-91; 143B-168; Eff. July 1, 2000.

CHAPTER 20 - VOCATIONAL REHABILITATION

SUBCHAPTER 20B - PROCEDURE

SECTION .0200 - CONTESTED CASES: ADMINISTRATIVE REVIEWS: APPEALS HEARINGS

.0224 SECRETARY'S REVIEW AND FINAL DECISION

(a) Either party may request an impartial review of the hearing officer's decision according to the standards in Paragraph (d) of this Rule by the Secretary of the Department of Health and Human Services within 20 days of the receipt of the decision.

(b) The Secretary may delegate the responsibility for reviewing the hearing officer's decision and making the final decision to another employee of the Department but shall not delegate the responsibility to any officer or employee of the Division. (c) In conducting the review, the reviewing official shall send the written notification to both parties and allow the submission of additional evidence as required by Sec. 102 (c) of the Rehabilitation Act of 1973 (as amended by the Rehabilitation Act Amendments of 1998, P.L. 105-220). The written notification shall be given personally or by certified mail. If given by certified mail, it shall be deemed to have been given on the delivery date appearing on the return receipt.

(d) The reviewing official's review shall be based on the following standards of review:

- (1) Is the hearing officer's decision arbitrary, capricious, an abuse of discretion, or otherwise unreasonable?
- (2) Is the hearing officer's decision supported by

substantial evidence and consistent with facts and applicable federal and state policy?

- (3) In reaching the decision, has the hearing officer given appropriate and adequate interpretation to such factors as:
- (A) the federal statute and regulations as they apply to specific issue(s) in question;
 - (B) the state plan as it applies to the specific issue(s) in question;
 - (C) division rules as they apply to the specific issue(s) in question;
 - (D) key portions of conflicting testimony;
 - (E) division options in the delivery of services where such options are permissible under the federal statute; and
 - (F) restrictions in the federal statute with regard to such supportive services as maintenance and transportation.

(e) The reviewing official shall make the final decision and provide such decision in writing to both parties within 30 days of the date the request for a review of the hearing officer's decision was received. The decision shall include a full report of the findings and the grounds for the decision. The reviewing official shall not overturn or modify a decision, or part of a decision, of an impartial hearing officer that supports the position of the individual except as allowed under Sec. 102 (c) of the Rehabilitation Act of 1973 (as amended by the Rehabilitation Act Amendments of 1998, P.L. 105-220). The final decision shall be given to both parties or client personally or by certified mail. If given by certified mail, it shall be deemed to have been given on the delivery date appearing on the return receipt.

(f) The hearing officer's decision shall be the final decision under the conditions specified in Sec. 102(c) of the Rehabilitation Act of 1973 (as amended by the Rehabilitation Act Amendments of 1998, P.L. 105-220).

(g) The division director shall forward a copy of the final decision, whether issued under (e) or (f) of this Rule, to the Chief of Operations, the CAP director, the regional director, and the applicant's or client's representative, as appropriate. A copy shall also be included in the individual's official case record.

Authority G.S. 143-545.1; 143-546.1; 150B-1; P.L. 105-220; Amended Eff. July 1, 2000.

TITLE 15A - DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

CHAPTER 1 - DEPARTMENTAL RULES

SUBCHAPTER 1J - STATE CLEAN WATER REVOLVING LOAN AND GRANT PROGRAM

SECTION .0100 - GENERAL PROVISIONS

.0102 DEFINITIONS

In addition to the definitions in G.S. 159G-3, the following

definitions apply to this Subchapter:

- (1) "Act" means the North Carolina Clean Water Revolving Loan and Grant Act of 1987, G.S. 159G.
- (2) "Award" means the offer by the receiving agency to enter into a loan or grant commitment for a specified amount.
- (3) "Award of contract" means the award by the loan or grant recipient to a contractor of a contract to construct the project as bid.
- (4) "Bid" means the amount of money for which a contractor offers to construct the project.
- (5) "Contingency costs" means unforeseen costs or situations not included in the estimate of project costs.
- (6) "Commitment" means a binding agreement to pay loan or grant funds in a lump sum or in installments to an eligible applicant at some future time.
- (7) "Date of completion" means the date on which the project has been completed, as determined by the receiving agency.
- (8) "Division of Environmental Health" means the Division of Environmental Health of the North Carolina Department of Environment and Natural Resources.
- (9) "Division of Environmental Management" means the Division of Water Quality of the North Carolina Department of Environment and Natural Resources.
- (10) "Effective date of receipt" means September 30 for applications postmarked or hand delivered to the principal offices of the receiving agency in Raleigh, North Carolina between April 1 and September 30, and means March 31 for applications postmarked or hand delivered to the principal offices of the receiving agency in Raleigh, North Carolina between October 1 and March 31; except that for applications to the Emergency Wastewater or Water Supply Revolving Loan Account it means the date designated by the receiving agency for each priority review period established under Rule .0801(b) of this Subchapter.
- (11) "Fiscal year" means the state fiscal year, beginning on July 1 of a calendar year and ending on June 30 of the following calendar year. In referring to a specific fiscal year, the year named is the calendar year in which the fiscal year ends. For example, "Fiscal Year 1988" refers to the fiscal year beginning July 1, 1987 and ending June 30, 1988.
- (12) "Inspection" means inspection or inspections of a project to determine percentage completion of the project and compliance with applicable federal, state and local laws or rules.
- (13) "Orders" means any restrictive measure, related to the operation of its wastewater treatment facilities, issued to an applicant for a loan or grant from the wastewater accounts under this Subchapter. Such measures may be included in, but are not restricted to, Special Orders, Special Orders by Consent, Judicial Orders, or issued or proposed permits, permit modifications or certificates.

- (14) "Project" means the works described in the application for a loan or grant under this Subchapter.
- (15) "Loan" means "revolving loan" as defined in G.S. 159G-3(15).
- (16) "Priority period" means priority review period as established in Section .0800 of this Subchapter.
- (17) "Real property" means land and structures affixed to the land having the nature of real property or interests in land including easements or other rights-of-way purchased or acquired for water supply and wastewater facilities and works to be constructed as a part of the project for which a loan or grant is made under this Subchapter.
- (18) "Regional water supply system" means:
 - (a) A public water system that serves two or more local units of government, or
 - (b) A public water system that demonstrates each of the following:
 - (i) A specific plan to provide drinking water throughout the territory of a local unit of government, except that a municipality shall also demonstrate a specific plan to provide drinking water outside its extraterritorial jurisdiction;
 - (ii) Shares water supply facility resources with another public water system or eliminate an acute/imminent, immediate, chronic, or potential health hazard as described in Rule .0701 (a) through (d) of this Subchapter in an area containing at least 15 residential units which is not served by a public water system; and
 - (iii) A interlocal agreement or joint resolution to be a part of an interconnected regional water system within 10 years.
- (19) "Regional wastewater system" means a public wastewater collection or treatment system of a municipality, county, sanitary district, or other political subdivision of the State or combination thereof that serves two or more units of government.
- (20) "Water Reclamation" means the production of a high level treated effluent as a reusable, non-potable water source.
- (21) "Water Reuse" means the actual use or application of treated wastewater in or on areas which require water but do not require potable water quality.

Authority G.S. 159G-3; 159G-15;
Amended Eff. August 1, 2000.

SECTION .0200 - ELIGIBILITY REQUIREMENTS

.0202 GRANTS FROM THE HIGH-UNIT COST ACCOUNTS

(a) Eligibility of an application for a grant from the High-Unit Cost Wastewater Account or the High-Unit Cost Water Supply

Account, and the amount eligible for such a grant, will be determined by the receiving agency in accordance with G.S. 159G-6(b)(2) or 159G-6(c)(2), subject to the limitations in G.S. 159G-6(a)(2).

(b) For the purposes of Rule .0202(a) of this Subchapter, median household income in the local government unit in which the project is located will be as determined jointly each year by the U.S. Bureau of Census and the U.S. Department of Housing and Urban Development.

(c) Grants from the High-Unit Cost Wastewater and Water Supply Accounts will be made only to approved projects that receive a commitment for the balance of project costs from any other source, including loans under this Subchapter and other loans from governmental or private sources.

(d) Grants from the High-Unit Cost Water Supply accounts will be made only to applicants who have submitted a local water supply plan to the Department of Environment and Natural Resources in accordance with G.S. 143-355(l).

Authority G.S. 159G-6(a)(2); 159G-6(b)(2); 159G-6(c)(2); 159G-15;

Amended Eff. August 1, 2000.

SECTION .0300 - APPLICATIONS

.0303 FILING OF REQUIRED SUPPLEMENTAL INFORMATION

(a) Every application shall be accompanied by an environmental assessment document as required by G.S. 159G-8(b), by the date the receiving agency sets the priority rating for a priority review period.

(b) Any application that has not received approval by the receiving agency of the preliminary engineering report for the proposed project by the date the receiving agency sets the priority rating for a priority review period shall not be included in the priority rating for that priority review period.

(c) Any applicant for a water supply project not demonstrating approval of plans and specifications within four months from the end of the priority rating period shall be transferred to the next priority rating period for consideration unless this review is the second review in which case a new application shall be required for further consideration.

(d) Any application that is not accompanied by an adopted resolution as required by G.S. 159G-9(3) stating that the unit of government has complied or will substantially comply with all applicable federal, state and local laws or rules shall not be included in the priority rating for that priority review period. Such resolution shall be certified or attested to as a true and correct copy as adopted.

(e) If a public hearing is held on an application, the application shall not be included in the priority rating unless the hearing process is concluded by the date the receiving agency sets the priority rating for the priority review period.

(f) A certification shall be submitted by the local government unit stating that it will be in compliance with verifiable Minority Business Enterprise goals as stated in G.S. 143-128.

Authority G.S. 159G-8; 159G-9; 159G-10(a); 159G-15;

Amended Eff. August 1, 2000.

**SECTION .0900 - LOAN AND GRANT AWARD AND
COMMITMENT: DISBURSEMENT OF LOANS
AND GRANTS**

.0904 DISBURSEMENT OF LOANS AND GRANTS

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

(b) Project inspection shall confirm work progress, and a final inspection is required prior to the final disbursement of loan monies.

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

(d) The receiving agency shall notify the Office of the Controller of the Department of Environment and Natural Resources to make loan or grant disbursements. A check in the amount of the disbursement authorized by the receiving agency shall be written to the loan or grant recipient by the Office of the Controller.

Authority G.S. 159G-12; 159G-15;

Amended Eff. August 1, 2000.

**SUBCHAPTER 1L - STATE CLEAN WATER BOND
LOAN PROGRAM**

SECTION .0100 - GENERAL PROVISIONS

.0102 DEFINITIONS

The following definitions apply to this Subchapter:

(1) "Act" means the North Carolina Education, Clean Water, and Parks Bond Act of 1993, S.L. c.542, s. 10.

(2) "Award" means the offer by the receiving agency to enter into a loan commitment for a specified amount.

(3) "Award of contract" means the award by the loan recipient to a contractor of a contract to construct the project as bid.

(4) "Bid" means the amount of money for which a contractor offers to construct the project.

(5) "Contingency costs" means unforeseen costs or situations not included in the estimate of project costs.

(6) "Commitment" means a binding agreement to pay loan funds in installments to an eligible applicant at some future time.

(7) "Date of completion" means the date on which the project has been completed, as determined by the receiving agency.

(8) "Division of Environmental Health" means the Division of Environmental Health of the North Carolina Department of Environment and Natural

Resources.

(9) "Division of Environmental Management" means the Division of Water Quality of the North Carolina Department of Environment and Natural Resources.

(10) "Effective date of receipt" means September 30 for applications postmarked or hand delivered to the principal offices of the receiving agency in Raleigh, North Carolina between April 1 and September 30, and means March 31 for applications postmarked or hand delivered to the principal offices of the receiving agency in Raleigh, North Carolina between October 1 and March 31.

(11) "Fiscal year" means the state fiscal year, beginning on July 1 of a calendar year and ending on June 30 of the following calendar year. In referring to a specific fiscal year the year named is the calendar year in which the fiscal year ends. For example, Fiscal Year 1994 refers to the fiscal year beginning July 1, 1993 and ending June 30, 1994.

(12) "Inspection" means inspection or inspections of a project to determine percentage completion of the project and compliance with applicable federal, state and local laws or rules.

(13) "Orders" means any restrictive measure, related to the operation of its wastewater treatment facilities, issued to an applicant for a loan from the wastewater accounts under this Subchapter. Such measures may be included in, but are not restricted to, Special Orders, Special Orders by Consent, Judicial Orders, or issued or proposed permits, permit modifications or certificates.

(14) "Project" means the works described in the application for a loan under this Subchapter.

(15) "Priority period" means priority review period of January 1 to June 30 and July 1 to December 31 of each year.

(16) "Real property" means land and structures affixed to the land having the nature of real property or interests in land including easements or other rights-of-way purchased or acquired for facilities and works to be constructed as a part of the project for which a loan is made under this Subchapter.

(17) "Receiving agency" means the Division of Environmental Health with respect to receipt of applications for loans for water supply systems, and the Environmental Management Commission and the Division of Environmental Management with respect to receipt of applications for loans for wastewater systems.

(18) "Regional water supply system" means:

(a) A public water system that serves two local units of government, or

(b) A public water system that demonstrates each of the following:

(i) A specific plan to provide drinking water throughout the territory of a local unit of government, except that a municipality shall also demonstrate a

- specific plan to provide drinking water outside its extraterritorial jurisdiction;
 - (ii) Shares water supply facility resources with another public water system or eliminate an acute/imminent, immediate, chronic, or potential health hazard as described in Rule .0701(a) through (d) of this Subchapter in an area containing at least 15 residential units which is not served by a public water system; and
 - (iii) An interlocal agreement or joint resolution to be a part of an interconnected regional water system within 10 years.
- (19) "Regional wastewater system" means a public wastewater collection or treatment system of a municipality, county, sanitary district, or other political subdivision of the State or combination thereof that serves two or more units of government.
- (20) "Water Reclamation" means the production of a high level treated effluent as a reusable, non-potable water source.
- (21) "Water Reuse" means the actual use or application of treated wastewater in or on areas which require water but do not require potable water quality.

Authority S.L. 1998, c. 132, s. 10;
Amended Eff. August 1, 2000.

SECTION .0800 - CRITERIA FOR WATER CONSERVATION

.0801 PLANNING AND WATER CONSERVATION

Maximum value - 80 points:

- (1) An applicant may receive a maximum of 15 bonus points for meeting the following criteria as applicable:
 - (a) An applicant demonstrates it has a continuing I/I program in its wastewater sewer maintenance program.
 (Wastewater Projects Only) 5 points
 - (b) An applicant demonstrates it has a continuing water loss program in its water supply system program.
 (Water Supply Projects Only) 5 points
 - (c) An applicant demonstrates it has a continuing program of water conservation education and information. 5 points
 - (d) An applicant demonstrates it has established a water conservation incentive rate structure; created incentives for new or replacement installation of low flow faucets, shower heads, and toilets; or has a water reclamation or reuse system. 5 points
- (2) An applicant may also receive a maximum of 25 bonus points for meeting the following criteria:
 - (a) An applicant demonstrates that it has adopted

- a comprehensive land-use plan that meets the requirements of G.S. 155H, Article 18 or G.S. 160A, Article 19, or applicant is a local government unit that is not authorized to adopt a comprehensive land-use plan but that is located in whole or in part in another local government unit that has adopted a comprehensive land-use plan, and that the proposed project is consistent with the plan. 7 points
 - (b) An applicant demonstrates that the comprehensive land-use plan exceeds the minimum state standards for the protection of water resources. 8 points
 - (c) An applicant demonstrates that actions have been taken toward implementation of the comprehensive land-use plan. These actions may include the adoption of a zoning ordinance or any other measure that significantly contributes to the implementation of the comprehensive land-use plan. 10 points
- (3) An applicant may receive a maximum of 20 bonus points for the following criteria:
- (a) An applicant has developed a capital improvement plan as defined in S.L. 1998, c.132 15 points
 - (b) Proposed project is consistent with the water supply watershed protection requirements of G.S. 143-214.5. 5 points
- (4) An applicant may receive a maximum of 20 bonus points for the following criteria:
- (a) An applicant demonstrates voluntary water supply watershed protection activities in excess of the minimum requirements of G.S. 143-214.5, or 15 points
 - (b) An applicant demonstrates it has developed a voluntary wellhead protection program, or 15 points
 - (c) An applicant demonstrates it has both Subparagraphs (1) and (2) of this Paragraph. 20 points

Authority S.L. 1998, c. 132, s. 10;
Amended Eff. August 1, 2000.

SECTION .0900 - PRIORITIES

.0902 ASSIGNMENT OF CATEGORY TO WASTEWATER APPLICATIONS

- (a) Applications for loans for wastewater projects will be assigned a category as follows, during review of the applications:
 - (1) All applications for projects that are under orders, under moratorium, at or above 80% of permitted capacity during the previous calendar year, experiencing excessive infiltration/inflow, or that would qualify for an Emergency Loan under Rule .0204 of this Subchapter, and that have submitted

final project plans and specifications for review and approval by the receiving agency, shall be placed in Category 1.

- (2) All applications for projects that are under orders, under moratorium, at or above 80% permitted capacity during the previous calendar year, experiencing excessive infiltration/inflow, or that would qualify for an Emergency Loan under Rule .0204 of this Subchapter that have not submitted final project plans and specifications for review and approval by the receiving agency shall be placed in Category 2.
- (3) All applications for projects for expanding infrastructure primarily to support additional development and that have submitted final project plans and specifications for review and approval by the receiving agency, shall be placed in Category 3.
- (4) All applications for projects for expanding infrastructure primarily to support additional development that have not submitted final project plans and specifications for review and approval by the receiving agency shall be placed in Category 4.

(b) All applications in Category 1 for a specific wastewater account will be funded before applications in Category 2 in the same account. All applications in Category 2 for a specific wastewater account will be funded before applications in Category 3 in the same account. All applications in Category 3 will be funded before applications in Category 4 in the same account.

*Authority S.L. 1998, c. 132, s. 10;
Amended Eff. August 1, 2000.*

SECTION .1000 - LOAN AWARD, COMMITMENT, AND DISBURSEMENT

.1004 DISBURSEMENT OF LOANS

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

(b) Project inspection shall confirm work progress, and a final inspection is required prior to the final disbursement of loan monies.

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

(d) The receiving agency shall notify the Office of the Controller of the Department of Environment and Natural Resources to make loan disbursements. A check in the amount of the disbursement authorized by the receiving agency shall be written to the recipient by the Office of the Controller.

*Authority S.L. 1998, c. 132, s. 10;
Amended Eff. August 1, 2000.*

CHAPTER 2 - ENVIRONMENTAL MANAGEMENT

SUBCHAPTER 2D - AIR POLLUTION CONTROL REQUIREMENTS

SECTION .0500 - EMISSION CONTROL STANDARDS

.0541 CONTROL OF EMISSIONS FROM ABRASIVE BLASTING

(a) For the purpose of this Rule, the following definitions apply:

- (1) "Abrasives" means any material used in abrasive blasting operations.
- (2) "Abrasive blasting" means the operation of cleaning or preparing a surface by forcibly propelling a stream of abrasive material against the surface. Sandblasting is one form of abrasive blasting.
- (3) "Abrasive blasting equipment" means any equipment used in abrasive blasting operations.
- (4) "Fugitive dust emissions" means emissions of particulate matter into the outdoor atmosphere that is not vented or captured by a stack or chimney.
- (5) "Building" means a structure with four or more sides and a roof that is used, in whole or in part, to house or contain abrasive blasting.

(b) The owner or operator shall ensure that any abrasive blasting operation conducted outside a building or conducted indoors and vented to the atmosphere is performed in accordance with the requirements set forth in 15A NCAC 2D .0521, Control of Visible Emissions. For the purposes of this Rule, the visible emissions reading for abrasive blasting performed outside a building shall be taken at a spot approximately one meter above the point of abrasive blasting with a viewing distance of approximately five meters.

(c) Except as provided in Paragraph (d) of this Rule, all abrasive blasting operations shall be conducted within a building.

(d) An abrasive blasting operation conducted under one or more of the following conditions is not required to be conducted within a building:

- (1) when the item to be blasted exceeds eight feet in any dimension;
- (2) when the surface being blasted is situated at its permanent location or not further away from its permanent location than is necessary to allow the surface to be blasted; or
- (3) when the abrasive blasting operation is conducted at a private residence or farm and the visible emissions created by this abrasive blasting operation do not migrate beyond the property boundary of the private residence or farm on which the abrasive blasting operation is being conducted.

(e) The owner or operator of any abrasive blasting operation conducted in accordance with Subparagraphs (d)(1) and (d)(2) of this Rule, outside a building, shall take appropriate measures to ensure that the fugitive dust emissions created by the abrasive blasting operation do not migrate beyond the property boundaries in which the abrasive blasting operation is being

conducted. Appropriate measures include the following:

- (1) the addition of a suppressant to the abrasive blasting material;
- (2) wet abrasive blasting;
- (3) hydroblasting;
- (4) vacuum blasting;
- (5) shrouded blasting; or
- (6) shrouded hydroblasting.

*Authority G.S. 143-215.3(a)(1); 143-215.108(c)(7); 143-215.108(d)(1);
Eff. July 1, 2000.*

SECTION .1800 - CONTROL OF ODORS

.1801 DEFINITIONS

For the purpose of this Section, the following definitions apply:

- (1) "Animal operation" means animal operation as defined in G.S. 143-215.10B.
- (2) "Child care center" means child care centers as defined in G.S. 110-86 licensed under G. S. 110, Article 7.
- (3) "Construction" means any physical change (including fabrication, erection, installation, replacement, demolition, excavation, or other modification) at any contiguous area under common control.
- (4) "Control technology" means economically feasible control devices installed to effectively reduce objectionable odors from animal operations.
- (5) "Existing animal operation" means an animal operation that is in operation or commences construction on or before February 28, 1999.
- (6) "Historic properties" means historic properties acquired by the State pursuant to G.S. 121-9 or listed in the North Carolina Register of Historic Places pursuant to G.S. 121-4.1.
- (7) "Modified animal operation" means an animal operation that commences construction after February 28, 1999, to increase the steady state live weight that can be housed at that animal operation. Modified animal operation does not include renovating existing barns, relocating barns, or replacing existing lagoons or barns if the new barn or lagoon is no closer to the nearest property and if the new barn or lagoon does not increase the steady state live weight than can be housed at that animal operation..
- (8) "New animal operation" means an animal operation that commences construction after February 28, 1999.
- (9) "Objectionable odor" means any odor present in the ambient air that by itself, or in combination with other odors, is or may be harmful or injurious to human health or welfare, or may unreasonably interfere with the comfortable use and enjoyment of life or property. Odors are harmful or injurious to human health if they tend to lessen human food and water intake, interfere with sleep, upset appetite, produce irritation of the upper respiratory tract, or cause symptoms of

nausea, or if their chemical or physical nature is, or may be, detrimental or dangerous to human health.

- (10) "Occupied residence" means occupied residence as defined in G.S. 106-802.
- (11) "State Parks" means State Parks as defined in G.S. 113-44.9.
- (12) "Technologically feasible" means that an odor control device or a proposed solution to an odor problem has previously been demonstrated to accomplish its intended objective, and is generally accepted within the technical community. It is possible for technologically feasible solutions to have demonstrated their suitability on similar, but not identical, sources for which they are proposed to control.

*Authority G.S. 143-215.3(a)(1); 143-215.107(a)(11); 143-213;
Eff. July 1, 2000.*

.1802 CONTROL OF ODORS FROM ANIMAL OPERATIONS USING LIQUID ANIMAL WASTE MANAGEMENT SYSTEMS

(a) Purpose. The purpose of this Rule is to control objectionable odors from animal operations beyond the boundaries of animal operations.

(b) Applicability. This Rule shall apply to all animal operations.

(c) Required management practices. All animal operations shall be required to implement applicable management practices for the control of odors as follows:

- (1) The carcasses of dead animals shall be disposed of within 24 hours after becoming aware of the death of the animal according to the methods approved by the State Veterinarian for disposal of dead domesticated animals under G.S. 106-403;
- (2) Waste from animal wastewater application spray systems shall be applied in such a manner and under such conditions to prevent drift from the irrigation field of the wastewater spray beyond the boundary of the animal operation, except waste from application spray systems may be applied in an emergency to maintain safe lagoon freeboard if the owner or operator notifies the Department and resolves the emergency with the Department as written in Section III.6 of the Swine Waste Operation General Permit;
- (3) Animal wastewater application spray system intakes shall be located near the liquid surface of the animal wastewater lagoon;
- (4) Ventilation fans shall be maintained according to the manufacturer's specifications; and
- (5) Animal feed storage containers located outside of animal containment buildings shall be covered except when necessary to remove or add feed; this Subparagraph does not apply to the storage of silage or hay or to commodity boxes with roofs; and

All animal operations shall be in compliance with this Paragraph by June 1, 1999.

(d) Odor management plan for existing animal operations for

swine. Animal operations for swine that meet the criteria in the table in this Paragraph shall submit an odor management plan to the Director according to the schedule in the table in this Paragraph. The odor management plan shall describe how odors are currently being controlled and how these odors will be

controlled in the future. The odor management plan shall contain the elements described in Rule .1803(a) of this Section. The animal operation shall be required to submit its odor management plan only once.

100 pounds steady state live weight of swine		Distance in feet to the boundary of the nearest neighboring occupied property with an inhabitable structure, business, school, hospital, church, outdoor recreational facility, national park, State Park, historic property, or child care center	Date by when the odor management plan is to be submitted
at least	but less than		
10,000	20,000	less than or equal to 3,000	January 15, 2002
20,000	40,000	less than or equal to 4,000	July 15, 2001
40,000		less than or equal to 5,000	January 15, 2001

For the purposes of this Rule, the distance shall be measured from the edge of the barn or lagoon, whichever is closer, to the boundary of the neighboring occupied property with an inhabitable structure, business, school, hospital, church, outdoor recreational facility, national park, State Park, historic property, or child care center. All animal operations for swine that are of the size in the table in this Paragraph shall submit by the date specified in this table either an odor management plan or documentation that no neighboring occupied property with an inhabitable structure, business, school, hospital, church, outdoor recreational facility, national park, State Park, historic property, or child care center is within the distances specified in the table as of the date that the submittal is due. After July 15, 2002, the Director may require existing animal operations for swine with a steady state live weight of swine between 1,000 to 10,000 hundredweights to submit an odor management plan if the Director determines that these animal operations may cause or contribute to an objectionable odor. The Director may require an existing animal operation to submit a best management plan under Paragraph (h) of this Rule if the existing animal operation fails to submit an odor management plan by the schedule in this Paragraph of this Rule.

(e) Location of objectionable odor determinations.

- (1) For an existing animal operation that does not meet the following siting requirements:
 - (A) at least 1500 feet from any occupied residence not owned by the owner of the animal operation;
 - (B) at least 2500 feet from any school, hospital, church, outdoor recreation facility, national park, State Park, historic property, or child care center; and
 - (C) at least 500 feet from any property boundary; objectionable odors shall be determined at neighboring occupied property not owned by the owner of the animal operation, businesses, schools, hospitals, churches, outdoor recreation facilities,

national parks, State Parks historic properties, or child care centers that are affected.

- (2) For a new animal operation or existing animal operation that meets the siting requirements in Subparagraph (1) of this Paragraph, objectionable odors shall be determined beyond the boundary of the animal operation.
- (f) Complaints. The Director shall respond to complaints about objectionable odors from animal operations as follows:
 - (1) Complaints shall be investigated to the extent practicable.
 - (2) Complaints may be used to assist in determination of a best management plan failure or a control technology failure.
 - (3) The Director shall respond to complaints within 30 days.
 - (4) Complaint response shall at least include a written response of the Director's evaluation of the complaint.
 - (5) The investigation of a complaint shall be completed as expeditiously as possible considering the meteorology activities at the animal operation, and other conditions occurring at the time of the complain.
- (g) Determination of the existence of an objectionable odor. In deciding if an animal operation is causing or contributing to an objectionable odor, the Director may consider one or more of the following:
 - (1) the nature, intensity, frequency, pervasiveness, and duration of the odors from the animal operation;
 - (2) complaints received about objectionable odors from the animal operation;
 - (3) emissions from the animal operation of known odor causing compounds, such as ammonia, total volatile organics, or hydrogen sulfide or other sulfur compounds, at levels that could cause or contribute to an objectionable odor;
 - (4) any epidemiological studies associating health

problems with odors from the animal operation or documented health problems associated with odors from the animal operation provided by the State Health Director; or

- (5) any other evidence, including records maintained by neighbors, that show that the animal operation is causing or contributing to an objectionable odor.

(h) Requirement for a best management plan for controlling odors from existing animal operations. If the Director finds that an existing animal operation is causing or contributing to an objectionable odor, the owner or operator of the animal operation shall:

- (1) submit to the Director as soon as practical, but not to exceed 90 days after receipt of written notification from the Director that the animal operation is causing or contributing to an objectionable odor, a best management plan for odor control as described in Rule .1803 of this Section; and
- (2) be in compliance with the terms of the plan within 30 days after the Director approves the best management plan (compliance with an approved compliance schedule in the best management plan is deemed to be in compliance with the plan).

(i) Requirement for amendment to best management plan. No later than 60 days from completion of a compliance schedule in an approved best management plan or if the best management plan contains no compliance schedule, no later than 60 days from the implementation date of the best management plan, the Director shall determine whether the plan has been properly implemented. If the Director determines that a plan submitted under Paragraph (h) of this Rule does not control objectionable odors from the animal operation, the Director shall require the owner or operator of the animal operation to amend the plan to incorporate additional or alternative measures to control objectionable odors from the animal operation. The owner or operator shall:

- (1) submit a revised best management plan to the Director as soon as practical but not later than 60 days after receipt of written notification from the Director that the plan is inadequate; and
- (2) be in compliance with the revised plan within 30 days after the Director approves the revisions to the best management plan (compliance with an approved compliance schedule in the best management plan is deemed to be in compliance with the plan).

(j) Plan failure. Any of the following conditions shall constitute failure of a best management plan:

- (1) failing to submit the initial best management plan required under Paragraph (h) of this Rule within 90 days of receipt of written notification from the Director that the animal operation is causing or contributing to an objectionable odor;
- (2) failing to submit a revised best management plan required under Paragraph (i) of this Rule within 60 days of receipt of written notification from the Director that the animal operation is causing or contributing to an objectionable odor;
- (3) failing to correct all deficiencies in a submitted best

management plan under Rule .1803(c) of this Section within 30 days of receipt of written notification from the Director to correct these deficiencies;

- (4) failing to implement the best management plan after it has been approved; or
- (5) finding by the Director, using the criteria under Paragraph (g) of this Rule, that, after the best management plan has been implemented and revised no more than one time (voluntary revisions and revisions made pursuant to 15A NCAC 2D .1803(c) shall not be counted as revisions under this Subparagraph); the best management plan does not adequately control objectionable odors from the animal operation and will not adequately control objectionable odors even with further amendments.

(k) Requirements for control technology. If a plan failure occurs, the Director shall require the owner or operator of the animal operation to install control technology to control odor from the animal operation. The owner or operator shall submit within 90 days from receipt of written notification from the Director of a plan failure, a permit application for control technology and an installation schedule. If the owner or operator demonstrates to the Director that a permit application cannot be submitted within 90 days, the Director may extend the time for submittal up to an additional 90 days. Control technology shall be determined according to Subparagraph (1) of this Paragraph. The installation schedule shall contain the increments of progress described in Subparagraph (2) of this Paragraph. The owner or operator may at any time request adjustments in the installation schedule and shall in his request explain why the schedule cannot be met. If the Director finds that the reason for not meeting the schedule is valid, the Director shall revise the installation schedule as requested; however, the Director shall not extend the final compliance date beyond 24 months from the date that the permit was first issued for the control technology. The owner or operator shall certify to the Director within five days after the deadline for each increment of progress described in Subparagraph (2) of this Paragraph whether the required increment of progress has been met.

- (1) Control technology. The owner or operator of an animal operation shall identify control technologies that are technologically feasible for his animal operation and shall select the control technology or control technologies that results in the greatest reduction of odors considering human health, energy, environmental, and economic impacts and other costs. The owner or operator shall explain the reasons for selecting the control technology or control technologies. If the Director finds that the selected control technology or control technologies will effectively control odors following the procedures in 15A NCAC 2Q .0300 or .0500, he shall approve the installation of the control technology or control technologies for this animal operation. The owner or operator of the animal operation shall comply with all terms and conditions in the permit.
- (2) Installation schedule. The installation schedule for control technology shall contain the following

increments of progress:

- (A) a date by which contracts for odor control technology shall be awarded or orders shall be issued for purchase of component parts;
- (B) a date by which on-site construction or installation of the odor control technology shall begin;
- (C) a date by which on-site construction or installation of the odor control technology shall be completed; and
- (D) a date by which final compliance shall be achieved.

Control technology shall be in place and operating as soon as practical but not to exceed 12 months from the date that the permit is issued for control technology.

(l) New or modified animal operations. This Paragraph does not apply to activities exempted from the moratorium on construction or expansion of swine farms in S.L. 1997, c. 458, s. 11 provided that the owner or operator demonstrates to the Director that the activity will not result in an objectionable odor.

(1) Before beginning construction, the owner or operator of a new or modified animal operation raising or producing swine shall submit and have an approved best management plan and shall meet of the following: A house or lagoon that is a component of an animal operation shall be constructed:

- (A) at least 1500 feet from any occupied residence not owned by the owner of the animal operation;
- (B) at least 2500 feet from any school, hospital, church, outdoor recreation facility, national park, State Park, historic property, or child care center; and
- (C) at least 500 feet from any property boundary;

(2) Before beginning construction, the owner or operator of a new or modified animal operation other than swine shall submit and have an approved best management plan.

(3) For new or modified animal operations raising or producing swine, the outer perimeter of the land area onto which waste is applied that is a component of an animal operation shall be:

- (A) at least 75 feet from any boundary of property on which an occupied residence not owned by the owner of the animal operation is located, and
- (B) at least 200 feet from any occupied residence not owned by the owner of the animal operation.

(4) The Director shall either approve or disapprove the best management plan submitted under this Paragraph within 90 days after receipt of the plan. If the Director disapproves the plan, he shall identify the plan's deficiency.

Eff. July 1, 2000.

CHAPTER 3 - MARINE FISHERIES

SUBCHAPTER 3I - GENERAL RULES

SECTION .0100 - GENERAL RULES

.0101 DEFINITIONS

(a) All definitions set out in G.S. 113, Subchapter IV apply to this Chapter.

(b) The following additional terms are hereby defined:

(1) Commercial Fishing Equipment or Gear. All fishing equipment used in coastal fishing waters except:

- (A) Seines less than 30 feet in length;
- (B) Collapsible crab traps, a trap used for taking crabs with the largest open dimension no larger than 18 inches and that by design is collapsed at all times when in the water, except when it is being retrieved from or lowered to the bottom;
- (C) Spears, Hawaiian slings or similar devices which propel pointed implements by mechanical means, including elastic tubing or bands, pressurized gas or similar means;
- (D) A dip net having a handle not more than eight feet in length and a hoop or frame to which the net is attached not exceeding 60 inches along the perimeter;
- (E) Hook-and-line and bait-and-line equipment other than multiple-hook or multiple-bait trotline;
- (F) A landing net used to assist in taking fish when the initial and primary method of taking is by the use of hook and line;
- (G) Cast Nets;
- (H) Gigs or other pointed implements which are propelled by hand, whether or not the implement remains in the hand; and
- (I) Up to two minnow traps.

(2) Fixed or stationary net. A net anchored or staked to the bottom, or some structure attached to the bottom, at both ends of the net.

(3) Mesh Length. The diagonal distance from the inside of one knot to the outside of the other knot, when the net is stretched hand-tight.

(4) Possess. Any actual or constructive holding whether under claim of ownership or not.

(5) Transport. Ship, carry, or cause to be carried or moved by public or private carrier by land, sea, or air.

(6) Use. Employ, set, operate, or permit to be operated or employed.

(7) Purse Gill Nets. Any gill net used to encircle fish when the net is closed by the use of a purse line through rings located along the top or bottom line or elsewhere on such net.

(8) Gill Net. A net set vertically in the water to capture fish by entanglement by the gills in its mesh as a

Authority G.S. 143-215.3(a)(1); 143-215.107(a)(11); 143-215.108(a);

result of net design, construction, mesh size, webbing diameter or method in which it is used.

- (9) Seine. A net set vertically in the water and pulled by hand or power to capture fish by encirclement and confining fish within itself or against another net, the shore or bank as a result of net design, construction, mesh size, webbing diameter, or method in which it is used.
- (10) Internal Coastal Waters or Internal Waters. All coastal fishing waters except the Atlantic Ocean.
- (11) Channel Net. A net used to take shrimp which is anchored or attached to the bottom at both ends or with one end anchored or attached to the bottom and the other end attached to a boat.
- (12) Dredge. A device towed by engine power consisting of a frame, tooth bar or smooth bar, and catchbag used in the harvest of oysters, clams, crabs, scallops, or conchs.
- (13) Mechanical methods for clamming. Includes, but not limited to, dredges, hydraulic clam dredges, stick rakes and other rakes when towed by engine power, patent tongs, kicking with propellers or deflector plates with or without trawls, and any other method that utilizes mechanical means to harvest clams.
- (14) Mechanical methods for oystering. Includes, but not limited to, dredges, patent tongs, stick rakes and other rakes when towed by engine power and any other method that utilizes mechanical means to harvest oysters.
- (15) Depuration. Purification or the removal of adulteration from live oysters, clams, and mussels by any natural or artificially controlled means.
- (16) Peeler Crab. A blue crab that has a soft shell developing under a hard shell and having a definite pink, white, or red line or rim on the outer edge of the back fin or flipper.
- (17) Length of finfish.
 - (A) Total length is determined by measuring along a straight line the distance from the tip of the snout with the mouth closed to the tip of the compressed caudal (tail) fin.
 - (B) Fork length is determined by measuring along a straight line the distance from the tip of the snout with the mouth closed to the middle of the fork in the caudal (tail) fin.
 - (C) Fork length for billfish is measured from the tip of the lower jaw to the middle of the fork of the caudal (tail) fin.
- (18) Licensee. Any person holding a valid license from the Department to take or deal in marine fisheries resources.
- (19) Aquaculture operation. An operation that produces artificially propagated stocks of marine or estuarine resources or obtains such stocks from authorized sources for the purpose of rearing in a controlled environment. A controlled environment provides and maintains throughout the rearing process one or more of the following: predator protection, food, water

circulation, salinity, or temperature controls utilizing proven technology not found in the natural environment.

- (20) Critical habitat areas. The fragile estuarine and marine areas that support juvenile and adult populations of economically important seafood species, as well as forage species important in the food chain. Critical habitats include nursery areas, beds of submerged aquatic vegetation, shellfish producing areas, anadromous fish spawning and anadromous fish nursery areas, in all coastal fishing waters as determined through marine and estuarine survey sampling. Critical habitats are vital for portions, or the entire life cycle, including the early growth and development of important seafood species.
 - (A) Beds of submerged aquatic vegetation are those habitats in public trust and estuarine waters vegetated with one or more species of submerged vegetation such as eelgrass (*Zostera marina*), shoalgrass (*Halodule wrightii*) and widgeongrass (*Ruppia maritima*). These vegetation beds occur in both subtidal and intertidal zones and may occur in isolated patches or cover extensive areas. In either case, the bed is defined by the presence of above-ground leaves or the below-ground rhizomes and propagules together with the sediment on which the plants grow. In defining beds of submerged aquatic vegetation, the Marine Fisheries Commission recognizes the Aquatic Weed Control Act of 1991 (G.S. 113A-220 et. seq.) and does not intend the submerged aquatic vegetation definition and its implementing rules to apply to or conflict with the non-development control activities authorized by that Act.
 - (B) Shellfish producing habitats are those areas in which economically important shellfish, such as, but not limited to clams, oysters, scallops, mussels, and whelks, whether historically or currently, reproduce and survive because of such favorable conditions as bottom type, salinity, currents, cover, and cultch. Included are those shellfish producing areas closed to shellfish harvest due to pollution.
 - (C) Anadromous fish spawning areas are defined as those areas where evidence of spawning of anadromous fish has been documented by direct observation of spawning, capture of running ripe females, or capture of eggs or early larvae.
 - (D) Anadromous fish nursery areas are defined as those areas in the riverine and estuarine systems utilized by post-larval and later juvenile anadromous fish.
- (21) Intertidal Oyster Bed. A formation, regardless of size or shape, formed of shell and live oysters of varying

- density.
- (22) North Carolina Trip Ticket. Multiple-part form provided by the Department to fish dealers who are required to record and report transactions on such forms.
- (23) Transaction. Act of doing business such that fish are sold, offered for sale, exchanged, bartered, distributed or landed. The point of landing shall be considered a transaction when the fisherman is the fish dealer.
- (24) Live rock. Living marine organisms or an assemblage thereof attached to a hard substrate including dead coral or rock (excluding mollusk shells). For example, such living marine organisms associated with hard bottoms, banks, reefs, and live rock may include, but are not limited to:
- (A) Animals:
- (i) Sponges (Phylum Porifera);
 - (ii) Hard and Soft Corals, Sea Anemones (Phylum Cnidaria):
 - (I) Fire corals (Class Hydrozoa);
 - (II) Gorgonians, whip corals, sea pansies, anemones, Solenastrea (Class Anthozoa);
 - (iii) Bryozoans (Phylum Bryozoa);
 - (iv) Tube Worms (Phylum Annelida):
 - (I) Fan worms (Sabellidae);
 - (II) Feather duster and Christmas tree worms (Serpulidae);
 - (III) Sand castle worms (Sabellaridae);
 - (v) Mussel banks (Phylum Mollusca: Gastropoda);
 - (vi) Colonial barnacles (Arthropoda: Crustacea: Megabalanus sp.).
- (B) Plants:
- (i) Coralline algae (Division Rhodophyta);
 - (ii) Acetabularia sp., Udotea sp., Halimeda sp., Caulerpa sp. (Division Chlorophyta);
 - (iii) Sargassum sp., Dictyopteris sp., Zonaria sp. (Division Phaeophyta).
- (25) Coral:
- (A) Fire corals and hydrocorals (Class Hydrozoa);
 - (B) Stony corals and black corals (Class Anthozoa, Subclass Scleractinia);
 - (C) Octocorals; Gorgonian corals (Class Anthozoa, Subclass Octocorallia):
 - (i) Sea fans (Gorgonia sp.);
 - (ii) Sea whips (Leptogorgia sp. and Lophogorgia sp.);
 - (iii) Sea pansies (Renilla sp.).
- (26) Shellfish production on leases and franchises:
- (A) The culture of oysters, clams, scallops, and mussels, on shellfish leases and franchises from a sublegal harvest size to a marketable size.
 - (B) The transplanting (relay) of oysters, clams, scallops and mussels from designated areas closed due to pollution to shellfish leases and franchises in open waters and the natural cleansing of those shellfish.
- (27) Shellfish marketing from leases and franchises. The harvest of oysters, clams, scallops, mussels, from privately held shellfish bottoms and lawful sale of those shellfish to the public at large or to a licensed shellfish dealer.
- (28) Shellfish planting effort on leases and franchises. The process of obtaining authorized cultch materials, seed shellfish, and polluted shellfish stocks and the placement of those materials on privately held shellfish bottoms for increased shellfish production.
- (29) Pound Net. A fish trap consisting of a holding pen, one or more enclosures, and a lead or leaders. The lead(s), enclosures, and holding pen are not conical, nor are they supported by hoops or frames.
- (30) Educational Institution. A college, university or community college accredited by a regional accrediting institution.
- (31) Long Haul Operations. A seine towed between two boats.
- (32) Swipe Net Operations. A seine towed by one boat.
- (33) Bunt Net. The last encircling net of a long haul or swipe net operation constructed of small mesh webbing. The bunt net is used to form a pen or pound from which the catch is dipped or bailed.
- (34) Responsible party. Person who coordinates, supervises or otherwise directs operations of a business entity, such as a corporate officer or executive level supervisor of business operations and the person responsible for use of the issued license in compliance with applicable laws and rules.
- (35) New fish dealer. Any fish dealer making application for a fish dealer license who did not possess a valid dealer license for the previous license year in that name. For purposes of license issuance, adding new categories to an existing fish dealers license does not constitute a new dealer.
- (36) Tournament Organizer. The person who coordinates, supervises or otherwise directs a recreational fishing tournament and is the holder of the Recreational Fishing Tournament License.
- (37) Holder. A person who has been lawfully issued in their name a license, permit, franchise, lease, or assignment.
- (38) Recreational Purpose. A fishing activity has a recreational purpose if it is not a commercial fishing operation as defined in G.S. 113-168.
- (39) Recreational Possession Limit. Includes, but is not limited to, restrictions on size, quantity, season, time period, area, means, and methods where take or possession is for a recreational purpose.
- (40) Attended. Being in a vessel, in the water or on the shore immediately adjacent to the gear and immediately available to work the gear and within 100 yards of any gear in use by that person at all times. Attended does not include being in a building or

structure.

- (41) Commercial Quota. Total quantity of fish allocated for harvest taken by commercial fishing operations.
- (42) Recreational Quota. Total quantity of fish allocated for harvest taken for a recreational purpose.
- (43) Office of the Division. Physical locations of the Division conducting license transactions in the cities of Wilmington, Washington, Morehead City, Columbia, Wanchese and Elizabeth City, North Carolina. Other businesses or entities designated by the Secretary to issue Recreational Commercial Gear Licenses are not considered Offices of the Division.
- (44) Land:
 - (A) For purposes of trip tickets, when fish reach a licensed seafood dealer, or where the fisherman is the dealer, when the fish reaches the shore or a structure connected to the shore.
 - (B) For commercial fishing operations, when fish reach the shore or a structure connected to the shore.
 - (C) For recreational fishing operations, when fish are retained in possession by the fisherman.
- (45) Master. Captain of a vessel or one who commands and has control, authority, or power over a vessel.
- (46) Regular Closed Oyster Season. The regular closed oyster season occurs from May 15 through October 15, unless amended by the Fisheries Director through proclamation authority.
- (47) Assignment. Temporary transferral to another person of privileges under a license for which assignment is permitted. The person assigning the license delegates the privileges permitted under the license to be exercised by the assignee, but retains the power to revoke the assignment at any time, is still the responsible party for the license.
- (48) Transfer. Permanent transferral to another person of privileges under a license for which transfer is permitted. The person transferring the license retains no rights or interest under the license transferred.

*Authority G.S. 113-134; 143B-289.52;
Amended Eff. August 1, 2000.*

.0105 LEAVING DEVICES UNATTENDED

(a) It is unlawful to leave stakes, anchors, nets, buoys, or floating devices in any coastal fishing waters when such devices are not being employed in fishing operations except as otherwise provided by rule or General Statute.

(b) It is unlawful to leave pots in any coastal fishing waters for more than seven consecutive days, when such pots are not being employed in fishing operations, except upon a timely and sufficient showing of hardship as defined in Subparagraph (b)(2) of this Rule or as otherwise provided by General Statute.

- (1) Agents of the Fisheries Director may tag pots with a device approved by the Fisheries Director to aid and assist in the investigation and identification of unattended pots. Any such device attached to a pot by agents of the Fisheries Director must be removed

by the individual utilizing the pot within days of attachment in order to demonstrate that the pot is being employed in fishing operations.

- (2) For the purposes of Paragraph (b) of this Rule only, a timely and sufficient showing of hardship in a commercial fishing operation shall be written notice given to the Fisheries Director that a mechanical breakdown of the owner's vessel(s) currently registered with the Division of Marine Fisheries under G.S. 113-168.6, or the death, illness or incapacity of the owner of the pot or his immediate family, as defined in G.S. 113-168, prevented or will prevent employing such pots in fishing operations more than seven consecutive days. The notice, specifying the time needed because of hardship, shall be received by the Fisheries Director before any pot is left in coastal fishing waters for seven consecutive days without being employed in fishing operations, and shall state, in addition to the following, the number and specific location of the pots, and the date on which the pots will be employed in fishing operations or removed from coastal fishing waters:
 - (A) in case of mechanical breakdown, the notice shall state the commercial fishing vessel registration number, owner's N.C. motor boat registration number of the disabled vessel, date disabled, arrangements being made to repair the vessel or a copy of the work order showing the name, address and phone number of the repair facility; or
 - (B) in case of the death, illness or incapacity of the owner of the pot or his immediate family, the notice shall state the name of the owner or immediate family member, the date of death, the date and nature of the illness or incapacity. The Fisheries Director may require a doctor's verification of the illness or incapacity.
- (3) The Fisheries Director may, by proclamation, modify the seven day requirement, if necessary due to hurricanes, severe weather or other variable conditions.

Failure to employ in fishing operations or remove from coastal fishing waters all pots for which notice of hardship is received under this Rule within 14 days of the expiration of the hardship shall be violation of this Rule.

(c) It is unlawful to set or have any fishing equipment in coastal fishing waters in violation of this Section or which contains edible species of fish unfit for human consumption.

*Authority G.S. 113-134; 113-137; 113-182; 143B-289.52;
Amended Eff. August 1, 2000.*

.0114 RECORDKEEPING REQUIREMENTS

(a) It is unlawful for a fish dealer:

- (1) To fail to accurately and legibly complete all mandatory items on the North Carolina trip ticket for each transaction and submit the trip ticket in accordance with G.S. 113-168.2;

- (2) To fail to provide to the Division a completed no transaction form by the tenth day of the following month when no transactions occurred for a month;
 - (3) To fail to keep all trip tickets and all supporting documentation for each transaction including receipts, checks, bills of lading, records and accounts for a period of not less than three years.
- (b) It is unlawful for a seller licensed under G.S. 113, Article 14A or donor to fail to provide to the fish dealer, at the time of transaction, the following:
- (1) A current and valid license or permit to sell the type of fish being offered and if a vessel is used, the commercial fishing vessel registration; and
 - (2) Complete and accurate information on harvest method and area of catch and other information required by the Division.
- (c) It is unlawful to transport fish without having ready at hand for inspection a bill of consignment, bill of lading, or other shipping documentation provided by the shipping dealer showing thereon the name of the consignee, name of the shipper, the date of the shipment, and the quantity of each species of fish shipped. In the event the fisherman taking the fish is also a dealer and ships from the point of landing, all shipping records shall be recorded at the point of landing. Fishermen who transport their fish directly to dealers are exempt from this Paragraph of this Rule.
- (d) It is unlawful to export fish landed in the State in a commercial fishing operation without a North Carolina licensed fish dealer completing all the record keeping requirements in G.S. 113-168.2(i).
- (e) It is unlawful to offer for sale fish purchased from a licensed fish dealer without having ready at hand for inspection written documentation of purchase showing thereon the name of the licensed dealer, name of the purchaser, date of the purchase, and the quantity of each species purchased.
- (f) It is unlawful for a holder of a Fish Dealer's License to have fish in possession at a licensed location fish without written documentation from a licensed fish dealer or a completed North Carolina Marine Fisheries Trip Ticket to show the quantity and origin of all fish.

Authority G.S. 113-134; 113-168.2; 113-168.3; 113-169.3; 113-170; 113-170.3; 113-170.4; 143B-289.52;
Amended Eff. August 1, 2000.

.0117 FISHERY RESOURCE GRANT PROGRAM

Authority G.S. 113-134; 113-200; 143B-289.52; 1993 (Regular Session 1994), c. 769, s. 27.17;
Repealed Eff. January 1, 2000.

SUBCHAPTER 3J - NETS, POTS, DREDGES, AND OTHER FISHING DEVICES

SECTION .0100 - NET RULES, GENERAL

.0104 TRAWL NETS

- (a) It is unlawful to use trawl nets for the taking of finfish in

internal waters, except that it shall be permissible to take or possess finfish incidental to crab or shrimp trawling in accordance with the following limitations:

- (1) It is unlawful to possess aboard a vessel while using a trawl in internal waters more than 500 pounds of finfish from December 1 through February 28 and 1,000 pounds of finfish from March 1 through November 30.
- (2) The Fisheries Director may, by proclamation, close any area to trawling for specific time periods in order to secure compliance of this Paragraph.

(b) It is unlawful to use trawl nets:

- (1) In internal coastal waters, between one hour after sunset Friday and one hour before sunset on Sunday;
- (2) For the taking of oysters;
- (3) In Albemarle Sound and its tributaries;
- (4) In the areas described in 15A NCAC 3R .0106;
- (5) From December 1 through February 28 from one hour after sunset to one hour before sunrise in the following areas:

- (A) In Pungo River north of a line beginning at a point on Wades Point 35° 23' 17" N - 76° 34' 30" W; running 060° (M) to a point on Currituck Point 35° 24' 35" N - 76° 32' 19" W.
- (B) In Pamlico River west of a line beginning at a point on the south shore near Fulford Point 35° 19' 52" N - 76° 35' 56" W; running 026° (M) through Flashing Red Marker "1" to a point on Wades Point 35° 23' 17" N - 76° 34' 30" W.
- (C) In Bay River west of a line beginning at a point on Maw Point 35° 09' 02" N - 76° 32' 10" W; running 021° (M) through Flashing Green Marker "1" to a point on Bay Point 35° 11' 01" N - 76° 31' 35" W.
- (D) In Neuse River west of a line beginning at a point off Cherry Point 34° 56' 17" N - 76° 48' 37" W; running 020° (M) through Flashing Red Marker "9" to a point off Wilkinson Point 34° 57' 58" N - 76° 48' 22" W.
- (E) In New River all waters upstream of the N.C. Highway 172 Bridge.

(c) Minimum mesh sizes for shrimp and crab trawls are presented in 15A NCAC 3L .0103 and .0202.

(d) The Fisheries Director may, with prior consent of the Marine Fisheries Commission, by proclamation, require bycatch reduction devices or codend modifications in trawl nets to reduce the catch of finfish that do not meet size limits or are unmarketable as individual foodfish by reason of size.

(e) It is unlawful to use shrimp trawl for recreational purposes unless the trawl is marked by attaching to the cod end (tailbag), one floating buoy, any shade of hot pink in color, which shall be of solid foam or other solid buoyant material no less than five inches in diameter and no less than five inches in length. The owner shall always be identified on the buoy by using an engraved buoy or by attaching engraved metal or plastic tags to the buoy. Such identification shall include owner's last name and initials and if a vessel is used, one of the

following:

- (1) Gear owner's current motor boat registration number, or
- (2) Owner's U.S. vessel documentation name.

(f) It is unlawful to use shrimp trawls for the taking of blue crabs in internal waters, except that it shall be permissible to take or possess blue crabs incidental to shrimp trawling in accordance with the following limitations:

- (1) For individuals using shrimp trawls authorized by a Recreational Commercial Gear License, 50 blue crabs, not to exceed 100 blue crabs if two or more Recreational Commercial Gear License holders are on board.
- (2) For commercial operations, crabs may be taken incidental to lawful shrimp trawl operations provided that the weight of the crabs shall not exceed:
 - (A) 50 percent of the total weight of the combined crab and shrimp catch; or
 - (B) 300 pounds, whichever is greater.
- (3) The Fisheries Director may, by proclamation, close any area to trawling for specific time periods in order to secure compliance of this Paragraph.

Authority G.S. 113-134; 113-173; 113-182; 113-221; 143B-289.52;

Amended Eff. August 1, 2000.

.0110 SEINES

It is unlawful to use seines 30 feet or over in length for recreational purposes unless the net is marked by attaching to the corkline one floating buoy, any shade of hot pink in color, which shall be of solid foam or other solid buoyant material no less than five inches in diameter and no less than five inches in length. The owner shall always be identified on the buoy using engraved buoys or by attaching engraved metal or plastic tags to the buoy. Such identification shall include owner's last name and initials and if a vessel is used, one of the following:

- (1) Gear owner's current motor boat registration number, or
- (2) Owner's U.S. vessel documentation name.

Authority G.S. 113-134; 113-173; 113-182; 143B-289.52;

Amended Eff. August 1, 2000.

SECTION .0300 - POTS, DREDGES, AND OTHER FISHING DEVICES

.0301 POTS

(a) It is unlawful to use pots except during time periods and in areas specified herein:

- (1) From November 1 through April 30, except that all pots shall be removed from internal waters from January 24 through February 7. Fish pots upstream of U.S. 17 Bridge across Chowan River and upstream of a line across the mouth of Roanoke, Cashie, Middle and Eastmost Rivers to the Highway 258 Bridge are exempt from the January 24 through February 7 removal requirement. The Fisheries Director may, by

proclamation, reopen various waters to the use of pots after January 28 if it is determined that such waters are free of pots.

- (2) From May 1 through October 31, north and east of the Highway 58 Bridge at Emerald Isle:

- (A) In areas described in 15A NCAC 3R .0107(a);
- (B) To allow for the variable spatial distribution of crustacea and finfish, the Fisheries Director may, by proclamation, specify time periods for or designate the areas described in 15A NCAC 3R .0107(b); or any part thereof, for the use of pots.

- (3) From May 1 through October 31 in the Atlantic Ocean and west and south of the Highway 58 Bridge at Emerald Isle in areas and during time periods designated by the Fisheries Director by proclamation.

(b) It is unlawful to use pots:

- (1) in any navigation channel marked by State or Federal agencies; or
- (2) in any turning basin maintained and marked by the North Carolina Ferry Division.

(c) It is unlawful to use pots in a commercial fishing operation unless each pot is marked by attaching a floating buoy which shall be of solid foam or other solid buoyant material and no less than five inches in diameter and no less than five inches in length. Buoys may be of any color except yellow or hot pink. The owner shall always be identified on the attached buoy by using engraved buoys or by engraved metal or plastic tags attached to the buoy. Such identification shall include one of the following:

- (1) gear owner's current motorboat registration number; or
- (2) owner's U.S. vessel documentation name; or
- (3) owner's last name and initials.

(d) Pots attached to shore or a pier shall be exempt from Subparagraphs (a)(2) and (a)(3) of this Rule.

(e) It is unlawful to use shrimp pots with mesh lengths smaller than one and one-fourth inches stretch or five-eighths inch bar.

(f) It is unlawful to use eel pots with mesh sizes smaller than one inch by one-half inch unless such pots contain an escape panel that is at least four inches square with a mesh size of 1 inch x 2 inch located in the outside panel of the upper chamber of rectangular pots and in the rear portion of cylindrical pots, except that not more than two eel pots per fishing operation with a mesh of any size may be used to take eels for bait.

(g) It is unlawful to use crab pots in coastal waters unless each pot contains no less than two unobstructed escape rings that are at least 2 5/16 inches inside diameter and located in the opposite outside panels of the upper chamber of the pot. Peeler pots with a mesh size less than 1 1/2 inches shall be exempt from the escape ring requirement. The Fisheries Director may, by proclamation, exempt the escape ring requirement in order to allow the harvest of peeler crabs or mature female crabs and may impose any or all of the following restrictions:

- (1) Specify areas, and
- (2) Specify time.

(h) It is unlawful to use more than 150 pots per vessel in

Newport River.

(i) It is unlawful to remove crab pots from the water or remove crabs from crab pots between one hour after sunset and one hour before sunrise.

(j) User Conflicts:

- (1) The Fisheries Director may, with the prior consent of the Marine Fisheries Commission, by proclamation close any area to the use of pots in order to resolve user conflict. The Fisheries Director shall hold a public meeting in the affected area before issuance of such proclamation.
 - (2) Any person(s) desiring to close any area to the use of pots may make such request in writing addressed to the Director of the Division of Marine Fisheries. Such requests shall contain the following information:
 - (A) A map of the proposed closed area including an inset vicinity map showing the location of the proposed closed area with detail sufficient to permit on-site identification and location;
 - (B) Identification of the user conflicts causing a need for closing the area to the use of pots;
 - (C) Recommended method for resolving user conflicts; and
 - (D) Name and address of the person(s) requesting the closed area.
 - (3) Person(s) making the requests to close an area will be required to present their request at the public meeting.
 - (4) The Fisheries Director shall deny the request or submit a proposed proclamation granting the request to the Marine Fisheries Commission for their approval.
- (k) It is unlawful to use pots to take crabs unless the line connecting the pot to the buoy is non-floating.

Authority G. S. 113-134; 113-173; 113-182; 113-221; 143B-289.52;

Amended Eff. August 1, 2000.

.0302 RECREATIONAL USE OF POTS

(a) It is unlawful to use pots for recreational purposes unless each pot is marked by attaching one floating buoy, any shade of hot pink in color, which shall be of solid foam or other solid buoyant material no less than five inches in diameter and no less than five inches in length. The owner shall always be identified on the buoy using engraved buoys or by attaching engraved metal or plastic tags to the buoy. Such identification shall include the owner's last name and initials and if a vessel is used, one of the following:

- (1) Gear owner's current motor boat registration number, or
- (2) Owner's U.S. vessel documentation name.

(b) It is unlawful for a person to use more than one crab pot attached to the shore along privately owned land or to a privately owned pier without possessing a valid Recreational Commercial Gear License.

Authority G.S. 113-134; 113-173; 113-182; 143B-289.52;

Amended Eff. August 1, 2000.

.0305 TROT LINES (MULTIPLE HOOK OR MULTIPLE BAIT)

It is unlawful to use multiple hook or multiple bait trotlines for recreational purposes unless such trotlines are marked by attaching to them at each end one floating buoy, any shade of hot pink in color, which shall be of solid foam or other solid buoyant material no less than five inches in diameter and no less than five inches in length. The owner shall always be identified on the buoy by using an engraved buoy or by attaching engraved metal or plastic tags to the buoy. Such identification shall include owner's last name and initials and if a vessel is used, one of the following:

- (1) Gear owner's current motor boat registration number, or
- (2) Owner's U.S. vessel documentation name.

Authority G.S. 113-134; 113-173; 113-182; 143B-289.52;
Amended Eff. August 1, 2000.

SUBCHAPTER 3K - OYSTERS, CLAMS, SCALLOPS AND MUSSELS

SECTION .0100 - SHELLFISH, GENERAL

.0101 PROHIBITED SHELLFISH AREAS/ACTIVITIES

(a) It is unlawful to possess, sell, or take oysters, clams or mussels from areas which have been designated as prohibited (polluted) by proclamation by the Fisheries Director except as provided in 15A NCAC 3K .0103, .0104, and .0401. The Fisheries Director shall issue such proclamations upon notice by the Division of Environmental Health that duly adopted criteria for approved shellfish harvest areas have not been met. The Fisheries Director may reopen any such closed area upon notification from the Division of Environmental Health that duly adopted criteria for approved shellfish harvest areas have been met. Copies of these proclamations and maps of these areas are available upon request at the Division of Marine Fisheries, 3441 Arendell St., Morehead City, NC 28557; (252) 726-7021.

(b) The Fisheries Director may, by proclamation, close areas to the taking of oysters, clams, scallops and mussels in order to protect the shellfish populations for management purposes or for public health purposes not specified in Paragraph (a) of this Rule.

(c) It is unlawful to possess or sell oysters, clams, or mussels taken from polluted waters outside North Carolina.

(d) It is unlawful to possess or sell oysters, clams, or mussels taken from the waters of North Carolina except as provided in G.S. 113-169.2(i) without a harvest tag affixed to each container of oysters, clams or mussels. Harvest tags shall be affixed by the harvester and shall meet the following criteria:

- (1) Tags shall be identified as harvest tags. They shall be durable for at least 90 days, water resistant, and a minimum of two and five-eighths inches by five and one-fourth inches in size.
- (2) Tags shall be securely fastened to the outside of each container in which shellstock is transported. Bulk shipments in one container and from the same source

may have one tag with all required information attached. Harvesters who are also certified shellfish dealers may use only their dealers tag if it contains the required information. The required information shall be included on all lots of shellfish subdivided or combined into market grades or market quantities by a harvester or a certified shellfish dealer.

- (3) Tags shall contain legible information arranged in the specific order as follows:
 - (A) The harvester's name, address and shellfish license or standard or retired standard commercial fishing license with shellfish endorsement number.
 - (B) The date of harvest.
 - (C) The most precise description of the harvest location as is practicable (e.g., Long Bay, Rose Bay) that can be easily located by maps and charts.
 - (D) Type and quantity of shellfish.
 - (E) The following statement will appear in bold, capitalized type: "THIS TAG IS REQUIRED TO BE ATTACHED UNTIL CONTAINER IS EMPTY AND THEREAFTER KEPT ON FILE FOR 90 DAYS".

Authority G.S. 113-134; 113-168.5; 113-169.2; 113-182; 113-221; 143B-289.52;

Amended Eff. August 1, 2000.

.0105 HARVEST OF CRABS AND SHELLFISH

(a) It is unlawful for individuals who harvest blue crabs for a recreational purpose to possess more than 50 blue crabs per person per day not to exceed 100 blue crabs per vessel per day.

(b) It is unlawful to exceed the daily vessel limits specified in G.S. 113-169.2 without each person having ready at hand a valid standard or retired standard commercial fishing license with shellfish endorsement or a shellfish license.

(c) It is unlawful to take oysters or clams on Sundays and scallops on Saturdays and Sundays except:

- (1) during open seasons, and
- (2) in accordance with limits outlined in G.S. 113-169.2.

Authority G.S. 113-134; 113-169.2; 113-182; 143B-289.52;

Amended Eff. August 1, 2000.

.0106 TAKING OR UNLOADING OYSTERS AND CLAMS ON SUNDAY OR AT NIGHT

(a) It is unlawful to take oysters or clams between the hours of sunset and sunrise on any day.

(b) It is unlawful to unload oysters or clams from any vessel or remove any vessel containing oysters or clams from the water on Sunday or between sunset and sunrise on any day except that in New Hanover, Pender and Brunswick Counties, oysters and clams may be unloaded until two hours after sunset. Oysters and clams taken on Sunday under the provisions of 15A NCAC 3K .0105 are exempt from the Sunday unloading prohibition.

Authority G.S. 113-134; 113-182; 143B-289.52;

Amended Eff. August 1, 2000.

SECTION .0200 - OYSTERS

.0202 SIZE LIMIT AND CULLING TOLERANCE

(a) It is unlawful to possess oysters which have accumulated dead shell, accumulated oyster cultch material, a shell length less than that specified by proclamation, or any combination thereof that exceeds a 10 percent tolerance limit by volume. In determining whether the tolerance limit is exceeded, the Fisheries Director and his agents may grade all, or any portion, or any combination of portions of the entire quantity being graded, and in cases of violations, may seize and return to public bottom or otherwise dispose of the oysters as authorized by law.

(b) All oysters shall be culled by the catcher where harvested and all oysters of less than legal size, accumulated dead shell and cultch material, shall be immediately returned to the bottom from which taken.

(c) This Rule shall not apply to oysters imported from out-of-state solely for shucking by shucking and packing plants currently permitted by the Shellfish Sanitation Section of the Division of Environmental Health.

Authority G.S. 113-134; 113-182; 143B-289.52;

Amended Eff. August 1, 2000.

SUBCHAPTER 3L - SHRIMP, CRABS, AND LOBSTER

SECTION .0200 - CRABS

.0201 SIZE LIMIT AND CULLING TOLERANCE

(a) It is unlawful to possess blue crabs less than five inches from tip of spike to tip of spike except mature females, soft, peeler crabs and from March 1 through October 31, male crabs to be used as peeler bait. A tolerance of not more than 10 percent by number in any container shall be allowed.

(b) All crabs less than legal size, except mature female and soft crabs, shall be immediately returned to the waters from which taken. Peeler crabs shall be separated where taken and placed in a separate container. Those peeler crabs not separated shall be deemed hard crabs and are not exempt from the size restrictions specified in Paragraph (a) of this Rule.

Authority G.S. 113-134; 113-182; 113-221; 143B-289.52;

Amended Eff. August 1, 2000.

SUBCHAPTER 3O - LICENSES, LEASES, AND FRANCHISES

SECTION .0100 - LICENSES

.0103 AUXILIARY VESSELS

(a) Buy boats, run boats, purse boats or any other vessels used in conjunction with commercial fishing operations, except vessels without motors used in connection with other vessels with commercial fishing vessel registrations, shall have a commercial fishing vessel registration.

(b) A person in command of a vessel that is auxiliary to a

vessel with a commercial fishing vessel registration with a person aboard who holds a Standard Commercial Fishing License or a Retired Standard Commercial Fishing License engaged in a commercial fishing operation using a pound net, long-haul, beach seine or purse seine is exempt from the provisions of G.S. 113-168.2 (a1).

Authority G.S. 113-134; 113-168.1; 113-168.2; 113-168.5; 113-168.6; 113-169; 143B-289.52;

Amended Eff. August 1, 2000.

.0104 COMMERCIAL UNLOADING OF FISH

It is unlawful to unload fish from a vessel in North Carolina which has been engaged in a commercial fishing operation outside state waters without possessing a valid:

- (1) Standard or Retired Standard Commercial Fishing Licenses; or
- (2) a Menhaden License for Nonresidents Without a Standard Commercial Fishing License; or
- (3) a Shellfish License for North Carolina Residents without a Standard Commercial Fishing Licenses; or
- (4) a Land or Sell License.

Authority G.S. 113-168.1; 113-168.2; 113-168.4; 113-169; 113-169.5; 143B-289.52;

Amended Eff. August 1, 2000.

.0106 DISPLAY OF LICENSES AND REGISTRATIONS

(a) It is unlawful:

- (1) For any person to use a vessel required to be registered under the provisions of G.S. 113-168.6 in a commercial fishing operation without a current commercial fishing vessel registration decal mounted on an exterior surface so as to be plainly visible when viewed from the port side;
- (2) To display any commercial fishing vessel registration decal not issued for the vessel displaying it.

(b) It is unlawful to fail to display any fish dealer's licenses required by G.S. 113-169.3 or ocean fishing pier license required by G.S. 113-169.4 in prominent public view in each location subject to licensing.

Authority G.S. 113-168.6; 113-169.3; 113-169.4; 143B-289.52;
Amended Eff. August 1, 2000.

.0108 LICENSE TRANSFERS

(a) Licenses to Land Flounder from the Atlantic Ocean may only be transferred:

- (1) with the transfer of the ownership of a vessel that the licensee owns that individually met the eligibility requirements of 15A NCAC 30.0101 (b) (1) (A) and (b) (1) (B) to the new owner of that vessel. Transfer of the License to Land Flounder from the Atlantic Ocean transfers all flounder landings from the Atlantic Ocean associated with that vessel; or
- (2) by the owner of a vessel to another vessel under the same ownership.

Any transfer of license under this Paragraph may only be processed through the Division of Marine Fisheries Morehead City Office and no transfer is effective until approved and processed by the Division.

(b) Commercial Fishing Vessel Registration Transfer. When transferring ownership of a vessel bearing a current commercial fishing vessel registration, the new owner shall follow the requirements in 15A NCAC 30.0101 and pay a replacement fee of ten dollars (\$10.00) for a replacement commercial fishing vessel registration. The new owner must submit a form provided by the Division with the signatures of the former licensee and the signature of the new licensee notarized.

(c) Standard or Retired Standard Commercial Fishing License transfers.

- (1) A Standard or Retired Standard Commercial Fishing License may only be transferred if both the transferor and the transferee have no current suspensions or revocations of any Marine Fisheries license privileges.
- (2) At the time of the transfer of a Standard or Retired Standard Commercial Fishing License, the transferor must indicate the retainment or transfer of the landings history associated with that Standard or Retired Standard Commercial Fishing License. The transferor may retain a landings history only if the transferor holds an additional Standard or Retired Standard Commercial Fishing License. Transfer of a landings history is all or none.
- (3) To transfer a Standard or Retired Standard Commercial Fishing License, the following information is required:
 - (A) information on the transferee as set out in 15A NCAC 30.0101;
 - (B) notarization of the current license holder's and the transferee's signatures on a transfer form provided by the Division;
 - (C) when the transferee is a non-resident, a written certified statement from the applicant listing any violations involving marine and estuarine resources during the previous three years;
 - (D) when the transferor is retiring from commercial fishing, the transferor must submit evidence showing that such retirement has in fact occurred, for example, evidence of the transfer of all licensee's Standard Commercial Fishing Licenses, sale of all the licensee's registered vessels, or discontinuation of any active involvement in commercial fishing.

Properly completed transfer forms must be returned to Division Offices by mail or in person.

- (4) The Standard or Retired Standard Commercial Fishing License which is being transferred must be surrendered to the Division at the time of the transfer application.
- (5) Fees:
 - (A) Transferee must pay a replacement fee of ten dollars (\$10.00).
 - (B) Transferee must pay the differences in fees as

specified in G.S. 113-168.2 (e) or G.S. 113-168.3 (b) when the transferee who is a non-resident is being transferred a resident Standard or Retired Standard Commercial Fishing License.

- (C) Transferee must pay the differences in fees as specified in G.S. 113-168.2 (e) when the license to be transferred is a Retired Standard Commercial Fishing License and the transferee is less than 65 years old.

(6) Transfer of Standard or Retired Standard Commercial Fishing License for Deceased Licensees:

- (A) When the deceased licensee's immediate surviving family member(s) is eligible to hold the deceased's Standard Commercial Fishing License or Retired Standard Commercial Fishing License, the Administrator/Executor must give written notification within six months after the Administrator/Executor qualifies under G. S. 28A to the Morehead City Office of the Division of Marine Fisheries of the request to transfer the deceased's license to the estate Administrator/Executor.

- (B) A transfer to the Administrator/Executor shall be made according to the provisions of Subparagraphs (c) (2) - (c) (4) of this Rule. The Administrator/Executor must provide a copy of the deceased licensee's death certificate, a copy of the certificate of administration and a list of eligible immediate family members to the Morehead City Office of the Division of Marine Fisheries.

- (C) The Administrator/Executor may only transfer a license in the Administrator/Executor name on behalf of the estate to a eligible surviving family member. The surviving family member transferee may only transfer the license to a third party purchaser of the deceased licensee's fishing vessel. Transfers shall be made according to the provisions of Subparagraphs (c) 2 - (c) (4) of this Rule.

(d) Transfer forms submitted without complete and required information shall be deemed incomplete and will not be considered further until resubmitted with all required information.

(e) It is unlawful for a person to accept transfer of a Standard or Retired Standard Commercial Fishing License for which they are ineligible.

Authority G.S. 113-134; 113-168.1; 113-168.2; 113-168.3; 113-168.6; 143B-289.52;

Amended Eff. August 1, 2000.

.0109 ASSIGNMENT OF SCFL

(a) The Division of Marine Fisheries shall provide assignment forms upon issuance of the Standard Commercial Fishing License. Assignment must be made on the Division assignment forms. On the assignment form, the Standard

Commercial Fishing License holder must designate what, if any, endorsements are included in the assignment. Endorsements may not be assigned independent of the Standard Commercial Fishing License. It is unlawful for the Standard Commercial Fishing License holder to fail to submit within five days the completed assignment form to any office of the Division in person or by mail to the Morehead City Division Office. An assignment is in effect from the date specified on the assignment form and when:

- (1) assignment form is properly completed;
- (2) signatures of the current license holder and the assignee are notarized; and
- (3) assignee has in their possession the original actual Standard Commercial Fishing License with endorsements of the current license holder.

(b) Assignments terminate when:

- (1) date specified on the assignment form is reached; or
- (2) licensee or assignee are determined ineligible for a license or assignment; or
- (3) Division receives a notarized statement from the current license holder stating a revised date for an earlier assignment termination; or
- (4) upon the licensee or assignee's death; or
- (5) the Standard Commercial Fishing License expires.

If the properly completely assignment form is not received by the Division within five days from the date it was signed, the assignment is null and void. For an extension of time for assignments, a new assignment form must be completed in accordance with Subparagraphs (a)(1) - (3) of this Rule.

(c) It is unlawful for an individual assigned a Standard Commercial Fishing License to fail to have available ready at hand for inspection all required documents as stated under G.S. 113-168.1. The assignee when involved in a commercial fishing operation must have the original actual Standard Commercial Fishing License and any assigned endorsements and a copy of the assignment form in their possession ready for inspection.

(d) All landings occurring during the time of the assignment shall be credited to the Standard Commercial Fishing License holder, not the assignee.

(e) It is unlawful to be assigned more than a single Standard Commercial Fishing License at any one time. It is unlawful to assign a Standard Commercial Fishing License to more than one individual at any one time. Assignments may only be made by the person issued the Standard Commercial Fishing License and may not be further assigned by assignees. Masters identified on the Standard Commercial Fishing Licenses of corporations consisting of an individual fishing vessel may not assign such licenses.

(f) It is unlawful for a person to accept assignment of a Standard Commercial Fishing License for which they are ineligible.

(g) Assignments submitted without complete and required information shall be deemed not in effect and shall not be considered further until resubmitted with all required information.

(h) It is unlawful for any assignee of a Standard Commercial Fishing License not to return the assignment and the Standard Commercial Fishing License with any assigned endorsements to

the assignor of that license within five days of notice that the assignment has been terminated or a demand by the assignor to return the license.

Authority G.S. 113-134; 113-168.1; 113-168.2; 113-168.5; 143B-289.52;

Amended Eff. August 1, 2000.

.0111 SURRENDER OF LICENSES

(a) It is unlawful for any licensee to refuse to surrender to an agent of the Secretary all licenses, license receipts, endorsements, commercial fishing vessel registration decals, and other forms and records relating to the license following personal service of notice of suspension or revocation of licenses in accordance with G.S. 113-171.

(b) It is unlawful for any person in custody or possession of any licenses, license receipt, endorsements, commercial fishing vessel registration or decals, and other forms and records required to be surrendered to refuse to surrender same to an agent of the Secretary making such demand.

Authority G.S. 113-134; 113-171; 143B-289.52;

Amended Eff. August 1, 2000.

SECTION .0200 - LEASES AND FRANCHISES

.0201 STANDARDS FOR SHELLFISH BOTTOM AND WATER COLUMN LEASES

(a) All areas of the public bottoms underlying coastal fishing waters shall:

(1) Meet the following standards in addition to the standards in G.S. 113-202 in order to be deemed suitable for leasing for shellfish purposes:

(A) The lease area must not contain a natural shellfish bed which is defined as 10 bushels or more of shellfish per acre.

(B) The lease area must not be closer than 100 feet to a developed shoreline. In an area bordered by undeveloped shoreline, no minimum setback is required. When the area to be leased borders the applicant's property or borders the property of riparian owners who have consented in a notarized statement, the Secretary may reduce the distance from shore required by this Rule.

(C) Unless the applicant can affirmatively establish a necessity for greater acreage through the management plan that is attached to the application and other evidence submitted to the Secretary, the lease area shall not be less than one-half acre and shall not exceed:

- (i) 10 acres for oyster culture;
- (ii) 5 acres for clam culture; or
- (iii) 5 acres for any other species.

This Subparagraph shall not be applied to reduce any holdings as of July 1, 1983.

(2) Produce and market 25 bushels of shellfish per acre per year to meet the minimum commercial production

requirement or plant 25 bushels of cultch or seed shellfish per acre per year to meet commercial production by planting effort.

(A) Only shellfish planted, produced or marketed according to the definitions in 15A NCAC 31 .0101 (26), (27) and (28) shall be submitted on production/utilization forms for shellfish leases and franchises.

(B) If more than one shellfish lease or franchise is used in the production of shellfish, one of the leases or franchises used in the production of the shellfish must be designated as the producing lease or franchise for those shellfish. Each bushel of shellfish may be produced by only one shellfish lease or franchise. Shellfish transplanted between leases or franchises may be credited as planting effort on only one lease or franchise.

(C) Production and marketing information and planting effort information are compiled and averaged separately to assess compliance with the standards. The lease or franchise must meet either the production requirement or the planting effort requirement within the dates set forth to be judged in compliance with these standards.

(D) In determining production and marketing averages and planting effort averages for information not reported in bushel measurements, the following conversion factors shall be used:

- (i) 300 oysters, 400 clams, or 400 scallops equal one bushel;
- (ii) 40 pounds of scallop shell, 60 pounds of oyster shell, 75 pounds of clam shell and 90 pounds of fossil stone equal one bushel.

(E) In the event that a portion of an existing lease or franchise is obtained by a new owner, the production history for the portion obtained shall be a percentage of the originating lease or franchise production equal to the percentage of the area of lease or franchise site obtained to the area of the originating lease or franchise.

(F) All bushel measurements shall be in U.S. Standard Bushels.

(b) Water columns superjacent to leased bottoms shall meet the standards in G.S. 113-202.1 in order to be deemed suitable for leasing for aquaculture purposes.

(c) Water columns superjacent to duly recognized perpetual franchises shall meet the standards in G.S. 113-202.2 in order to be deemed suitable for leasing for aquaculture purposes.

(d) Water column leases must produce and market 100 bushels of shellfish per acre per year to meet the minimum commercial production requirement or plant 100 bushels of cultch or seed shellfish per acre per year as determined by Division biologists to meet commercial production by planting effort. The rules for determining production and marketing

averages and planting effort averages shall be the same for water column leases as for bottom leases and franchises set forth in Paragraph (a) of this Rule.

Authority G.S. 113-134; 113-201; 113-202; 113-202.1; 113-202.2; 143B-289.52;
Amended Eff. August 1, 2000.

SECTION .0300 - LICENSE APPEAL PROCEDURES

.0302 AUTHORIZED GEAR

(a) The following are the only commercial fishing gear authorized (including restrictions) for use under a valid Recreational Commercial Gear License:

- (1) One seine 30 feet or over in length but not greater than 100 feet with a mesh length less than 22 inches when deployed or retrieved without the use of a vessel or any other mechanical methods. A vessel may only be used to transport the seine;
- (2) One shrimp trawl with a headrope not exceeding 26 feet in length per vessel. Mechanical methods for retrieving the trawl are not authorized for recreational purposes, including but not limited to hand winches and block and tackle;
- (3) With or without a vessel, five eel, fish, shrimp, or crab pots in any combination, except only two pots of the five may be eel pots. Peeler pots are not authorized for recreational purposes;
- (4) One multiple hook or multiple bait trotline up to 100 feet in length;
- (5) Gill Nets:
 - (A) Not more than 100 yards of gill nets with a mesh length equal to or greater than 22 inches. Attendance is required at all times;
 - (B) Not more than 100 yards of gill nets with a mesh length equal to or greater than 52 inches. Attendance is required when used from one hour after sunrise through one hour before sunset;
 - (C) Not more than 100 yards of gill net may be used at any one time; and
 - (D) It is unlawful to possess aboard a vessel more than 100 yards of gill nets with a mesh length less than 52 inches and more than 100 yards of gill nets with a mesh length equal to or greater than 52 inches identified as recreational commercial fishing equipment; and
- (6) A hand-operated device generating pulsating electrical current for the taking of catfish in the area described in 15A NCAC 3J .0304.

(b) It is unlawful to use more than the quantity of authorized gear specified in Subparagraphs (a)(1) - (a)(6) of this Rule, regardless of the number of individuals aboard a vessel possessing a valid Recreational Commercial Gear License.

(c) It is unlawful for a person to violate the restrictions of or use gear other than that authorized by Paragraph (a) of this Rule.

(d) Unless otherwise provided, this Rule does not exempt Recreational Commercial Gear License holders from the

provisions of other applicable rules of the Marine Fisheries Commission or provisions of proclamations issued by the Fisheries Director as authorized by the Marine Fisheries Commission.

Authority G.S. 113-134; 113-173;
Amended Eff. August 1, 2000.

.0303 RECREATIONAL COMMERCIAL GEAR LICENSE POSSESSION LIMITS

(a) It is unlawful to possess more than a single recreational possession limit when only one person aboard a vessel possesses a valid Recreational Commercial Gear License and recreational commercial fishing equipment as defined in 15A NCAC 3O .0302(a) is used, regardless of the number of persons on board.

(b) It is unlawful to possess individual recreational possession limits in excess of the number of individuals aboard a vessel holding valid Recreational Commercial Gear Licenses.

(c) It is unlawful for any person who holds both a Recreational Commercial Gear License and a Standard or Retired Commercial Fishing License and who is in possession of identified recreational commercial fishing equipment as defined in 15A NCAC 3O .0302(a), to exceed the single recreational possession limit.

(d) It is unlawful for persons aboard a vessel collectively holding only one Recreational Commercial Gear License and any Standard Commercial Fishing License or Retired Standard Commercial Fishing License and who are in possession of any identified recreational commercial fishing equipment as defined in 15A NCAC 3O .0302(a), to exceed one recreational possession limit.

Authority G.S. 113-134; 113-170.4; 113-173; 143B-289.52;
Amended Eff. August 1, 2000.

SECTION .0400 - STANDARD COMMERCIAL LICENSE ELIGIBILITY

.0401 ELIGIBILITY BOARD

(a) The Chairman of the Marine Fisheries Commission, the Secretary of the Department of Environment and Natural Resources, and the Director of the Division of Marine Fisheries may each name a designee and an alternate designee to serve on the Eligibility Board as their representative in their absence.

(b) The Eligibility Board shall not review an application for eligibility without a quorum of the Eligibility Board members or designees being present. Two or more members of the Eligibility Board or their designees constitute a quorum.

Authority G.S. 113-134; 143B-289.52; S.L. 1998-225, s. 4:24;
Eff. August 1, 2000.

.0402 APPLICATION PROCESS

(a) Application forms for determination of eligibility for the Standard Commercial Fishing Licenses Eligibility Pool shall be available at all offices of the Division of Marine Fisheries and must be submitted to the Morehead City Office of the Division of Marine Fisheries for processing.

(b) Applications for determination of eligibility for the Standard Commercial Fishing License Eligibility Pool for the 1999-2000 license year shall be accepted beginning April 1, 1999. All applications received from April 1, 1999 through June 30, 1999, shall be reviewed for eligibility for the 1999-2000 license year.

(c) Only one application per individual for determination of eligibility for the Standard Commercial Fishing License Eligibility Pool shall be accepted or may be pending at any one time. An applicant may only have one entry in the eligibility pool at any one time.

(d) Individuals who currently hold or are eligible to purchase a Standard or Retired Standard Commercial Fishing License shall not be eligible to apply for additional Standard Commercial Fishing Licenses through the Standard Commercial Fishing License Eligibility Pool.

(e) If an applicant has died or becomes ineligible and is subsequently selected from the eligibility pool, that license eligibility shall automatically revert to the eligibility pool.

(f) Persons claiming retirement from commercial fishing or transferring their Standard Commercial Fishing License may not apply for pool eligibility for two years from the date of the last transfer.

(g) Applicants shall notify the Division of Marine Fisheries within 30 days of a change of address.

Authority G.S. 113-134; 143B-289.52; S.L. 1998-225, s. 4:24; Eff. August 1, 2000.

.0403 ELIGIBILITY BOARD REVIEW

(a) The Eligibility Board will meet on the first Wednesday of May, 1999, and shall review all applications to determine eligibility under criteria set out in 15A NCAC 30 .0404. This Board will continue to meet as needed until all applications received by the Division of Marine Fisheries by June 30, 1999, have been reviewed.

(b) After determination by the Eligibility Board, applicants will be notified in writing as to the applicant's meeting or not meeting required eligibility criteria for the Standard Commercial Fishing License Eligibility Pool.

(c) Within 30 days of completion of the review by the Eligibility Board of the applications for eligibility, the Marine Fisheries Commission shall conduct a Business Meeting to draw the 500 applications from the Standard Commercial Fishing License Eligibility Pool for issuance of licenses. This selection shall be done by a random selection process.

(d) If less than 500 applications are determined to be eligible in the applications submitted from April 1, 1999 through June 30, 1999, the Eligibility Board will meet the first Wednesday of each month until the 500 licenses in the Standard Commercial Fishing License Eligibility Pool have been issued or until June 30, 2000. The Marine Fisheries Commission will draw applications from the Standard Commercial Fishing License Eligibility Pool for issuance of licenses by a random selection process at their next regularly scheduled meeting.

(e) The Eligibility Board shall meet at least quarterly after the initial review, unless the 500 openings on the Standard Commercial Fishing License Eligibility Pool are not filled in the

initial review and drawing. Other meetings may be held as determined necessary by the Chairman of the Eligibility Board based on the number of applications received after June 30, 1999, to determine eligibility for future years' licenses.

(f) In subsequent years following the 1999-2000 license year, the Marine Fisheries Commission will determine the number for selection from the Standard Commercial Fishing License Eligibility Pool and draw the applications from the Standard Commercial Fishing License Eligibility Pool for issuance of licenses by a random selection process at their first scheduled meeting following July 1 of each year and as necessary throughout the year.

(g) In subsequent years following the 1999-2000 license year, the Eligibility Board shall meet at least quarterly to review applications.

Authority G.S. 113-134; 143B-289.52; S.L. 1998-225, s. 4:24; Eff. August 1, 2000.

.0405 APPLICATION DOCUMENTATION

Documentation for applications:

- (1) Statements from individuals verifying the applicant's involvement must contain the individual's name, address and telephone number and must be notarized.
- (2) Proof of income derived from commercial fishing or the commercial fishing industry. Proof of this income shall be tax records.
- (3) The extent to which the applicant has complied with federal and state laws, regulations, and rules relating to coastal fishing and protection of the environment. Federal compliance will be verified by a notarized statement from the applicant that he has complied with federal laws.
- (4) All documents required by this Rule must be notarized.
- (5) Applications shall be legible and complete or they will be returned.
- (6) It is unlawful to submit false statements on applications or supporting documents. If eligibility is based on false information provided by the applicant, this eligibility is automatically revoked.

Authority G.S. 113-134; 143B-289.52; S.L. 1998-225, s. 4:24; Eff. August 1, 2000.

.0406 STANDARD COMMERCIAL FISHING LICENSE ELIGIBILITY POOL CERTIFICATION

Annual certification to maintain an eligible application in the Standard Commercial Fishing License Eligibility Pool shall be as follows:

- (1) The applicant shall certify that the information on his original application is correct and that he desires to remain in the Standard Commercial Fishing License Eligibility Pool.
- (2) A certification form shall be provided and mailed to the applicant at the last known address by the Division.

- (3) This certification, with any changes such as address, phone number, or updated fisheries involvement information since the last application or certification must be notarized and submitted to the Division within 12 months of the initial application and annually thereafter.
- (4) Failure to return certification that application is correct or with changes within 30 days will result in the application being deleted from the Standard Commercial Fishing License Eligibility Pool.
- (5) An applicant that has been deleted from the Standard Commercial Fishing License Eligibility Pool shall receive a notice from the Division.

Authority G.S. 113-134; 143B-289.52; S.L. 1998-225, s. 4:24; Eff. August 1, 2000.

CHAPTER 7 - COASTAL MANAGEMENT

SUBCHAPTER 7H - STATE GUIDELINES FOR AREAS OF ENVIRONMENTAL CONCERN

SECTION .0200 - THE ESTUARINE AND OCEAN SYSTEM

.0201 ESTUARINE AND OCEAN SYSTEM CATEGORIES

Included within the estuarine and ocean system are the following AEC categories: estuarine waters, coastal wetlands, public trust areas, and estuarine and public trust shorelines. Each of the AECs is either geographically within the estuary or, because of its location and nature, may significantly affect the estuarine and ocean system.

Authority G.S. 113A-113(b)(1); 113A-113(b)(2); 113A-113(b)(5); 113A-113(b)(6)b; 113A-124; Amended Eff. August 1, 2000.

SECTION .1300 - GENERAL PERMIT TO MAINTAIN: REPAIR AND CONSTRUCT BOAT RAMPS ALONG ESTUARINE AND PUBLIC TRUST SHORELINES AND INTO ESTUARINE AND PUBLIC TRUST WATERS

.1301 PURPOSE

This permit will allow the construction of boat ramps of suitable materials along estuarine and public trust shorelines and into estuarine and public trust waters AECs according to the authority provided in Subchapter 7J .1100 and according to the following guidelines. This permit will not apply to the Ocean Hazard AEC.

Authority G.S. 113A-107(a); 113A-107(b); 113A-113(b); 113A-118.1; 113A-124.

SECTION .1600 - GENERAL PERMIT FOR THE INSTALLATION OF AERIAL AND SUBAQUEOUS UTILITY LINES WITH ATTENDANT STRUCTURES

IN COASTAL WETLANDS: ESTUARINE WATERS: PUBLIC TRUST WATERS AND ESTUARINE SHORELINES

.1601 PURPOSE

A permit under this Section shall allow for the installation of utility lines both aerially and subaqueously in the coastal wetland, estuarine water, public trust areas and estuarine and public trust shoreline AECs according to the authority provided in Subchapter 7J .1100 and according to the rules in this Section. This general permit shall not apply to the ocean hazard AECs.

Authority G.S. 113-229(c1); 113A-107(a)(b); 113A-113(b); 113A-118.1;

Amended Eff. August 1, 2000.

SECTION .1900 - GENERAL PERMIT TO ALLOW FOR TEMPORARY STRUCTURES WITHIN COASTAL SHORELINES AND OCEAN HAZARD AECS

.1901 PURPOSE

A permit under this Section shall allow for the placement of temporary structures within estuarine and public trust shorelines, and ocean hazard AECs according to the provisions provided in Subchapter 7J .1100 and according to the rules in this Section.

Authority G.S. 113-229(c1); 113A-107(a)(b); 113A-113(b); 113A-118.1;

Amended Eff. August 1, 2000.

SUBCHAPTER 7K - ACTIVITIES IN AREAS OF ENVIRONMENTAL CONCERN WHICH DO NOT REQUIRE A COASTAL AREA MANAGEMENT ACT PERMIT

SECTION .0200 - CLASSES OF MINOR MAINTENANCE AND IMPROVEMENTS WHICH SHALL BE EXEMPTED FROM THE CAMA MAJOR DEVELOPMENT PERMIT REQUIREMENT

.0203 PRIVATE BULKHEADS: RIPRAP: AND PIERS EXEMPTED

(a) The NC Coastal Resources Commission hereby exempts from the Coastal Area Management Act permit requirement work in the estuarine shoreline, public trust shoreline, and public trust waters areas of environmental concern necessary to maintain, repair, and construct private bulkheads with backfill, and to place riprap material along shorelines, and construct piers or mooring facilities in waters of North Carolina. This exemption is subject to the following conditions and limitations:

- (1) The activities exempted by this Rule shall be private, non-commercial activities conforming to the standards and conditions contained in this Rule. This exemption does not apply to development associated with multi-unit residential developments larger than duplexes or to marinas, commercial harbors, community or neighborhood boat access, fish houses

- or similar commercial activities.
 - (2) This exemption is applicable only along estuarine and public trust shorelines void of wetland vegetation types described in G.S. 113-229, or where all construction is to be accomplished landward of such vegetation, or where the pier is elevated above said wetlands.
 - (3) This exemption only applies to bulkheads, riprap, and piers in non-oceanfront areas.
 - (4) This exemption does not eliminate the need to obtain any other required federal, state, or local authorization.
 - (5) Before beginning any work under this exemption the Department of Environment and Natural Resources representative must be notified of the proposed activity to allow on-site review of the bulkhead, riprap material, or pier alignment. Notification may be by telephone, in person, or in writing. Notification must include:
 - (A) the name, address, and telephone number of landowner and location of work including county, nearest community, and water body;
 - (B) the dimensions of the proposed pier, bulkhead with backfill, or the area dimensions to be covered by placement of riprap material;
 - (C) confirmation that a written statement has been obtained, signed by the adjacent riparian property owners, indicating that they have no objections to the proposed work. (These statements do not have to be presented at the time of notification of intent to perform work, but the permittee must make it available to CRC agents at their request.)
 - (6) The landowner must agree to perform the work authorized in this Rule in a manner so as to conform with standards for development in the estuarine or public trust shoreline area of environmental concern.
- (b) Bulkheads and Riprap: Conditions
- (1) The permittee shall maintain structure of areas of riprap material authorized in this Rule in good condition.
 - (2) Bulkhead with backfill, and placement of riprap material exempted by this Rule shall be limited to a maximum shoreline length of 200 feet.
 - (3) The bulkhead backfill and riprap materials must be obtained from an upland source.
 - (4) No excavation is exempted under this Rule except that which may be required for installation of the riprap, bulkhead wall, deadmen, cables, or pilings.
 - (5) The proposed bulkhead alignment or area for placement of riprap material must be staked or flagged by the landowner in consultation with, or approved by, a state or federal permit officer prior to any construction activity. The bulkhead must be positioned so as not to extend more than an average distance of two feet waterward of the normal high water line or normal water line; in no place shall the bulkhead be more than five feet waterward of the normal high water line or normal water line. Construction activities must begin 90 days after approval of the alignment or area.
 - (6) The bulkhead must be solid structure constructed of treated wood, concrete slabs, metal sheet piles, corrugated asbestos sheeting, or similar materials. A structure made of organic material, tires, car bodies, or similar materials is not considered a bulkhead.
 - (7) The bulkhead must be structurally tight so as to prevent seepage of backfill materials through the bulkhead. The bulkhead must be constructed prior to any backfilling activities.
 - (8) Riprap material must consist of clean rock or masonry materials such as marl, brick, or broken concrete. Materials such as tires, car bodies, scrap metal, paper products, tree limbs, wood debris, organic material or similar material are not considered riprap.
- (c) Piers: Conditions
- (1) Exemptions for pier construction along natural shorelines are available only for lots with shoreline lengths 75 feet or greater. Exemptions may be used on shorelines in human-made canals and basins regardless of shoreline length.
 - (2) Piers and mooring facilities must not exceed 100 feet in total length off-shore; must not be within 150 feet of the edge of a federally maintained channel; must not extend past the four foot normal low water contour line (four foot depth at normal low water) of the water body; must not exceed six feet in width; must not include an enclosed structure; and must not interfere with established navigation rights of other users of the water body and must have a minimum setback of 15 feet between any part of the pier and the adjacent property owners' areas of riparian access. The line of division of areas of riparian access shall be established by drawing a line along the channel or deep water in front of the properties, then drawing a line perpendicular to the line of the channel so that it intersects with the shore at the point the upland property line meets the water's edge. The four foot normal low water restriction shall not apply to piers constructed in canals and basins dredged from areas above normal high water (NHW) or normal water level (NWL).
 - (3) This exemption shall not apply to docks and piers being built within shellfish franchises or leases unless the applicant for authorization to construct can provide written confirmation of no objections to the proposal from the lessee.
 - (4) Piers authorized by this exemption shall be for the exclusive use of the land owner, and shall not provide either leased or rented docking space or any other commercial services. Piers and mooring facilities designed to provide docking space for more than two boats shall, because of their greater potential for adverse impacts, be reviewed through the permitting process, and, therefore, are not authorized by this exemption.

- (5) Piers and docks shall in no case extend more than 1/4 the width of a natural water body, canal or basin. Measurements to determine widths of the water body, canals or basins shall be made from the waterward edge of any coastal wetland vegetation which borders the water body. The 1/4 length limitation shall not apply when the proposed pier is located between longer piers within 200 feet of the applicant's property. However, the proposed pier shall not be longer than the pier head line established by the adjacent piers, nor longer than 1/3 the width of the water body.
- (6) Any portion of a pier (either fixed or floating) extending from the main structure and six feet or less in width shall be considered either a "T" or a finger pier.
- (7) Any portion of a pier (either fixed or floating) greater than six feet wide shall be considered a platform or deck.
- (8) "T"s, finger piers, platforms, and decks of piers must not exceed a combined total area of 200 square feet.
- (9) Platforms and decks shall have no more than six feet of any dimension extending over coastal wetlands and shall be elevated at least three feet above any coastal wetland substrate as measured from the bottom of the decking.

*Authority G.S. 113A-103(5)c; 113A-118(a);
Amended Eff. August 1, 2000.*

**.0209 EXEMPTION/ACCESSORY
USES/MAINTENANCE
REPAIR/REPLACEMENT**

(a) Accessory uses that are directly related to the existing dominant use, but not within the exclusion set out in G.S. 113A-103(5)(b)(6) and that require no plumbing, electrical or other service connections and do not exceed 200 square feet shall be exempt from the CAMA minor development permit requirement if they also meet the criteria set out in Paragraph (c) of this Rule.

(b) Any structure or part thereof may be maintained, repaired or replaced in a similar manner, size and location as the existing structure without requiring a permit, unless such repair or replacement would be in violation of the criteria set out in Paragraph (c) of this Rule. This exemption applies to those projects that are not within the exclusion for maintenance and repairs as set out in G.S. 113A-103(5)(b)(5) and Rule .0103 of this Subchapter.

(c) In order to be eligible for the exemptions described in Paragraphs (a) and (b) of this Rule, the proposed development activity must meet the following criteria:

- (1) the development must not disturb a land area of greater than 200 square feet on a slope of greater than 10 percent;
- (2) the development must not involve removal, damage, or destruction of threatened or endangered animal or plant species;
- (3) the development must not alter naturally or artificially

- created surface drainage channels;
- (4) the development must not alter the land form or vegetation of a frontal dune;
- (5) the development must not be within 30 feet of normal water level; and
- (6) the development must be consistent with all applicable use standards and local land use plans in effect at the time the exemption is granted.

*Authority G.S. 113A-103(5)(b); 113A-103(5)(c); 113A-111;
113A-118(a); 113A-120(8);
Amended Eff. August 1, 2000.*

CHAPTER 18 - ENVIRONMENTAL HEALTH

SUBCHAPTER 18C - WATER SUPPLIES

**SECTION .0300 - SUBMISSION OF PLANS:
SPECIFICATIONS: AND REPORTS**

.0302 SUBMITTALS

(a) All plans, specifications, reports or other data shall be submitted in triplicate for review by the Public Water Supply Section, Division of Environmental Health, P.O. Box 29536, Raleigh, North Carolina 27626-0536.

(b) Engineering plans shall consist of legible prints having black, blue, or brown lines on a white background suitable for microfilming. The engineering plans shall not be more than 36 inches wide and 48 inches long and not be less than 11 inches wide and 17 inches long.

(c) An applicant subject to G.S. 143-355(l) shall submit three copies of the adopted Local Water Supply Plan. If information required in the Engineer's Report or the Water System Management Plan is included in an adopted Local Water Supply Plan, a submittal to the Department may incorporate this information by referencing the location in the adopted Local Water Supply Plan.

(d) Existing systems that have previously submitted an Engineer's Report and a Water System Management Plan in accordance with Rule .0307 of this Section shall document any changes either as revised reports and plans or addendums.

*Authority G.S. 130A-315; 130A-317; P.L. 93-523;
Amended Eff. August 1, 2000.*

**.0303 SUBMISSIONS REQUIRED BY ENGINEER
AND APPLICANT**

(a) Detailed Engineer's Reports and engineering plans and specifications shall be prepared by a professional engineer licensed to practice in the State of North Carolina. These documents shall bear an imprint of the registration seal of the engineer. Upon completion of the construction or modification, the applicant shall submit a certification statement signed and sealed by a registered professional engineer stating that construction was completed in accordance with approved engineering plans and specifications, including any provisions stipulated in the Department's plan approval letter or authorization to construct letter, and revised only in accordance

with the provisions of Rule .0306 of this Section. The statement shall be based upon observations during and upon completion of construction by the engineer or a representative of the engineer's office who is under the engineer's supervision.

(b) A Water System Management Plan as required in Paragraph (c) of Rule .0307 of this Section shall include a signed certification stating that the information submitted is true, accurate, and complete. This certification shall be in accordance with Paragraph (d) of this Rule.

(c) The applicant shall submit a signed certification, prior to Final Approval, stating that the requirements in Paragraph (d) (Operation and Maintenance Plan) and Paragraph (e) (Emergency Management Plan) of Rule .0307 of this Section have been satisfied, and that the system will have a certified operator as required by Section .1300 of this Subchapter prior to operation. This certification shall be in accordance with Paragraph (d) of this Rule.

(d) The certifications required in Paragraphs (b) and (c) of this Rule shall be provided on a form provided by the Department and shall be signed by the following individual or his duly authorized representative:

- (1) for a corporation, limited liability company, home owner association or a non-profit organization: a president, vice president, secretary, or treasurer;
- (2) for a partnership or sole proprietorship: by a general partner or the proprietor; or
- (3) for a municipality, State, Federal or other agency: by either a principal executive officer or ranking selected official.

*Authority G.S. 130A-315; 130A-317; P.L. 93-523;
Amended Eff. August 1, 2000.*

.0305 APPROVALS NECESSARY BEFORE CONTRACTING OR CONSTRUCTING

(a) No construction shall be undertaken, and no contract for construction, alteration, or installation shall be entered into unless the Department determines the system complies with G.S. 130A-317(c) and the Department issues the authorization to construct letter. This authorization shall be issued following completion and submittal of the Engineer's Report and Water System Management Plan and approval of the engineering plans and specifications by the Department. Authorization to construct from the Department shall be valid for twenty-four months from the date of the letter. Authorization to construct may only be extended if the rules governing a public water supply and site conditions have not changed. The authorization to construct and approval letter for engineering plans and specifications from the Department shall be posted at the primary entrance of the job site before construction begins.

(b) Upon request, permission to drill test wells at approved sites in order to establish quality and quantity may be granted by the Department prior to completion and submittal of the Engineer's Report and Water System Management Plan and approval of engineering plans and specifications. All wells abandoned, either temporarily or permanently, shall be abandoned in accordance with 15A NCAC 2C .0113 (Well Construction Standards) and all local ordinances.

(c) Units of local government which have an adopted water system extension policy, upon submission to and approval of a copy of their policy by the Department, may be excluded from the requirements of submitting engineering plans and specifications for water main extensions, and that would not have adverse effect upon the existing system supply or pressure, provided the following requirements are met:

- (1) Engineering plans and specifications for all such extensions shall be prepared by or under the direct supervision of an engineer licensed to practice in the State of North Carolina.
- (2) All engineering plans shall be approved by the units of local government engineering department or its consulting engineers prior to the commencement of construction.
- (3) The Department shall have approved the extension policy submitted by the unit of local government prior to construction commencing.
- (4) The extension policy submitted for review and approval by the Department shall provide for establishing ownership, operation and maintenance of water system extensions, and shall constitute prior notice of proposed construction.
- (5) Where design is to be based on a local government's standard specifications in lieu of written separate specifications for each extension project, the standard specifications shall have been previously approved by the Department.
- (6) The local government shall have obtained from the Department a letter stating they have met the aforementioned requirement and are excluded from the requirement for submitting detailed engineering plans and specifications for each minor extension in keeping with the intent of this Rule.
- (7) Where such minor additions or extensions have been made, an annual up-to-date plan of the entire system shall be submitted for review and approval by the Department.

*Authority G.S. 130A-315; 130A-317; P.L. 93-523;
Amended Eff. August 1, 2000.*

.0307 ENGINEER'S REPORT AND WATER SYSTEM MANAGEMENT PLAN AND OTHER PLANS

(a) The applicant shall submit to the Department an Engineer's Report and Water System Management Plan covering the basic factors and principles considered in planning of the project.

(b) Engineer's Report. The Engineer's Report shall contain a system description for the entire project, including scheduled phase development and the following information, where applicable:

- (1) description of any existing water system related to this project;
- (2) identification of the municipality, community, area, or facility to be served by the proposed water system;
- (3) the name and address of the applicant;
- (4) a description of the nature of the establishments and

of the area to be served by the proposed water system;

- (5) a description of the future service areas of the public water system for 5, 10, 15 and 20 years;
- (6) consideration of alternative plans for meeting the water supply requirements of the area, including, for new systems, obtaining water service from an existing system;
- (7) for applicants seeking State loan or grant support for the project, financial considerations, including,
 - (A) any technical alternatives,
 - (B) costs of integral units; and
 - (C) total costs;
- (8) population records and trends, present and anticipated future water demands, present and future yield of source or sources of water supply, including provisions to supply water to other systems;
- (9) character of source or sources of water supply, including:
 - (A) hydrological or hydrogeological data;
 - (B) stream flow rates or well yields;
 - (C) for surface sources, analytical results for chemical, mineral, bacteriological, and physical qualities; and
 - (D) location and nature of sources of pollution;
- (10) proposed water treatment processes, including:
 - (A) criteria and basis of design of units,
 - (B) methods or procedures used in arriving at recommendations, and
 - (C) reasons or justifications for any deviations from conventional or indicated process or method;
- (11) for purchased water, a copy of the agreement with the supplier and the hydraulic analysis showing the supplier's capabilities for supplying the purchased water;
- (12) a description of the design basis of the source, treatment, and distribution system, and the useful life of all sources, treatment, and transmission facilities including pipes, pumping stations, and storage facilities;
- (13) for existing system projects intending to alter or expand a distribution system, provide a statement of maximum daily treated water supply and maximum daily demand. Provide supporting documentation and calculations; and
- (14) for existing systems, a prioritized list of infrastructure improvements.

(c) Water System Management Plan. The Water System Management Plan shall document, where applicable, the ability to finance, operate, and manage the system in accordance with this Subchapter for the current owner and for any entity that assumes ownership of the water system within the first 24 months of operation:

- (1) Organization:
 - (A) description of organizational structure or a chart showing all aspects of water system management and operation;
 - (B) identification of positions responsible for

policy decisions ensuring compliance with State rules and the day-to-day operation of the system; and

- (C) copies of any contracts for management or operation of the water system by persons or agencies other than the system's owner.
- (2) Ownership:
 - (A) identify the ownership structure (sole proprietor, partnership, corporation, limited liability company, homeowner association, nonprofit organization, local government unit, state or federal agency, or other legal entity) and disclose if the ownership of the system is expected to change once the system is constructed, and if known, identify the future owners;
 - (B) provide mailing address and street address of the owner, and physical location of the water system;
 - (C) disclose any encumbrances, trust indentures, bankruptcy decrees, legal orders or proceedings, or other items that may affect or limit the owner's control over the system and describe how compliance with the requirements of this Subchapter will still be maintained; and
 - (D) describe the legal authority, such as ownership, leases or recorded easements allowing inspection repair and maintenance of system components.
- (3) Management qualifications:
 - (A) describe the qualifications of the owners and managers of the water system, including any training and experience in owning or managing a water system; and
 - (B) provide the name and Public Water Supply Identification Number of all public water systems owned within the last five years as well as any systems operated under contract for another owner within the last five years. For systems with administrative penalties assessed, describe how the owner will prevent similar violations at this system.
- (4) Management training. Describe plans to keep management current with regulatory requirements for managing and operating a public water system.
- (5) Policies. At a minimum, the system shall have policies regarding the following procedures:
 - (A) cross-connection control;
 - (B) customer information, complaints, and public education;
 - (C) budget development and rate structure;
 - (D) response and notification if water quality violations occur;
 - (E) customer connection, disconnection, billing, and collection; and
 - (F) safety procedures.
- (6) System monitoring, reporting and record keeping. At

a minimum the applicant shall provide:

- (A) A summary of the applicable system monitoring and reporting requirements; and
 - (B) A description of procedures for keeping and compiling records and reports in accordance with Rule .1526 of this Subchapter.
- (7) Financial Plans. The plan shall contain the following financial information, where applicable:
- (A) Units of Local Government:
 - (i) For projects that require the unit of local government to incur debt, the unit of local government shall submit a statement from the Local Government Commission stating that debt issue has been approved; or
 - (ii) For projects that do not require the unit of local government to incur debt, the unit of local government shall submit the following:
 - (I) a statement from the unit of local government documenting that they are in compliance with G. S. 159, Article 3, The Local Government Budget and Fiscal Control Act; and
 - (II) estimated revenues, expenditures and rate structure for the construction, operation and maintenance, administration and reasonable expansion of the project. This information shall be provided on a form designated by the Department and shall demonstrate that revenues are greater than expenses.
 - (B) The North Carolina Utilities Commission's financial determination may be used as the financial plan for systems subject to its regulations:
 - (i) submit a copy of the Order Granting Franchise and Approving Rates from the North Carolina Utility Commission, or
 - (ii) submit a copy of the Order Recognizing Continuous Extension and Approving Rates from the North Carolina Utilities Commission.
 - (C) All other community and non-transient non-community water systems shall document the following:
 - (i) analysis that compares anticipated revenues with planned expenditures for a five year period that demonstrates a positive cash flow in each year, and a 20-year equipment replacement cost plan documenting the method(s) to finance equipment replacement;
 - (ii) the creation and funding of a continuous operating cash reserve greater than or equal to one-eighth of the annual operating, maintenance and administrative expenses for the water system. The reserve shall be fully funded by the end of the first year of operation;
- (iii) the creation and funding of an emergency cash reserve greater than or equal the cost of replacing the largest capacity pump. The reserve shall be fully funded by the end of the fifth year of operation;
 - (iv) a description of the budget and expenditure control procedures that assure budget control for the applicant which includes procedures or policies to prevent misuse of funds and a demonstration that the system has adopted generally accepted accounting procedures; and
 - (v) in lieu of Sub-Items (ii) and (iii) of this Paragraph, substitute documentation may be accepted in the following instances:
 - (I) an applicant with multiple water systems showing reserves affording greater or equal capabilities, or
 - (II) an applicant showing equivalent financial capacity to comply with requirements of this Section.
- (8) One Water System Management Plan may be submitted on behalf of an applicant owning and operating multiple water systems or an applicant pursuing multiple alterations or expansions and may include future projected construction or system acquisitions. The applicant shall submit a new Water System Management Plan for a project not covered under the existing Water System Management Plan or when violations of this Subchapter occur or continue at a system under an applicant's ownership or control.
- (d) Operation and Maintenance Plan. The plan does not have to be submitted to the Department but shall be completed prior to submitting the applicant's certification in accordance with Paragraph (c) of Rule .0303 of this Section. This plan shall be accessible to operator on duty at all times and available to the Department upon request. The Operation and Maintenance Plan shall include, at a minimum, a description of the location and routine operation and maintenance procedures for:
- (1) components of the treatment facility;
 - (2) pumps, meters, valves, blowoffs, and hydrants;
 - (3) backflow devices;
 - (4) storage tanks; and
 - (5) all other appurtenances requiring routine operation and maintenance.
- (e) Emergency Management Plan. The plan does not have to be submitted to the Department, but shall be completed prior to submitting the applicant certification required in Paragraph (c)

of Rule .0303 of this Section. The Emergency Management Plan shall be available to personnel responsible for emergency management and operator on duty at all times and available to the Department upon request. The plan shall contain the following information where applicable:

- (1) For community water systems, a plan with the following elements is required:
 - (A) identification and phone numbers of personnel responsible for emergency management, including system, local, state, and federal emergency contacts;
 - (B) identification of foreseeable natural and human-caused emergency event including water shortages and outages;
 - (C) description of the emergency response plan for each identified event;
 - (D) description of the notification procedures; and
 - (E) identification and evaluation of all facilities and equipment whose failure would result in a water outage or water quality violations.
- (2) For non-transient, non-community water systems, the plan shall contain the positions and phone numbers of responsible persons to contact in the event of an emergency, including system, local, state, and federal emergency contacts.

*Authority G.S. 130A-315; 130A-317; P.L. 93-523;
Amended Eff. August 1, 2000.*

.0309 FINAL APPROVAL

(a) No construction, alteration, or expansion of a water system, subject to approval as described in Section .0300 of this Subchapter, shall be placed into final service or made available for human consumption until the applicant has complied fully with Section .0300 of this Subchapter and received Final Approval from the Department.

(b) Temporary approval may be granted by the Department for system alterations required to remedy an imminent hazard as determined by the Department.

*Authority G.S. 130A-315; 130A-317; P.L. 93-523;
Adoption Eff. August 1, 2000.*

SECTION .1300 - OPERATION OF PUBLIC WATER SUPPLIES

.1304 WATER SYSTEM OPERATION AND MAINTENANCE

(a) Water systems shall be operated and maintained in accordance with applicable approved engineering plans and specifications, Water System Management Plan and Operation and Maintenance Plan.

(b) Water systems shall be operated and maintained in accordance with 15A NCAC 18D, Rules Governing Water Treatment Facility Operators, Rule .0206 and G.S. 90A-29.

*Authority G.S. 130A-315; 90A-29; P.L. 93-523;
Adopted Eff. August 1, 2000.*

TITLE 21 - OCCUPATIONAL LICENSING BOARDS

CHAPTER 46 - BOARD OF PHARMACY

SECTION .1800 - PRESCRIPTIONS

.1814 AUTOMATED DISPENSING OR DRUG SUPPLY DEVICES

(a) Automated dispensing or drug supply devices may be used in health care facility pharmacies and where a pharmacy permit exists, for maintaining patient care unit medication inventories or for a patient profile dispensing system, provided the utilization of such devices is under the supervision of a pharmacist. The pharmacist-manager shall develop and implement procedures to assure safe and effective use of medications, and, at a minimum, shall assure that:

- (1) only authorized personnel, as indicated by written policies and procedures, may obtain access to the drug inventories;
- (2) all drugs therein are reviewed no less than monthly;
- (3) a system of accountability must exist for all drugs contained therein; the purity, potency, and integrity of the drugs shall be preserved;
- (4) the device provides records required by this Section and other applicable laws and rules;
- (5) requirements for controlled substances security are met; and
- (6) except as provided in subsection (b) of this Rule, prior to the drug being released for access by the nurse, the pharmacist enters the medication order into a computerized pharmacy profile that is interfaced to the automated dispensing unit, so that drug allergy screening, therapeutic duplication, and appropriate dose verification is done prior to the drug being administered.

(b) Automated Dispensing or Drug Supply Devices may be used without an interfaced pharmacy information system or in an override capacity with such a system where the medications are being provided as floor stock controlled substances, limited starter doses or PRN doses. This does not preclude the medication order for such drugs being entered into the pharmacy profile for therapeutic checks. Such units may also be used without a pharmacy profile interface when being used to provide ancillary drug inventories, as defined in Rule .1414(g) of this Chapter and when being used as an emergency kit as defined in Rule .1414(i) of this Chapter.

(c) Pharmacist supervision shall include:

- (1) The packaging and labeling of drugs to be placed in the dispensing devices. Such packaging and labeling shall conform to all requirements pertaining to containers and label contents;
- (2) The placing of previously packaged and labeled drug units into the dispensing device;
- (3) The removal of the drug from the dispensing device and the final labeling of the drug after removal from the dispensing device; and

- (4) In the absence of a pharmacist, a person legally qualified to administer drugs may remove drugs from the dispensing devices only in the quantity of doses needed to satisfy immediate patient needs.

(d) Bar code scanning of drug packaging and storage units may be utilized as a quality control mechanism if this technology is available in the automated dispensing system.

(e) Restocking of automated dispensing devices may be done by pharmacy technicians under the supervision of the pharmacist.

*Authority G.S. 90-85.6; 90-85.32; 90-85.33;
Eff. August 1, 2000.*

TITLE 24 - INDEPENDENT AGENCIES

CHAPTER 1 - N.C. HOUSING FINANCE AGENCY

SUBCHAPTER 1H - MULTI-FAMILY SUBSIDIZED RENTAL PROGRAM

SECTION .0100 - GENERAL INFORMATION

.0103 PERSONS AND FAMILIES OF MODERATE INCOME

The agency shall apply the following factors in determining that persons and families are of moderate income:

- (1) The agency shall use 150 percent of median income as published periodically by the Department of Housing and Urban Development.
- (2) Housing construction costs shall be determined for a prototype of modest housing using the average area purchase price limits for single family residences, as published by the Bureau of National Affairs, Inc., and which limit the amount of income a person can have to be able to occupy rental housing.
- (3) Mortgage lending industry underwriting standards, which establish the amount of loan for which a sponsor may qualify, will be used by the agency. The agency assumes the sponsor would seek financing at a 30-year amortization rate and the tenant will be restricted to using 30 percent of his gross monthly income as rent to make the project feasible.
- (4) Composite figures for median income and for housing costs and mortgage loans underwriting are calculated upon the following premises:
 - (A) The median income factor relates to eligibility for other housing predicated upon a moderate income basis.

- (B) The house cost/underwriting figure establishes minimum financial eligibility in the normal housing market.

The combination of the two figures at a 50:50 ration establishes the maximum moderate income limits for the agency.

(b) An applicant's income shall be calculated by including all income in whatever form and from whatever source derived, including the following: compensation for services, including fees, commission and similar items; gross income derived from business; gains derived from dealings in property; interest; rents; royalties; dividends; alimony and separate maintenance payments; annuities; income from life insurance and endowment contracts; pensions; income from discharge of indebtedness; distributive share of partnership income; income in respect of a decedent; income from an interest in an estate or trust; payment made by or on behalf of an employer by reason of death of an employee to the widow or heirs of the employee; recovery of bad debts; amount received as reimbursement for losses; prizes and awards; amounts received or made available from individual retirement accounts, annuities and retirement bonds. In addition, the calculation of an applicant's income for this purpose will be increased by an amount equal to ten percent of the value of all the applicant's non-income producing tangible assets, excepting personal property and including real property, securities and stocks.

(c) The agency deems that persons and families with annual incomes not in excess of the income limits established by application of the formula in this Rule are persons and families which require such assistance as is made available by the Act and such persons and families are hereby deemed, therefore, to be persons of moderate income eligible to occupy residential housing financed by means of such assistance.

*Authority G.S. 122A-3; 122A-5; 122A-5.4;
Eff. August 1, 2000.*

This Section contains the agenda for the next meeting of the Rules Review Commission on Thursday, March 16, 2000, 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 Friday, March 10, 2000, at 5:00 p.m. Specific instructions and addresses may be obtained from the Rules Review Commission at 919-733-2721. Anyone wishing to address the Commission should notify the RRC staff and the agency at least 24 hours prior to the meeting.

RULES REVIEW COMMISSION MEMBERS

Appointed by Senate
 Teresa L. Smallwood, Vice Chairman
 John Arrowood
 Laura Devan
 Jim Funderburke
 David Twiddy

Appointed by House
 Paul Powell, Chairman
 Walter Futch
 Jennie J. Hayman
 George Robinson
 R. Palmer Sugg

RULES REVIEW COMMISSION MEETING DATES

March 16, 2000
 April 13, 2000

LOG OF FILINGS

RULES SUBMITTED: January 20, 2000 through February 20, 2000

AGENCY/DIVISION	RULE NAME	RULE CITATION	ACTION
DEPARTMENT OF COMMERCE/INFORMATION TECHNOLOGY SERVICES			
	Forms, Terms and Conditions	4 NCAC 21A .0101	Adopt
	Definitions	4 NCAC 21A .0102	Adopt
	Benchmark	4 NCAC 21A .0103	Adopt
	Procedure	4 NCAC 21B .0101	Adopt
	Verbal Requests	4 NCAC 21B .0102	Adopt
	Confidentiality	4 NCAC 21B .0103	Adopt
	Types of Specifications	4 NCAC 21B .0201	Adopt
	Need	4 NCAC 21B .0202	Adopt
	Development of Specifications	4 NCAC 21B .0203	Adopt
	Articles for Special Purposes	4 NCAC 21B .0204	Adopt
	Submission for Adoption	4 NCAC 21B .0205	Adopt
	Copies of Specifications	4 NCAC 21B .0206	Adopt
	Confidentiality	4 NCAC 21B .0207	Adopt
	Procurement Procedures	4 NCAC 21B .0301	Adopt
	Methods of Source Selection	4 NCAC 21B .0302	Adopt
	Electronic, Facsimile and Telephone Offers	4 NCAC 21B .0303	Adopt
	Recall of Offers	4 NCAC 21B .0304	Adopt
	Public Opening	4 NCAC 21B .0305	Adopt
	Late Offers, Modifications, or Withdrawals	4 NCAC 21B .0306	Adopt
	Error/Clarification	4 NCAC 21B .0307	Adopt
	Extension of Acceptance Time	4 NCAC 21B .0308	Adopt
	Evaluation	4 NCAC 21B .0309	Adopt
	Notification of Award	4 NCAC 21B .0310	Adopt
	Lack of Competition	4 NCAC 21B .0311	Adopt
	Solicitation Documents	4 NCAC 21B .0312	Adopt
	Division of Requirements	4 NCAC 21B .0313	Adopt
	Advertisement Requirements	4 NCAC 21B .0314	Adopt

Mandatory Conferences/Site Visits	4 NCAC 21B .0315	Adopt
Basis for Rejection	4 NCAC 21B .0401	Adopt
Public Record	4 NCAC 21B .0402	Adopt
Negotiation	4 NCAC 21B .0403	Adopt
Responsibility	4 NCAC 21B .0501	Adopt
Selection	4 NCAC 21B .0502	Adopt
Samples	4 NCAC 21B .0503	Adopt
Specifications	4 NCAC 21B .0504	Adopt
Report of Discrepancy	4 NCAC 21B .0505	Adopt
Enforcement	4 NCAC 21B .0601	Adopt
Report to Purchasing	4 NCAC 21B .0602	Adopt
Responsibility	4 NCAC 21B .0603	Adopt
Use and Description	4 NCAC 21B .0701	Adopt
Determining Factors	4 NCAC 21B .0702	Adopt
Extension of Contract Termination Dates	4 NCAC 21B .0703	Adopt
Use	4 NCAC 21B .0801	Adopt
Policy	4 NCAC 21B .0901	Adopt
Approval and Documentation	4 NCAC 21B .0902	Adopt
Confidentiality	4 NCAC 21B .1001	Adopt
Payment Plans	4 NCAC 21B .1002	Adopt
Change in Corporate Structure	4 NCAC 21B .1003	Adopt
Purchasing from or through Employees	4 NCAC 21B .1004	Adopt
Antitrust Violations	4 NCAC 21B .1005	Adopt
Cooperative Purchasing	4 NCAC 21B .1006	Adopt
Reserved for Future Codification	4 NCAC 21B .1007	Adopt
Board of Awards	4 NCAC 21B .1008	Adopt
Protest Procedures	4 NCAC 21B .1009	Adopt
Right to Hearing	4 NCAC 21B .1010	Adopt
Request for Hearing	4 NCAC 21B .1011	Adopt
Definitions	4 NCAC 21B .1012	Adopt
General Provisions	4 NCAC 21B .1013	Adopt
Order for Prehearing Statements	4 NCAC 21B .1014	Adopt
Duties of the Hearing Officer	4 NCAC 21B .1015	Adopt
Consent Order; Settlement; Stipulation	4 NCAC 21B .1016	Adopt
Settlement Conference	4 NCAC 21B .1017	Adopt
dPrehearing Conference	4 NCAC 21B .1018	Adopt
Consolidation of Cases	4 NCAC 21B .1019	Adopt
Discovery	4 NCAC 21B .1020	Adopt
Subpoenas	4 NCAC 21B .1021	Adopt
Sanctions	4 NCAC 21B .1022	Adopt
Motions	4 NCAC 21B .1023	Adopt
Intervention	4 NCAC 21B .1024	Adopt
Continuances	4 NCAC 21B .1025	Adopt
Rights and Responsibilities of Parties	4 NCAC 21B .1026	Adopt
Witnesses	4 NCAC 21B .1027	Adopt
Evidence	4 NCAC 21B .1028	Adopt
Official Record	4 NCAC 21B .1029	Adopt
Default Proceedings; Debarment	4 NCAC 21B .1030	Adopt
Faithful Performance	4 NCAC 21B .1031	Adopt
Exemptions	4 NCAC 21B .1101	Adopt
Emergencies	4 NCAC 21B .1102	Adopt
Special Delegations	4 NCAC 21B .1103	Adopt
General Delegations	4 NCAC 21B .1104	Adopt
Compliance Reviews	4 NCAC 21B .1105	Adopt
Record Maintenance	4 NCAC 21B .1201	Adopt
Records	4 NCAC 21B .1202	Adopt

DHHS/SOCIAL SERVICES COMMISSION

Definitions	10 NCAC 42A .0801	Adopt
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Availability of the Service	10 NCAC 42A .0802	Adopt
Definition of the Service	10 NCAC 42A .0803	Adopt
Target Population	10 NCAC 42A .0804	Adopt
Resident Evaluation Instrument	10 NCAC 42A .0805	Adopt
Evaluation and Referral	10 NCAC 42A .0806	Adopt
Triage Procedure	10 NCAC 42A .0807	Adopt
Training Requirements for Resident Evaluators	10 NCAC 42A .0808	Adopt
Methods of Service Provision	10 NCAC 42A .0809	Adopt
Case Record	10 NCAC 42A .0810	Adopt
Definitions	10 NCAC 42E .0801	Amend
Disclosure	10 NCAC 42E .1501	Adopt
Policies and Procedures	10 NCAC 42E .1502	Adopt
Definitions	10 NCAC 42Z .0108	Adopt
Disclosure	10 NCAC 42Z .1001	Adopt
DHHS/SOCIAL SERVICES COMMISSION		
Eligibility Determination Process	10 NCAC 47B .0103	Amend
Re-evaluation	10 NCAC 47B .0204	Adopt
Evaluation	10 NCAC 47B .0407	Adopt
DEPARTMENT OF INSURANCE		
Manuscript or Individual Risk Filings	11 NCAC 10 .0105	Amend
Workers' Compensation Loss Costs Questionnaire	11 NCAC 10 .0110	Amend
DEPARTMENT OF INSURANCE		
Applicability	11 NCAC 11F .0401	Amend
Definitions	11 NCAC 11F .0402	Amend
Basic and Premium Deficiency Reserves	11 NCAC 11F .0403	Amend
Calculation of .0401(b)	11 NCAC 11F .0404	Amend
Calculation of .0401(c)	11 NCAC 11F .0405	Amend
Definitions	11 NCAC 11F .0501	Adopt
Individual Annuity or Pure Endowment Contracts	11 NCAC 11F .0502	Adopt
Group Annuity or Pure Endowment Contracts	11 NCAC 11F .0503	Adopt
Application of the 1994 GAR Table	11 NCAC 11F .0504	Adopt
DEPARTMENT OF INSURANCE		
Definitions	11 NCAC 12 .1701	Amend
Viatical Settlement Providers	11 NCAC 12 .1702	Amend
Viatical Settlement Brokers and Representatives	11 NCAC 12 .1703	Amend
Solicitation	11 NCAC 12 .1707	Amend
Disclosure	11 NCAC 12 .1709	Amend
Ten-Day Notice	11 NCAC 13 .0317	Amend
Notice of Cancellation	11 NCAC 13 .0318	Amend
Dishonored Checks	11 NCAC 13 .0324	Amend
Premium Finance Agreement Type Std.	11 NCAC 13 .0326	Adopt
JUSTICE/N C PRIVATE PROTECTIVE SERVICES BOARD		
Training Requirements for Armed Security Guards	12 NCAC 7D .0807	Amend
DENR/ENVIRONMENTAL MANAGEMENT COMMISSION		
Broad River Basin	15 NCAC 2B .0306	Amend
Emission Standards	15 NCAC 2D .1703	Amend
Reporting Requirements	15 NCAC 2D .1708	Amend
Recordkeeping Requirements	15 NCAC 2D .1709	Amend
Applicability	15 NCAC 2D .2101	Adopt
Definitions	15 NCAC 2D .2102	Adopt
Requirements	15 NCAC 2D .2103	Adopt
Implementation	15 NCAC 2D .2104	Adopt

Cleanup Costs	15 NCAC 2P .0402	Adopt
General	15 NCAC 2S .0101	Adopt
Definitions	15 NCAC 2S .0102	Adopt
Applicability	15 NCAC 2S .0201	Adopt
Required Minimum Management Practices	15 NCAC 2S .0202	Adopt

DENR/COMMISSION FOR HEALTH SERVICES

General	15 NCAC 13A .0101	Amend
Definitions	15 NCAC 13A .0102	Amend
Petitions-Part 260	15 NCAC 13A .0103	Amend
Public Information - Part 2	15 NCAC 13A .0104	Amend
Identification and Listing of Hazardous Wastes	15 NCAC 13A .0106	Amend
Std's Applicable to Transporters of Hazardous Waste	15 NCAC 13A .0108	Amend
Interim Status Std's for Owners	15 NCAC 13A .0110	Amend
Land Disposal Restrictions - Part 268	15 NCAC 13A .0112	Amend
The Hazardous Waste Permit Program	15 NCAC 13A .0113	Amend
Standards for the Management of Used Oil	15 NCAC 13A .0118	Amend

DENR

Definitions	15 NCAC 18A .0134	Amend
Hazard Analysis	15 NCAC 18A .0188	Adopt
HACCP Plan	15 NCAC 18A .0189	Adopt
Sanitation Monitoring Requirements	15 NCAC 18A .0190	Adopt
Monitoring Records	15 NCAC 18A .0191	Adopt
Definitions	15 NCAC 18A .0301	Amend
Hazard Analysis	15 NCAC 18A .0433	Adopt
HACCP Plan	15 NCAC 18A .0434	Adopt
Sanitation Monitoring Requirements	15 NCAC 18A .0435	Adopt
Design Details	15 NCAC 18A .2515	Amend
Total Trihalomethanes Sampling and Analysis	15 NCAC 18C .1513	Amend
Consumer Confidence Report	15 NCAC 18C .1538	Adopt
Enhanced Filtration and Disinfection	15 NCAC 18C .2007	Adopt
Disinfectants and Disinfection ByProducts	15 NCAC 18C .2008	Adopt

DENR/COMMISSION FOR HEALTH SERVICES

General	15 NCAC 21F .1201	Adopt
Definitions	15 NCAC 21F .1202	Adopt
Screening Requirements	15 NCAC 21F .1203	Adopt
Reporting Requirements	15 NCAC 21F .1204	Adopt
Submission of Blood Specimens for Screening	15 NCAC 21H .0314	Amend

DENR/COMMISSION FOR HEALTH SERVICES

Reimbursement for Patient Hospitalization	15 NCAC 24A .0402	Amend
Reimbursement for Patient Hospitalization	15 NCAC 24A .0403	Amend

EDUCATION, STATE BOARD OF

Nature of Licensure	16 NCAC 6C .0102	Amend
State Board of Education Action	16 NCAC 6C .0103	Amend
Application for Approval; Criteria	16 NCAC 6C .0202	Amend
State Board Review Standards and Approval Actions	16 NCAC 6C .0205	Repeal
Consortium-Based Programs and Innovative Programs	16 NCAC 6C .0206	Repeal
Prospective Teacher Scholarship Loans	16 NCAC 6C .0207	Amend
General Information	16 NCAC 6C .0301	Amend
Credit	16 NCAC 6C .0302	Amend
Program Requirements for Licensure	16 NCAC 6C .0303	Amend
License Patterns	16 NCAC 6C .0304	Amend

Licenses for Non-Teacher Education Graduates	16 NCAC 6C .0305	Amend
License Endorsement	16 NCAC 6C .0306	Amend
License Renewal	16 NCAC 6C .0307	Amend
Expired Licenses	16 NCAC 6C .0308	Amend
Reciprocity in Licensure	16 NCAC 6C .0309	Amend
Temporary Permit	16 NCAC 6C .0311	Amend
License Suspension and Revocation	16 NCAC 6C .0312	Amend
Criminal History Checks	16 NCAC 6C .0313	Amend
Interscholastic Athletics	16 NCAC 6E .0202	Amend
Charter School Advisory Committee	16 NCAC 6G .0502	Adopt
Complaint Procedures for Federal Programs	16 NCAC 6H .0103	Amend
Non-Instructional Special Education Services	16 NCAC 6H .0106	Amend

REVENUE, DEPARTMENT OF

Method of Payment	17 NCAC 1C .0502	Amend
EFT General Requirements	17 NCAC 1C .0504	Amend
Voluntary EFT Program Participation	17 NCAC 1C .0506	Amend
EFT Payment Procedures-General Provisions	17 NCAC 1C .0509	Amend
Substitute Forms	17 NCAC 1C .0601	Amend
Step-Grandchildren	17 NCAC 3B .0302	Repeal
Extensions	17 NCAC 3C .0008	Amend
Application for Privilege License	17 NCAC 4B .4301	Repeal
Privilege License	17 NCAC 4B .4302	Repeal
Penalty Provisions	17 NCAC 4B .4401	Repeal
Rate or Penalty; Interest	17 NCAC 4B .4402	Repeal
Questionnaires	17 NCAC 4E .0703	Amend
Form to be Used for Filing	17 NCAC 5B .0603	Repeal
Corporation Billed for the Tax	17 NCAC 5B .0803	Repeal
Corporation Billed for the Tax	17 NCAC 5B .0903	Repeal
Borrowed Capital Defined	17 NCAC 5B .1112	Repeal
Business and Nonbusiness Income Defined	17 NCAC 5C .0702	Repeal
Business and Nonbusiness Income	17 NCAC 5C .0703	Amend
Interest and Penalties	17 NCAC 5C .2003	Repeal
Solar Energy Equipment Tax Credit	17 NCAC 6B .0605	Amend
Waiver of Time Limitation	17 NCAC 6B .3408	Repeal
partnership Returns	17 NCAC 6B .3503	Amend
Returns	17 NCAC 7B .0104	Amend
Change in Ownership	17 NCAC 7B .0118	Amend
Commercial Fishermen	17 NCAC 7B .0123	Amend
Purchases by Manufacturers	17 NCAC 7B .0207	Amend
Prescription Medicine and Drugs	17 NCAC 7B .1401	Amend
Medical Supplies and Equipment	17 NCAC 7B .1404	Amend
Institutions: Etc.	17 NCAC 7B .1601	Amend
Refunds to Nonprofit Entities	17 NCAC 7B .1602	Amend
Refunds to Counties, Cities, Etc.	17 NCAC 7B .1702	Amend
Sales to and by Hospitals	17 NCAC 7B .1801	Amend
Refunds-Hospitals & Similar Institutions	17 NCAC 7B .1802	Amend
Secondhand Tires	17 NCAC 7B .1902	Amend
Service Charge	17 NCAC 7B .2213	Amend
Sales to Veterinarians	17 NCAC 7B .2401	Amend
Sales by Veterinarians	17 NCAC 7B .2402	Amend
Florist: Nurserymen: Greenhouse Oper.	17 NCAC 7B .2801	Amend
Sales through Vending Machines	17 NCAC 7B .2901	Amend
Exclusion of Tax from Receipts	17 NCAC 7B .2903	Repeal

Trade-Ins	17 NCAC 7B .3001	Amend
Secondhand Property	17 NCAC 7B .3004	Amend
Trade-Ins: Transfer to New Business	17 NCAC 7B .3009	Amend
Trade-Ins on Exempt Sales	17 NCAC 7B .3010	Repeal
Used Parts from Junked Property	17 NCAC 7B .3013	Amend
Cellular Telephone Companies	17 NCAC 7B .3204	Amend
Refunds to Interstate Carriers	17 NCAC 7B .4301	Amend
Refund Claims: Limitations	17 NCAC 7B .4303	Amend
Refunds	17 NCAC 9I .0302	Amend
Record-Keeping Requirements	17 NCAC 9K .0602	Amend
Reporting Sales and Deliveries	17 NCAC 9L .0403	Repeal
Location	17 NCAC 10 .0101	Repeal
Procedure for Claiming Exclusion	17 NCAC 10 .0405	Amend
Certification Reqmnts for Cty Assessors	17 NCAC 10 .0504	Amend
Continuing Education Requirements	17 NCAC 10 .0505	Amend
TRANSPORTATION, DEPARTMENT OF/DIVISION OF HIGHWAYS		
Requests for Permits	19 NCAC 2E .0602	Amend
School Bus Driver Certificates	19 NCAC 3G .0203	Amend
Issuing of Original Certificate	19 NCAC 3G .0205	Amend
Period of Certification	19 NCAC 3G .0206	Amend
Renewal of Certification	19 NCAC 3G .0207	Amend
Cancellation of Certification	19 NCAC 3G .0209	Amend
Renewal of Certification After Cancellation	19 NCAC 3G .0213	Amend
STATE BOARDS/N C BOARD OF ARCHITECTURE		
Written Examination	21 NCAC 2 .0302	Amend
Registration by Reciprocity without Written Exam	21 NCAC 2 .0303	Amend
STATE BOARDS/N C BOARD FOR LICENSING OF GEOLOGISTS		
Filing of Charges	21 NCAC 21 .0501	Amend
Reprimand	21 NCAC 21 .0502	Amend
Investigation	21 NCAC 21 .0514	Amend
Disciplinary Procedure	21 NCAC 21 .0515	Amend
Rules of Professional Conduct	21 NCAC 21 .1101	Adopt
Rules of Conduct of Advertising	21 NCAC 21 .1102	Adopt
STATE BOARDS/N C BOARD OF NURSING		
Refresher Course	21 NCAC 36 .0220	Amend
Licensure Required	21 NCAC 36 .0221	Amend
Approval/Practice Parameters-Nurse Prac.	21 NCAC 36 .0227	Amend
Faculty	21 NCAC 36 .0318	Amend
Listing and Renewal	21 NCAC 36 .0404	Amend
Approval of Nurse Aide Ed Programs	21 NCAC 36 .0405	Amend
Definitions of Terms in the Compact	21 NCAC 36 .0701	Adopt
Issuance of a License by a Compact Party State	21 NCAC 36 .0702	Adopt
Limitations on Multistate Licensure Privilege	21 NCAC 36 .0703	Adopt
Information System	21 NCAC 36 .0704	Adopt
Party State Licensure Requirements	21 NCAC 36 .0705	Adopt
STATE BOARDS/N C STATE BOARD OF EXAMINERS FOR NURSING HOME ADMINISTRATORS		
Initial Licensure Fee	21 NCAC 37D .0202	Amend
Combination of Education and Experience	21 NCAC 37D .0302	Amend
Required Course	21 NCAC 37D .0303	Amend
Training Permit	21 NCAC 37D .0403	Amend
Administrator-in-Training Program	21 NCAC 37D .0405	Amend
AIT Time on the Job	21 NCAC 37D .0407	Amend
Preceptor Qualifications	21 NCAC 37D .0502	Amend
Preceptor Compliance	21 NCAC 37D .0504	Adopt

Eligibility	21 NCAC 37D .0601	Amend
National Examination Administration	21 NCAC 37D .0603	Amend
Subject Areas	21 NCAC 37D .0605	Amend
Eligibility	21 NCAC 37D .0701	Amend
Grade Required	21 NCAC 37D .0704	Adopt
Application Process	21 NCAC 37E .0101	Amend
Application Contents	21 NCAC 37E .0102	Amend
Application Contents	21 NCAC 37E .0102	Amend
Prerequisites for Temporary License	21 NCAC 37F .0101	Amend
Issuance/Renewal of Temporary License	21 NCAC 37F .0102	Amend
Issuance/Renewal of Temporary License	21 NCAC 37F .0102	Amend
Renewal Fee	21 NCAC 37G .0102	Amend
Inactive Status Requirements	21 NCAC 37G .0201	Amend
Inactive Status Requirements	21 NCAC 37G .0201	Amend
Continuing Education Programs of Study	21 NCAC 37H .0102	Amend
Continuing Education Programs of Study	21 NCAC 37H .0102	Amend
Preceptor Credit	21 NCAC 37H .0104	Amend
Investigation: Discipline: and Contested Case Proc	21 NCAC 37I .0101	Amend

STATE BOARDS/STATE BOARD OF EXAMINERS OF PLUMBING, HEATING, AND FIRE SPRINKLER CONTRACTORS

Special Examinations	21 NCAC 50 .0304	Amend
Applications for Licensure by Reciprocity	21 NCAC 50 .0310	Amend
Permits	21 NCAC 50 .0402	Amend
Active Employment	21 NCAC 50 .0404	Amend
Responsibility of Licensed Person	21 NCAC 50 .0406	Amend
Guidelines on Disciplinary Actions	21 NCAC 50 .0412	Amend
Air Conditioning Further Defined	21 NCAC 50 .0501	Amend
Heating: License Required Alterations	21 NCAC 50 .0508	Amend
Employees Exempted from Licensure	21 NCAC 50 .0512	Amend
Right to Hearing	21 NCAC 50 .1001	Repeal
Notice of Hearing	21 NCAC 50 .1004	Amend
Informal Procedures	21 NCAC 50 .1006	Amend
Petition for Intervention	21 NCAC 50 .1007	Repeal
Types of Intervention	21 NCAC 50 .1008	Repeal
Disqualification of Board Members	21 NCAC 50 .1009	Repeal
Subpoenas	21 NCAC 50 .1010	Repeal
Witnesses	21 NCAC 50 .1011	Repeal
Proposals for Decision	21 NCAC 50 .1013	Repeal
Administrative Hearing Procedures	21 NCAC 50 .1014	Amend
Examination Fees	21 NCAC 50 .1101	Amend
Notice of Rulemaking Hearings	21 NCAC 50 .1204	Amend
Notice of Mailing List	21 NCAC 50 .1205	Amend
Additional Information	21 NCAC 50 .1206	Repeal
Written Submissions	21 NCAC 50 .1210	Amend
Statement of Reasons for Decision	21 NCAC 50 .1212	Repeal
Record of Proceedings	21 NCAC 50 .1213	Repeal
Temporary Rules	21 NCAC 50 .1214	Amend

STATE BOARDS/N C BOARD OF REFRIGERATION EXAMINERS

Office of Board	21 NCAC 60 .0102	Amend
Requirements for Examination Applicants	21 NCAC 60 .0207	Amend
Permits	21 NCAC 60 .0311	Amend
Change of Address	21 NCAC 60 .0316	Adopt
Preferring Charges	21 NCAC 60 .1102	Amend

STATE BOARDS/N C SUBSTANCE ABUSE PROFESSIONAL CERTIFICATION BOARD

Definitions	21 NCAC 68 .0101	Amend
Competence	21 NCAC 68 .0503	Amend
Client Welfare	21 NCAC 68 .0507	Amend

RULES REVIEW COMMISSION

Client Relationships	21 NCAC 68 .0509	Amend
Remuneration	21 NCAC 68 .0511	Amend
Grounds for Professional Discipline	21 NCAC 68 .0601	Amend
Who Shall Hear Contested Cases	21 NCAC 68 .0706	Amend

RULES REVIEW COMMISSION

**February 17, 2000
MINUTES**

The Rules Review Commission met on January 20, 2000, in the Assembly Room of the Methodist Building, 1307 Glenwood Avenue, Raleigh, North Carolina. Commissioners in attendance were Vice Chairman Palmer Sugg, Jennie J. Hayman, Walter Futch, Paul Powell, Laura Devan, Jim R. Funderburk, David R. Twiddy, and George Robinson.

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

The following people attended:

White Watkins	AFMA
John McFadyen	DENR/DEH/PWSS
Jessica Gill	DENR/Coastal Management
Janice Fain	DHHS/CD
Dedra Alston	DENR
Tom West	Poyner and Spruill
Thomas Allen	DENR/DAQ
Ellie Sprenkel	Insurance
Emily Lee	Transportation
Diane Reed	DENR/DWQ
David Spratley	Commerce Finance Center
Stewart Dickinson	Commerce Finance Center
Mary Johnson	Commerce Finance Center
Jeff Manning	DENR/DWQ
Rich Gannon	DENR/DWQ
Lin Xu	DENR/DWQ
Kathryn Jones Cooper	Attorney General
Anna Baird	Navigation & Pilotage Commission
Denise Stanford	Licensing Board for General Contractors
Lacy Love	Transportation
Billy Daniel	DOR
Brenda Grady	Transportation
Gaines Weaver	Attorney General

APPROVAL OF MINUTES

The meeting was called to order at 10:03 a.m. with Vice Chairman Sugg presiding. He asked for any discussion, comments, or corrections concerning the minutes of the January 20, 2000 meeting. There being none, the minutes were approved

FOLLOW-UP MATTERS

4 NCAC 15 .0121: COMMERCE/Cape Fear River Navigation & Pilotage Commission – The rewritten rule submitted by the agency was approved by the Commission.

10 NCAC 3U .0102 and .2510: DHHS/Child Care Commission – The rewritten rules submitted by the agency were approved by the Commission.

13 NCAC 7F .0601, .0602, .0603, .0604, .0605, and .0606: DEPARTMENT OF LABOR – No action was necessary on these rules.

15A NCAC 2B .0225, .0241, .0242, .0260, and .0261: DENR/Environmental Management Commission – The rewritten rules submitted by the agency were approved by the Commission with the exception of .0225. No rewritten rule has yet been received for this rule. Commissioner Sugg recused himself from .0241 and .0242.

15A NCAC 2D .1207: DENR/Environmental Management Commission - The rewritten rule submitted by the agency was approved by the Commission.

15A NCAC 2Q .0103, .0508, and .0702: DENR/Environmental Management Commission – The rewritten rules submitted by the agency were approved by the Commission.

15A NCAC 7J .0406: DENR/Coastal Resources Commission - The rewritten rule submitted by the agency was approved by the Commission.

15A NCAC 7M .0307 and .0403: DENR/Coastal Resources Commission - The Commission approved the rewritten .0307 submitted by the agency. They responded that they would answer the objections to .0403 at the April meeting.

21 NCAC 1 .0101: N C Acupuncture Licensing Board – The rewritten rule submitted by the agency was approved by the Commission.

LOG OF FILINGS

Vice Chairman Sugg presided over the review of the log and all rules were approved with the following exceptions:

4 NCAC 11 .0202: COMMERCE/Commerce Finance Center – The Commission objected to this rule due to ambiguity. In (c), it is not clear what standards the Department will use in approving out-of-state banks and other financial institutions. In (i), it is not clear what is meant by "reasonable" progress and "satisfactory" progress.

4 NCAC 11 .0701: COMMERCE/Commerce Finance Center – The Commission objected to this rule due to lack of necessity. There is not anything in this rule which is not already in the statute and so the rule is unnecessary.

15A NCAC 2B .0211: DENR/Environmental Management Commission – The Commission objected to this rule due to ambiguity. In (4), it is not clear what is meant by a "significant" causative factor. The objection to this rule applies to existing language in the rule.

15A NCAC 2B .0220: DENR/Environmental Management Commission – The Commission objected to this rule due to ambiguity. In (3)(a), it is not clear what is meant by "slow-moving" waters. In (3)(j), it is not clear what is meant by "appreciably" modified. It is also not clear what water management practices are "appropriate." In (4), it is not clear what is meant by a "significant" causative factor. The objection to this rule applies to existing language in the rule.

15A NCAC 2B .0223: DENR/Environmental Management Commission – The Commission objected to this rule due to ambiguity. In (a), it is not clear what is meant by "substantially" impair the use of water. The objection to this rule applies to existing language in the rule.

15A NCAC 2B .0225: DENR/Environmental Management Commission – This is a second version (and a separate filing) of the same rule that is in the follow-up matters. The Commission also objected to this version for the same reasons as it objected to the previous version, ambiguity (and set out more specifically in the January minutes). The objection applies to existing language in the rule.

15A NCAC 18D .0203: DENR/Water Treatment Facility Operators Certification Board - The Commission objected to this rule due to ambiguity. The use of "etc." in (b)(1)(C), (b)(3)(A), (b)(8)(C), (b)(9)(D), and (b)(15)(E) makes each of these provisions unclear. It is not clear what else is meant. This objection applies to existing language in the rule.

15A NCAC 18D .0403: DENR/Water Treatment Facility Operators Certification Board – The Commission objected to this rule due to lack of statutory authority and ambiguity. The added sentence in (a) is beyond the Board's authority. G.S. 90A-25(c) requires the Board to issue appropriate certificates to holders of voluntary certificates. There is no provision for a deadline. In (b), it is not clear what standards the Board will use in giving permission to be responsible for more than ten systems.

17 NCAC 4B .0302: DEPARTMENT OF REVENUE - The Commission objected to this rule due to lack of statutory authority and ambiguity. There is no authority for the last sentence in (a). G.S. 105-37.1(a)(1) and (2) and 105-38.1(a) state that the tax is imposed when an admission fee is charged. If no admission fee is charged, no tax is imposed. There is no authority for the last sentence in

(b). G.S. 105-37.1(b) and 105-38.1(a) make the taxes due the 10th day after the end of each month. There is also no authority to require something different from temporary amusements. It is also not clear how to distinguish between a temporary and continuing amusement.

17 NCAC 4E .0703: DEPARTMENT OF REVENUE – This rule was withdrawn by the agency.

19A NCAC 2E .0201: DEPARTMENT OF TRANSPORTATION – This rule was withdrawn by the agency.

21 NCAC 12 .0202: N C LICENSING BOARD FOR GENERAL CONTRACTORS – The Commission objected to this rule due to ambiguity. In (a)(3), it is not clear what is meant by "proper qualification." In (a)(4), it is not clear what standards the Board will use in determining that contractor qualifies for the subclassifications. Paragraph (b) implies that there are qualifications for classifications other than passing the examinations. It is not clear what they are and they do not appear to be in the statutes or rules. This objection applies to existing language in the rule.

21 NCAC 12 .0204: N C LICENSING BOARD FOR GENERAL CONTRACTORS – This rule was withdrawn by the agency.

21 NCAC 12 .0209: N C LICENSING BOARD FOR GENERAL CONTRACTORS – The Commission objected to this rule due to ambiguity. In (a), it is not clear when it is appropriate for an application to be accompanied by a Certificate of Assumed Name. One would presume it is any time one has been filed, but that is not clear from the rule. It is also not clear what documents filed with the Secretary of State's office other than Articles of Incorporation and Certificate of Authority are appropriate.

21 NCAC 12 .0402: N C LICENSING BOARD FOR GENERAL CONTRACTORS – The Commission objected to this rule due to ambiguity and lack of necessity. The last sentence is just information and not a rule and is thus unnecessary. In addition, it is not clear what is meant by "other available materials."

21 NCAC 12 .0405: N C LICENSING BOARD FOR GENERAL CONTRACTORS – The Commission objected to this rule due to ambiguity. It is not clear what is meant by "appropriate examinations provider."

21 NCAC 12 .0410: N C LICENSING BOARD FOR GENERAL CONTRACTORS – The Commission objected to this rule due to lack of statutory authority. This rule is not consistent with G.S. 87-10(d). If there is a regular meeting of the Board within 30 days of the date of the failed examination and the applicant pays the examination fee, he is entitled to be reexamined.

21 NCAC 12 .0907: N C LICENSING BOARD FOR GENERAL CONTRACTORS – The Commission objected to this rule due to lack of statutory authority. The provision in (d) allowing the Board, in its discretion, to order a continuance amounts to a waiver or modification provision without specific guidelines in violation of G.S. 150B-19(6). This objection applies to existing language in the rule.

21 NCAC 58A .0406: N C REAL ESTATE COMMISSION – Commissioner Sugg recused himself from all of the Real Estate rules. The Commission objected to this rule due to ambiguity. In (b) it is unclear what period of time constitutes "immediately following..." Commissioner Twiddy voted not to object to this rule.

26 NCAC 1 .0103: OFFICE OF ADMINISTRATIVE HEARINGS – This rule was withdrawn by the agency.

26 NCAC 2C .0108: OFFICE OF ADMINISTRATIVE HEARINGS – This rule was withdrawn by the agency.

COMMISSION PROCEDURES AND OTHER MATTERS

Mr. DeLuca reported that he had attended a Joint Administrative Procedures Oversight Committee meeting and reported on rules and the continuing lawsuit. He also reported that the motion for hearings is scheduled for the week of March 6. Commissioner Futch wanted to verify the dates of all meetings in 2000 and was informed that with the exception of April 13th, all meetings would be on the third Thursday.

The next meeting will be on Thursday, March 16, 2000.

The meeting adjourned at 11:26 a.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 index and not published are available upon request for a minimal charge by contacting the Office of Administrative Hearings, (919) 733-2698. Also, the Contested Case Decisions are available on the Internet at the following address: <http://www.state.nc.us/OAH/hearings/decision/caseindex.htm>.

OFFICE OF ADMINISTRATIVE HEARINGS

Chief Administrative Law Judge
JULIAN MANN, III

Senior Administrative Law Judge
FRED G. MORRISON JR.

ADMINISTRATIVE LAW JUDGES

Sammie Chess Jr.
Beecher R. Gray
Melissa Owens Lassiter

Meg Scott Phipps
Robert Roosevelt Reilly Jr.
Beryl E. Wade

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
ADMINISTRATION				
Britthaven, Inc. v. Department of Administration and Priva-Trends, Inc.	98 DOA 0811	Chess	06/10/99	
Laidlaw Transit Svcs, Inc. v. Katie G. Dorsett, Sec'y/Dept/Administration	99 DOA 0102	Morrison	06/11/99	14:02 NCR 115
OFFICE OF ADMINISTRATIVE HEARINGS				
Ted Murrell, Zarn, Inc. v. Office of Administrative Hearings	99 OAH 0665	Chess	07/14/99	
Sammel Lee Ferguson v. Office of Administrative Hearings	99 OAH 0718	Chess	07/16/99	
AGRICULTURE				
Archie McLean v. Department of Agriculture	98 DAG 1770	Reilly	07/12/99	14:04 NCR 349
ALCOHOLIC BEVERAGE CONTROL COMMISSION				
Alcoholic Beverage Control Commission v. Keyland, Inc., T/A Cloud 9	98 ABC 1099	Overby	01/17/99	
Alcoholic Beverage Control Commission v. Food Lion, Inc., Store #1351	98 ABC 1270	Gray	03/31/99	14:04 NCR 347
Alcoholic Beverage Control Commission v. Stop 1, Inc, T/A Stop 1 Grocery	98 ABC 1337	Phipps	09/29/99	
Alcoholic Beverage Control Commission v. George Steven Everett t/a Casino Snooks Place	98 ABC 1546	Reilly	10/19/99	
Alcoholic Beverage Control Commission v. Beech Mountain Resort, Inc.	99 ABC 0287	Reilly	08/11/99	
Alcoholic Bev. Control Comm.v. Partnership T/A Mermaid Rest. & Lge.	99 ABC 0367	Chess	09/17/99	
Alcoholic Beverage Control Commission v. Jaeson Nyung Kim	99 ABC 0407	Morrison	07/09/99	
Alcoholic Beverage Control Commission v. Lillian Sarah Clary	99 ABC 0615	Phipps	09/01/99	
Alcoholic Beverage Control Commission v. Circle K Stores, Inc., T/A Circle K #8357	99 ABC 0656	Gray	11/29/99	
Alcoholic Beverage Control Commission v. Vnus Enterprices, LLC, t/a Rendez Vous Club & City of Charlotte	99 ABC 0684	Morgan	10/15/99	
Alcoholic Beverage Control Commission v. Mohammad Salim Pirani	99 ABC 0780	Morrison	09/21/99	
Alcoholic Beverage Control Commission v. Creek Lounge, Inc. t/a Creek Lounge	99 ABC 0820	Morgan	10/13/99	
Delores Ann Holley v. Alcoholic Beverage Control Commission	99 ABC 0876	Gray	08/10/99	
Alcoholic Beverage Control Commission v. Partnership T/A Corrothers Community Center/Private Club	99 ABC 0986	Lassiter	11/03/99	
Verdict Ridge Country Club, by H. Edward Knox v. Alcoholic Beverage Control Commission	99 ABC 1637	Morrison	01/07/00	14:16 NCR 1489
CRIME CONTROL AND PUBLIC SAFETY				
Ray Anthony Breeding v. Crime Control & Public Safety	93 CPS 0695	Gray	09/13/99	
John Ray Webb v. Crime Victims Compensation Commission	95 CPS 1353	Gray	09/13/99	
Sarene Franklin Holloway v. Crime Victims Compensation Comm.	97 CPS 1172	Chess	10/12/99	
Vernel Capel Harris v. Crime Victims Compensation Commission	98 CPS 0328	Chess	01/31/00	

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
Paul Richard Mull v. Crime Victims Compensation Commission	98 CPS 0342	Chess	07/26/99	
Coradene Mayhand v. Crime Victims Compensation Commission	98 CPS 0398	Chess	10/09/99	
Edna Carr v. Crime Victims Compensation Commission	98 CPS 0788	Chess	10/28/99	
Eric Charles Williams v. Crime Control & Public Safety, Div. of State Highway Patrol	98 CPS 1279	Chess	11/01/99	
Bobby Mills v. Crime Victims Compensation Commission	98 CPS 1412	Wade	08/06/99	
William Samuel McCraw v. Crime Victims Compensation Commission	98 CPS 1626	Morrison	06/09/99	
Anson D. Looney v. Crime Victims Compensation Commission	99 CPS 0096	Morrison	05/25/99	
Elvin Williams, Jr. v. Crime Victims Compensation Commission	99 CPS 0118	Owens	08/03/99	
Michael Anthony Powell v. Crime Victims Compensation Commission	99 CPS 0426	Reilly	08/03/99	
Mary Elizabeth Peoples Hogan v. Crime Victims Compensation Comm.	99 CPS 0504	Reilly	07/29/99	
Louise Dowd v. Crime Victims Compensation Commission	99 CPS 0519	Morrison	12/07/99	
Lemuel Ray Jenkins v. Crime Victims Compensation Commission	99 CPS 0521	Gray	09/08/99	
Annabell B. McCormick v. Crime Victims Compensation Commission	99 CPS 0564	Phipps	08/04/99	
Christopher Beasley v. Crime Victims Compensation Commission	99 CPS 0843	Chess	11/23/99	
Johnola E. McAllister v. NC Victim and Justice Services	99 CPA 1060	Gray	12/29/99	
ENVIRONMENT AND NATURAL RESOURCES				
The Appletree Companies, Inc., Successor to Stewart Products, Inc. and Uts Services, Ltd. v. Dept. of Environment & Natural Resources	97 EHR 0795	Lassiter	11/19/99	
R.J. Reynolds Tobacco Co. v. Dept. of Environment & Natural Resources	98 EHR 1315	Wade	06/04/99	14:02 NCR 110
T. Farnell Shingleton v. Environment and Natural Resources	98 EHR 1600	Reilly	10/08/99	14:11 NCR 926
T. Farnell Shingleton v. Environment and Natural Resources	98 EHR 1601	Reilly	10/08/99	
Town of Maysville v. Environment and Natural Resources	99 EHR 0069	Owens	09/27/99	
Willie Setzer v. Department of Environment & Natural Resources	99 EHR 0166	Chess	06/28/99	
Charles H. Jordan v. Brunswick County Health Department	99 EHR 0201	Morrison	06/28/99	
Jerry Franks and John Schifano, et. al. v. Environment & Natural Resources and Wake County Board of Commissioners	99 EHR 0344 ⁹	Phipps	09/28/99	
Jerry Franks and John Schifano, et. al. v. Environment & Natural Resources and Wake County Board of Commissioners	99 EHR 0380 ⁹	Phipps	09/28/99	
James P. and Irene P. Wilson v. Cleveland Co. Health & Sanitary	99 EHR 0506	Lassiter	10/07/99	
Deep River Citizens' Coalition, American Canoe Assoc., Inc., and Deep River Coalition, Inc. v. Department of Env. & Natural Resources	99 EHR 0560 ¹¹	Reilly	11/01/99	
Deep River Citizens' Coalition, American Canoe Assoc., Inc., and Deep River Coalition, Inc. v. City of Greensboro, Piedmont Triad Regional Water Authority	99 EHR 0613 ¹¹	Reilly	11/01/99	
Mazzella's Restaurant, Peter D. Mazzella v. Carteret County Env. Health	99 EHR 0692	Reilly	08/19/99	
Roadway Express v. Department of Environment and Natural Resources	99 EHR 0745	Morrison	07/27/99	
John W. Venable v. Department of Environment and Natural Resources	99 EHR 0773	Wade	10/13/99	
Shell Island Homeowners' Association v. DENR, Div. of Env. Health	99 EHR 0814	Owens	08/18/99	
Gail S. Barfield v. Department of Environment and Natural Resources	99 EHR 0840	Morrison	11/19/99	
Richard E. Day v. Division of Coastal Management	99 EHR 0921	Wade	11/02/99	
Ronald L. Walker, Sr., v. Environmental Health Ala County	99 EHR 1076	Morrison	10/18/99	
Clifford Myers v. Montgomery County Health Department	99 EHR 1106	Mann	11/03/99	
Deloris B. Wooten v. Pitt County Dept. of Environmental Health	99 EHR 1131	Wade	11/19/99	
Marissa D. McCain v. Department of Environment and Natural Resources	99 EHR 1245	Lassiter	01/04/00	
Town of Wallace v. Department of Environment and Natural Resources	99 EHR 1194	Chess	12/06/99	
William Todd Allison v Department of Environment and Natural Resources, Division of Coastal Management	99 EHR 1612	Chess	01/10/00	
Division of Air Quality				
Neighbors Against The Cullasaja Asphalt Plant & Blue Ridge Env. Defense League, Inc. v. Dept of Env & Natural Resources and Rhodes Brothers Paving, Inc. and Carolina Asphalt Pavement Association	98 EHR 1735	Gray	09/30/99	14:10 NCR 900
Neighbors Against The Cullasaja Asphalt Plant & Blue Ridge Env. Defense League, Inc. v. Dept of Env & Natural Resources and Rhodes Brothers Paving, Inc. and Carolina Asphalt Pavement Association	98 EHR 1735 ¹²	Gray	12/06/99	
Terrance W. Bache, Pres., Terhane Group, Inc. v. DENR, Div/Air Quality	98 EHR 1790	Mann	06/23/99	
Foothills Action Comm. For The Environment and The Blue Ridge Environmental Defense League, Inc. v DENR, Div. of Air Quality & D&S Asphalt Materials and Carolina Asphalt Pavement Assoc.	99 EHR 0157 ¹²	Gray	12/06/99	
XVIII Airborne Corps & Fort Bragg, Dept. of the Army, USA v. Environment and Natural Resources, Div. of Air Quality	99 EHR 0283	Wade	08/11/99	
J.D. Owen v. Environment and Natural Resources, Div. of Air Quality	99 EHR 0642	Mann	08/10/99	
Environmental Management				
Allen Raynor v. Environmental Management Commission	99 EHR 0127	Gray	07/27/99	
Division of Land Resources				
Buel B. Barker, Jr. and Hubbard Realty of Winston-Salem, a NC Corp., jointly and severally v. DENR, Div. of Land Resources	98 EHR 1457	Morrison	06/09/99	
T.B. Powell, Inc. v. DENR, Division of Land Resources	99 EHR 0632	Wade	10/04/99	
Ronald G. Smith v. DENR, Division of Land Resources	99 EHR 0799	Morrison	10/29/99	

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<i>Division of Marine Fisheries</i>				
Alton Chadwick v. Division of Marine Fisheries	99 EHR 0553	Reilly	08/19/99	
<i>Division of Water Quality</i>				
York Oil Company v. DENR, Division of Water Quality	97 EHR 1026	Phipps	07/26/99	14:04 NCR 343
J. Todd Yates and Teresa B. Yates v. DENR, Div. of Water Quality	98 EHR 1456	Wade	06/22/99	
N.G. Purvis Farms, Inc. v. DENR, Division of Water Quality	99 EHR 0696	Chess	08/27/99	
Dallas Harris Real Estate Construction, Inc., v. Dept. of Environment and Natural Resources, Division of Water Quality	99 EHR 0770	Lassiter	01/31/00	14:17 NCR 1586
<i>Soil and Water Conservation Commission</i>				
Neuse River Foundation, Neuse Riverkeeper, and Alliance For A Responsible Swine Industry, Inc. v. NC Soil & Water Conservation Commission	99 EHR 1660	Morrison	12/10/99	14:14 NCR 1334
BOARD OF GEOLOGISTS				
Andrew M. Raring, Ph.D v. Board for the Licensing of Geologists	99 BOG 0150	Mann	06/16/99	
HEALTH AND HUMAN SERVICES				
Eardley "JR" Stephens v. St. Bd. of Nurse's Aides and Practitioners	98 DHR 0155	Phipps	08/25/99	
Ernest Clyde Absher and Dianna B. Absher v. Health & Human Resources	98 DHR 1622	Reilly	06/17/99	
Vickie Jean Epps v. Department of Health & Human Services	98 DHR 1725	Gray	02/03/00	
Andrew Gainey v. Office of the Chief Medical Examiner	98 DHR 1761	Owens	05/12/99	14:01 NCR 69
J.P. Lynch v. Department of Health & Human Services	99 DHR 0111	Reilly	05/25/99	
Paul Walker, Thomas Walker & Mary Walker v. Mecklenburg Area Mental Health	99 DHR 0155	Morrison	08/19/99	
New Hope Living Centers, Eric D. Lewis v. Health & Human Services	99 DHR 0170	Owens	05/25/99	
Frank McKoy v. Department of Health & Human Services	99 DHR 0226	Wade	07/06/99	
Joan Marie McDaniel v. Department of Health & Human Services	99 DHR 0305	Reilly	08/05/99	
Lonnie Herring v. Department of Health & Human Services	99 DHR 0350	Reilly	06/03/99	
Robert H. Riley v. Office of the Governor, Office of Citizen Services	99 DHR 0356	Wade	07/21/99	
Betty C. Patterson v. Department of Health & Human Services	99 DHR 0954	Reilly	11/05/99	
Rayner Super Mkt., J.K. Rayner, Jr. v. Department of Health and Human Services	99 DHR 0961	Morrison	11/15/99	
Monica Denise Dayson v. Department of Health & Human Services	99 DHR 1041	Reilly	09/29/99	
<i>Division of Child Development</i>				
Shaw Speaks Child Dev. Ctr. v. Health & Human Svcs., Child Dev.	99 DHR 0042	Gray	07/22/99	
Lachelle L. Parsons v. Health & Human Svcs, Div. of Child Dev.	99 DHR 0445	Reilly	07/19/99	
In The Beginning, Inc. v. Health & Human Svcs., Div. of Child Dev.	99 DHR 0575	Mann	07/19/99	
Barringer Center for Child Development, Elon Home for Children, Inc., Rev. Dr. Frederick G. Grosse v. Health & Human Services, Div. of Child Development	99 DHR 0621	Gray	12/15/99	
Dulatown Outreach Center, Inc. v. Health & Human Svcs., Child Dev.	99 DHR 0688	Owens	07/21/99	
Michele Denoff v. Health & Human Services, Div. of Child Dev.	99 DHR 0695	Owens	08/05/99	
MLCM, Inc., Mary C. McGovern v. DHHS, Div. of Child Dev.	99 DHR 1032	Wade	11/19/99	
Small World Daycare II, Trena S. McDaniel v. Health & Human Svcs., Div. of Child Dev.	99 DHR 1038	Lassiter	10/06/99	
<i>Division of Facility Services</i>				
Kelly M. Poole v. Health & Human Services, Div. of Facility Services	97 DHR 0629	Chess	06/14/99	
Norma Faye Lewis v. Health & Human Svcs., Div. of Facility Services	98 DHR 1274 *	Phipps	07/02/99	
Della C. Jones v. Health & Human Services, Div. of Facility Services	98 DHR 1680	Gray	06/09/99	
Heather Alane Scott v. Health & Human Svcs. Div of Facility Services	98 DHR 1671	Gray	10/08/99	
Effie Ruth Smith v. Health & Human Svcs., Div. of Facility Services	98 DHR 1774	Chess	07/14/99	
Vivienne Geloria Marshall v. DHHS, Div. of Facility Services	98 DHR 1786	Phipps	09/02/99	
Sarah L. Mathis v. DHHS, Div. of Facility Services	99 DHR 0032	Morrison	09/24/99	
Doris Lavinier Moser v. Health & Human Services, Div. of Facility Svcs.	99 DHR 0074	Wade	08/06/99	
Norma Faye Lewis v. Health & Human Svcs., Div. of Facility Services	99 DHR 0144*1	Phipps	07/02/99	
Carolyn Grant v. Health & Human Services, Div. of Facility Services	99 DHR 0145	Mann	06/11/99	
Marion Moser Thompson v. Health & Human Svcs., Facility Services	99 DHR 0216	Gray	08/13/99	
Rose Marie Hadley v. Health & Human Svcs., Div. of Facility Services	99 DHR 0218	Wade	08/06/99	
Sarah Frances Alford v. Health & Human Svcs., Div. of Facility Svcs.	99 DHR 0220	Phipps	06/08/99	
Alvin L. Phynon Jr. v. Health & Human Svcs., Dept. of Facility	99 DHR 0230	Mann	07/07/99	
Cabarrus Memorial Hospital d/b/a Northeast Medical Center v. DHHS, Div. of Facility Services, Certificate of Need Section & Cabarrus Diagnostic Imaging, Inc.	99 DHR 0392	Gray	11/18/99	
Cabarrus Diagnostic Imaging, Inc. v. DHHS, Div. of Facility Services, Certificate of Need Section & Cabarrus Memorial Hospital, d/b/a	99 DHR 0396	Gray	12/20/99	

* Consolidated Cases.

CONTESTED CASE DECISIONS

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Northeast Medical Center				
Barbara Rhue v. D.F.S.	99 DHR 0401*3	Wade	07/30/99	
Barbara Rhue v. D.F.S.	99 DHR 0414*3	Wade	07/30/99	
Michelle Johnson v. DHHS, Division of Facility Services	99 DHR 0546	Gray	10/12/99	
Esther Nieves v. Health & Human Services, Div. of Facility Services	99 DHR 0766	Phipps	07/21/99	
Shirley Ann Beck v. Division of Facility Services	99 DHR 0942	Mann	09/24/99	
Division of Medical Assistance				
Interim HealthCare - Morris Group, Inc., Lisa B. Morris, RN, BSN v. DHHS, Division of Medical Assistance	99 DHR 0552	Mann	09/01/99	
Companion Health Care, Inc. v. Div. of Medical Assistance, DHR	99 DHR 0762	Owens	07/29/99	
Division of Mental Health, Developmental Disabilities and Substance Abuse Services				
S.S. by her parents and next friends, D.S. & A.S. v. DMH/DD/SAS	99 DHR 0538	Gray	08/02/99	
Theresa Mabry in behalf of Aaron Mabry, a minor child v. DHHS, Div. of MH/DD/SAS, Willie M. Section	99 DHR 1132	Gray	12/20/99	
Division of Vocational Rehabilitation				
Dr. H. Michael Poole v. DHHS, Div of Vocational Rehabilitation	99 DHR 1495	Gray	01/04/00	
Division of Social Services				
Robert H. Riley v. Iredell County DSS	99 DHR 0354	Wade	07/21/99	
Robert H. Riley v. Health & Human Svcs., Div. of Social Services	99 DHR 0355	Wade	07/21/99	
Joanna Price v. Caldwell County Social Services	99 DHR 0520	Morrison	06/10/99	
April De'Shelle Turner v. DHHS, Div. of Social Service, Program Integrity Branch	99 DHR 0927	Gray	10/21/99	
Betty S. Lewis v. DHHS, Div. of Social Services, Program Integrity Branch	99 DHR 0950	Gray	12/20/99	
Veronica Owens v. Dept. of Social Services Union County	99 MIS 0677	Mann	08/17/99	
Child Support Enforcement Section				
Grady J. Griffith v. Department of Human Resources	97 CRA 1570	Mann	10/26/99	
Lindy Teachout v. Department of Health & Human Services	98 CRA 0727	Reilly	06/24/99	
Thomas Ashley Stewart II v. Department of Health & Human Services	99 CRA 0628	Reilly	06/14/99	
June V. Pettus v. Department of Human Resources	96 CSE 1721*8	Mann	09/17/99	
Floyd W. Hubbard v. Department of Human Resources	96 CSE 1725	Reilly	09/02/99	
Richard Arnold Collins v. Jones County DSS	96 CSE 1810	Reilly	06/28/99	
David S. Blackwelder v. Department of Human Resources	97 CSE 0416	Morrison	08/24/99	
June V. Pettus v. Department of Human Resources	97 CSE 0867*8	Mann	09/17/99	
Grady J. Griffith v. Department of Human Resources	97 CSE 1569	Mann	10/26/99	
John T. Raynor v. Department of Human Resources	98 CSE 0054	Gray	10/21/99	
Kenneth Wayne Adair v. Department of Human Resources	98 CSE 0229	Morrison	06/30/99	
Randy Snead v. Department of Human Resources	98 CSE 0544	Gray	10/21/99	
Shawn E. Williams v. Department of Human Resources	98 CSE 0845	Phipps	09/21/99	
Huri G. Stokes v. Department of Health & Human Services	98 CSE 0898	Gray	07/23/99	
Ronald E. Sanders v. Department of Human Resources	98 CSE 1182	Mann	10/26/99	
Willie D. Davis v. Department of Human Resources	98 CSE 1387	Mann	09/17/99	
G.S. Hall v. Department of Health & Human Services	98 CSE 1392	Reilly	06/24/99	
Charles Stewart v. Department of Human Resources	98 CSE 1419	Mann	09/17/99	
Sidney T. Dunn v. Department of Human Resources	98 CSE 1428	Reilly	01/11/00	
Kenneth A. McCrorie v. Department of Human Resources	98 CSE 1435	Gray	08/04/99	
Daniel R. Klock v. Department of Human Resources	98 CSE 1440	Morrison	10/20/99	
David M. VanDyke v. Department of Human Resources	98 CSE 1549	Mann	09/17/99	
Jerome Maddox v. Department of Health & Human Services	98 CSE 1562	Mann	09/17/99	
Samuel L. Gordon v. Department of Health & Human Services	98 CSE 1563	Chess	01/04/00	
Sam Anderson v. Department of Human Resources	98 CSE 1585	Mann	09/17/99	
Donald Edward Law II v. Department of Human Resources	98 CSE 1586	Morrison	06/25/99	
Sechia Lee Corbett v. Department of Human Resources	98 CSE 1588	Phipps	09/21/99	
Robert T. Ausband v. Department of Human Resources	98 CSE 1612	Mann	11/02/99	
Shawn E. Williams v. Department of Human Resources	98 CSE 1613	Phipps	09/21/99	
Derrick Dobbins v. Department of Health & Human Services	98 CSE 1616	Lassiter	01/21/00	
Antonio Melendez v. Department of Health & Human Services	98 CSE 1635	Chess	09/30/99	
William W. Heck v. Department of Human Resources	98 CSE 1638	Mann	09/17/99	
Matthew S. Conklin v. Department of Health & Human Services	98 CSE 1702 ¹³	Lassiter	01/12/00	
Rickey Lightner v. Department of Human Resources	98 CSE 1717	Reilly	11/02/99	
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Robert M. Chandler Jr. v. Department of Health & Human Services	98 CSE 1789	Phipps	05/27/99	
Jermaine L. Covington v. Department of Health & Human Services	99 CSE 0209	Lassiter	11/18/99	
Mitchell Moses, Jr. v. Department of Health & Human Services	99 CSE 0217	Wade	11/30/99	
Grady L. Chosewood v. Department of Health & Human Services	99 CSE 0301	Mann	07/01/99	
Fulton Allen Tillman v. Department of Health & Human Services	99 CSE 0311	Reilly	06/30/99	
Nathaniel Alston v. Department of Health & Human Services	99 CSE 0317	Mann	07/01/99	
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Paul H. Padrick v. Department of Health & Human Services	99 CSE 0370	Mann	11/02/99	
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Rodney Eugene Caldwell v. Department of Health & Human Services	99 CSE 0427	Lassiter	10/20/99	
Adelheide J. Cooper v. Department of Health & Human Services	99 CSE 0428	Phipps	07/19/99	
Beverly K. Thompson v. Department of Health & Human Services	99 CSE 0435	Reilly	06/14/99	
Michael L. Timmer v. Department of Health & Human Services	99 CSE 0437	Wade	06/08/99	
Elizabeth F. West v. Department of Health & Human Services	99 CSE 0451	Morrison	05/25/99	
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Roy D. Washington v. Department of Health & Human Services	99 CSE 0481	Reilly	06/25/99	
Everett A. Mitchell v. Department of Health & Human Services	99 CSE 0483	Chess	10/05/99	
Corey Antoine Johnson v. Department of Health & Human Services	99 CSE 0486	Gray	09/13/99	
Holland E. Harold v. Department of Health & Human Services	99 CSE 0509	Mann	11/02/99	
Larry Lowell Dixon v. Department of Health & Human Services	99 CSE 0518	Morrison	08/24/99	
Calvin D. Alston v. Department of Health & Human Services	99 CSE 0539	Owens	08/10/99	
Marquel Simmons v. Department of Health & Human Services	99 CSE 0547	Wade	08/06/99	
Anthony Vincente Battista v. Department of Health & Human Services	99 CSE 0551	Chess	08/31/99	
Gerald Scott Saucier v. Department of Health & Human Services	99 CSE 0576	Mann	06/09/99	
Lawrence Gordon Soles v. Department of Health & Human Services	99 CSE 0581	Morrison	06/09/99	
Mohamed Moustafa v. Department of Health & Human Services	99 CSE 0582	Owens	08/05/99	
Damion C. Graham v. Department of Health & Human Services	99 CSE 0635	Wade	12/06/99	
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Bennie Lamar Knighten v. Department of Health & Human Services	99 CSE 0702	Owens	09/20/99	
Larie Bolton v. Department of Health & Human Services	99 CSE 0735	Phipps	08/06/99	
Randy Lewis Bryant v. Department of Health & Human Services	99 CSE 0737	Reilly	09/20/99	
Earl C. Jones, Sr. v. Department of Health & Human Services	99 CSE 0801	Gray	08/10/99	
Joseph F. Donaldson, III v. Department of Health & Human Services	99 CSE 0802	Mann	11/02/99	
Naion V. Pride v. Department of Health & Human Services	99 CSE 0825	Phipps	08/20/99	
Claude W. Jordan v. Department of Health & Human Services	99 CSE 0831	Reilly	10/11/99	
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Bobby Gene Owens v. Department of Health & Human Services	99 CSE 0877	Gray	10/11/99	
Thomas L. Vaughn v. Department of Health & Human Services	99 CSE 0883	Mann	11/08/99	
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Gerald W. Lawson v. Department of Health & Human Services	99 CSE 0909	Lassiter	11/16/99	
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Gill T. Smith v. Department of Health & Human Services	99 CSE 1015	Wade	11/30/99	
Clarence Earl Burden v. Department of Health & Human Services	99 CSE 1037	Chess	11/18/99	
Gary Willis v. Department of Health & Human Services	99 CSE 1040	Gray	12/02/99	
Phillip Drye v. Department of Health & Human Services	99 CSE 1043	Mann	12/14/99	
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Richard A. McKeller v. Department of Health & Human Services	99 CSE 1264	Lassiter	01/21/00	
Sharon Tucker v. Department of Health & Human Services	99 CSE 1283	Reilly	11/30/99	
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John J. Lowman v. Department of Health & Human Services	99 CSE 1374	Mann	02/08/00	
George T. Crudup v. Department of Health & Human Services	99 CSE 1375	Reilly	01/05/00	
Hasan A. Rahman v. Department of Health & Human Services	99 CSE 1378	Gray	12/20/99	
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William Wilcox v. Department of Health & Human Services	99 CSE 1440	Reilly	01/04/00	
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Everton Walker v. Department of Health & Human Services	99 CSE 1476	Lassiter	01/11/00	
Charles Bradley v. Department of Health & Human Services	99 CSE 1477	Mann	01/12/00	
Robert T. Ausband v. Department of Health & Human Services	99 CSE 1492	Mann	01/21/00	
Willie J. Gadson v. Department of Health & Human Services	99 CSE 1498	Reilly	01/04/00	
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Dawud S. Shabazz v. Department of Health & Human Services	99 CSE 1509	Wade	02/03/00	
Karlos M. Gregory v. Department of Health & Human Services	99 CSE 1535	Lassiter	01/11/00	
George L. Cherry v. Department of Health & Human Services	99 CSE 1546	Reilly	02/01/00	
Thomas A. Stewart, II v. Department of Health & Human Services	99 CSE 1569	Reilly	01/11/00	
Donald D. Birkhofer v. Department of Health & Human Services	99 CSE 1570	Wade	01/07/00	
Vashon Kearney v. Department of Health & Human Services	99 CSE 1576	Gray	02/08/00	
Donald S. Dorest v. Department of Health & Human Services	99 CSE 1588	Lassiter	01/05/00	
Randy Russotti v. Department of Health & Human Services	99 CSE 1606	Gray	02/08/00	
Willie J. Curry v. Department of Health & Human Services	99 CSE 1623	Lassiter	01/05/00	
Muriel Thomas v. DHR, Div of Social Services	98 DCS 0631	Wade	12/15/99	
Kathryn P. Fagan v. Department of Health & Human Services	98 DCS 1769	Morrison	06/25/99	
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Terry Allen Brickley v. Alarm Systems Licensing Board	99 DOJ 0097	Wade	05/21/99	
Travis Eric Reardon v. Alarm Systems Licensing Board	99 DOJ 0446	Phipps	07/28/99	
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Rock Steven Edwards v. Criminal Justice Ed. & Training Stds. Comm.	98 DOJ 0906	Chess	05/13/99	
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Emma J. Kiser v. Sheriffs' Ed. & Training Standards Comm.	98 DOJ 1793	Gray	06/07/99	
Keith Allen Norris v. Sheriffs' Ed. & Training Standards Comm.	99 DOJ 0045	Mann	07/29/99	14:04 NCR 351
Sherry Davis Kenney v. Criminal Justice Ed. & Training Stds. Comm.	99 DOJ 0067	Wade	06/08/99	
Brian G. Mead v. Criminal Justice Education & Training Stds. Comm.	99 DOJ 0106	Gray	10/07/99	
Steven Randolph Russell v. Criminal Justice Ed. & Training Stds. Comm.	99 DOJ 0123	Owens	10/29/99	14:11 NCR 928
Russell Lee Yelverton v. Criminal Justice Ed. & Training Stds. Comm.	99 DOJ 0131	Phipps	08/11/99	
James Marion Massey v. Criminal Justice Ed. & Training Stds. Comm.	99 DOJ 0168	Reilly	10/11/99	
Mark E. Narron v. Sheriffs' Ed. & Training Stds. Commission	99 DOJ 0453	Morrison	09/08/99	14:07 NCR 568
Shean E. Taylor v. Sheriffs' Ed. & Training Stds. Commission	99 DOJ 0790	Reilly	09/29/99	
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Tri-City Securities and James G. Hutcherson v. Private Protective Svcs. Bd.	98 DOJ 1749*7	Phipps	09/02/99	
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Michael Lynn Arter v. Private Protective Services Board	99 DOJ 0262	Wade	05/25/99	
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Bonnie Marie Keller v. Private Protective Services Board	99 DOJ 0491	Morrison	05/24/99	
Shawn E. Alexander v. Private Protective Services Board	99 DOJ 0492	Owens	07/19/99	
Ronald E. Sulloway v. Private Protective Services Board	99 DOJ 0493	Morrison	05/24/99	
Raymond Solomon v. Private Protective Services Board	99 DOJ 0494	Morrison	05/25/99	
Charles E. Evans, Jr. v. Private Protective Services Board	99 DOJ 0496	Morrison	05/25/99	
Lawrence Martin v. Private Protective Services Board	99 DOJ 0526	Morrison	10/25/99	
William E. Ellis, Sr. v. Private Protective Services Board	99 DOJ 0527	Morrison	06/08/99	
Bobby James Nicholson v. Private Protective Services Board	99 DOJ 0528	Phipps	08/17/99	
Murray J. Degnan v. Private Protective Services Board	99 DOJ 0529	Gray	11/29/99	
James Lee Morris v. Private Protective Services Board	99 DOJ 0714	Chess	12/08/99	
Thomas William Aichison v. Private Protective Services Board	99 DOJ 1018	Morrison	09/21/99	
Mark Lavern Hewitt v. Private Protective Services Board	99 DOJ 1019	Gray	11/10/99	
Robert Steven Pikel v. Private Protective Services Board	99 DOJ 1020	Gray	11/10/99	
Peggy Ann Galespie v. Private Protective Services Board	99 DOJ 1121	Chess	12/08/99	
Michael Jaye Korn v. Private Protective Services Board	99 DOJ 1122	Wade	01/07/00	
Jacqueline Renee Haywood v. Private Protective Services Board	99 DOJ 1123	Gray	11/10/99	
Isaiah Kornegay, Jr. v. Private Protective Services Board	99 DOJ 1290	Morrison	12/07/99	
Wayne Orlando Miller v. Private Protective Services Board	99 DOJ 1291	Morrison	12/09/99	
Richard Asiedu v. Private Protective Services Board	99 DOJ 1293	Morrison	12/09/99	
David Gregory Mims v. Private Protective Services Board	99 DOJ 1294	Chess	12/08/99	
Garland D. Melvin v. Private Protective Services Board	99 DOJ 1296	Morrison	12/03/99	
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Theodore Little v. Private Protective Services Board	99 DOJ 1300	Wade	01/07/00	
Dennis L. Young v. Private Protective Services Board	99 DOJ 1301	Morrison	12/03/99	
Jose V. Vargas v. Private Protective Services Board	99 DOJ 1302	Morrison	12/03/99	
Gwendolyn L. Gray v. Private Protective Services Board	99 DOJ 1303	Morrison	12/03/99	
Allen D. Edenburn v. Private Protective Services Board	99 DOJ 1305	Morrison	12/03/99	
Chris George McCracken v. Private Protective Services Board	99 DOJ 1417	Morrison	11/29/99	
PUBLIC INSTRUCTION				
Martin Wayne Fletcher v. St. Bd. of Educ., Dept of Public Instruction	98 EDC 0001	Chess	09/21/994	
S.H. by and through her guardian and custodian, H.H. and H.H. v. Henderson County Board of Education	98 EDC 1124	Mann	06/11/99	
Paula Morrill, individually/on behalf of John Morrill v. Wake Cty. Schools	98 EDC 1205	Gray	09/24/99	
S.L.F. and S.F.F. v. Charlotte-Mecklenburg Board of Education	98 EDC 1649	Mann	06/04/99	
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Matthew Weber, and his father and next friend, Brian Weber, and Brian Weber v. Wilkes County Schools	99 EDC 0291	Mann	09/07/99	
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C. Kenneth Warrington v. Edgecombe County Schools	99 EDC 0955	Reilly	09/29/99	
Edward Lawrence Morrill & Paula Marie Morrill v. Board of Directors Raleigh Charter High School	99 EDC 1080	Chess	01/11/00	
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<i>Community Colleges</i>				
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<i>Correction</i>				
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Pershiel DeLoach v. Department of Correction	98 OSP 1026	Gray	08/11/99	
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Maydean L. Taylor v. Department of Correction	98 OSP 1272	Chess	05/14/99	
Ann McMillian v. Morrison Youth Institution, Department of Correction	98 OSP 1275	Chess	05/12/99	
Edward Alan Roper v. DOC, Div. of Prisons, Western Youth Institute	98 OSP 1644	Gray	08/11/99	
Shirley Sellars v. Department of Correction	98 OSP 1788 ¹⁰	Gray	09/30/99	
Sean R. Dillard v. Dept. of Correction, Pasquotank Correctional Inst.	98 OSP 1800	Gray	08/26/99	
DeCarlos Stanley v. Department of Correction	99 OSP 0027	Morrison	06/22/99	
Steve A. Matthews v. Department of Correction	99 OSP 0162	Morrison	08/20/99	

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Robert Russell, Jr. v. Jeff Jones, Div of Community Corrections	99 OSP 0258	Lassiter	09/29/99	
Judith Caves v. Department of Correction	99 OSP 0338	Phipps	09/29/99	14:11 NCR 945
Shirley Sellars v. Department of Correction	99 OSP 0386 ¹⁰	Gray	09/30/99	
Richmond Fulmore v. Department of Correction, Wake Correctional	99 OSP 0416	Mann	06/04/99	
Henry C. Parks v. DART/Admin., Ann Shea, Edward McCall, Thomas G. Ivester	99 OSP 0512	Morrison	09/22/99	
Jerry D. Crawford v. Department of Correction	99 OSP 0577	Reilly	06/02/99	
Walter L. Whitaker v. Capt. Ricky Johnson, Pasquotank Corr. Inst.	99 OSP 0644	Gray	10/12/99	
Angelo Alfonzo Smith v. Department of Correction	99 OSP 0675	Gray	11/04/99	
Charles Creegan v. Department of Correction	99 OSP 0765	Reilly	08/03/99	
Kathi P. Brown v. NC Correctional Institute for Women	99 OSP 0914	Chess	12/10/99	
David J. Dennis v. Department of Corrections, Polk Youth Institution	99 OSP 0918	Chess	10/12/99	
Tara King v. Department of Corrections	99 OSP 0930	Chess	11/08/99	
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Heather Williams v. Department of Correction	99 OSP 1163	Reilly	12/13/99	
Edward E. Hodge v. Department of Correction	99 OSP 1224	Lassiter	01/03/00	
Russell S. Jackson v. Department of Correction, Albemarle Correctional Inst./Michael York	99 OSP 1236	Morrison	12/22/99	
Valee Taylor v. Department of Correction	99 OSP 1256	Lassiter	01/05/00	
Sharon Tucker v. Ms. LaVee Hamer, DOC, Gen. Counsel to the Secretary	99 OSP 1519	Gray	01/10/00	
Jan C. Smith v. Department of Correction, Dart Cherry Program	99 OSP 1647	Gray	01/21/00	
Crime Control and Public Safety				
Thomas Michael Chamberlin v. DCCPS, Center for Missing Persons	99 OSP 0596*4	Gray	08/16/99	
North Carolina School for the Deaf				
Steve Crawford v. North Carolina School for the Deaf	99 OSP 0640	Lassiter	10/18/99	
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L. Clifton Carroll v. Dept of Natural Resources, Div. of Parks and Recreation	98 OSP 0914	Gray	10/22/99	14:12 NCR 1082
Larry A. Campbell v. NC Wildlife Resources Commission	99 OSP 0050	Morrison	11/10/99	14:12 NCR 1086
Pathe Vivek v. Department of Environment & Natural Resources	99 OSP 0956	Chess	10/06/99	
Health and Human Services				
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Vera Crenshaw v. DHHS, Julian F. Keith Alc. & Drug Abuse Trtmt. Ctr.	98 OSP 0456	Gray	08/05/99	
Ivey G. Rhodes v. Pitt County Mental Health Center	98 OSP 0924	Phipps	07/09/99	
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Doris Virginia Wearing v. Durham County Health Department	98 OSP 1432	Reilly	06/18/99	
Leon Kea v. DHR, O'Berry Center	98 OSP 1733	Morrison	12/22/99	
Julia A. Cameron v. John Umstead Hospital, Health & Human Services	99 OSP 0053	Morrison	06/22/99	
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Johnston County

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Paul N. Harris v. Dept. of Transportation, Div of Motor Vehicles	99 OSP 0625	Gray	12/02/99	14:14 NCR 1336
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Rex A. Coughenour v. University of North Carolina at Chapel Hill	99 OSP 0517* ⁶	Reilly	08/27/99	
Anna Anita Huff v. Dr. Lonnie Sharpe/Dr. Reza Salami-Coll./Engineering	99 OSP 0599	Chess	07/16/99	
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Thomas Michael Chamberlin v. UNC @ Chapel Hill, Dept. of University Housing, Division of Student Affairs	99 OSP 0674* ⁴	Gray	08/16/99	
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STATE OF NORTH CAROLINA

IN THE OFFICE OF
ADMINISTRATIVE HEARINGS
99 EHR 0770

COUNTY OF NEW HANOVER

DALLAS HARRIS REAL ESTATE CONSTRUCTION, INC.)

Petitioner,)

v.)

NORTH CAROLINA DEPARTMENT OF ENVIRONMENT)
AND NATURAL RESOURCES, DIVISION OF WATER)
QUALITY,)

Respondent.)

RECOMMENDED DECISION

On November 10, 1999, Administrative Law Judge Melissa Owens Lassiter heard this contested case in Wrightsville Beach, North Carolina. In June 1999, Petitioner timely filed a Petition for Contested Case Hearing appealing Respondent's assessment of a civil penalty for a numeric water quality violation. On or about December 13, 1999, Petitioner and Respondent filed their respective proposed Recommended Decisions.

APPEARANCES

For Petitioner: I. Clark Wright, Jr.,
Ward & Smith, PA
P.O. Box 687
New Bern, NC 28563

For Respondent: Brian J. McGinn
Assistant Attorney General
N.C. Department of Justice
P.O. Box 629
Raleigh, NC 27602

ISSUES

1. Whether the Petitioner violated the provisions of 15A NCAC 2B .0220(3)(l) on January 9, 1999, by causing the turbidity in the headwaters of Howe Creek to exceed the 25 NTU water quality standard?

2. Whether the Respondent, in assessing a civil penalty against Petitioner, exceeded its authority or jurisdiction, acted erroneously, failed to use proper procedure, acted arbitrarily or capriciously, or failed to act as required by law or rule?

BURDEN OF PROOF

Respondent bears the initial burden of establishing each essential element needed to support its civil penalty assessment. If Respondent meets this initial burden, Petitioner then has the burden of proving, by a preponderance of the evidence, that Respondent's civil penalty assessment action violated one or more of the tests set forth at N.C. Gen. Stat. § 150B-23(a)(1 -5).

EXHIBITS

The following **Petitioner's Exhibits** were admitted into evidence:

- P1 September 21, 1999 Map of Ditch Location and Environs for a Portion of Covil Estates
- P2 January 15, 1999 Photos of Covil Estates and surrounding property
- P3 Ledger of Photos in P2

The following **Respondent's Exhibits** were received into evidence:

- R1 April 23, 1999 Civil Penalty Assessment for Violations of 15A NCAC 2B.0220(3)(1)
- R2-R5 Photographs of site, dated January 11, 1999.
- R6 Report of Analysis of Turbidity Samples by Environmental Chemists, Inc., dated January 9, 1999.
- R7 January 14, 1999 Notice of Violation and Recommendation of Enforcement for Dallas Harris Construction, Covil Estates III.
- R8 February 10, 1999 Enforcement Report prepared by Rick Shiver and sent to Colleen Sullins for Dallas Harris Real Estate and Construction, Covil Estates III.
- R9 December 8, 1999 Ditching and Erosion Control Plan of Covil Estates, III.

FINDINGS OF FACT
1. STIPULATED FACTS

1. On April 23, 1999, Kerr T. Stephens, the Director of the Division of Water Quality (DWQ) of the Department of Environment and Natural Resources (DENR), acting pursuant to a delegation of authority from the Secretary of DENR, assessed a civil penalty of \$2925.46 against Petitioner.
2. The penalty was assessed for an alleged violation of 15A NCAC 2B .0220(3)(1) occurring on January 9, 1999 at a site known as Covil Estates III. The Director assessed \$2250.00 for the violation and \$675.46 for enforcement costs incurred by the Department.
3. As required by G.S. § 143-215.6(c), in determining the amount of the penalty, the Director considered the factors listed in G.S. § 143B-282.1(b).
4. The Director relied upon information and evidence provided to him by personnel of Respondent's Wilmington Regional office when considering these statutory factors and deciding to issue a civil penalty in the amount of \$2925.46.
5. The civil penalty assessment document was received by the Petitioner on May 28, 1999. The document is attached and marked as Respondent's Exhibit #1. Both parties stipulate that the Director signed the document, that it is authentic and relevant, and that it should be admitted into evidence.

2. ADJUDICATED FACTS

Based upon the official documents in the file, sworn testimony of the witnesses, and other competent and admissible evidence, the undersigned makes the following:

a. BACKGROUND FACTS

6. Petitioner is a North Carolina corporation doing business in New Hanover County that owns real property known as "A Portion of Covil Estates," or "Covil Estates III." This subject property is located just off Military Cutoff Road in Harnett Township, Wilmington, North Carolina. Petitioner plans to develop the subject property as a residential subdivision. (Petitioner's Exhibit 1)
7. Carolina Builders owns the property situated to the west of Petitioner's property, between Petitioner's property and Military Cutoff Road. (Petitioner's Exhibit 1)
8. Howe Creek is located downstream or southeast of Petitioner's property, and is classified SA waters having a supplemental classification of Outstanding Resource Waters (ORW). (Petitioner's Exhibit 1) The water quality standards for waters, such as Howe Creek, mandate that the turbidity in the receiving waters shall not exceed 25 Nephelometric Turbidity Units (NTU), and that if turbidity exceeds this level due to natural background conditions, the existing turbidity level cannot be increased 15A NCAC 2B.0220(3)(1).

In other words, the numeric water quality standard for turbidity in Howe Creek is 25 NTUs. Under North Carolina law, the 25 NTU standard for Howe Creek also applies to all headwaters and unnamed tributaries emptying into Howe Creek, including those

portions directly adjacent to and downstream of the southern boundary ditch on Petitioner's Covil Estates property.

9. Water flows south down a state-maintained ditch along Military Cutoff Road and Carolina Builder's property, south onto Carolina Builder's site, east onto Petitioner's property. The flowing water then combines with the water from another ditch on Petitioner's property to flow through the Petitioner's property, and then into Howe Creek. (Petitioner's Exhibit 1)

10. On May 19, 1998, New Hanover County issued Petitioner a Grading Permit GP 31-98 for construction of wetland drainage ditches within the Covil Estates III property. The permit required Petitioner to comply with the terms of an approved sedimentation and erosion control plan, and the County's Soil Erosion and Sedimentation Control ordinance.

11. The County's Erosion Control staff approved Petitioner's sedimentation and erosion control plans which required Petitioner implement the following Best Management Practices (BMPs): 5 stone check dams must be installed on the property, ditches must have side slopes of 2:1, and those control measures must be maintained during the development of the subject property. The plan also required Petitioner to reslope an older ditch system with 2:1 side slopes. This ditch system is located along the power line on the southern boundary of Petitioner's property. (hereinafter "southern boundary ditch").

12. Petitioner installed 11 check dams in the ditches on its property; six more than required under Petitioner's approved sedimentation and erosion control plan.

JANUARY 9, 1999 ALLEGED VIOLATION

13. During the night of January 8, 1999, and the morning of January 9, 1999, it rained in the subject area of Wilmington, NC.

14. On Saturday, January 9, 1999, Respondent's DWQ staff received a complaint of excessive turbidity in the headwaters of Howe Creek, downstream from Petitioner's Covil Estates property.

15. That morning, in response to the above-referenced complaint, Rick Shiver, the Water Quality Regional Supervisor for DENR's Wilmington Regional Office, and Mike Williams of the Wilmington Regional Office, inspected the Petitioner's property.

16. During their inspection, Mr. Shiver and Mr. Williams first observed that the headwaters of Howe Creek, downstream from Petitioner's property, "looked turbid." Next, they observed brown and muddy or turbid water flowing from a drainage ditch at the end of Snug Harbor Drive on Petitioner's property, through Petitioner's property, and into the headwaters of Howe Creek. (See Petitioner's Exhibit 1).

17. Mr. Williams and Mr. Shiver did not see any problems in the ditches located on and beside Prospect Cemetery, a property located north/northwest of Petitioner's property. (See Petitioner's Exhibit 1).

18. Williams and Shiver did not walk onto Carolina Builders' property as they were "No Trespassing" signs posted on that property. However, they did not observe what they thought were water quality violations in that area.

19. Williams and Shiver did not see any other discharge into area they inspected other than on Petitioner's property.

20. Williams has a number of years of experience in collecting turbidity samples and using field turbidity meters.

21. During the January 9, 1999 inspection, Mr. Williams took field turbidity measurements using a portable turbidity meter, and collected water samples at three different locations of the southern boundary ditch on Petitioner's property. Station #1 was located in the ditch at the north end of Snug Harbor Drive. The field turbidity readings at Station #1 were 79.2 NTU. Station #2 was located in the ditch at the lower end of Petitioner's property, and beneath CP&L's power line/ right-of way at Longboat Drive. The field turbidity readings at Station #2 were 196.1 NTU. Station #3 was located downstream from Petitioner's property in the headwaters of Howe Creek. The turbidity readings at Station #3 were 166.5 NTU. (Three sampling locations depicted on Respondent's Exhibit 1).

22. After collecting the samples, Mr. Williams transported them to Environmental Chemists, Inc. for laboratory analysis.

23. On January 12, 1999, Ms. Crystal Millis, an Environmental Chemists, Inc. technician, conducted two tests for each

sample. The laboratory analysis tests indicated turbidity readings of 69.8 and 70 NTU at Station #1; 130 and 130 NTU at Station #2; and 103 and 108 NTU at Station #3.

24. Significant errors can occur using field turbidity meters and analyzing laboratory samples, including but not limited to: (a) dirty containers; (b) excessive agitation causing air bubbles; (c) failure to properly calibrate; (d) improper or inadvertent collection of bottom sediments in the sample; and/or (e) failure to mix samples properly.

25. However, Petitioner did not introduce any specific factual evidence proving the field measurements and lab samples at issue were subject to any of these errors.

26. On January 9, 1999, the actual turbidity levels present in the waters at the locations measured and sampled by Respondent exceeded the applicable 25 NTU standard at all three sampled locations.

27. On January 9, 1999, Williams and Shiver also observed inadequate sedimentation and erosion control measures on Petitioner's property. Some ditches on Petitioner's property, including the southern boundary ditch, were not fully vegetated or stabilized, had some localized slope failures, and some check-dam structures were "blown out." Specifically, there was severe erosion on the vertical walls of the southern boundary ditch, and sedimentation located on the bottom of the southern boundary ditch. (See Respondent's Exhibits 2-5, photos depicting observations) Based upon these observations and the field measurements, Shiver opined that Petitioner was not in compliance with an erosion and sedimentation measures, and needed to determine if they had an erosion control plan and if county considered them to be in compliance with such plan.

28. Shiver called Beth Easley of the New Hanover County Erosion and Sedimentation Program to determine if Petitioner had a plan and if they were in compliance.

29. On January 12, 1999, Beth Easley, employees from DWQ, and the Army Corp of Engineers inspected Petitioner's property to determine whether BMPs were in place. Ms. Easley verified that Petitioner had a Sedimentation Control Plan, and did not comply with the erosion and sedimentation plan requirements.

Specifically, some ditches, including the southern boundary ditch, were improperly sloped at approximately 1:1, instead of the required 2:1 slope; temporary sediment traps were improperly constructed; and four or five stone check dams were "blown out;" that is, the stones were knocked out of the dam, so the dam could not filter sedimentation from the flowing water.

30. Easley opined that because Petitioner's ditches were not properly sloped or stabilized, the sides of the ditches were eroding into the water.

31. On January 12, 1999, Easley did not see "much water" flowing from the upstream Carolina Builder's property onto the Petitioner's property.

32. While four or five stone check dams were "blown out," approximately six or seven stone check dams were in place on Petitioner's property on January 9, 1999. Only one of the five "required" stone check dams was "blown out."

33. On January 12, 1999, the County Erosion Control Program issued Petitioner a Notice of Violation of Land - Disturbing Activity because Petitioner's Best Management Practices (BMP) were not in compliance; that is, Petitioner failed to properly slope the ditches, failed to construct sediment traps according to the plan, and failed to maintain said erosion control measures.

34. Based upon the County's findings and his own observations, Mr. Shiver issued Petitioner a Notice of Violation and Recommendation of Enforcement on January 14, 1999. The Notice informed Petitioner that they had "determined that stream standards for turbidity were contravened in the headwaters of Howe Creek from wetland drainage ditches from a 28.38 tract of land being developed at Covil Estates III."

The Notice also referenced the County's findings regarding severe erosion and noncompliance with its erosion control plan. Respondent advised Petitioner that "Both of these factors lead to the severe turbidity levels observed after the rainfall event occurring early on January 9, 1999." Lastly, Respondent advised that it was preparing an enforcement action against Petitioner for stream standard violations. (Respondent's Exhibit 7)

35. In his April 23, 1999 civil penalty assessment, Director of DWQ Stevens concluded that "Petitioner violated 15A NCAC 2B .0220(3)(l) on January 9, 1999, by causing turbidity in Howe Creek to exceed the 25 NTU water quality standard. Such

Conclusion was based upon the findings that:

- (1) staff observed inadequate sedimentation and erosion control measures within the [Petitioner's] development. Turbid water was observed draining from the ditches into the headwaters of Howe Creek.
- (2) field and laboratory turbidity tests results that turbidity exceeded the 25 NTU stream standard in three different sampled locations, and
- (3) the County's confirming that Petitioner was not in compliance with its [erosion control plan outlined] in its permit, and the County's issuance of a Notice of Violation on that basis.

36. Petitioner claims that the majority of the sedimentation and turbidity violations present at the site on January 9, 1999, were caused by upstream properties. Petitioner introduced uncontradicted evidence that Petitioner's employee Alan King, personally observed milky/tannish-colored turbidity plumes enter the southern ditch of Petitioner's property from the Carolina Builder's property, and flow downstream through Petitioner's property and into the headwaters of Howe Creek. King observed this occurrence during and immediately after, at least two other rainfall events occurring at the Covil Estates property the week after January 9, 1999; specifically, on January 14 and 18, 1999. Such testimony is illustrated by Petitioner's Exhibits 9-16, which were taken by King or about January 18, 1999.

37. As Petitioner's land development supervisor who also deals with environmental compliance issues, King was familiar with Petitioner's ditch system, and the water flow pattern on and surrounding Petitioner's property before and January 9, 1999.

38. County Erosion control agent Beth Easley verified that milky/tannish colored turbidity existed on, and was coming from Carolina Builders' property onto Petitioner's property, during and after a rainfall event on January 14, 1999.

39. While contending that most of the sedimentation present in the wetland drainage ditch was caused by upstream properties, Mr. King also admitted, however, that some mud must have entered the southern boundary ditch from the Petitioner's property, that Petitioner's ditches were improperly sloped, and that some of stone check dams were not in compliance on January 12, 1999.

40. Neither Petitioner nor its agents were present at the property on January 9, 1999. As a result, Petitioner failed to introduce any eyewitness observations regarding the color of the flowing water, or whether the visible turbidity that entered the relevant southern boundary ditch and headwaters of Howe Creek was contributed by or caused by upstream sources on January 9, 1999.

41. Conversely, Respondent presented eyewitness testimony of the site conditions and scientific evidence of the water quality violations as they existed on January 9, 1999. Respondent's uncontradicted evidence established that, as of January 9, 1999, Petitioner was not in full compliance with all aspects of Petitioner's approved sedimentation and erosion control plan, such as some localized slope failures, the failure of several check dams, and the lack of fully established vegetation.

42. Based upon their knowledge and experience, Respondent's agents opined that were not aware that Respondent has ever imposed a civil penalty for a numeric water quality standard violation based solely upon a numeric test result establishing the violation.

43. There was insufficient evidence presented that the high levels of turbidity of Howe Creek was due to any natural background levels.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the undersigned concludes the following:

1. This matter is properly before the Office of Administrative Hearings, and the Office has jurisdiction over the subject matter and the parties herein.
2. All parties are correctly identified and designated, and there is no question of joinder or misjoinder.

3. Pursuant to N.C. Gen. Stat. §143-215.6A(a)(1), the Respondent may assess a civil penalty of not more than ten thousand dollars per day against any person who violates any classification, standard, limitation, or management practice established pursuant to N.C. Gen. Stat. §§143-214.1, 143-214.2 or 143-215.

4. Pursuant to N.C. Gen. Stat. §143-215.3(a)(9) and N.C. Gen. Stat. §143B-282.1(b)(8), the State may assess Petitioner for its enforcement costs in this matter.

5. The Director of DWQ, pursuant to delegation provided by the Secretary of DENR, has the authority to assess civil penalties in this matter.

6. As required by G.S. §143-215.6A(c), in determining the amount of the penalty, the Director properly considered the factors listed in G.S. §143B-282.1(b).

7. 15A NCAC .0220(3)(1) requires that the turbidity in the receiving water (such as Howe Creek) shall not exceed 25 NTU, and that if the turbidity exceeds this level due to natural background conditions, the existing turbidity level cannot be increased.

8. On January 9, 1999, the water quality standard mandated by 15A NCAC .0220(3)(1) was violated in the headwaters of Howe Creek as the turbidity in such waters exceeded 25 NTU standard.

9. The high levels of turbidity in the headwaters of Howe Creek as measured by on January 9, 1999 were not due to natural background levels within the meaning of 15A NCAC 2B .0220(3)(1).

10. Some of Petitioner's evidence shows it was possible that upstream sources, such as the Carolina Builders' property, may have caused or contributed to part of the excessive turbidity in the headwaters of Howe Creek on January 9, 1999.

11. A preponderance of the evidence of (1) Respondent's agents' eyewitness observations of the subject site on January 9, 1999, (2) the laboratory turbidity test results, (3) Petitioner's failure to properly slope its ditches, failure to properly construct temporary sediment dams, and failure to maintain its ditches and BMPs, and (4) the County's Notice of Violation for the aforementioned violations, outweighs Petitioner's evidence about the possibility of upstream turbidity sources causing the subject violation.

12. The numeric lab results by Environmental Chemists, Inc. are consistent with Respondent's eyewitness testimony that mud entered the waters of the ditch from Petitioner's property. The increased turbidity readings from Station #1 (located at the middle of the property) to Station #2 (located at the bottom end of the property) indicate that a large amount of sediment entered the water as the water ran through the ditch on Petitioner's property. The decreased NTU readings at Station #3 (located below the property in the headwaters of Howe Creek) indicate that less sediment was being added once the water left Petitioner's property. Therefore, the sediment entering the water on Petitioner's property caused turbidity readings in the headwaters of Howe Creek to exceed the 25 NTU stream standard.

13. On January 9, 1999, Petitioner violated 15A NCAC 2B .0220(3)(1) by causing the turbidity in Howe Creek to exceed the 25 NTU water quality standard.

14. In assessing a civil penalty against Petitioner, the Respondent did not exceed its authority or jurisdiction, act erroneously, fail to use proper procedure, act arbitrarily or capriciously, or fail to act as required by law or rule.

RECOMMENDATION

Based upon the foregoing Findings of Fact and Conclusions of Law, the undersigned recommends that the Director of Division of Water Quality's decision to penalize the Petitioner \$2,925.46 for violating 15A NCAC 2B .0220(3)(1) be AFFIRMED.

NOTICE

The Environmental Management Commission will make the Final Decision in this contested case. N.C. Gen. Stat. § 150B-36(a) requires such Commission to give each party an opportunity to file exceptions to this Recommended Decision and to present written arguments to those in this agency who will make the final decision.

N.C. Gen. Stat. § 150B-36(b) requires this Commission to serve a copy of the Final Decision on all parties and to furnish a copy to the parties' attorneys of record and to the Office of Administrative Hearings.

This the 31st day of January, 2000.

Melissa Owens Lassiter
Administrative Law Judge

CUMULATIVE INDEX

(Updated through February 24, 2000)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				

This index provides information related to notices, rules and other documents published in the Register. It includes information about rules for which Notice of Rule-Making Proceedings or Notice of Text have been published, rules submitted to the Rules Review Commission and rules codified since the last session of the General Assembly. For assistance contact the Rules Division at 919/733-2678.

Fiscal Note: S = Rule affects the expenditure or distribution of state funds. L = Rule affects the expenditure or distribution of local government funds. SE = Rule has a substantial economic impact of at least \$5,000,000 in a 12-month period. * = Rule-making agency has determined that the rule does not impact state or local funds and does not have a substantial economic impact. See G.S. 150B-21.4.

ACUPUNCTURE, LICENSING BOARD

21 NCAC 01 .0101 13:22 NCR 1820

11/17/99

Object

*

14:03 NCR 243

ADMINISTRATION

Council for Women, North Carolina

1 NCAC 17 13:19 NCR 1606

Indian Affairs, Commission of

1 NCAC 15 .0201 13:02 NCR 175

1 NCAC 15 .0205 13:02 NCR 175

1 NCAC 15 .0206 13:02 NCR 175

1 NCAC 15 .0212 13:02 NCR 175

1 NCAC 15 .0213 13:02 NCR 175

Non-Public Education

1 NCAC 40 .0101

Temp Expired 05/29/99

1 NCAC 40 .0102

Temp Expired 05/29/99

1 NCAC 40 .0103

Temp Expired 05/29/99

1 NCAC 40 .0201

Temp Expired 05/29/99

1 NCAC 40 .0202

Temp Expired 05/29/99

1 NCAC 40 .0203

Temp Expired 05/29/99

Temp Expired 05/29/99

Temp Expired 05/29/99

CUMULATIVE INDEX

(Updated through February 24, 2000)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
1 NCAC 40 .0204		13:05 NCR 521 13:13 NCR 1057 14:04 NCR 311	Temp Expired 05/29/99 Temp Expired 05/29/99							
Purchase and Contract Division										
1 NCAC 05C	13:04 NCR 360									
1 NCAC 05D	13:04 NCR 360									
State Employees Combined Campaign										
1 NCAC 35 .0101	13:04 NCR 360		13:08 NCR 647	*						
1 NCAC 35 .0103	13:04 NCR 360		13:08 NCR 647	*						
1 NCAC 35 .0202	13:04 NCR 360		13:08 NCR 647	*						
1 NCAC 35 .0304	13:04 NCR 360		13:08 NCR 647	*						
1 NCAC 35 .0308	13:04 NCR 360		13:08 NCR 647	*						
ADMINISTRATIVE HEARINGS, OFFICE OF										
26 NCAC 01 .0101	14:08 NCR 579		14:12 NCR 1029	*						
26 NCAC 01 .0101	N/A		N/A	N/A	Approve	10/04/99			14:10 NCR 839	
26 NCAC 01 .0103	14:08 NCR 579		14:12 NCR 1029	S						
26 NCAC 01 .0104	N/A		N/A	N/A	Approve	10/04/99			14:10 NCR 839	
26 NCAC 02C .0103	14:08 NCR 579		14:12 NCR 1030	*						
26 NCAC 02C .0105	14:08 NCR 579		14:12 NCR 1030	*						
26 NCAC 02C .0108	14:08 NCR 579		14:12 NCR 1030	*						
26 NCAC 02C .0303	14:08 NCR 579		14:12 NCR 1030	S						
26 NCAC 02C .0303	N/A		N/A	N/A	Approve	10/04/99			14:10 NCR 839	
26 NCAC 02C .0306	14:08 NCR 579		14:12 NCR 1030	*						
26 NCAC 02C .0403	14:08 NCR 579		14:12 NCR 1030	*						
26 NCAC 03 .0101	14:08 NCR 579		14:12 NCR 1033	*						
26 NCAC 03 .0119	14:08 NCR 579		14:12 NCR 1033	*						
26 NCAC 04 .0102	N/A		N/A	N/A	Approve	10/04/99			14:10 NCR 839	
26 NCAC 04 .0103	N/A		N/A	N/A	Approve	10/04/99			14:10 NCR 839	

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26 NCAC 04 .0104	N/A		N/A	N/A	Approve	10/04/99			14:10 NCR 839	
26 NCAC 04 .0108	N/A		N/A	N/A	Approve	11/17/99			14:15 NCR 1354	
26 NCAC 04 .0202	N/A		N/A	N/A	Approve	10/04/99			14:10 NCR 839	
AGRICULTURE										
2 NCAC 20B .0104	13:13 NCR 1040		13:18 NCR 1503	*	Object	07/15/99	*		14:09 NCR 708	
2 NCAC 43L .0309	13:14 NCR 1109		13:20 NCR 1718	*	Approve	08/19/99			14:09 NCR 708	
Consumer Services										
2 NCAC 54 .0101	13:14 NCR 1119	13:14 NCR 1119	13:20 NCR 1718	*	Approve	07/15/99			14:06 NCR 490	
2 NCAC 54 .0102	13:14 NCR 1119	13:14 NCR 1119	13:20 NCR 1718	*	Approve	07/15/99			14:06 NCR 490	
2 NCAC 54 .0103	13:14 NCR 1119	13:14 NCR 1119	13:20 NCR 1718	*	Agcy Withdraw	07/15/99				
2 NCAC 54 .0104	13:14 NCR 1119	Temp Expired 10/12/99	13:20 NCR 1718	*	Approve	07/15/99	*		14:06 NCR 490	
2 NCAC 54 .0105	13:14 NCR 1119	13:14 NCR 1119	13:20 NCR 1718	*	Agcy Withdraw	07/15/99				
2 NCAC 55 .0101		14:17 NCR 1512								
2 NCAC 55 .0102		14:17 NCR 1512								
2 NCAC 55 .0103		14:17 NCR 1512								
2 NCAC 55 .0104		14:17 NCR 1512								
2 NCAC 55 .0201		14:17 NCR 1512								
2 NCAC 55 .0202		14:17 NCR 1512								
2 NCAC 55 .0203		14:17 NCR 1512								
2 NCAC 55 .0301		14:17 NCR 1512								
2 NCAC 55 .0302		14:17 NCR 1512								
2 NCAC 55 .0303		14:17 NCR 1512								
2 NCAC 55 .0401		14:17 NCR 1512								
2 NCAC 55 .0402		14:17 NCR 1512								
2 NCAC 55 .0403		14:17 NCR 1512								
2 NCAC 55 .0501		14:17 NCR 1512								

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					Action	Date				
2 NCAC 55 .0502		14:17 NCR 1512								
2 NCAC 55 .0503		14:17 NCR 1512								
Pesticide Board										
2 NCAC 09K .0214	13:14 NCR 1109		13:20 NCR 1717	*	Approve	07/15/99	*		14:06 NCR 490	
2 NCAC 09L .0502	14:01 NCR 4		14:05 NCR 374	*						
2 NCAC 09L .1201	14:01 NCR 4		14:05 NCR 374	*						
Structural Pest Control Committee										
2 NCAC 34 .0102	14:09 NCR 655		14:13 NCR 1093	*						
2 NCAC 34 .0330	14:09 NCR 687	14:09 NCR 687	14:13 NCR 1093	*						
2 NCAC 34 .0509	14:09 NCR 687		14:13 NCR 1093	*						
Veterinary Board										
Notice of Public Hearing on Proposed Temporary Rules										
2 NCAC 52B .0201	14:14 NCR 1223									14:05 NCR 368
2 NCAC 52B .0206	14:08 NCR 582	14:08 NCR 582	14:13 NCR 1097	*						
2 NCAC 52B .0207	13:23 NCR 1946	13:23 NCR 1946	14:03 NCR 128	*	Object	11/17/99	*			
2 NCAC 52B .0302	13:23 NCR 1901		14:03 NCR 128	*	Approve	01/20/00	*			
2 NCAC 52B .0401	14:08 NCR 582	14:08 NCR 582	14:13 NCR 1097	*	Object	11/17/99	*			
2 NCAC 52B .0402	14:08 NCR 582	14:08 NCR 582	14:13 NCR 1097	*	Approve	01/20/00	*			
2 NCAC 52B .0403	14:08 NCR 582	14:08 NCR 582	14:13 NCR 1097	*	Object	11/17/99	*			
2 NCAC 52B .0404	14:08 NCR 582	14:08 NCR 582	14:13 NCR 1097	*	Approve	01/20/00	*			
2 NCAC 52B .0405	14:08 NCR 582	14:08 NCR 582	14:13 NCR 1097	*						
2 NCAC 52B .0406	14:08 NCR 582	14:08 NCR 582	14:13 NCR 1097	*						
2 NCAC 52B .0407	14:08 NCR 582	14:08 NCR 582	14:13 NCR 1097	*						
2 NCAC 52B .0408	14:08 NCR 582	14:08 NCR 582	14:13 NCR 1097	*						
2 NCAC 52B .0409	14:08 NCR 582	14:08 NCR 582	14:13 NCR 1097	*						
2 NCAC 52B .0410	14:08 NCR 582	14:08 NCR 582	14:13 NCR 1097	*						
2 NCAC 52B .0411	14:08 NCR 582	14:08 NCR 582	14:13 NCR 1097	*						

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2 NCAC 52B .0412	14:08 NCR 582	14:08 NCR 582	14:13 NCR 1097	*						
2 NCAC 52E .0209	13:23 NCR 1901		14:03 NCR 128	*	Approve	01/20/00	*			
APPRAISAL BOARD										
21 NCAC 57A .0305	13:01 NCR 3		13:05 NCR 513	*	Object Approve	11/19/98 03/18/99	*		14:01 NCR 48	
ARCHITECTURE, BOARD OF										
21 NCAC 02 .0206	14:08 NCR 578									
21 NCAC 02 .0302	14:08 NCR 578		14:13 NCR 1148	*						
21 NCAC 02 .0303	14:08 NCR 578		14:13 NCR 1148	*						
AUCTIONEERS COMMISSION										
21 NCAC 04B .0201		14:13 NCR 1192								
21 NCAC 04B .0202		14:13 NCR 1192								
21 NCAC 04B .0302		14:13 NCR 1192								
21 NCAC 04B .0404		14:13 NCR 1192								
21 NCAC 04B .0601		14:13 NCR 1192								
21 NCAC 04B .0801		14:13 NCR 1192								
21 NCAC 04B .0802		14:13 NCR 1192								
21 NCAC 04B .0803		14:13 NCR 1192								
21 NCAC 04B .0804		14:13 NCR 1192								
21 NCAC 04B .0805		14:13 NCR 1192								
21 NCAC 04B .0806		14:13 NCR 1192								
21 NCAC 04B .0807		14:13 NCR 1192								
21 NCAC 04B .0808		14:13 NCR 1192								
21 NCAC 04B .0809		14:13 NCR 1192								
21 NCAC 04B .0810		14:13 NCR 1192								
21 NCAC 04B .0811		14:13 NCR 1192								
21 NCAC 04B .0812		14:13 NCR 1192								
21 NCAC 04B .0813		14:13 NCR 1192								

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21 NCAC 04B .0814		14:13 NCR 1192								
21 NCAC 04B .0815		14:13 NCR 1192								
21 NCAC 04B .0816		14:13 NCR 1192								
21 NCAC 04B .0817		14:13 NCR 1192								
21 NCAC 04B .0818		14:13 NCR 1192								
21 NCAC 04B .0819		14:13 NCR 1192								
CHIROPRACTIC										
21 NCAC 10 .0203		12:23 NCR 2098	13:14 NCR 1117	*	Approve	04/15/99	*		14:02 NCR 84	
COMMERCE										
4 NCAC 01E .0104	11:09 NCR 569		13:08 NCR 652	*	Object	12/17/98				
4 NCAC 01I .0101	11:09 NCR 569	13:15 NCR 1224	13:08 NCR 652	*	Approve	01/21/99	*		13:22 NCR 1868	
4 NCAC 01I .0101		Temp. Expired 10/29/99	13:20 NCR 1719		Agcy withdrew	12/17/98				
		14:08 NCR 585	14:08 NCR 585	L/S	Return to Agcy	08/19/99				
4 NCAC 01I .0102	11:09 NCR 569	13:15 NCR 1224	13:08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01I .0102		Temp. Expired 10/29/99	13:20 NCR 1719	*	Return to Agcy	08/19/99				
		14:08 NCR 585	14:08 NCR 585	L/S/SE						
4 NCAC 01I .0201	11:09 NCR 569	13:15 NCR 1224	13:08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01I .0201		Temp. Expired 10/29/99	13:20 NCR 1719	*	Return to Agcy	08/19/99				
		14:08 NCR 585	14:08 NCR 585	L/S/SE						
4 NCAC 01I .0202	11:09 NCR 569	13:15 NCR 1224	13:08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01I .0202		Temp. Expired 10/29/99	13:20 NCR 1719	*	Return to Agcy	08/19/99				
		14:08 NCR 585	14:08 NCR 585	L/S						
4 NCAC 01I .0301	11:09 NCR 569	13:15 NCR 1224	13:08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01I .0301		Temp. Expired 10/29/99	13:20 NCR 1719	*	Return to Agcy	08/19/99				
		14:08 NCR 585	14:08 NCR 585	L/S/SE						
4 NCAC 01I .0302	11:09 NCR 569	13:15 NCR 1224	13:08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01I .0302		Temp. Expired 10/29/99	13:20 NCR 1719	*	Return to Agcy	08/19/99				
		14:08 NCR 585	14:08 NCR 585	L/S						
4 NCAC 01I .0303	11:09 NCR 569	13:15 NCR 1224	13:08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01I .0303		Temp. Expired 10/29/99	13:20 NCR 1719	*	Return to Agcy	08/19/99				
		14:08 NCR 585	14:08 NCR 585	L/S/SE						
4 NCAC 01I .0304	11:09 NCR 569	13:15 NCR 1224	13:08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01I .0304		Temp. Expired 10/29/99	13:20 NCR 1719	*	Return to Agcy	08/19/99				
		14:08 NCR 585	14:08 NCR 585	L/S/SE						
4 NCAC 01I .0401	11:09 NCR 569	13:15 NCR 1224	13:08 NCR 652	*	Agcy withdrew	12/17/98				

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					Action	Date				
4 NCAC 011.0401		Temp. Expired 10/29/99	13:20 NCR 1719	*	Return to Agency	08/19/99				
4 NCAC 011.0402	11:09 NCR 569	14:08 NCR 585	14:08 NCR 585	L/S/SE	Agency withdrew	12/17/98				
4 NCAC 011.0402		13:15 NCR 1224	13:08 NCR 652	*	Return to Agency	08/19/99				
4 NCAC 011.0403		Temp. Expired 10/29/99	13:20 NCR 1719	L/S						
4 NCAC 011.0403	11:09 NCR 569	14:08 NCR 585	14:08 NCR 585	L/S/SE	Agency withdrew	12/17/98				
4 NCAC 011.0404		13:15 NCR 1224	13:08 NCR 652	*	Return to Agency	08/19/99				
4 NCAC 011.0404		Temp. Expired 10/29/99	13:20 NCR 1719	L/S/SE						
4 NCAC 011.0405	11:09 NCR 569	14:08 NCR 585	14:08 NCR 585	*	Agency withdrew	12/17/98				
4 NCAC 011.0405		13:15 NCR 1224	13:08 NCR 652	*	Return to Agency	08/19/99				
4 NCAC 011.0501	11:09 NCR 569	14:08 NCR 585	14:08 NCR 585	L/S/SE	Agency withdrew	12/17/98				
4 NCAC 011.0501		13:15 NCR 1224	13:08 NCR 652	*	Return to Agency	08/19/99				
4 NCAC 011.0502	11:09 NCR 569	14:08 NCR 585	14:08 NCR 585	L/S	Agency withdrew	12/17/98				
4 NCAC 011.0502		Temp. Expired 10/29/99	13:20 NCR 1719	L/S/SE						
4 NCAC 011.0503	11:09 NCR 569	14:08 NCR 585	14:08 NCR 585	*	Agency withdrew	12/17/98				
4 NCAC 011.0503		13:15 NCR 1224	13:08 NCR 652	*	Return to Agency	08/19/99				
4 NCAC 011.0601	11:09 NCR 569	14:08 NCR 585	14:08 NCR 585	L/S	Agency withdrew	12/17/98				
4 NCAC 011.0601		Temp. Expired 10/29/99	13:20 NCR 1719	L/S/SE						
4 NCAC 011.0701	11:09 NCR 569	14:08 NCR 585	14:08 NCR 585	*	Agency withdrew	12/17/98				
4 NCAC 011.0701		13:15 NCR 1224	13:08 NCR 652	*	Return to Agency	08/19/99				
4 NCAC 011.0801	11:09 NCR 569	14:08 NCR 585	14:08 NCR 585	L/S	Agency withdrew	12/17/98				
4 NCAC 011.0801		Temp. Expired 10/29/99	13:20 NCR 1719	L/S/SE						
4 NCAC 01K .0102	11:09 NCR 569	14:08 NCR 585	14:08 NCR 585	*	Agency withdrew	12/17/98				
4 NCAC 01K .0103	11:09 NCR 569	13:08 NCR 652	13:08 NCR 652	*	Object	12/17/98	*		13:22 NCR 1868	
4 NCAC 01K .0302	11:09 NCR 569	13:08 NCR 652	13:08 NCR 652	*	Approve	01/21/99	*		13:22 NCR 1868	
4 NCAC 01K .0402	11:09 NCR 569	13:08 NCR 652	13:08 NCR 652	*	Object	12/17/98	*		13:22 NCR 1868	
4 NCAC 01M .0101		14:17 NCR 1513	13:08 NCR 652	*	Approve	01/21/99	*		13:22 NCR 1868	

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4 NCAC 01M .0102		14:17 NCR 1513								
4 NCAC 01M .0103		14:17 NCR 1513								
4 NCAC 01M .0104		14:17 NCR 1513								
4 NCAC 01M .0105		14:17 NCR 1513								
4 NCAC 01M .0106		14:17 NCR 1513								
4 NCAC 01M .0107		14:17 NCR 1513								
Banking Commission										
4 NCAC 03B .0101	N/A		N/A	N/A	Object	10/22/98			14:01 NCR 48	
4 NCAC 03B .0102	N/A		N/A	N/A	Approve	03/18/99				
4 NCAC 03B .0103	N/A		N/A	N/A	Object	10/22/98			14:01 NCR 48	
4 NCAC 03H .0102	N/A		N/A	N/A	Approve	03/18/99				
					Object	10/22/98			14:01 NCR 48	
					Approve	03/18/99	*		14:15 NCR 1354	
					Approve	11/17/99				
4 NCAC 03L .0101	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99			14:15 NCR 1354	
4 NCAC 03L .0102	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99			14:15 NCR 1354	
4 NCAC 03L .0201	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99			14:15 NCR 1354	
4 NCAC 03L .0202	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99			14:15 NCR 1354	
4 NCAC 03L .0301	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99			14:15 NCR 1354	
4 NCAC 03L .0302	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99	*		14:15 NCR 1354	
4 NCAC 03L .0303	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99			14:15 NCR 1354	
4 NCAC 03L .0401	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99			14:15 NCR 1354	
4 NCAC 03L .0402	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99			14:15 NCR 1354	
4 NCAC 03L .0403	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99			14:15 NCR 1354	
4 NCAC 03L .0404	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99			14:15 NCR 1354	
4 NCAC 03L .0405	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99	*		14:15 NCR 1354	
4 NCAC 03L .0501	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99			14:15 NCR 1354	
4 NCAC 03L .0502	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99	*		14:15 NCR 1354	
4 NCAC 03L .0601	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99	*		14:15 NCR 1354	

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4 NCAC 03L .0602	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99			14:15 NCR 1354	
4 NCAC 03L .0603	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99			14:15 NCR 1354	
4 NCAC 03L .0604	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99			14:15 NCR 1354	
Cape Fear River Navigation and Pilotage Commission										
4 NCAC 15 .0119	14:03 NCR 125		14:07 NCR 522	*	Approve	12/16/99	*		14:17 NCR 1525	
4 NCAC 15 .0120	14:03 NCR 125		14:07 NCR 522	*	Object	12/16/99				
					Return to agcy	01/20/00				
4 NCAC 15 .0121	14:03 NCR 125		14:07 NCR 522	*	Object	12/16/99				
					Object	01/20/00				
Industrial Commission										
Public Notice - Hospital Fees for Workers' Compensation Cases										
Public Notice - Hospital Fees for Workers' Compensation Cases										
Secretary of Commerce/ITS										
4 NCAC 21A .0101	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						14:01 NCR 2
4 NCAC 21A .0102	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						14:11 NCR 903
4 NCAC 21A .0103	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0101	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0102	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0103	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0201	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0202	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0203	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0204	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0205	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0206	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0207	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0301	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0302	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0303	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						

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					Action	Date				
4 NCAC 21B .0304	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0305	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0306	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0307	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0308	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0309	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0310	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0311	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0312	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0313	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0314	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0315	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0401	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0402	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0403 ¹	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0501	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0502	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0503	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0504	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0505	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0601	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0602	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0603	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0701	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0702	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0703	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0801	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						

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4 NCAC 21B .0901	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0902	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1001	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1002	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1003	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1004	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1005	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1006	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1008	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1009	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1010	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1011	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1012	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1013	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1014	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1015	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1016	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1017	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1018	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1019	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1020	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1021	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1022	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1023	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1024	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1025	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1026	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						

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4 NCAC 21B .1027	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1028	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1029	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1030	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1031	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1101	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1102	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1103	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1104	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1105	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1201	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1202	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
COMMUNITY COLLEGES										
23 NCAC 02B .0104	13:10 NCR 804		13:22 NCR 1849	*	Approve	01/20/00				
23 NCAC 02C .0307		13:05 NCR 524	Temp Expired 05/29/99							
23 NCAC 02C .0503		13:10 NCR 815	13:22 NCR 1849	*	Approve	01/20/00	*			
23 NCAC 02C .0504		Expired 08/13/99	13:22 NCR 1849	*	Approve	01/20/00	*			
23 NCAC 02C .0505		Expired 08/13/99	13:22 NCR 1849	*	Approve	01/20/00	*			
23 NCAC 02D .0323	13:19 NCR 1609		14:04 NCR 304	*						
23 NCAC 02D .0324	13:19 NCR 1609		14:04 NCR 304	*						
23 NCAC 02E .0205		14:13 NCR 1201								
COSMETIC ART EXAMINERS										
21 NCAC 14A .0101	13:14 NCR 1114	13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14A .0101	14:16 NCR 1401									
21 NCAC 14A .0103	13:14 NCR 1114		13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14A .0104	13:14 NCR 1114									

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21 NCAC 14A .0105		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99			14:05 NCR 402	
21 NCAC 14C .0202	13:14 NCR 1114		13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14F .0101	13:14 NCR 1114		13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14F .0105	13:14 NCR 1114		13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14G .0103		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14G .0113	N/A		N/A	N/A	Approve	03/18/99			14:01 NCR 48	
21 NCAC 14H .0112		13:16 NCR 1263	13:21 NCR 1794	*	Approve	07/15/99	*		14:06 NCR 490	
21 NCAC 14H .0118		13:16 NCR 1263	13:21 NCR 1794	*	Approve	07/15/99			14:06 NCR 490	
21 NCAC 14I .0104	13:14 NCR 1114		13:19 NCR 1652	*	Object	06/17/99	*		14:09 NCR 708	
21 NCAC 14I .0104		14:17 NCR 1523			Approve	08/19/99				
21 NCAC 14I .0106		14:17 NCR 1523								
21 NCAC 14I .0107	13:14 NCR 1114		13:19 NCR 1652	*	Object	06/17/99			14:09 NCR 708	
21 NCAC 14I .0109	13:14 NCR 1114		13:19 NCR 1652	*	Approve	08/19/99	*		14:05 NCR 402	
21 NCAC 14I .0103		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99			14:05 NCR 402	
21 NCAC 14I .0208	13:14 NCR 1114		13:19 NCR 1652	*	Object	06/17/99	*		14:09 NCR 708	
21 NCAC 14J .0501	13:14 NCR 1114		13:19 NCR 1652	*	Approve	08/19/99			14:09 NCR 708	
21 NCAC 14K .0102		13:14 NCR 1157	13:19 NCR 1652	*	Object	06/17/99	*		14:05 NCR 402	
21 NCAC 14K .0107		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14L .0101	13:14 NCR 1114		13:19 NCR 1652	*	Object	06/17/99	*		14:09 NCR 708	
21 NCAC 14L .0105	13:14 NCR 1114	13:14 NCR 1157	13:19 NCR 1652	*	Object	06/17/99	*		14:09 NCR 708	
21 NCAC 14L .0109		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99			14:05 NCR 402	
21 NCAC 14L .0210	N/A	Expired 10/12/99								
21 NCAC 14L .0214	N/A		N/A	N/A	Approve	03/18/99			14:01 NCR 48	
21 NCAC 14L .0216		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14L .0303	13:14 NCR 1114		13:19 NCR 1652	*	Agcy Withdrew	06/17/99				

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21 NCAC 14N .0101	13:14 NCR 1114		13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14N .0102	13:14 NCR 1114		13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14N .0103	13:14 NCR 1114	13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14N .0104		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14N .0105	13:14 NCR 1114		13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14N .0108	13:14 NCR 1114		13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14N .0110		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14N .0112	13:14 NCR 1114		13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14N .0113	13:14 NCR 1114	13:14 NCR 1157	13:19 NCR 1652	*	Object	06/17/99	*		14:05 NCR 402	
21 NCAC 14N .0601		13:14 NCR 1157	13:19 NCR 1652	*	Approve	08/19/99	*		14:09 NCR 708	
21 NCAC 14N .0602		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14N .0701		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14N .0702		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14O .0101		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14O .0102		13:14 NCR 1157	13:19 NCR 1652	*	Object	06/17/99	*		14:09 NCR 708	
21 NCAC 14O .0103		13:14 NCR 1157	13:19 NCR 1652	*	Approve	08/19/99	*		14:05 NCR 402	
21 NCAC 14O .0104		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14O .0105		13:14 NCR 1157	13:19 NCR 1652	*	Object	06/17/99	*		14:09 NCR 708	
		Temp Expired 10/12/99		*	Approve	08/19/99	*			
21 NCAC 14O .0105		14:17 NCR 1523			Agcy Withdrew	06/17/99				
21 NCAC 14O .0106		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14O .0107		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14P .0101		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14P .0102		13:14 NCR 1157	13:19 NCR 1652	L	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14P .0103	14:16 NCR 1401									
21 NCAC 14P .0103		13:14 NCR 1157	13:19 NCR 1652	L	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14P .0104		13:14 NCR 1157	13:19 NCR 1652	L	Approve	06/17/99	*		14:05 NCR 402	

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21 NCAC 14P .0105	14:16 NCR 1401									
21 NCAC 14P .0105		13:14 NCR 1157	13:19 NCR 1652	L	Object	06/17/99			14:09 NCR 708	
21 NCAC 14P .0106		13:14 NCR 1157	13:19 NCR 1652	L	Approve	08/19/99	*		14:05 NCR 402	
21 NCAC 14P .0107	14:16 NCR 1401				Approve	06/17/99				
21 NCAC 14P .0107		13:14 NCR 1157	13:19 NCR 1652	L	Approve	06/17/99			14:05 NCR 402	
21 NCAC 14P .0108		13:14 NCR 1157	13:19 NCR 1652	L	Approve	06/17/99			14:05 NCR 402	
21 NCAC 14P .0108	14:16 NCR 1401									
21 NCAC 14P .0109		13:14 NCR 1157	13:19 NCR 1652	L	Approve	06/17/99			14:05 NCR 402	
21 NCAC 14P .0110		13:14 NCR 1157	13:19 NCR 1652	L	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14P .0111		13:14 NCR 1157	13:19 NCR 1652	L	Object	06/17/99			14:09 NCR 708	
21 NCAC 14P .0112		13:14 NCR 1157	13:19 NCR 1652	L	Approve	08/19/99	*		14:09 NCR 708	
21 NCAC 14P .0113		13:14 NCR 1157	13:19 NCR 1652	L	Object	06/17/99			14:09 NCR 708	
21 NCAC 14P .0114		13:14 NCR 1157	13:19 NCR 1652	L	Approve	08/19/99	*		14:09 NCR 708	
21 NCAC 14P .0115	14:16 NCR 1401				Approve	06/17/99			14:05 NCR 402	
21 NCAC 14P .0115		13:14 NCR 1157	13:19 NCR 1652	L	Object	06/17/99	*		14:09 NCR 708	
21 NCAC 14P .0116		13:14 NCR 1157	13:19 NCR 1652	L	Approve	08/19/99	*		14:09 NCR 708	
CULTURAL RESOURCES										
7 NCAC 04S .0101	14:05 NCR 370		14:09 NCR 657	*	Agcy Withdraw	01/20/00				
7 NCAC 04S .0102	14:05 NCR 370		14:09 NCR 657	*	Agcy Withdraw	01/20/00				
7 NCAC 04S .0103	14:05 NCR 370		14:09 NCR 657	*	Approve	01/20/00				
7 NCAC 04S .0104	14:05 NCR 370		14:09 NCR 657	*	Agcy Withdraw	01/20/00				
7 NCAC 04S .0105	14:05 NCR 370		14:09 NCR 657	*	Agcy Withdraw	01/20/00				
7 NCAC 04S .0106	14:05 NCR 370		14:09 NCR 657	*	Agcy Withdraw	01/20/00				
7 NCAC 04S .0107	14:05 NCR 370		14:09 NCR 657	*	Agcy Withdraw	01/20/00				
7 NCAC 04S .0108	14:05 NCR 370		14:09 NCR 657	*	Agcy Withdraw	01/20/00				
7 NCAC 04S .0109	14:05 NCR 370		14:09 NCR 657	*	Agcy Withdraw	01/20/00				

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7 NCAC 04S .0110	14:05 NCR 370		14:09 NCR 657	*	Agency Withdraw	01/20/00				
DENTAL EXAMINERS										
21 NCAC 16G .0101	13:10 NCR 804		13:15 NCR 1218	*	Approve	01/20/00	*			
21 NCAC 16G .0102	13:10 NCR 804		13:15 NCR 1218	*	Approve	01/20/00				
21 NCAC 16G .0103	13:10 NCR 804		13:15 NCR 1218	*	Approve	01/20/00	*			
21 NCAC 16H .0103	12:24 NCR 2203		13:15 NCR 1218	*	Approve	01/20/00	*			
21 NCAC 16H .0104	12:24 NCR 2203		13:15 NCR 1218	*	Approve	01/20/00	*			
21 NCAC 16H .0201	12:24 NCR 2203		13:15 NCR 1218	*	Approve	01/20/00	*			
21 NCAC 16H .0202	12:24 NCR 2203		13:15 NCR 1218	*	Approve	01/20/00	*			
21 NCAC 16H .0203	12:24 NCR 2203		13:15 NCR 1218	*	Approve	01/20/00	*			
21 NCAC 16H .0204	12:24 NCR 2203		13:15 NCR 1218	*	Approve	01/20/00	*			
21 NCAC 16I .0103	14:15 NCR 1346			*			*			
21 NCAC 16I .0104	14:15 NCR 1346			*			*			
21 NCAC 16M .0101		13:11 NCR 910	13:15 NCR 1218	*	Object	06/17/99	*		14:06 NCR 490	
21 NCAC 16M .0102	14:06 NCR 487	14:06 NCR 487			Approve	07/15/99				
21 NCAC 16Q .0201	12:24 NCR 2203		13:15 NCR 1218	*	Approve	01/20/00	*			
21 NCAC 16Q .0202	12:24 NCR 2203		13:15 NCR 1218	*	Approve	01/20/00	*			
21 NCAC 16Q .0301	12:24 NCR 2203		13:15 NCR 1218	*	Approve	01/20/00	*			
21 NCAC 16Q .0302	12:24 NCR 2203		13:15 NCR 1218	*	Approve	01/20/00	*			
21 NCAC 16R .0102	14:15 NCR 1346									
21 NCAC 16R .0103	14:15 NCR 1346									
21 NCAC 16S .0101	14:06 NCR 487	14:06 NCR 487								
21 NCAC 16S .0102	14:06 NCR 487	14:06 NCR 487								
21 NCAC 16S .0201	14:06 NCR 487	14:06 NCR 487								
21 NCAC 16S .0203	14:06 NCR 487	14:06 NCR 487								
21 NCAC 16S .0205	13:10 NCR 804		13:15 NCR 1218	*						

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21 NCAC 16S .0205	14:06 NCR 487	14:06 NCR 487								
21 NCAC 16V .0101	13:10 NCR 804		13:15 NCR 1218	*	Approve	01/20/00	*			
21 NCAC 16V .0102	13:10 NCR 804		13:15 NCR 1218	*	Approve	01/20/00	*			
21 NCAC 16W .0101	14:08 NCR 647	14:08 NCR 647								
21 NCAC 16W .0102	14:08 NCR 647	14:08 NCR 647								
21 NCAC 16W .0103		14:15 NCR 1353								
ELECTRICAL CONTRACTORS, BOARD OF EXAMINERS										
21 NCAC 18B .0208	N/A		N/A	N/A	Object Approve	06/17/99 07/15/99			14:06 NCR 490	
EMPLOYEE ASSISTANCE PROFESSIONALS, BOARD OF										
21 NCAC 11 .0101	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Approve	01/21/99	*		13:22 NCR 1868	
21 NCAC 11 .0102	12:19 NCR 1764	12:21 NCR 1884 Expired 04/30/99	13:03 NCR 313	S/L	Agcy. withdrew					
21 NCAC 11 .0103	12:19 NCR 1764	12:21 NCR 1884 Expired 04/30/99	13:03 NCR 313	S/L	Agcy. withdrew					
21 NCAC 11 .0104	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Approve	01/21/99	*		13:22 NCR 1868	
21 NCAC 11 .0105	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Approve	01/21/99	*		13:22 NCR 1868	
21 NCAC 11 .0106	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Approve	01/21/99	*		13:22 NCR 1868	
21 NCAC 11 .0107	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Approve	01/21/99	*		13:22 NCR 1868	
21 NCAC 11 .0108	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Approve	01/21/99	*		13:22 NCR 1868	
21 NCAC 11 .0109	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Approve	01/21/99	*		13:22 NCR 1868	
21 NCAC 11 .0110	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Object	01/21/99				
21 NCAC 11 .0111	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Approve	02/18/99	*		13:24 NCR 2037	
21 NCAC 11 .0112	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Approve	01/21/99	*		13:22 NCR 1868	
ENGINEERS AND SURVEYORS, BOARD OF EXAMINERS FOR										
21 NCAC 56 .0101	14:08 NCR 579		14:13 NCR 1154	*	Approve	01/21/99	*		13:22 NCR 1868	
21 NCAC 56 .0103	14:08 NCR 579		14:13 NCR 1154	*	Approve	01/21/99	*		13:22 NCR 1868	
21 NCAC 56 .0104	14:08 NCR 579		14:13 NCR 1154	*	Approve	01/21/99	*		13:22 NCR 1868	
21 NCAC 56 .0402	14:08 NCR 579		14:13 NCR 1154	*	Approve	01/21/99	*		13:22 NCR 1868	

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21 NCAC 56 .0501	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .0502	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .0503	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .0505	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .0601	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .0602	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .0603	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .0606	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .0701	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .0702	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .0802	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .0804	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .0901	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .0902	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1001	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1002	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1003	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1101	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1102	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1103	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1104	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1105	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1106	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1201	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1203	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1301	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1302	14:08 NCR 579		14:13 NCR 1154	*						

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21 NCAC 56 .1409	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1501	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1601	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1602	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1603	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1604	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1605	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1606	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1607	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1608	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1609	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1701	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1702	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1703	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1704	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1705	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1706	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1707	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1708	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1709	14:08 NCR 579		14:13 NCR 1154	*						
ENVIRONMENT AND NATURAL RESOURCES										
15A NCAC 01C .0505		14:17 NCR 1515								
15A NCAC 01J .0101		13:18 NCR 1528	13:22 NCR 1827	*	Approve	12/16/99			14:17 NCR 1525	
15A NCAC 01J .0102		13:18 NCR 1528	13:22 NCR 1827	S/L	Approve	12/16/99	*		14:17 NCR 1525	
15A NCAC 01J .0202		13:18 NCR 1528	13:22 NCR 1827	S/L	Approve	12/16/99	*		14:17 NCR 1525	
15A NCAC 01J .0301	14:08 NCR 644									
15A NCAC 01J .0303		13:18 NCR 1528	13:22 NCR 1827	S/L	Approve	12/16/99	*		14:17 NCR 1525	

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15A NCAC 01J .0402		13:18 NCR 1528	13:22 NCR 1827	S/L	Object	12/16/99				
15A NCAC 01J .0502		13:18 NCR 1528	13:22 NCR 1827	S/L	Approve	01/20/00	*		14:17 NCR 1525	
15A NCAC 01J .0504		13:18 NCR 1528	13:22 NCR 1827	*	Approve	12/16/99				
15A NCAC 01J .0601		13:18 NCR 1528	13:22 NCR 1827	*	Object	12/16/99	*			
15A NCAC 01J .0604		13:18 NCR 1528	13:22 NCR 1827	*	Approve	01/20/00	*		14:17 NCR 1525	
15A NCAC 01J .0701		13:18 NCR 1528	13:22 NCR 1827	*	Approve	12/16/99				
15A NCAC 01J .0703		13:18 NCR 1528	13:22 NCR 1827	S/L	Object	12/16/99	*			
15A NCAC 01J .0803		13:18 NCR 1528	13:22 NCR 1827	S/L	Approve	01/20/00			14:17 NCR 1525	
15A NCAC 01J .0903		13:18 NCR 1528	13:22 NCR 1827	S/L	Approve	12/16/99			14:17 NCR 1525	
15A NCAC 01J .0904		13:18 NCR 1528	13:22 NCR 1827	S/L	Object	12/16/99	*			
15A NCAC 01K 10:19 NCR 2506		13:18 NCR 1528	13:22 NCR 1827	*	Approve	01/20/00	*		14:17 NCR 1525	
15A NCAC 01L .0101		13:18 NCR 1528	13:22 NCR 1827	*	Approve	12/16/99			14:17 NCR 1525	
15A NCAC 01L .0102		13:18 NCR 1528	13:22 NCR 1827	S/L	Approve	12/16/99	*		14:17 NCR 1525	
15A NCAC 01L .0203		13:18 NCR 1528	13:22 NCR 1827	*	Approve	12/16/99			14:17 NCR 1525	
15A NCAC 01L .0301	14:08 NCR 644	14:08 NCR 644	13:22 NCR 1827	*	Approve	12/16/99			14:17 NCR 1525	
15A NCAC 01L .0303		13:18 NCR 1528	13:22 NCR 1827	S/L	Approve	12/16/99			14:17 NCR 1525	
15A NCAC 01L .0501		13:18 NCR 1528	13:22 NCR 1827	*	Approve	12/16/99	*		14:17 NCR 1525	
15A NCAC 01L .0503		13:18 NCR 1528	13:22 NCR 1827	*	Object	12/16/99	*			
15A NCAC 01L .0601		13:18 NCR 1528	13:22 NCR 1827	*	Approve	01/20/00			14:17 NCR 1525	
15A NCAC 01L .0604		13:18 NCR 1528	13:22 NCR 1827	*	Approve	12/16/99			14:17 NCR 1525	
15A NCAC 01L .0701		13:18 NCR 1528	13:22 NCR 1827	*	Object	12/16/99	*			
15A NCAC 01L .0801		13:18 NCR 1528	13:22 NCR 1827	S/L	Approve	01/20/00	*		14:17 NCR 1525	
15A NCAC 01L .0902		13:18 NCR 1528	13:22 NCR 1827	S/L	Approve	12/16/99	*		14:17 NCR 1525	
15A NCAC 01L .1003		13:18 NCR 1528	13:22 NCR 1827	*	Object	12/16/99	*			

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15A NCAC 01L .1004		13:18 NCR 1528	13:22 NCR 1827	*	Approve	12/16/99	*		14:17 NCR 1525	
15A NCAC 01P .0101		14:17 NCR 1515								
15A NCAC 01P .0102		14:17 NCR 1515								
15A NCAC 01P .0103		14:17 NCR 1515								
15A NCAC 01P .0104		14:17 NCR 1515								
15A NCAC 01P .0105		14:17 NCR 1515								
15A NCAC 01Q .0101		14:17 NCR 1515								
Coastal Resources Commission										
15A NCAC 07 11:04 NCR 183										
15A NCAC 07H .0200	13:22 NCR 1818									
15A NCAC 07H .0201	12:21 NCR 1873		13:23 NCR 1937	*	Approve	12/16/99	*		14:17 NCR 1525	14:02 NCR 74
15A NCAC 07H .0203	12:21 NCR 1873		13:23 NCR 1937	*	Approve	12/16/99			14:17 NCR 1525	14:02 NCR 74
15A NCAC 07H .0208	11:19 NCR 1408		11:27 NCR 2058	*						
15A NCAC 07H .0208	12:21 NCR 1873									
15A NCAC 07H .0209	12:21 NCR 1873		13:23 NCR 1937	S/L	Object	12/16/99				14:02 NCR 74
15A NCAC 07H .0209	13:22 NCR 1818		14:16 NCR 1421	L	Approve	01/20/00	*			
15A NCAC 07H .0210	12:02 NCR 52									
15A NCAC 07H .0300	13:05 NCR 436									
15A NCAC 07H .0306	11:04 NCR 183		11:11 NCR 907	*						
15A NCAC 07H .0306	12:19 NCR 1763									
15A NCAC 07H .0309	13:05 NCR 436		13:13 NCR 1044	S	Object	07/15/99	*		14:09 NCR 708	
					Approve	08/19/99				
15A NCAC 07H .1100	12:21 NCR 1873									
15A NCAC 07H .1103	14:06 NCR 428		14:09 NCR 662	S/L	Approve	01/20/00				
15A NCAC 07H .1200	12:21 NCR 1873									
15A NCAC 07H .1203	14:06 NCR 428		14:09 NCR 662	S/L	Approve	01/20/00				
15A NCAC 07H .1300	14:06 NCR 428									
15A NCAC 07H .1301	12:21 NCR 1873		13:23 NCR 1937	*	Approve	12/16/99	*		14:17 NCR 1525	14:02 NCR 74

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15A NCAC 07H .1303	14:06 NCR 428		14:09 NCR 662	S/L	Approve	01/20/00				
15A NCAC 07H .1400	12:21 NCR 1873									
15A NCAC 07H .1403	14:06 NCR 428		14:09 NCR 662	S/L	Approve	01/20/00				
15A NCAC 07H .1500	12:21 NCR 1873									
15A NCAC 07H .1503	14:06 NCR 428		14:09 NCR 662	S/L	Approve	01/20/00				
15A NCAC 07H .1600	11:15 NCR 1200									
15A NCAC 07H .1600	14:06 NCR 428									
15A NCAC 07H .1601	12:21 NCR 1873		13:23 NCR 1937	*	Approve	12/16/99	*		14:17 NCR 1525	14:02 NCR 74
15A NCAC 07H .1603	14:06 NCR 428		14:09 NCR 662	S/L	Approve	01/20/00				
15A NCAC 07H .1700	12:21 NCR 1873									
15A NCAC 07H .1803	14:06 NCR 428		14:09 NCR 662	S/L	Approve	01/20/00				
15A NCAC 07H .1805		13:07 NCR 593	13:16 NCR 1259	*	Object	07/15/99			14:10 NCR 839	
					Object	08/19/99	*		14:17 NCR 1525	14:02 NCR 74
15A NCAC 07H .1901	12:21 NCR 1873		13:23 NCR 1937	*	Approve	12/16/99	*			
15A NCAC 07H .1903	14:06 NCR 428		14:09 NCR 662	S/L	Approve	01/20/00				
15A NCAC 07H .2003	14:06 NCR 428		14:09 NCR 662	S/L	Approve	01/20/00				
15A NCAC 07H .2100	14:06 NCR 428									
15A NCAC 07H .2101	13:05 NCR 436		13:13 NCR 1044	S	Approve	07/15/99	*		14:06 NCR 490	
15A NCAC 07H .2102	13:05 NCR 436		13:13 NCR 1044	S	Approve	07/15/99	*		14:06 NCR 490	
15A NCAC 07H .2103	14:06 NCR 428		14:09 NCR 662	S/L	Approve	01/20/00				
15A NCAC 07H .2105	13:05 NCR 436		13:13 NCR 1044	S	Object	07/15/99	*		14:09 NCR 708	
					Approve	08/19/99				
15A NCAC 07H .2203	14:06 NCR 428		14:09 NCR 662	S/L	Approve	01/20/00				
15A NCAC 07H .2300	14:06 NCR 428									
15A NCAC 07H .2301	12:21 NCR 1873		13:23 NCR 1937	*	Approve	12/16/99			14:17 NCR 1525	14:02 NCR 74
15A NCAC 07H .2303	14:06 NCR 428		14:09 NCR 662	S/L	Approve	01/20/00				
15A NCAC 07H .2401	13:05 NCR 436		13:13 NCR 1044	S	Approve	05/20/99	*		14:04 NCR 330	
15A NCAC 07H .2402	13:05 NCR 436		13:13 NCR 1044	S	Approve	05/20/99	*		14:04 NCR 330	

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15A NCAC 07H .2403	13:05 NCR 436		13:13 NCR 1044	S	Approve	05/20/99			14:04 NCR 330	
15A NCAC 07H .2404	13:05 NCR 436		13:13 NCR 1044	S	Object	05/20/99	*		14:05 NCR 402	
15A NCAC 07H .2405	13:05 NCR 436		13:13 NCR 1044	S	Approve	06/17/99	*		14:04 NCR 330	
15A NCAC 07H .2501	14:09 NCR 693	14:09 NCR 693			Approve	05/20/99				
15A NCAC 07H .2502	14:09 NCR 693	14:09 NCR 693								
15A NCAC 07H .2503	14:09 NCR 693	14:09 NCR 693								
15A NCAC 07H .2504	14:09 NCR 693	14:09 NCR 693								
15A NCAC 07H .2505	14:09 NCR 693	14:09 NCR 693								
15A NCAC 07J .0200	12:24 NCR 2202									
15A NCAC 07J .0204		13:07 NCR 593	Temp Expired 06/28/99							
15A NCAC 07J .0204	14:06 NCR 428		14:09 NCR 662	S/L	Approve	01/20/00	*			
15A NCAC 07J .0404	14:06 NCR 428		14:09 NCR 662	S/L	Approve	01/20/00	*			
15A NCAC 07J .0405	12:24 NCR 2202									
15A NCAC 07J .0405	14:06 NCR 428		14:09 NCR 662	S/L	Approve	01/20/00	*			
15A NCAC 07J .0406	14:06 NCR 428		14:09 NCR 662	S/L	Object	01/20/00				
15A NCAC 07K .0203	12:21 NCR 1873		13:23 NCR 1937	*	Approve	12/16/99	*		14:17 NCR 1525	14:02 NCR 74
15A NCAC 07K .0203	14:06 NCR 428									
15A NCAC 07K .0208	12:21 NCR 1873									
15A NCAC 07K .0208	14:06 NCR 428									
15A NCAC 07K .0209	12:21 NCR 1873			*	Approve		*		14:17 NCR 1525	14:02 NCR 74
15A NCAC 07L .0202	12:21 NCR 1874									
15A NCAC 07L .0203	12:21 NCR 1874									
15A NCAC 07L .0206	12:21 NCR 1874									
15A NCAC 07L .0302	12:21 NCR 1874									
15A NCAC 07L .0304	12:21 NCR 1874									
15A NCAC 07L .0401	12:21 NCR 1874									
15A NCAC 07L .0405	12:21 NCR 1874									

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15A NCAC 07M .0300	12:24 NCR 2202									
15A NCAC 07M .0307	13:22 NCR 1818		14:09 NCR 666	S/L	Object	01/20/00				
15A NCAC 07M .0401	13:04 NCR 361	13:12 NCR 976	13:16 NCR 1259	*						
15A NCAC 07M .0401	14:01 NCR 44	14:01 NCR 44	14:09 NCR 666	*	Approve	01/20/00				
15A NCAC 07M .0402	13:04 NCR 361	13:12 NCR 976	13:16 NCR 1259	*	Approve	01/20/00				
15A NCAC 07M .0402	14:01 NCR 44	14:01 NCR 44	14:09 NCR 666	*	Approve	01/20/00				
15A NCAC 07M .0403	13:04 NCR 361	13:12 NCR 976	13:16 NCR 1259	*	Approve	01/20/00				
15A NCAC 07M .0403	14:01 NCR 44	14:01 NCR 44	14:09 NCR 666	*	Object	01/20/00				
15A NCAC 07M .0403	14:01 NCR 44	14:01 NCR 44	14:09 NCR 666	*						14:16 NCR 1400
Environmental Management Commission										
NPDES Permit										
Notice of Intent to Adopt Temporary Rules (Tar-Pamlico River Basin)										
Notice of Intent to Adopt Temporary Rules (Implementation Plan for Use of Hurricane Floyd Relief Funds)										
15A NCAC 02	10:24 NCR 3045									14:05 NCR 369
15A NCAC 02	11:04 NCR 183									14:14 NCR 1218
15A NCAC 02	11:19 NCR 1408									
15A NCAC 02B .0100	13:08 NCR 621									
15A NCAC 02B .0101	11:24 NCR 1818		11:30 NCR 2303	*						
15A NCAC 02B .0110	13:08 NCR 621		14:06 NCR 434	*						
15A NCAC 02B .0200	13:08 NCR 621									
15A NCAC 02B .0202	11:24 NCR 1818		11:30 NCR 2303	*						
15A NCAC 02B .0211	13:08 NCR 621		14:06 NCR 434	*						
15A NCAC 02B .0220	13:08 NCR 621		14:06 NCR 434	*						
15A NCAC 02B .0223	11:02 NCR 75									
15A NCAC 02B .0223	11:03 NCR 109									
15A NCAC 02B .0223	13:08 NCR 621		14:06 NCR 434	*						
15A NCAC 02B .0225	13:08 NCR 621		14:06 NCR 434	*						
15A NCAC 02B .0225	13:19 NCR 1606		13:23 NCR 1929	*	Object	01/20/00				

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15A NCAC 02B .0227	10:18 NCR 2400		11:12 NCR 973	*						
15A NCAC 02B .0230	14:10 NCR 823									
15A NCAC 02B .0231	11:02 NCR 75		11:10 NCR 824 11:14 NCR 1136	L/SE						
15A NCAC 02B .0233	11:02 NCR 75		11:10 NCR 824	L	Object	01/15/98	*			
			11:14 NCR 1136	L	Approve	02/19/98			12:22 NCR 2012	Disapproved (HB 1402)
	12:02 NCR 77 12:14 NCR 1348 12:20 NCR 1836 13:24 NCR 2017		14:04 NCR 287 12:06 NCR 462	L/SE S/L/SE	Approve	01/20/00	*			
15A NCAC 02B .0234	14:11 NCR 906		14:09 NCR 660	*	Objevt	01/20/00				
15A NCAC 02B .0241	14:03 NCR 125		14:04 NCR 287	*	Objevt	01/20/00				
15A NCAC 02B .0242	13:24 NCR 2017		13:04 NCR 368	*						
15A NCAC 02B .0245	12:23 NCR 2088		13:04 NCR 368	*						
15A NCAC 02B .0246	12:23 NCR 2088		13:04 NCR 368	*						
15A NCAC 02B .0247	12:23 NCR 2088		13:04 NCR 368	L/SE						
15A NCAC 02B .0255	13:23 NCR 1901		14:03 NCR 162	SE						
15A NCAC 02B .0256	13:23 NCR 1901		14:03 NCR 162	SE						
15A NCAC 02B .0257	13:23 NCR 1901		14:03 NCR 162	SE						
15A NCAC 02B .0258	13:23 NCR 1901		14:03 NCR 162	SE						
15A NCAC 02B .0259	13:23 NCR 1901	14:13 NCR 1177	14:03 NCR 162	L/SE	Approve	01/20/00	*			
15A NCAC 02B .0260	13:23 NCR 1901	14:13 NCR 1177	14:03 NCR 162	SE	Objevt	01/20/00				
15A NCAC 02B .0261	13:23 NCR 1901	14:13 NCR 1177	14:03 NCR 162	SE	Objevt	01/20/00				
15A NCAC 02B .0262	13:23 NCR 1901									
15A NCAC 02B .0303	13:14 NCR 1111		13:20 NCR 1727	*	Approve	01/20/00				
15A NCAC 02B .0304	13:14 NCR 1111		13:20 NCR 1727	*	Approve	01/20/00				
15A NCAC 02B .0306	13:14 NCR 1111		13:20 NCR 1727	*	Approve	01/20/00				
15A NCAC 02B .0306	13:19 NCR 1606		13:23 NCR 1929	*	Approve	01/20/00				14:02 NCR 73
15A NCAC 02B .0308	12:16 NCR 1489									

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15A NCAC 02B .0308	13:14 NCR 1111		13:20 NCR 1727	*	Approve	01/20/00				
15A NCAC 02B .0310	13:19 NCR 1606		13:23 NCR 1929	*	Approve	01/20/00				
15A NCAC 02B .0316	11:26 NCR 1976		12:01 NCR 6	*	Approve	01/15/98	*		12:21 NCR 1886	Disapproved (HB 1402)
15A NCAC 02B .0317	13:19 NCR 1606		13:23 NCR 1929	*	Approve	01/20/00				
15A NCAC 02C .0100	14:10 NCR 743									
15A NCAC 02C .0102	14:10 NCR 743									
15A NCAC 02C .0103	14:10 NCR 743									
15A NCAC 02C .0105	14:10 NCR 743									
15A NCAC 02C .0107	14:10 NCR 743									
15A NCAC 02C .0108	14:10 NCR 743									
15A NCAC 02C .0110	14:10 NCR 743									
15A NCAC 02C .0111	14:10 NCR 743									
15A NCAC 02C .0112	14:10 NCR 743									
15A NCAC 02C .0113	14:10 NCR 743									
15A NCAC 02C .0114	14:10 NCR 743									
15A NCAC 02C .0117	14:10 NCR 743									
15A NCAC 02C .0118	14:10 NCR 743									
15A NCAC 02D	13:12 NCR 943									
15A NCAC 02D .0101	12:02 NCR 52									
15A NCAC 02D .0101	12:16 NCR 1482									
15A NCAC 02D .0108	11:15 NCR 1200									
15A NCAC 02D .0307	11:15 NCR 1200									
15A NCAC 02D .0501	11:15 NCR 1200									
15A NCAC 02D .0501	11:04 NCR 183									
15A NCAC 02D .0501	13:16 NCR 1252									
15A NCAC 02D .0506	14:04 NCR 265									
15A NCAC 02D .0518	11:19 NCR 1408		14:07 NCR 524	*						

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15A NCAC 02D .0521	11:15 NCR 1200									
15A NCAC 02D .0521	14:04 NCR 265									
15A NCAC 02D .0521	14:16 NCR 1401									
15A NCAC 02D .0523	13:12 NCR 943		14:03 NCR 162	*	Approve	01/20/00				
15A NCAC 02D .0524	11:15 NCR 1200									
15A NCAC 02D .0524	13:08 NCR 621		14:03 NCR 162	*	Approve	11/17/99	*		14:15 NCR 1354	
15A NCAC 02D .0525	11:15 NCR 1200									
15A NCAC 02D .0535	14:16 NCR 1401									
15A NCAC 02D .0540	13:04 NCR 356									
15A NCAC 02D .0541	13:08 NCR 621									
15A NCAC 02D .0541	13:16 NCR 1252		14:03 NCR 162	*	Object Approve	11/17/99 12/16/99	*		14:17 NCR 1525	
15A NCAC 02D .0542	13:24 NCR 1994									
15A NCAC 02D .0610	11:15 NCR 1200									
15A NCAC 02D .0611	11:15 NCR 1200									
15A NCAC 02D .0612	11:15 NCR 1200									
15A NCAC 02D .0613	11:15 NCR 1200									
15A NCAC 02D .0614	11:15 NCR 1200									
15A NCAC 02D .0615	11:15 NCR 1200									
15A NCAC 02D .0806	11:26 NCR 1976									
15A NCAC 02D .0902	11:19 NCR 1408		14:07 NCR 524	*						
15A NCAC 02D .0903	11:15 NCR 1200									
15A NCAC 02D .0909	11:19 NCR 1408		14:07 NCR 524	*						
15A NCAC 02D .0912	11:15 NCR 1200									
15A NCAC 02D .0917	11:19 NCR 1408									
15A NCAC 02D .0918	11:19 NCR 1408									
15A NCAC 02D .0919	11:19 NCR 1408									
15A NCAC 02D .0920	11:19 NCR 1408									

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15A NCAC 02D .0921	11:19 NCR 1408									
15A NCAC 02D .0922	11:19 NCR 1408									
15A NCAC 02D .0923	11:19 NCR 1408									
15A NCAC 02D .0924	11:19 NCR 1408									
15A NCAC 02D .0926	13:16 NCR 1252									
15A NCAC 02D .0927	13:16 NCR 1252									
15A NCAC 02D .0932	13:16 NCR 1252									
15A NCAC 02D .0934	11:19 NCR 1408									
15A NCAC 02D .0948	11:19 NCR 1408		14:07 NCR 524	*						
15A NCAC 02D .0949	11:19 NCR 1408		14:07 NCR 524	*						
15A NCAC 02D .0950	11:19 NCR 1408		14:07 NCR 524	*						
15A NCAC 02D .0951	11:19 NCR 1408		14:07 NCR 524	*						
15A NCAC 02D .0952	12:16 NCR 1482									
15A NCAC 02D .0954	11:15 NCR 1200									
15A NCAC 02D .0958	11:19 NCR 1408		14:07 NCR 524	*						
15A NCAC 02D .1005	14:04 NCR 265									
15A NCAC 02D .1100	11:08 NCR 442									
15A NCAC 02D .1103	13:04 NCR 356									
15A NCAC 02D .1103	14:04 NCR 265									
15A NCAC 02D .1104	13:04 NCR 356									
15A NCAC 02D .1104	13:16 NCR 1252									
15A NCAC 02D .1105	11:15 NCR 1200									
15A NCAC 02D .1106	11:26 NCR 1976									
15A NCAC 02D .1200	14:04 NCR 265									
15A NCAC 02D .1201	13:12 NCR 943		14:03 NCR 162	*						
15A NCAC 02D .1202	13:12 NCR 943		14:14 NCR 1237	*	Approve	01/20/00	*			
15A NCAC 02D .1203	13:12 NCR 943		14:03 NCR 162	*	Approve	01/20/00	*			

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15A NCAC 02D .1204	13:12 NCR 943		14:03 NCR 162	*	Approve	01/20/00	*			
15A NCAC 02D .1205	13:12 NCR 943		14:03 NCR 162	*	Approve	01/20/00	*			
15A NCAC 02D .1206	13:12 NCR 943		14:03 NCR 162	*	Approve	01/20/00	*			
15A NCAC 02D .1207	13:12 NCR 943		14:03 NCR 162	*	Object	01/20/00	*			
15A NCAC 02D .1208	13:12 NCR 943		14:03 NCR 162	*	Approve	01/20/00	*			
15A NCAC 02D .1209	13:12 NCR 943		14:03 NCR 162	*	Approve	01/20/00				
15A NCAC 02D .1201	13:16 NCR 1252		14:03 NCR 162	*						
15A NCAC 02D .1202	13:16 NCR 1252		14:03 NCR 162	*	Approve	01/20/00	*			
15A NCAC 02D .1203	13:16 NCR 1252		14:03 NCR 162	*	Approve	01/20/00	*			
15A NCAC 02D .1204	13:16 NCR 1252		14:03 NCR 162	*	Approve	01/20/00	*			
15A NCAC 02D .1205	13:16 NCR 1252		14:03 NCR 162	*	Approve	01/20/00	*			
15A NCAC 02D .1206	13:16 NCR 1252		14:03 NCR 162	*	Approve	01/20/00	*			
15A NCAC 02D .1207	13:16 NCR 1252		14:03 NCR 162	*	Object	01/20/00	*			
15A NCAC 02D .1208	13:16 NCR 1252		14:03 NCR 162	*	Approve	01/20/00	*			
15A NCAC 02D .1209	13:16 NCR 1252		14:03 NCR 162	*	Approve	01/20/00	*			
15A NCAC 02D .1400	13:24 NCR 1994		14:03 NCR 162	*	Approve	01/20/00				
15A NCAC 02D .1404	11:15 NCR 1200									
15A NCAC 02D .1700	12:02 NCR 52									
15A NCAC 02D .1703	13:16 NCR 1252		14:07 NCR 524	*						
15A NCAC 02D .1708	13:16 NCR 1252		14:07 NCR 524	*						
15A NCAC 02D .1709	13:16 NCR 1252		14:07 NCR 524	*						
15A NCAC 02D .1801		13:18 NCR 1545 13:22 NCR 1860	14:03 NCR 162 14:03 NCR 162	SE SE	Object Object	11/17/99 11/17/99			14:17 NCR 1525	
15A NCAC 02D .1802		13:18 NCR 1545 13:22 NCR 1860	14:03 NCR 162 14:03 NCR 162	SE SE	Approve Object	12/16/99 11/17/99	*			
15A NCAC 02D .1803		13:18 NCR 1545 13:22 NCR 1860	14:03 NCR 162 14:03 NCR 162	SE SE	Object Approve	11/17/99 12/16/99	*		14:17 NCR 1525	
15A NCAC 02D .1804		13:18 NCR 1545	14:03 NCR 162	SE	Approve	11/17/99	*		14:15 NCR 1354	
			14:03 NCR 162	SE	Approve	11/17/99	*		14:15 NCR 1354	
					Approve	11/17/99			14:15 NCR 1354	

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15A NCAC 02D .1805		13:18 NCR 1545								
15A NCAC 02D .1903	12:16 NCR 1482	13:24 NCR 2017								
15A NCAC 02D .1903	13:12 NCR 943									
15A NCAC 02D .1904	12:16 NCR 1482									
15A NCAC 02D .2101	13:04 NCR 356		14:07 NCR 524	L						
15A NCAC 02D .2102	13:04 NCR 356		14:07 NCR 524	L						
15A NCAC 02D .2103	13:04 NCR 356		14:07 NCR 524	L						
15A NCAC 02D .2104	13:04 NCR 356		14:07 NCR 524	L						
15A NCAC 02D .2200	11:26 NCR 1976									
15A NCAC 02E .0102	13:20 NCR 1715		13:24 NCR 1998	*						14:01 NCR 3
15A NCAC 02E .0103	13:20 NCR 1715		13:24 NCR 1998	*						14:01 NCR 3
15A NCAC 02E .0106	13:20 NCR 1715		13:24 NCR 1998	*						14:01 NCR 3
15A NCAC 02E .0107	13:20 NCR 1715		13:24 NCR 1998	*						14:01 NCR 3
15A NCAC 02E .0201	13:20 NCR 1715		13:24 NCR 1998	*						14:01 NCR 3
15A NCAC 02E .0202	13:20 NCR 1715		13:24 NCR 1998	*						14:01 NCR 3
15A NCAC 02E .0205	13:20 NCR 1715		13:24 NCR 1998	*						14:01 NCR 3
15A NCAC 02E .0501	13:20 NCR 1715		13:24 NCR 1998	*						14:01 NCR 3
15A NCAC 02E .0502	13:20 NCR 1715		13:24 NCR 1998	S/L/SE						14:01 NCR 3
15A NCAC 02E .0503	13:20 NCR 1715		13:24 NCR 1998	*						14:01 NCR 3
15A NCAC 02E .0504	13:20 NCR 1715		13:24 NCR 1998	*						14:01 NCR 3
15A NCAC 02H .0226	12:20 NCR 1817	13:04 NCR 426	13:05 NCR 491	*						14:01 NCR 3
		Temp Expired 05/11/99								14:01 NCR 3
15A NCAC 02H .0227	14:17 NCR 1496									
15A NCAC 02H .0806	13:04 NCR 356		14:02 NCR 80	L						
15A NCAC 02H .0800	13:08 NCR 621									
15A NCAC 02H .1202	11:15 NCR 1200									
15A NCAC 02H .1203	11:15 NCR 1200									
15A NCAC 02H .1204	11:15 NCR 1200									

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15A NCAC 02H.1205	11:15 NCR 1200									
15A NCAC 02L.0202	13:04 NCR 356									
15A NCAC 02L.0202	14:10 NCR 743									
15A NCAC 02N	11:15 NCR 1200									
15A NCAC 02N	11:15 NCR 1204									
15A NCAC 02P	11:15 NCR 1200									
15A NCAC 02P.0402	13:24 NCR 1994	14:07 NCR 550	14:11 NCR 908	S/L						
15A NCAC 02Q.0102	12:16 NCR 1482									
15A NCAC 02Q.0102	13:08 NCR 621		14:03 NCR 162	*	Approve	11/17/99			14:15 NCR 1354	
15A NCAC 02Q.0102	13:12 NCR 943		14:03 NCR 162	*	Approve	11/17/99			14:15 NCR 1354	
15A NCAC 02Q.0102		13:18 NCR 1545	14:03 NCR 162	*	Approve	01/20/00	*			
15A NCAC 02Q.0102	13:24 NCR 1994	14:10 NCR 823	14:07 NCR 524	*	Approve	01/20/00	*			
15A NCAC 02Q.0102	14:04 NCR 265									
15A NCAC 02Q.0103	13:24 NCR 1994	14:10 NCR 823	14:07 NCR 524	*	Object	01/20/00				
15A NCAC 02Q.0109	14:04 NCR 265									
15A NCAC 02Q.0202	13:24 NCR 1994	14:10 NCR 823	14:07 NCR 524	*	Approve	01/20/00				
15A NCAC 02Q.0304	14:04 NCR 265									
15A NCAC 02Q.0305	14:04 NCR 265									
15A NCAC 02Q.0306	13:12 NCR 943		14:03 NCR 162	*	Approve	01/20/00				
15A NCAC 02Q.0401	14:04 NCR 265									
15A NCAC 02Q.0502	13:24 NCR 1994	14:10 NCR 823	14:07 NCR 524	S	Approve	01/20/00				
15A NCAC 02Q.0503	13:24 NCR 1994	14:10 NCR 823	14:07 NCR 524	*	Approve	01/20/00				
15A NCAC 02Q.0507	13:24 NCR 1994	14:10 NCR 823	14:07 NCR 524	*	Approve	01/20/00				
15A NCAC 02Q.0508	13:08 NCR 621	14:10 NCR 823	14:07 NCR 524	*	Object	01/20/00				
15A NCAC 02Q.0508	14:04 NCR 265									
15A NCAC 02Q.0700	11:08 NCR 442									
15A NCAC 02Q.0702	13:12 NCR 943		13:20 NCR 1727	*	Approve	10/04/99	*		14:10 NCR 839	
			14:03 NCR 162	*	Object	01/20/00				

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15A NCAC 02Q .0703	13:04 NCR 356									
15A NCAC 02Q .0703	14:04 NCR 265									
15A NCAC 02Q .0711	13:04 NCR 356									
15A NCAC 02Q .0711	13:16 NCR 1252									
15A NCAC 02Q .0800	14:04 NCR 265									
15A NCAC 02R .0204	12:02 NCR 52		12:14 NCR 1267	S						
15A NCAC 02R .0205	12:02 NCR 52		12:14 NCR 1267	S						
15A NCAC 02R .0600	12:02 NCR 52									
15A NCAC 02S .0101	14:04 NCR 272		14:10 NCR 755	*						
15A NCAC 02S .0102	14:04 NCR 272		14:10 NCR 755	*						
15A NCAC 02S .0201	14:04 NCR 272		14:10 NCR 755	*						
15A NCAC 02S .0202	14:04 NCR 272		14:10 NCR 755	*						
Forest Resources, Division of										
15A NCAC 09C .0200	14:13 NCR 1092									
15A NCAC 09C .0400	14:13 NCR 1092									
15A NCAC 09C .1101		14:14 NCR 1316								
15A NCAC 09C .1102		14:14 NCR 1316								
15A NCAC 09C .1103		14:14 NCR 1316								
15A NCAC 09C .1104		14:14 NCR 1316								
Health Services, Commission for										
15A NCAC 13A .0101	14:04 NCR 265		14:10 NCR 757	S						
	14:05 NCR 370		14:10 NCR 757	S						
15A NCAC 13A .0102	14:04 NCR 265		14:10 NCR 757	*						
	14:05 NCR 370		14:10 NCR 757	*						
15A NCAC 13A .0103	14:04 NCR 265		14:10 NCR 757	*						
	14:05 NCR 370		14:10 NCR 757	*						
15A NCAC 13A .0104	14:04 NCR 265		14:10 NCR 757	*						
	14:05 NCR 370		14:10 NCR 757	*						
15A NCAC 13A .0106	14:04 NCR 265		14:10 NCR 757	*						
	14:05 NCR 370		14:10 NCR 757	*						
15A NCAC 13A .0108	14:04 NCR 265		14:10 NCR 757	*						

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15A NCAC 13A .0110	14:05 NCR 370		14:10 NCR 757	*						
	14:04 NCR 265		14:10 NCR 757	*						
	14:05 NCR 370		14:10 NCR 757	*						
15A NCAC 13A .0112	14:04 NCR 265		14:10 NCR 757	*						
	14:05 NCR 370		14:10 NCR 757	*						
15A NCAC 13A .0113	14:04 NCR 265		14:10 NCR 757	*						
	14:05 NCR 370		14:10 NCR 757	*						
15A NCAC 13A .0118	14:04 NCR 265		14:10 NCR 757	*						
	14:05 NCR 370		14:10 NCR 757	*						
15A NCAC 13B .1627	11:08 NCR 442		11:13 NCR 1055	*						
15A NCAC 13B .1800	11:08 NCR 442									
15A NCAC 13B .1800	11:26 NCR 1976									
15A NCAC 18A	11:04 NCR 183									
15A NCAC 18A .0134	14:09 NCR 656		14:14 NCR 1238	*						
15A NCAC 18A .0188	14:09 NCR 656		14:14 NCR 1238	*						
15A NCAC 18A .0189	14:09 NCR 656		14:14 NCR 1238	*						
15A NCAC 18A .0190	14:09 NCR 656		14:14 NCR 1238	*						
15A NCAC 18A .0191	14:09 NCR 656		14:14 NCR 1238	*						
15A NCAC 18A .0301	14:09 NCR 656		14:14 NCR 1238	*						
15A NCAC 18A .0433	14:09 NCR 656		14:14 NCR 1238	*						
15A NCAC 18A .0434	14:09 NCR 656		14:14 NCR 1238	*						
15A NCAC 18A .0435	14:09 NCR 656		14:14 NCR 1238	*						
15A NCAC 18A .0500	14:09 NCR 656		14:14 NCR 1238	*						
15A NCAC 18A .0600	14:09 NCR 656		14:14 NCR 1238	*						
15A NCAC 18A .0700	14:09 NCR 656		14:14 NCR 1238	*						
15A NCAC 18A .0800	14:09 NCR 656		14:14 NCR 1238	*						
15A NCAC 18A .0900	14:09 NCR 656		14:14 NCR 1238	*						
15A NCAC 18A .1000	13:16 NCR 1252		14:14 NCR 1238	*						
15A NCAC 18A .1300	13:16 NCR 1252		14:14 NCR 1238	*						
15A NCAC 18A .1600	13:16 NCR 1252		14:14 NCR 1238	*						

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15A NCAC 18A .1601		12:21 NCR 1882	Temp Expired 01/26/99							
15A NCAC 18A .1611		12:21 NCR 1882	Temp Expired 01/26/99							
		13:12 NCR 979	13:20 NCR 1738	*	Approve	08/19/99			14:09 NCR 708	
15A NCAC 18A .1700	13:16 NCR 1252	Temp Expired 01/26/99								
15A NCAC 18A .1720	12:16 NCR 1482									
		12:18 NCR 1713	Temp Expired 12/11/98							
		12:21 NCR 1882	Temp Expired 01/26/99							
		12:24 NCR 2228	Temp Expired 03/12/99							
15A NCAC 18A .1808	13:08 NCR 621		13:13 NCR 1047	*	Approve	04/15/99	*		14:02 NCR 84	
15A NCAC 18A .1809	14:11 NCR 906	14:12 NCR 1041								
15A NCAC 18A .1810		12:24 NCR 2228	13:13 NCR 1047	*	Approve	04/15/99			14:02 NCR 84	
		13:20 NCR 1740								
15A NCAC 18A .1811	14:11 NCR 906	14:12 NCR 1041								
15A NCAC 18A .1812	13:08 NCR 621		13:13 NCR 1047	*	Approve	04/15/99	*		14:02 NCR 84	
15A NCAC 18A .1812	14:11 NCR 906	14:12 NCR 1041								
15A NCAC 18A .1938	N/A		N/A	N/A	Approve	10/04/99			14:10 NCR 839	
15A NCAC 18A .1952		13:12 NCR 979	14:03 NCR 234	*	Approve	10/04/99	*		14:10 NCR 839	
15A NCAC 18A .1953		13:12 NCR 979	14:03 NCR 234	*	Approve	10/04/99			14:10 NCR 839	
15A NCAC 18A .1954		13:12 NCR 979	14:03 NCR 234	*	Approve	10/04/99	*		14:10 NCR 839	
15A NCAC 18A .1955		13:12 NCR 979	14:03 NCR 234	*	Approve	10/04/99	*		14:10 NCR 839	
15A NCAC 18A .1956	N/A		N/A	N/A	Approve	10/04/99			14:10 NCR 839	
15A NCAC 18A .2400	13:16 NCR 1252									
15A NCAC 18A .2515	14:04 NCR 265		14:11 NCR 909	*						
15A NCAC 18A .2515	14:06 NCR 428		14:11 NCR 909	*						
15A NCAC 18A .2600	12:04 NCR 240									
15A NCAC 18A .2618	N/A	N/A	N/A	N/A	Approve	08/19/99			14:09 NCR 708	
15A NCAC 18A .2802	14:11 NCR 907	14:12 NCR 1041								
15A NCAC 18A .2805	12:16 NCR 1482									
15A NCAC 18A .2806	12:16 NCR 1482									
15A NCAC 18A .2806	14:11 NCR 907	14:12 NCR 1041								

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15A NCAC 18A .2807	12:16 NCR 1482									
15A NCAC 18A .2809	12:16 NCR 1482									
15A NCAC 18A .2810	14:11 NCR 907	14:12 NCR 1041								
15A NCAC 18A .2811	12:16 NCR 1482									
15A NCAC 18A .2812	14:11 NCR 907	14:12 NCR 1041								
15A NCAC 18A .2814	12:16 NCR 1482									
15A NCAC 18A .2815	14:11 NCR 907	14:12 NCR 1041								
15A NCAC 18A .2816	12:16 NCR 1482									
15A NCAC 18A .2818	12:16 NCR 1482									
15A NCAC 18A .2821	12:16 NCR 1482									
15A NCAC 18A .2825	14:11 NCR 907	14:12 NCR 1041								
15A NCAC 18A .2826	12:16 NCR 1482									
15A NCAC 18A .2835	12:16 NCR 1482									
15A NCAC 18A .2836	12:16 NCR 1482									
15A NCAC 18C .0301	13:04 NCR 356	14:03 NCR 247	14:03 NCR 247	S/L	Approve	12/16/99			14:17 NCR 1525	
15A NCAC 18C .0302	13:04 NCR 356	14:03 NCR 247	14:03 NCR 247	S/L	Approve	12/16/99	*		14:17 NCR 1525	
15A NCAC 18C .0303	13:04 NCR 356	14:03 NCR 247	14:03 NCR 247	S/L	Approve	12/16/99	*		14:17 NCR 1525	
15A NCAC 18C .0304	13:04 NCR 356	14:03 NCR 247	14:03 NCR 247	S/L	Approve	12/16/99			14:17 NCR 1525	
15A NCAC 18C .0305	13:04 NCR 356	14:03 NCR 247	14:03 NCR 247	S/L	Approve	12/16/99	*		14:17 NCR 1525	
15A NCAC 18C .0306	13:04 NCR 356	14:03 NCR 247	14:03 NCR 247	*	Approve	12/16/99			14:17 NCR 1525	
15A NCAC 18C .0307	13:04 NCR 356	14:03 NCR 247	14:03 NCR 247	S/L	Approve	12/16/99	*		14:17 NCR 1525	
15A NCAC 18C .0308	13:04 NCR 356	14:03 NCR 247	14:03 NCR 247	S/L	Approve	12/16/99			14:17 NCR 1525	
15A NCAC 18C .0309	13:04 NCR 356	14:03 NCR 247	14:03 NCR 247	S/L	Approve	12/16/99	*		14:17 NCR 1525	
15A NCAC 18C .1304	13:04 NCR 356	14:03 NCR 247	14:03 NCR 247	*	Approve	12/16/99	*		14:17 NCR 1525	
15A NCAC 18C .1513	14:05 NCR 370		14:10 NCR 757	*						
15A NCAC 18C .1538	14:05 NCR 370		14:10 NCR 757	S/L						
15A NCAC 18C .2007	14:05 NCR 370		14:10 NCR 757	S/L/SE						

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					Action	Date				
15A NCAC 18C .2008	14:05 NCR 370		14:10 NCR 757	S/L						
15A NCAC 18D .0201	13:23 NCR 1928		14:06 NCR 468	S/L						
15A NCAC 18D .0203	13:23 NCR 1928		14:06 NCR 468	S/L						
15A NCAC 18D .0205	13:23 NCR 1928		14:06 NCR 468	S/L						
15A NCAC 18D .0206	13:23 NCR 1928		14:06 NCR 468	S/L						
15A NCAC 18D .0304	13:23 NCR 1928		14:06 NCR 468	S/L						
15A NCAC 18D .0305	13:23 NCR 1928		14:06 NCR 468	*						
15A NCAC 18D .0307	13:23 NCR 1928		14:06 NCR 468	S/L						
15A NCAC 18D .0308	13:23 NCR 1928		14:06 NCR 468	S/L						
15A NCAC 18D .0309	13:23 NCR 1928		14:06 NCR 468	S/L						
15A NCAC 18D .0403	13:23 NCR 1928		14:06 NCR 468	S/L						
15A NCAC 18D .0701	13:23 NCR 1928		14:06 NCR 468	S/L						
15A NCAC 26C .0001	11:19 NCR 1408		14:06 NCR 468							
15A NCAC 26C .0002	11:19 NCR 1408									
15A NCAC 26C .0003	11:19 NCR 1408									
15A NCAC 26C .0004	11:19 NCR 1408									
15A NCAC 26C .0005	11:19 NCR 1408									
15A NCAC 26C .0006	11:19 NCR 1408									
15A NCAC 26C .0007	11:19 NCR 1408									
Land Resources/Land Quality/Sedimentation Control Commission										
15A NCAC 04B .0106	12:20 NCAC 1817		13:09 NCR 760	*	Approve	08/19/99	*		14:09 NCR 708	
15A NCAC 04B .0107	12:20 NCAC 1817		13:09 NCR 760	*	Approve	08/19/99	*		14:09 NCR 708	
15A NCAC 04B .0126	14:07 NCR 520		14:12 NCR 962	S/L						
15A NCAC 04B .0127	12:20 NCAC 1817		13:09 NCR 760	*	Approve	08/19/99			14:09 NCR 708	
15A NCAC 04C .0107	13:12 NCR 943		13:19 NCR 1651	*	Approve	10/04/99			14:10 NCR 839	
Marine Fisheries Commission										
15A NCAC 03	11:11 NCR 881									

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15A NCAC 03	11:20 NCR 1537									
15A NCAC 03	11:26 NCR 1985									
15A NCAC 03	13:14 NCR 1113									
15A NCAC 03	13:17 NCR 1377									
15A NCAC 03H .0101	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99			14:17 NCR 1525	
15A NCAC 03H .0103	12:23 NCR 2089									
15A NCAC 03H .0103	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99			14:17 NCR 1525	
15A NCAC 03I .0101	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99	*		14:17 NCR 1525	
15A NCAC 03I .0105	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99	*		14:17 NCR 1525	
15A NCAC 03I .0106	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Object	12/16/99	*			
15A NCAC 03I .0107	N/A		N/A	N/A	Approve	01/20/00			14:05 NCR 402	
15A NCAC 03I .0114	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	06/17/99	*		14:17 NCR 1525	
15A NCAC 03I .0117	N/A		N/A	N/A	Extend Review	11/17/99				
15A NCAC 03I .0120	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99			14:17 NCR 1525	
15A NCAC 03I .0103	13:14 NCR 1113	13:08 NCR 739	14:06 NCR 443	*	Approve	12/16/99			14:17 NCR 1525	
15A NCAC 03I .0103	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99			14:17 NCR 1525	
15A NCAC 03I .0103	14:09 NCR 688	14:09 NCR 688	14:06 NCR 443	*	Approve	12/16/99	*		14:17 NCR 1525	
15A NCAC 03I .0104	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99	*		14:17 NCR 1525	
15A NCAC 03I .0110	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99	*		14:17 NCR 1525	
15A NCAC 03I .0202	11:07 NCR 407		11:11 NCR 888	*						
15A NCAC 03I .0301	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99	*		14:17 NCR 1525	
15A NCAC 03I .0302	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99	*		14:17 NCR 1525	
15A NCAC 03I .0305	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99	*		14:17 NCR 1525	
15A NCAC 03I .0402	14:09 NCR 655									
15A NCAC 03K .0101	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99	*		14:17 NCR 1525	
15A NCAC 03K .0105	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99	*		14:17 NCR 1525	
15A NCAC 03K .0106	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99	*		14:17 NCR 1525	
15A NCAC 03K .0202	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99	*		14:17 NCR 1525	

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15A NCAC 03K .0502	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99			14:17 NCR 1525	
15A NCAC 03L .0102	11:07 NCR 407		11:11 NCR 888	*						
15A NCAC 03L .0201	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99	*		14:17 NCR 1525	
15A NCAC 03L .0205	14:09 NCR 688									
15A NCAC 03L .0206	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99			14:17 NCR 1525	
15A NCAC 03M .0202	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99	*		14:17 NCR 1525	
15A NCAC 03M .0301	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03M .0301	14:12 NCR 958	14:12 NCR 1038								
15A NCAC 03M .0501		13:08 NCR 739		*						
15A NCAC 03M .0503	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99			14:17 NCR 1525	
15A NCAC 03M .0504	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99			14:17 NCR 1525	
15A NCAC 03M .0506		13:22 NCR 1865								
15A NCAC 03M .0506		14:12 NCR 1038								
15A NCAC 03M .0507	13:10 NCR 803									
15A NCAC 03M .0507	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99			14:17 NCR 1525	
15A NCAC 03M .0511	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99			14:17 NCR 1525	
15A NCAC 03M .0513	11:26 NCR 1976		12:05 NCR 418	*						
15A NCAC 03M .0513	13:14 NCR 1113	14:01 NCR 18								
		14:04 NCR 323	14:06 NCR 443	*						
15A NCAC 03M .0513	13:19 NCR 1666									
15A NCAC 03M .0515	12:23 NCR 2089		13:03 NCR 303	*						
15A NCAC 03M .0515	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03M .0515		14:12 NCR 1038								
15A NCAC 03M .0516	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99			14:17 NCR 1525	
15A NCAC 03O .0101	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Object	12/16/99	*			
					Approve	01/20/00				
15A NCAC 03O .0101	14:09 NCR 688									
15A NCAC 03O .0102	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99			14:17 NCR 1525	

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15A NCAC 030 .0103	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99	*		14:17 NCR 1525	
15A NCAC 030 .0104	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99	*		14:17 NCR 1525	
15A NCAC 030 .0105	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99			14:17 NCR 1525	
15A NCAC 030 .0106	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99	*		14:17 NCR 1525	
15A NCAC 030 .0107	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99			14:17 NCR 1525	
15A NCAC 030 .0108	13:14 NCR 1113	14:01 NCR 18								
		14:04 NCR 323	14:06 NCR 443	*	Approve	12/16/99	*		14:17 NCR 1525	
15A NCAC 030 .0109	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99	*		14:17 NCR 1525	
15A NCAC 030 .0109	14:09 NCR 688	14:09 NCR 688								
15A NCAC 030 .0110	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99			14:17 NCR 1525	
15A NCAC 030 .0111	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99	*		14:17 NCR 1525	
15A NCAC 030 .0201	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99	*		14:17 NCR 1525	
15A NCAC 030 .0301	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99			14:17 NCR 1525	
15A NCAC 030 .0302	13:14 NCR 1113	14:01 NCR 18								
15A NCAC 030 .0303	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99	*		14:17 NCR 1525	
15A NCAC 030 .0304	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99	*		14:17 NCR 1525	
15A NCAC 030 .0305	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99			14:17 NCR 1525	
15A NCAC 030 .0306	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99			14:17 NCR 1525	
15A NCAC 030 .0307	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99			14:17 NCR 1525	
15A NCAC 030 .0308	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99			14:17 NCR 1525	
15A NCAC 030 .0309	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99			14:17 NCR 1525	
15A NCAC 030 .0310	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99			14:17 NCR 1525	
15A NCAC 030 .0401	13:14 NCR 1113	13:18 NCR 1553	14:06 NCR 443	*	Approve	12/16/99	*		14:17 NCR 1525	
15A NCAC 030 .0402	13:14 NCR 1113	13:18 NCR 1553	14:06 NCR 443	*	Approve	12/16/99	*		14:17 NCR 1525	
15A NCAC 030 .0403	13:14 NCR 1113	13:18 NCR 1553	14:06 NCR 443	*	Approve	12/16/99	*		14:17 NCR 1525	
15A NCAC 030 .0404	13:14 NCR 1113	13:18 NCR 1553	14:06 NCR 443	*	Object	12/16/99	*		14:17 NCR 1525	
					Approve	01/20/00				
15A NCAC 030 .0405	13:14 NCR 1113	13:18 NCR 1553	14:06 NCR 443	*	Approve	12/16/99	*		14:17 NCR 1525	

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15A NCAC 030 .0406	13:14 NCR 1113	13:18 NCR 1553	14:06 NCR 443	*	Approve	12/16/99	*		14:17 NCR 1525	
15A NCAC 03P .0101	N/A		N/A	N/A	Approve	07/15/99			14:06 NCR 490	
15A NCAC 03P .0102	N/A		N/A	N/A	Approve	07/15/99			14:06 NCR 490	
15A NCAC 03Q .0106	N/A		N/A	N/A	Approve	06/17/99			14:05 NCR 402	
15A NCAC 03Q .0107	11:26 NCR 1985		13:13 NCR 1043	*	Approve	05/20/99			14:04 NCR 330	
15A NCAC 03Q .0107	14:12 NCR 958									
Parks and Recreation Commission										
15A NCAC 12A .0001	12:13 NCR 1097									
15A NCAC 12A .0004	12:13 NCR 1097									
15A NCAC 12A .0005	12:13 NCR 1097									
15A NCAC 12B .0101	12:13 NCR 1097									
15A NCAC 12B .0104	12:13 NCR 1097									
15A NCAC 12B .0106	12:13 NCR 1097									
15A NCAC 12B .0203	12:13 NCR 1097									
15A NCAC 12B .0401	12:13 NCR 1097									
15A NCAC 12B .0402	12:13 NCR 1097									
15A NCAC 12B .0501	12:13 NCR 1097									
15A NCAC 12B .0602	12:13 NCR 1097									
15A NCAC 12B .0701	12:13 NCR 1097									
15A NCAC 12B .0702	12:13 NCR 1097									
15A NCAC 12B .0802	12:13 NCR 1097									
15A NCAC 12B .1001	12:13 NCR 1097									
15A NCAC 12B .1004	12:13 NCR 1097									
15A NCAC 12B .1102	12:13 NCR 1097									
15A NCAC 12B .1201	12:13 NCR 1097									

Water Pollution Control System Operators Certification Commission

15A NCAC 08E 11:26 NCR 1976

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15A NCAC 08F 11:26 NCR 1976										
15A NCAC 08F .0406 13:16 NCR 1252										
15A NCAC 08F .0407 13:16 NCR 1252										
Waste Management										
Public Notice - Seaboard Chemical Corporation										
Well Contractors Certification Commission										
15A NCAC 27 .0101 13:10 NCR 803		13:12 NCR 988	13:21 NCR 1788	*	Object	08/19/99			14:10 NCR 839	
15A NCAC 27 .0110 13:10 NCR 803		13:12 NCR 988	13:21 NCR 1788	*	Approve	10/04/99	*		14:09 NCR 708	
15A NCAC 27 .0201 13:10 NCR 803		13:12 NCR 988	13:21 NCR 1788	*	Approve	08/19/99				
15A NCAC 27 .0301 13:10 NCR 803		13:12 NCR 988	13:21 NCR 1788	*	Object	08/19/99	*		14:10 NCR 839	
15A NCAC 27 .0401 13:10 NCR 803		13:12 NCR 988	13:21 NCR 1788	*	Approve	10/04/99	*		14:10 NCR 839	
15A NCAC 27 .0410 13:10 NCR 803		13:12 NCR 988	13:21 NCR 1788	*	Approve	08/19/99	*		14:09 NCR 708	
15A NCAC 27 .0420 13:10 NCR 803		13:12 NCR 988	13:21 NCR 1788	*	Object	08/19/99	*		14:10 NCR 839	
15A NCAC 27 .0430 13:10 NCR 803		13:12 NCR 988	13:21 NCR 1788	*	Approve	10/04/99	*		14:10 NCR 839	
15A NCAC 27 .0440 13:10 NCR 803		13:12 NCR 988	13:21 NCR 1788	*	Object	08/19/99	*		14:10 NCR 839	
15A NCAC 27 .0501 13:10 NCR 803		13:12 NCR 988	13:21 NCR 1788	*	Approve	10/04/99	*		14:10 NCR 839	
15A NCAC 27 .0510 13:10 NCR 803		13:12 NCR 988	13:21 NCR 1788	*	Object	08/19/99	*		14:10 NCR 839	
15A NCAC 27 .0520 13:10 NCR 803		13:12 NCR 988	13:21 NCR 1788	*	Approve	10/04/99	*		14:09 NCR 708	
15A NCAC 27 .0601 13:10 NCR 803		13:12 NCR 988	13:21 NCR 1788	*	Approve	08/19/99			14:09 NCR 708	
15A NCAC 27 .0701 13:10 NCR 803		13:12 NCR 988	13:21 NCR 1788	*	Approve	08/19/99	*		14:09 NCR 708	
15A NCAC 27 .0801 13:10 NCR 803		13:12 NCR 988	13:21 NCR 1788	*	Object	08/19/99				
15A NCAC 27 .0810 13:10 NCR 803		Temp Expired 09/30/99	13:21 NCR 1788	*	Agcy withdrew	09/30/99			14:09 NCR 708	
15A NCAC 27 .0820 13:10 NCR 803		13:12 NCR 988	13:21 NCR 1788	*	Approve	08/19/99				
15A NCAC 27 .0830 13:10 NCR 803		13:12 NCR 988	13:21 NCR 1788	*	Object	08/19/99	*		14:10 NCR 839	
				*	Approve	10/04/99				
				*	Object	08/19/99	*		14:10 NCR 839	
				*	Approve	10/04/99	*		14:09 NCR 708	

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15A NCAC 27 .0840	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Object	08/19/99				
15A NCAC 27 .0901	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve	10/04/99	*		14:10 NCR 839	
15A NCAC 27 .0910	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve	08/19/99	*		14:09 NCR 708	
15A NCAC 27 .0920	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve	08/19/99	*		14:09 NCR 708	
15A NCAC 27 .0930	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve	08/19/99	*		14:09 NCR 708	
15A NCAC 27 .0930	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve	08/19/99			14:09 NCR 708	
Wildlife Resources Commission										
15A NCAC 10B .0100	14:08 NCR 577									
15A NCAC 10B .0105	13:07 NCR 595	13:07 NCR 595	13:12 NCR 948	*	Object	04/15/99				
15A NCAC 10B .0109	N/A		N/A	N/A	Approve	05/20/99	*		14:04 NCR 330	
15A NCAC 10B .0113	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	06/17/99			14:05 NCR 402	
15A NCAC 10B .0115	13:18 NCR 1502		13:22 NCR 1842	*	Approve	04/15/99	*		14:02 NCR 84	
15A NCAC 10B .0116	14:08 NCR 577		14:12 NCR 963	*						
15A NCAC 10B .0119	14:08 NCR 577		14:12 NCR 963	*						
15A NCAC 10B .0200	14:08 NCR 577									
15A NCAC 10B .0202	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99	*		14:02 NCR 84	
15A NCAC 10B .0203	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99	*		14:02 NCR 84	
15A NCAC 10B .0203	14:08 NCR 577		14:12 NCR 963	*						
15A NCAC 10B .0204	N/A		N/A	N/A	Approve	06/17/99			14:05 NCR 402	
15A NCAC 10B .0205	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99	*		14:02 NCR 84	
15A NCAC 10B .0209	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99			14:02 NCR 84	
15A NCAC 10B .0209	14:08 NCR 577		14:12 NCR 963	*						
15A NCAC 10B .0212	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Object	04/15/99				
15A NCAC 10B .0302	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	05/20/99	*		14:04 NCR 330	
15A NCAC 10B .0403	13:23 NCR 1928		14:12 NCR 963	*	Approve	04/15/99			14:02 NCR 84	
15A NCAC 10C .0107	13:08 NCR 625		13:12 NCR 948	*	Approve	04/15/99				
15A NCAC 10C .0107	14:09 NCR 655		13:12 NCR 948	*	Approve	04/15/99	*		14:02 NCR 84	

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15A NCAC 10C .0200	14:08 NCR 577									
15A NCAC 10C .0205	14:08 NCR 577		14:12 NCR 963	*						
15A NCAC 10C .0205	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99			14:02 NCR 84	
15A NCAC 10C .0206	14:08 NCR 577		14:12 NCR 963	*						
15A NCAC 10C .0300	14:08 NCR 577									
15A NCAC 10C .0305	14:08 NCR 577		14:12 NCR 963	*						
15A NCAC 10C .0305	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99	*		14:02 NCR 84	
15A NCAC 10C .0400	14:08 NCR 577									
15A NCAC 10C .0401	14:08 NCR 577		14:12 NCR 963	*						
15A NCAC 10C .0401	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99			14:02 NCR 84	
15A NCAC 10C .0402	14:08 NCR 577		14:12 NCR 963	*						
15A NCAC 10C .0407	14:08 NCR 577		14:12 NCR 963	*						
15A NCAC 10C .0500	14:08 NCR 577									
15A NCAC 10C .0501	13:14 NCR 1113		13:20 NCR 1737	*	Approve	08/19/99	*		14:09 NCR 708	
15A NCAC 10C .0502	13:14 NCR 1113		13:20 NCR 1737	*	Approve	08/19/99	*		14:09 NCR 708	
15A NCAC 10C .0503	13:14 NCR 1113		13:20 NCR 1737	*	Approve	08/19/99			14:09 NCR 708	
15A NCAC 10C .0503	14:08 NCR 577		14:12 NCR 963	*						
15A NCAC 10D .0100	14:08 NCR 577									
15A NCAC 10D .0102	14:08 NCR 577		14:12 NCR 963	*						
15A NCAC 10D .0102	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99			14:02 NCR 84	
15A NCAC 10D .0102	13:19 NCR 1609									
15A NCAC 10D .0103	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99	*		14:02 NCR 84	
15A NCAC 10D .0103	13:19 NCR 1609	14:07 NCR 551	14:01 NCR 6	*						
15A NCAC 10D .0103	14:08 NCR 577		14:12 NCR 963	*						
15A NCAC 10D .0104	14:08 NCR 577		14:12 NCR 963	*						
15A NCAC 10F .0201	N/A		N/A	N/A	Approve	03/18/99			14:01 NCR 48	
15A NCAC 10F .0202	N/A		N/A	N/A	Approve	10/04/99			14:10 NCR 839	

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15A NCAC 10F .0300	14:01 NCR 5									
15A NCAC 10F .0303	14:02 NCR 79									
15A NCAC 10F .0310	13:07 NCR 595	13:15 NCR 1231	13:11 NCR 905	L	Approve	02/18/99	*		13:24 NCR 2037	
15A NCAC 10F .0311	14:13 NCR 1092									
15A NCAC 10F .0317	13:08 NCR 625		13:14 NCR 1116	*	Approve	04/15/99			14:02 NCR 84	
15A NCAC 10F .0321	13:13 NCR 1040	13:19 NCR 1666	13:19 NCR 1666	L	Approve	08/19/99			14:09 NCR 708	
15A NCAC 10F .0323	13:13 NCR 1040	13:19 NCR 1666	13:19 NCR 1666	L	Approve	08/19/99			14:09 NCR 708	
15A NCAC 10F .0327	14:08 NCR 577									
15A NCAC 10F .0330	13:03 NCR 269	13:07 NCR 595	13:07 NCR 595	S/L	Approve	04/15/99			14:02 NCR 84	
15A NCAC 10F .0330	13:11 NCR 855	13:15 NCR 1217	13:15 NCR 1231	L	Approve	04/15/99			14:02 NCR 84	
15A NCAC 10F .0332	14:08 NCR 577		14:13 NCR 1145	L						
15A NCAC 10F .0333	14:02 NCR 79	14:17 NCR 1520	14:08 NCR 580	L						
15A NCAC 10F .0336	14:08 NCR 577									
15A NCAC 10F .0339	13:13 NCR 1040	13:19 NCR 1666	13:19 NCR 1666	L	Approve	08/19/99			14:09 NCR 708	
15A NCAC 10F .0339	13:23 NCR 1928	14:17 NCR 1520	14:08 NCR 580	L						
15A NCAC 10F .0342	13:07 NCR 585	13:15 NCR 1231	13:11 NCR 905	L	Approve	02/18/99	*		13:24 NCR 2037	
15A NCAC 10F .0353	14:02 NCR 79		14:12 NCR 963	L						
15A NCAC 10F .0354	14:02 NCR 79									
15A NCAC 10F .0355	14:04 NCR 272	14:17 NCR 1520	14:08 NCR 580	L						
15A NCAC 10F .0355	14:13 NCR 1092									
15A NCAC 10F .0367	13:14 NCR 1113	13:19 NCR 1666	13:19 NCR 1666	L	Approve	08/19/99			14:09 NCR 708	
15A NCAC 10I .0102	14:11 NCR 906		14:15 NCR 1347	*						
15A NCAC 10I .0103	14:11 NCR 906		14:15 NCR 1347	*						
15A NCAC 10I .0104	14:11 NCR 906		14:15 NCR 1347	*						
15A NCAC 10I .0105	14:11 NCR 906		14:15 NCR 1347	*						

FINAL DECISION LETTERS

Voting Rights Act

14:02 NCR 75

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Voting Rights Act										14:03 NCR 123
Voting Rights Act										14:04 NCR 263
Voting Rights Act										14:08 NCR 576
Voting Rights Act										14:10 NCR 739
Voting Rights Act										14:11 NCR 905
Voting Rights Act										14:13 NCR 1089
Voting Rights Act										14:14 NCR 1222
Voting Rights Act										14:17 NCR 1494

FORESTERS, BOARD OF REGISTRATION FOR

21 NCAC 20 .0101		13:19 NCR 1695	13:23 NCR 1942	*	Approve	10/04/99			14:10 NCR 839	
21 NCAC 20 .0103		13:19 NCR 1695	13:23 NCR 1942	*	Approve	10/04/99	*		14:10 NCR 839	
21 NCAC 20 .0104		13:19 NCR 1695	13:23 NCR 1942	*	Approve	10/04/99	*		14:10 NCR 839	
21 NCAC 20 .0105		13:19 NCR 1695	13:23 NCR 1942	*	Approve	10/04/99	*		14:10 NCR 839	
21 NCAC 20 .0106		13:19 NCR 1695	13:23 NCR 1942	*	Approve	10/04/99	*		14:10 NCR 839	
21 NCAC 20 .0117		13:19 NCR 1695	13:23 NCR 1942	*	Approve	10/04/99	*		14:10 NCR 839	
21 NCAC 20 .0120		13:19 NCR 1695	13:23 NCR 1942	*	Object	10/04/99			14:15 NCR 1354	
21 NCAC 20 .0122		13:19 NCR 1695	13:23 NCR 1942	*	Approve	11/17/99	*		14:10 NCR 839	
21 NCAC 20 .0123		13:19 NCR 1695	13:23 NCR 1942	*	Approve	10/04/99	*		14:10 NCR 839	

GENERAL CONTRACTORS LICENSING BOARD

21 NCAC 12 .0202	13:22 NCR 1821		14:06 NCR 474	*						
21 NCAC 12 .0204		13:06 NCR 568	13:13 NCR 1048	*	Approve	05/20/99			14:04 NCR 330	
21 NCAC 12 .0204	13:22 NCR 1821		14:06 NCR 474	*						
21 NCAC 12 .0205	13:22 NCR 1821		14:06 NCR 474	*						
21 NCAC 12 .0209	13:22 NCR 1821		14:06 NCR 474	*						
21 NCAC 12 .0307	13:22 NCR 1821		14:06 NCR 474	*						
21 NCAC 12 .0402	13:22 NCR 1821		14:06 NCR 474	*						
21 NCAC 12 .0405	13:22 NCR 1821		14:06 NCR 474	*						

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21 NCAC 12 .0410	13:22 NCR 1821		14:06 NCR 474	*						
21 NCAC 12 .0504	13:13 NCR 1040		13:18 NCR 1524	*						
21 NCAC 12 .0901	13:22 NCR 1821		13:24 NCR 2015	*	Approve	11/17/99			14:15 NCR 1354	
21 NCAC 12 .0907	13:22 NCR 1821		14:06 NCR 474	*						
GEOLOGISTS, BOARD FOR LICENSING OF										
21 NCAC 21 .0501	14:05 NCR 372	14:12 NCR 1064	14:12 NCR 1064	*						
21 NCAC 21 .0502	14:05 NCR 372	14:12 NCR 1064	14:12 NCR 1064	*						
21 NCAC 21 .0514	14:05 NCR 372	14:12 NCR 1064	14:12 NCR 1064	*						
21 NCAC 21 .0515	14:05 NCR 372	14:12 NCR 1064	14:12 NCR 1064	*						
21 NCAC 21 .1101	14:05 NCR 372	14:12 NCR 1064	14:12 NCR 1064	*						
21 NCAC 21 .1102	14:05 NCR 372	14:12 NCR 1064	14:12 NCR 1064	*						

GOVERNOR'S EXECUTIVE ORDERS

Number 152 - Eff. 05/21/99	14:01 NCR 1
Number 153 - Eff. 05/28/99	14:02 NCR 72
Number 154 - Eff. 07/14/99	14:06 NCR 426
Number 155 - Eff. 07/20/99	14:07 NCR 510
Number 156 - Eff. 07/20/99	14:07 NCR 510
Number 157 - Eff. 08/13/99	14:07 NCR 510
Number 158 - Eff. 08/30/99	14:08 NCR 574
Number 159 - Eff. 09/15/99	14:08 NCR 574
Number 160 - Eff. 09/16/99	14:08 NCR 574
Number 161 - Eff. 09/19/99	14:10 NCR 737
Number 162 - Eff. 10/18/99	14:10 NCR 737
Number 163 - Eff. 10/18/99	14:10 NCR 737
Number 164 - Eff. 10/18/99	14:10 NCR 737
Number 165 - Eff. 11/15/99	14:12 NCR 953
Number 166 - Eff. 12/30/99	14:15 NCR 1342

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Number 167 - Eff. 01/28/00

GOVERNOR, OFFICE OF

9 NCAC 05A	14:03 NCR 245									
9 NCAC 05B	14:03 NCR 245									
9 NCAC 05C	14:03 NCR 245									
9 NCAC 05D	14:03 NCR 245									
9 NCAC 05E	14:03 NCR 245									
9 NCAC 05F	14:03 NCR 245									
9 NCAC 05G .0101		14:03 NCR 245								
9 NCAC 05G .0102		14:03 NCR 245								
9 NCAC 05G .0103		14:03 NCR 245								
9 NCAC 05G .0104		14:03 NCR 245								

HEALTH AND HUMAN SERVICES

Aging

10 NCAC 22 10:23 NCR 2956

Blind/State Rehabilitation Council, Commission for the

10 NCAC 19G .0823	13:17 NCR 1378	13:21 NCR 1785	*	Return to agcy	07/15/99					
				Approve	11/17/99	*			14:15 NCR 1354	
10 NCAC 19G .0827	13:17 NCR 1378	13:21 NCR 1785	*	Approve	11/17/99				14:15 NCR 1354	

Child Day Care Commission

10 NCAC 03U .0102	12:21 NCR 1873	14:03 NCR 154	*	Object	12/16/99					
10 NCAC 03U .0300	14:17 NCR 1496									
10 NCAC 03U .0600	14:17 NCR 1496									
10 NCAC 03U .0700	14:10 NCR 742									
10 NCAC 03U .0800	14:17 NCR 1496									
10 NCAC 03U .1300	14:17 NCR 1496									
10 NCAC 03U .1600	14:17 NCR 1496									
10 NCAC 03U .2200	14:17 NCR 1496									

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10 NCAC 03U .2501	12:21 NCR 1873		14:03 NCR 154	*	Approve	12/16/99	*		14:17 NCR 1525	
10 NCAC 03U .2502	12:21 NCR 1873		14:03 NCR 154	*	Approve	12/16/99	*		14:17 NCR 1525	
10 NCAC 03U .2510	12:21 NCR 1873		14:03 NCR 154	L	Object	12/16/99				
10 NCAC 03U .2804	12:21 NCR 1873		14:03 NCR 154	*	Approve	12/16/99	*		14:17 NCR 1525	
10 NCAC 03U .2811	12:21 NCR 1873		14:03 NCR 154	S	Approve	12/16/99	*		14:17 NCR 1525	
Controller, Office of										
10 NCAC 01B .0418	13:14 NCR 1109		13:22 NCR 1823	*	Approve	07/15/99	*		14:06 NCR 490	
10 NCAC 01B .0419	13:14 NCR 1109		13:22 NCR 1823	*	Approve	07/15/99	*		14:06 NCR 490	
10 NCAC 01B .0420	13:14 NCR 1109		13:22 NCR 1823	*	Approve	07/15/99	*		14:06 NCR 490	
10 NCAC 01B .0501	14:07 NCR 518	14:08 NCR 594	14:14 NCR 1224	*						
10 NCAC 01B .0502	14:07 NCR 518	14:08 NCR 594	14:14 NCR 1224	*						
Facility Services										
Abbreviated Notice of Temporary Rule-Making										
10 NCAC 03R .0111	N/A		N/A	N/A	Approve	12/16/99			14:17 NCR 1525	14:04 NCR 264
10 NCAC 03R .0212	N/A		N/A	N/A	Object	12/16/99				
					Approve	01/20/00				
10 NCAC 03R .0213		14:14 NCR 1282								
10 NCAC 03R .0304		14:14 NCR 1282								
10 NCAC 03R .0305		14:14 NCR 1282								
10 NCAC 03R .1613	13:14 NCR 1119 Expired 10/12/99	14:14 NCR 1282	14:04 NCR 279	*	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .1613	14:14 NCR 1282									
10 NCAC 03R .1615	13:14 NCR 1119 Expired 10/12/99	14:14 NCR 1282	14:04 NCR 279	*	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .1615	14:14 NCR 1282									
10 NCAC 03R .1713	13:14 NCR 1119 Expired 10/12/99	14:14 NCR 1282	14:04 NCR 279	*	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .1713	14:14 NCR 1282									
10 NCAC 03R .1714	13:14 NCR 1119 Expired 10/12/99	14:14 NCR 1282	14:04 NCR 279	*	Approve	11/17/99			14:15 NCR 1354	

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10 NCAC 03R .1714		14:14 NCR 1282								
10 NCAC 03R .1715		13:14 NCR 1119 Expired 10/12/99	14:04 NCR 279	*	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .1715		14:14 NCR 1282								
10 NCAC 03R .1912		13:14 NCR 1119 Expired 10/12/99	14:04 NCR 279	*	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .1912		14:14 NCR 1282								
10 NCAC 03R .1913		13:14 NCR 1119 Expired 10/12/99	14:04 NCR 279	*	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .1913		14:14 NCR 1282								
10 NCAC 03R .1914		13:14 NCR 1119 Expired 10/12/99	14:04 NCR 279	*	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .1914		14:14 NCR 1282								
10 NCAC 03R .2113		13:14 NCR 1119 Expired 10/12/99	14:04 NCR 279	*	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .2113		14:14 NCR 1282								
10 NCAC 03R .2713		13:14 NCR 1119 Expired 10/12/99	14:04 NCR 279	*	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .2713		14:14 NCR 1282								
10 NCAC 03R .2715		13:14 NCR 1119 Expired 10/12/99	14:04 NCR 279	*	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .2715		14:14 NCR 1282								
10 NCAC 03R .4203		13:14 NCR 1119 Expired 10/12/99	14:04 NCR 279	*	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .4203		14:14 NCR 1282								
10 NCAC 03R .6001	11:22 NCR 1704									
10 NCAC 03R .6112		12:15 NCR 1431 Temp Expired 04/15/99	13:02 NCR 178	S/L/SE	Object Object Returned to Acy Approve	10/22/98 12/17/98 04/15/99 11/17/99				
10 NCAC 03R .6201		13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	*	Approve	11/17/99	*		14:15 NCR 1354	
10 NCAC 03R .6202		13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	*	Approve	11/17/99	*		14:15 NCR 1354	
10 NCAC 03R .6203		13:14 NCR 1119 14:04 NCR 314 Expired 10/12/99	14:03 NCR 130	*	Approve	11/17/99	*		14:15 NCR 1354	

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10 NCAC 03R .6204		13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	*	Approve	11/17/99	*		14:15 NCR 1354	
10 NCAC 03R .6205		13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	*	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .6206		13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	*	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .6207		13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	*	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .6208		13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	S/L/SE	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .6209		13:14 NCR 1119 14:04 NCR 314 Expired 10/12/99	14:03 NCR 130	S/L/SE	Approve	11/17/99	*		14:15 NCR 1354	
10 NCAC 03R .6210		13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	S/L/SE	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .6211		13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	S/L/SE	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .6212		13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	S/L/SE	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .6213		13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	*	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .6214		13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	*	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .6215		13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	*	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .6216		13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	*	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .6217		13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	*	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .6218		13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	*	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .6219		13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	*	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .6220		13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	S/L/SE	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .6221		13:14 NCR 1119 14:04 NCR 314 Expired 10/12/99	14:03 NCR 130	S/L/SE	Approve	11/17/99	*		14:15 NCR 1354	
10 NCAC 03R .6222		13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	S/L/SE	Approve	11/17/99	*		14:15 NCR 1354	
10 NCAC 03R .6223		13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99			14:15 NCR 1354	

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10 NCAC 03R .6224		Expired 10/12/99 13:14 NCR 1119	14:03 NCR 130	S/L/SE	Approve	11/17/99	*		14:15 NCR 1354	
10 NCAC 03R .6225		Expired 10/12/99 13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .6226		Expired 10/12/99 13:14 NCR 1119	14:03 NCR 130	S/L/SE	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .6227		Expired 10/12/99 13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .6228		Expired 10/12/99 13:14 NCR 1119	14:03 NCR 130	S/L/SE	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .6229		Expired 10/12/99 13:14 NCR 1119	14:03 NCR 130	S/L/SE	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .6230		Expired 10/12/99 13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99	*		14:15 NCR 1354	
10 NCAC 03R .6231		Expired 10/12/99 13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99	*		14:15 NCR 1354	
10 NCAC 03R .6232		Expired 10/12/99 13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .6233		Expired 10/12/99 13:14 NCR 1119	14:03 NCR 130	S/L/SE	Approve	11/17/99	*		14:15 NCR 1354	
10 NCAC 03R .6234		Expired 10/12/99 13:14 NCR 1119	14:03 NCR 130	S/L/SE	Object	11/17/99			14:17 NCR 1525	
10 NCAC 03R .6235		Expired 10/12/99 13:14 NCR 1119	14:03 NCR 130	*	Approve	12/16/99	*		14:15 NCR 1354	
10 NCAC 03R .6236		Expired 10/12/99 13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .6237		Expired 10/12/99 13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .6238		Expired 10/12/99 13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .6239		Expired 10/12/99 13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .6240		Expired 10/12/99 13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .6241		Expired 10/12/99 13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .6242	14:12 NCR 1035	Expired 10/12/99 14:12 NCR 1035	14:03 NCR 130	*	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .6243	14:12 NCR 1035	14:12 NCR 1035								
10 NCAC 03R .6250		14:14 NCR 1282								

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10 NCAC 03R .6252		14:14 NCR 1282								
10 NCAC 03R .6253		14:14 NCR 1282								
10 NCAC 03R .6254		14:14 NCR 1282								
10 NCAC 03R .6255		14:14 NCR 1282								
10 NCAC 03R .6256		14:14 NCR 1282								
10 NCAC 03R .6257		14:14 NCR 1282								
10 NCAC 03R .6258		14:14 NCR 1282								
10 NCAC 03R .6259		14:14 NCR 1282								
10 NCAC 03R .6260		14:14 NCR 1282								
10 NCAC 03R .6261		14:14 NCR 1282								
10 NCAC 03R .6263		14:14 NCR 1282								
10 NCAC 03R .6264		14:14 NCR 1282								
10 NCAC 03R .6265		14:14 NCR 1282								
10 NCAC 03R .6266		14:14 NCR 1282								
10 NCAC 03R .6267		14:14 NCR 1282								
10 NCAC 03R .6268		14:14 NCR 1282								
10 NCAC 03R .6269		14:14 NCR 1282								
10 NCAC 03R .6270		14:14 NCR 1282								
10 NCAC 03R .6271		14:14 NCR 1282								
10 NCAC 03R .6272		14:14 NCR 1282								
10 NCAC 03R .6273		14:14 NCR 1282								
10 NCAC 03R .6274		14:14 NCR 1282								
10 NCAC 03R .6275		14:14 NCR 1282								
10 NCAC 03R .6276		14:14 NCR 1282								
10 NCAC 03R .6277		14:14 NCR 1282								
10 NCAC 03R .6278		14:14 NCR 1282								
10 NCAC 03R .6279		14:14 NCR 1282								

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10 NCAC 03R .6280		14:14 NCR 1282								
10 NCAC 03R .6281		14:14 NCR 1282								
10 NCAC 03R .6282		14:14 NCR 1282								
10 NCAC 03R .6283		14:14 NCR 1282								
10 NCAC 03R .6284		14:14 NCR 1282								
10 NCAC 03R .6285		14:14 NCR 1282								
10 NCAC 03R .6286		14:14 NCR 1282								
10 NCAC 03R .6287		14:14 NCR 1282								
10 NCAC 03R .6288		14:14 NCR 1282								
10 NCAC 03R .6289		14:14 NCR 1282								
10 NCAC 03R .6290		14:14 NCR 1282								
10 NCAC 03R .6291		14:14 NCR 1282								
10 NCAC 03R .6292		14:14 NCR 1282								
10 NCAC 03R .6293		14:14 NCR 1282								
10 NCAC 03S .0108	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99			14:17 NCR 1525	
10 NCAC 03S .0109	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99			14:17 NCR 1525	
10 NCAC 03S .0207	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99			14:17 NCR 1525	
10 NCAC 03S .0208	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99			14:17 NCR 1525	
10 NCAC 03S .0209	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99			14:17 NCR 1525	
10 NCAC 03S .0210	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99			14:17 NCR 1525	
10 NCAC 03S .0211	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99			14:17 NCR 1525	
10 NCAC 03S .0213	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99			14:17 NCR 1525	
10 NCAC 03S .0214	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99			14:17 NCR 1525	
10 NCAC 03S .0307	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99			14:17 NCR 1525	
10 NCAC 03S .0308	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99			14:17 NCR 1525	
10 NCAC 03S .0407	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99			14:17 NCR 1525	
10 NCAC 03S .0408	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99			14:17 NCR 1525	

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10 NCAC 03S .0506	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99			14:17 NCR 1525	
10 NCAC 03S .0507	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99			14:17 NCR 1525	
10 NCAC 03S .0508	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99			14:17 NCR 1525	
10 NCAC 03S .0509	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99			14:17 NCR 1525	
10 NCAC 03S .0510	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99			14:17 NCR 1525	
10 NCAC 03S .0511	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99			14:17 NCR 1525	
10 NCAC 03S .0614	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99			14:17 NCR 1525	
10 NCAC 03S .0615	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99			14:17 NCR 1525	
10 NCAC 03S .0616	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99			14:17 NCR 1525	
10 NCAC 03S .0617	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99			14:17 NCR 1525	
10 NCAC 03S .0618	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99			14:17 NCR 1525	
10 NCAC 03S .0619	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99			14:17 NCR 1525	
10 NCAC 03S .0706	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99			14:17 NCR 1525	
10 NCAC 03S .0707	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99			14:17 NCR 1525	
10 NCAC 03S .0806	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99			14:17 NCR 1525	
10 NCAC 03S .0807	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99			14:17 NCR 1525	
10 NCAC 03S .0808	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99			14:17 NCR 1525	
10 NCAC 03S .0901	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99			14:17 NCR 1525	
10 NCAC 03S .0902	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99			14:17 NCR 1525	
10 NCAC 03S .0903	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99			14:17 NCR 1525	
10 NCAC 03S .0904	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99			14:17 NCR 1525	
10 NCAC 03S .1001	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99			14:17 NCR 1525	
10 NCAC 03S .1002	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99			14:17 NCR 1525	
10 NCAC 03S .1003	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99			14:17 NCR 1525	
10 NCAC 03S .1004	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99			14:17 NCR 1525	
10 NCAC 03S .1005	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99			14:17 NCR 1525	
10 NCAC 03S .1006	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99			14:17 NCR 1525	

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10 NCAC 03S .1101	12:24 NCR 2194		14:05 NCR 374	*	Object	11/17/99				
10 NCAC 03S .1201	12:24 NCR 2194		14:05 NCR 374	*	Approve	12/16/99	*		14:17 NCR 1525	
10 NCAC 03S .1202	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99	*		14:17 NCR 1525	
10 NCAC 03S .1203	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99			14:17 NCR 1525	
10 NCAC 03S .1204	12:24 NCR 2194		14:05 NCR 374	*	Object	11/17/99	*		14:17 NCR 1525	
10 NCAC 03S .1205	12:24 NCR 2194		14:05 NCR 374	*	Approve	12/16/99	*		14:17 NCR 1525	
10 NCAC 03S .1206	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99	*		14:17 NCR 1525	
10 NCAC 03S .1207	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99	*		14:17 NCR 1525	
10 NCAC 03S .1301	12:24 NCR 2194		14:05 NCR 374	*	Object	11/17/99			14:17 NCR 1525	
10 NCAC 03S .1302	12:24 NCR 2194		14:05 NCR 374	*	Return to agency	12/16/99				
10 NCAC 03S .1303	12:24 NCR 2194		14:05 NCR 374	*	Object	11/17/99	*		14:17 NCR 1525	
10 NCAC 03S .1401	12:24 NCR 2194		14:05 NCR 374	*	Approve	12/16/99			14:17 NCR 1525	
10 NCAC 03S .1501	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99	*		14:17 NCR 1525	
10 NCAC 03S .1601	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99	*		14:17 NCR 1525	
10 NCAC 03S .1701	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99			14:17 NCR 1525	
10 NCAC 03S .1702	12:24 NCR 2194		14:05 NCR 374	*	Object	11/17/99	*		14:17 NCR 1525	
10 NCAC 03S .1801	12:24 NCR 2194		14:05 NCR 374	*	Approve	12/16/99			14:17 NCR 1525	
10 NCAC 03S .1802	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99			14:17 NCR 1525	
10 NCAC 03S .1803	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99			14:17 NCR 1525	
10 NCAC 03S .1804	12:24 NCR 2194		14:05 NCR 374	*	Object	11/17/99	*		14:17 NCR 1525	
10 NCAC 03S .1805	12:24 NCR 2194		14:05 NCR 374	*	Approve	12/16/99	*		14:17 NCR 1525	
10 NCAC 03S .1806	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99	*		14:17 NCR 1525	
10 NCAC 03S .1901	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99	*		14:17 NCR 1525	
10 NCAC 03S .1902	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99	*		14:17 NCR 1525	
10 NCAC 03S .1903	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99	*		14:17 NCR 1525	

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10 NCAC 03S .2001	12:24 NCR 2194		14:05 NCR 374	*	Object	11/17/99			14:17 NCR 1525	
10 NCAC 03S .2002	12:24 NCR 2194		14:05 NCR 374	*	Approve	12/16/99	*		14:17 NCR 1525	
10 NCAC 03S .2101	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99			14:17 NCR 1525	
10 NCAC 03S .2102	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99	*		14:17 NCR 1525	
10 NCAC 03S .2103	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99			14:17 NCR 1525	
10 NCAC 03S .2104	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99			14:17 NCR 1525	
10 NCAC 03S .2105	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99			14:17 NCR 1525	
10 NCAC 03S .2106	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99			14:17 NCR 1525	
Health Services, Commission for										
15A NCAC 16A .1104	13:14 NCR 1114		14:01 NCR 12	*	Object	10/04/99	*		14:10 NCR 839	
15A NCAC 16A .1106	13:14 NCR 1114		14:01 NCR 12	*	Approve	02/20/00				
15A NCAC 16A .1301	14:15 NCR 1344	14:17 NCR 1522			Approve	10/04/99				
15A NCAC 16A .1302	14:15 NCR 1344	14:17 NCR 1522								
15A NCAC 16A .1303	14:15 NCR 1344	14:17 NCR 1522								
15A NCAC 16A .1304	14:15 NCR 1344	14:17 NCR 1522								
15A NCAC 16A .1305	14:15 NCR 1344	14:17 NCR 1522								
15A NCAC 16A .1306	14:15 NCR 1344	14:17 NCR 1522								
15A NCAC 16A .1307	14:15 NCR 1344	14:17 NCR 1522								
15A NCAC 19A .0401	13:11 NCR 855	13:24 NCR 2034	13:24 NCR 2004	*	Approve	10/04/99	*		14:10 NCR 839	
15A NCAC 19A .0401	13:22 NCR 1818	13:24 NCR 2034	13:24 NCR 2004	*	Approve	10/04/99	*		14:10 NCR 839	
15A NCAC 19A .0401	14:06 NCR 483	14:06 NCR 483	14:10 NCR 767	*	Agency Withdraw Rule-Making	02/16/00				
15A NCAC 19A .0404	13:11 NCR 855	13:24 NCR 2004	13:24 NCR 2004	*	Approve	10/04/99			14:10 NCR 839	
15A NCAC 19A .0404	13:22 NCR 1818	13:24 NCR 2004	13:24 NCR 2004	*	Approve	10/04/99			14:10 NCR 839	
15A NCAC 19A .0406	13:11 NCR 855	13:24 NCR 2004	13:24 NCR 2004	*	Approve	10/04/99			14:10 NCR 839	
15A NCAC 19A .0406	13:22 NCR 1818	13:24 NCR 2004	13:24 NCR 2004	*	Approve	10/04/99			14:10 NCR 839	
15A NCAC 19A .0406	14:15 NCR 1345									
15A NCAC 19A .0502	13:11 NCR 855	13:13 NCR 1059	13:24 NCR 2004	*	Approve	10/04/99	*		14:10 NCR 839	

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15A NCAC 19A .0502	13:22 NCR 1818		13:24 NCR 2004	*	Approve	10/04/99	*		14:10 NCR 839	
15A NCAC 19B .0101	14:15 NCR 1345									
15A NCAC 19B .0301	14:15 NCR 1345									
15A NCAC 19B .0302	14:15 NCR 1345									
15A NCAC 19B .0304	14:15 NCR 1345									
15A NCAC 19B .0309	14:15 NCR 1345									
15A NCAC 19B .0311	14:15 NCR 1345									
15A NCAC 19B .0313	14:15 NCR 1345									
15A NCAC 19B .0320	14:15 NCR 1345									
15A NCAC 19B .0321	14:15 NCR 1345									
15A NCAC 19B .0322	14:15 NCR 1345									
15A NCAC 19B .0502	14:15 NCR 1345									
15A NCAC 19B .0503	14:15 NCR 1345									
15A NCAC 21D .0202	14:15 NCR 1345									
15A NCAC 21D .0701	14:15 NCR 1345									
15A NCAC 21D .0702	14:15 NCR 1345									
15A NCAC 21D .0703	14:15 NCR 1345									
15A NCAC 21D .0704	14:15 NCR 1345									
15A NCAC 21D .0705	14:15 NCR 1345									
15A NCAC 21D .0706	14:15 NCR 1345									
15A NCAC 21D .0802	14:15 NCR 1345									
15A NCAC 21D .0803	14:15 NCR 1345									
15A NCAC 21F .1201	14:03 NCR 126	14:06 NCR 483	14:10 NCR 767	*						
15A NCAC 21F .1202	14:03 NCR 126	14:06 NCR 483	14:10 NCR 767	*						
15A NCAC 21F .1203	14:03 NCR 126	14:06 NCR 483	14:10 NCR 767	*						
15A NCAC 21F .1204	14:03 NCR 126	14:06 NCR 483	14:10 NCR 767	*						
15A NCAC 21H .0110	12:20 NCR 1822		13:07 NCR 591	S				Extended Rev. 01/21/99 Agcy Withdrawn 02/02/99		

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15A NCAC 21H .0111	12:20 NCR 1822		13:07 NCR 591	S	Approve	01/21/99	*		13:22 NCR 1868	
15A NCAC 21H .0113	12:20 NCR 1822		13:07 NCR 591	*	Approve	01/21/99			13:22 NCR 1868	
15A NCAC 21H .0314	14:03 NCR 126	14:06 NCR 483	14:10 NCR 767	*						
15A NCAC 21 I .0102	14:04 NCR 272									
15A NCAC 21 I .0103	14:04 NCR 272									
15A NCAC 21JI .0102	14:04 NCR 272									
15A NCAC 21 J .0103	14:04 NCR 272									
15A NCAC 23 .0201	13:22 NCR 1820		14:02 NCR 80	*	Approve	10/04/99			14:10 NCR 839	
15A NCAC 23 .0202	13:22 NCR 1820	13:18 NCR 1555	14:02 NCR 80	S/L	Approve	10/04/99			14:10 NCR 839	
15A NCAC 23 .0204	13:22 NCR 1820		14:02 NCR 80	*	Approve	10/04/99			14:10 NCR 839	
15A NCAC 23 .0501	13:22 NCR 1820		14:02 NCR 80	*	Approve	10/04/99			14:10 NCR 839	
15A NCAC 24A .0402	14:03 NCR 126	14:06 NCR 483	14:10 NCR 767	*						
15A NCAC 24A .0403	14:03 NCR 126	14:06 NCR 483	14:10 NCR 767	*						
15A NCAC 26B	14:15 NCR 1346									
15A NCAC 26C	13:22 NCR 1820									
15A NCAC 26C .0101	13:22 NCR 1820		14:01 NCR 12	*	Approve	11/17/99	*		14:15 NCR 1354	
15A NCAC 26C .0102	13:22 NCR 1820		14:01 NCR 12	*	Approve	11/17/99	*		14:15 NCR 1354	
15A NCAC 26C .0103	13:22 NCR 1820		14:01 NCR 12	*	Approve	11/17/99	*		14:15 NCR 1354	
15A NCAC 26C .0104	13:22 NCR 1820		14:01 NCR 12	*	Approve	11/17/99	*		14:15 NCR 1354	
15A NCAC 26C .0105	13:22 NCR 1820		14:01 NCR 12	*	Approve	11/17/99	*		14:15 NCR 1354	
15A NCAC 26C .0106	13:22 NCR 1820		14:01 NCR 12	*	Approve	11/17/99	*		14:15 NCR 1354	
15A NCAC 26C .0107	13:22 NCR 1820		14:01 NCR 12	*	Approve	11/17/99	*		14:15 NCR 1354	
Medical Assistance										
10 NCAC 26B .0113	14:01 NCR 4	14:04 NCR 319	14:17 NCR 1500	S/L						
10 NCAC 26D .0101	14:09 NCR 687	14:09 NCR 687								
10 NCAC 26D .0110	12:06 NCR 444		12:21 NCR 1875	*						
10 NCAC 26H .0101	11:14 NCR 1108									

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10 NCAC 26H .0102	11:14 NCR 1108									
10 NCAC 26H .0212		12:09 NCR 827 Temp.Expired 7/31/98								
		12:13 NCR 733								
	14:08 NCR 595	14:08 NCR 595								
10 NCAC 26H .0213		11:26 NCR 1997								
10 NCAC 26H .0213		12:09 NCR 827								
		13:08 NCR 733								
		14:08 NCR 595								
10 NCAC 26H .0304	14:08 NCR 595	13:03 NCR 316	13:08 NCR 668	S/L	Object	12/17/98			13:22 NCR 1868	
10 NCAC 26H .0304		14:05 NCR 394	14:17 NCR 1500	S/L	Approve	01/21/99	*			
10 NCAC 26H .0401		13:02 NCR 248	13:12 NCR 947	*	Approve	02/18/99	*		13:24 NCR 2037	
10 NCAC 26H .0401		14:13 NCR 1176								
10 NCAC 26H .0506		14:15 NCR 1352								
10 NCAC 26H .0511	14:13 NCR 1092									
10 NCAC 26I .0101	13:02 NCR 175		13:07 NCR 588	*						
10 NCAC 26M .0301		14:04 NCR 319	14:17 NCR 1500	*						
10 NCAC 26M .0302		14:04 NCR 319	14:17 NCR 1500	*						
10 NCAC 26M .0303		14:04 NCR 319	14:17 NCR 1500	*						
10 NCAC 26M .0304		14:04 NCR 319	14:17 NCR 1500	*						
10 NCAC 26M .0305		14:04 NCR 319	14:17 NCR 1500	*						
10 NCAC 50B .0101	14:07 NCR 545	14:07 NCR 545	14:17 NCR 1500	*						
10 NCAC 50B .0102		13:18 NCR 1526	14:10 NCR 750	S/L/SE						
10 NCAC 50B .0202	12:06 NCR 444		12:21 NCR 1875	*						
10 NCAC 50B .0302	13:02 NCR 175		13:10 NCR 806	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 50B .0305		14:03 NCR 246								
10 NCAC 50B .0311	13:03 NCR 268									
10 NCAC 50B .0311	14:07 NCR 545	14:07 NCR 545								

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10 NCAC 50B .0313	13:02 NCR 175		13:10 NCR 806	*	Approve	02/18/99	*		13:24 NCR 2037	
10 NCAC 50B .0313		13:18 NCR 1526	14:10 NCR 750	S/L/SE						
10 NCAC 50B .0403	14:07 NCR 545									
10 NCAC 50B .0408	14:07 NCR 545	14:07 NCR 545								
Medical Care Commission/Secretary of the Department of Health and Human Services										
Abbreviated Notice to adopt Temporary Rules										
10 NCAC 42B .1201	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						14:15 NCR 1343
10 NCAC 42B .1212	14:05 NCR 370	14:10 NCR 799	14:13 NCR 1106	*						
10 NCAC 42B .1213	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42B .1213	14:05 NCR 370	14:10 NCR 799	14:13 NCR 1106	*						
10 NCAC 42B .1214	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	S						
10 NCAC 42B .1214	14:05 NCR 370	14:10 NCR 799	14:13 NCR 1106	S						
10 NCAC 42B .1215	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42B .1407	14:05 NCR 370									
10 NCAC 42B .1707	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42B .1803	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42B .2013	14:05 NCR 370									
10 NCAC 42B .2014	14:05 NCR 370									
10 NCAC 42B .2406		14:10 NCR 799	14:13 NCR 1106	*						
10 NCAC 42B .2501	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42B .2502	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42B .2503	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42B .2601		14:10 NCR 799	14:13 NCR 1106	*						
10 NCAC 42C .2005	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .2011	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .2012	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .2013	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	S						
10 NCAC 42C .2014	14:05 NCR 370	14:10 NCR 799	14:13 NCR 1106	S						
10 NCAC 42C .2014	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						

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10 NCAC 42C .2015		14:10 NCR 799	14:13 NCR 1106	*						
10 NCAC 42C .2207	14:05 NCR 370	14:10 NCR 799	14:13 NCR 1106	*						
10 NCAC 42C .2214	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .2302	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .2501	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .2505	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .2506	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .2703	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .3401	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	S						
10 NCAC 42C .3402	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .3701	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .3703	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .3801	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .3802	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .3803	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .3804	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .3805	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .3806	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .3807	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .3808	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .3809	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .3810	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .3901	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .3902	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .3903	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .4001		14:10 NCR 799	14:13 NCR 1106	*						
10 NCAC 42D .1301	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						

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10 NCAC 42D .1302	14:05 NCR 370	14:10 NCR 799	14:13 NCR 1106	*						
10 NCAC 42D .1303		14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .1303		14:10 NCR 799	14:13 NCR 1106	S						
10 NCAC 42D .1303	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	S						
10 NCAC 42D .1304		14:10 NCR 799	14:13 NCR 1106	S/SE						
10 NCAC 42D .1401	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .1402	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .1407	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	S/SE						
10 NCAC 42D .1410	14:05 NCR 370	14:10 NCR 799	14:13 NCR 1106	S/SE						
10 NCAC 42D .1410	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .1411	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .1412	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .1413	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	S/SE						
10 NCAC 42D .1414	14:05 NCR 370	14:10 NCR 799	14:13 NCR 1106	S/SE						
10 NCAC 42D .1415	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	S						
10 NCAC 42D .1416	14:05 NCR 370	14:10 NCR 799	14:13 NCR 1106	S						
10 NCAC 42D .1503	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .1605	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .1804	14:05 NCR 370	14:10 NCR 799	14:13 NCR 1106	*						
10 NCAC 42D .1813	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .1821	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .1831		14:10 NCR 799	14:13 NCR 1106	*						
10 NCAC 42D .1832	14:05 NCR 370									
10 NCAC 42D .1833	14:05 NCR 370									
10 NCAC 42D .1901	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .1902	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .1903	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .1904	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						

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10 NCAC 42D .1905	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .1906	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .1907	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .1908	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .1909	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .1910	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .2001	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .2002	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .2003	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .2004	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .2005	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .2006	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .2007	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .2008	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .2009	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .2010	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .2011	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .2101	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .2102	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .2201	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .2202	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .2203	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .2301		14:10 NCR 799	14:13 NCR 1106	*						
Mental Health, Developmental Disabilities and Substance Abuse Services										
10 NCAC 14V .0802	12:20 NCR 1820	13:22 NCR 1853	13:22 NCR 1853	*						
10 NCAC 14V .0803	12:20 NCR 1820	13:22 NCR 1853	13:22 NCR 1853	*						
10 NCAC 14V .0804	12:20 NCR 1820	13:22 NCR 1853	13:22 NCR 1853	*						

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10 NCAC 14V .0805	12:20 NCR 1820	13:22 NCR 1853	13:22 NCR 1853	*						
10 NCAC 14V .3602	14:07 NCR 518	14:16 NCR 1465	14:16 NCR 1465	*						
10 NCAC 14V .3604	14:07 NCR 518	14:16 NCR 1465	14:16 NCR 1465	*						
10 NCAC 14V .3800	12:20 NCR 1820									
10 NCAC 14V .4000	12:20 NCR 1820									
10 NCAC 14V .4301	12:19 NCR 1762		13:07 NCR 586	*	Approve	01/21/99	*		13:22 NCR 1868	
10 NCAC 14V .4302	12:19 NCR 1762		13:07 NCR 586	*	Object	01/21/99	*			
10 NCAC 14V .4303	12:19 NCR 1762		13:07 NCR 586	*	Approve	02/18/99	*		13:24 NCR 2037	
10 NCAC 14V .4304	12:19 NCR 1762		13:07 NCR 586	*	Approve	01/21/99	*		13:22 NCR 1868	
10 NCAC 14V .4305	12:19 NCR 1762		13:07 NCR 586	*	Approve	01/21/99	*		13:22 NCR 1868	
10 NCAC 14V .4306	12:19 NCR 1762		13:07 NCR 586	*	Approve	01/21/99			13:22 NCR 1868	
10 NCAC 14V .5000	12:20 NCR 1820		13:07 NCR 586	*	Approve	01/21/99			13:22 NCR 1868	
10 NCAC 45G .0410	13:23 NCR 1947	13:23 NCR 1947	14:09 NCR 659	*						
10 NCAC 45H .0205	11:19 NCR 1762	12:24 NCR 2223	13:05 NCR 487	*	Approve	11/17/99			14:15 NCR 1354	
Secretary of Health and Human Services										
10 NCAC 14V .7000	14:07 NCR 518									
10 NCAC 14V .7006		12:01 NCR 31	12:07 NCR 511	*						
		Temp Expired 03/28/98								
10 NCAC 14V .7201	13:05 NCR 436		13:13 NCR 1042	*						
10 NCAC 14V .7202	13:05 NCR 436		13:13 NCR 1042	*						
10 NCAC 14V .7203	13:05 NCR 436		13:13 NCR 1042	*						
10 NCAC 14V .7204	13:05 NCR 436		13:13 NCR 1042	*						
10 NCAC 14V .7205	13:05 NCR 436		13:13 NCR 1042	*						
Social Services Commission										
10 NCAC 24	14:06 NCR 427									
10 NCAC 29C .0103		13:06 NCR 566	13:19 NCR 1611	*	Approve	07/15/99			14:06 NCR 490	
10 NCAC 29C .0201	14:10 NCR 798	14:10 NCR 798								

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10 NCAC 29C .0201	14:12 NCR 1036	14:12 NCR 1036								
10 NCAC 29C .0202	14:10 NCR 798	14:10 NCR 798								
10 NCAC 29C .0202	14:12 NCR 1036	14:12 NCR 1036								
10 NCAC 29C .0203	14:10 NCR 798	14:10 NCR 798								
10 NCAC 29C .0204	14:10 NCR 798	14:10 NCR 798								
10 NCAC 29C .0205	14:10 NCR 798	14:10 NCR 798								
10 NCAC 29C .0206	14:10 NCR 798	14:10 NCR 798								
10 NCAC 41H .0304	14:10 NCR 742		14:16 NCR 1406	*						
10 NCAC 41I .0102	10:17 NCR 2228		10:21 NCR 2687	*						
10 NCAC 41P .0106	14:10 NCR 742		14:16 NCR 1406	*						
10 NCAC 41S .0613		14:04 NCR 321								
10 NCAC 42A .0801	14:06 NCR 427	14:08 NCR 602	14:13 NCR 1100	S/L						
10 NCAC 42A .0802	14:06 NCR 427	14:08 NCR 602	14:13 NCR 1100	S/L						
10 NCAC 42A .0803	14:06 NCR 427	14:08 NCR 602	14:13 NCR 1100	S/L						
10 NCAC 42A .0804	14:06 NCR 427	14:08 NCR 602	14:13 NCR 1100	S/L						
10 NCAC 42A .0805	14:06 NCR 427	14:08 NCR 602	14:13 NCR 1100	S/L						
10 NCAC 42A .0806	14:06 NCR 427	14:08 NCR 602	14:13 NCR 1100	S/L						
10 NCAC 42A .0807	14:06 NCR 427	14:08 NCR 602	14:13 NCR 1100	S/L						
10 NCAC 42A .0808	14:06 NCR 427	14:08 NCR 602	14:13 NCR 1100	S/L						
10 NCAC 42A .0809	14:06 NCR 427	14:08 NCR 602	14:13 NCR 1100	S/L						
10 NCAC 42A .0810	14:06 NCR 427	14:08 NCR 602	14:13 NCR 1100	S/L						
10 NCAC 42E	14:10 NCR 742									
10 NCAC 42E .0801	14:06 NCR 427	14:08 NCR 642	14:13 NCR 1100	*						
10 NCAC 42E .1501	14:06 NCR 427	14:08 NCR 642	14:13 NCR 1100	*						
10 NCAC 42E .1502	14:06 NCR 427	14:08 NCR 642	14:13 NCR 1100	*						
10 NCAC 42E .1503	14:10 NCR 742		14:16 NCR 1406	*						
10 NCAC 42E .1504	14:10 NCR 742		14:16 NCR 1406	*						

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10 NCAC 42E .1505	14:10 NCR 742		14:16 NCR 1406	*						
10 NCAC 42E .1506	14:10 NCR 742		14:16 NCR 1406	*						
10 NCAC 42E .1507	14:10 NCR 742		14:16 NCR 1406	*						
10 NCAC 42E .1508	14:10 NCR 742		14:16 NCR 1406	*						
10 NCAC 42V .0108	14:06 NCR 427	14:08 NCR 642	14:13 NCR 1100	*						
10 NCAC 42Z .1001	14:06 NCR 427	14:08 NCR 642	14:13 NCR 1100	*						
10 NCAC 42Z .1002	14:10 NCR 742		14:16 NCR 1406	*						
10 NCAC 42Z .1003	14:10 NCR 742		14:16 NCR 1406	*						
10 NCAC 42Z .1004	14:10 NCR 742		14:16 NCR 1406	*						
10 NCAC 42Z .1005	14:10 NCR 742		14:16 NCR 1406	*						
10 NCAC 42Z .1006	14:10 NCR 742		14:16 NCR 1406	*						
10 NCAC 42Z .1007	14:10 NCR 742		14:16 NCR 1406	*						
10 NCAC 43L .0401	14:12 NCR 1036	14:12 NCR 1036	14:16 NCR 1406	*						
10 NCAC 47B .0103	14:07 NCR 519	14:08 NCR 602	14:13 NCR 1100	*						
10 NCAC 47B .0204	14:07 NCR 519	14:08 NCR 602	14:13 NCR 1100	*						
10 NCAC 47B .0407	14:07 NCR 519	14:08 NCR 602	14:13 NCR 1100	*						
Vocational Rehabilitation Services										
10 NCAC 20A .0101	14:07 NCR 519									
10 NCAC 20A .0102	14:07 NCR 519									
10 NCAC 20B .0102	14:07 NCR 519									
10 NCAC 20B .0103	14:07 NCR 519									
10 NCAC 20B .0105	14:07 NCR 519									
10 NCAC 20B .0108	14:07 NCR 519									
10 NCAC 20B .0201	14:07 NCR 519		14:16 NCR 1402	*						
10 NCAC 20B .0202	14:07 NCR 519		14:16 NCR 1402	*						
10 NCAC 20B .0203	14:07 NCR 519		14:16 NCR 1402	*						
10 NCAC 20B .0204	14:07 NCR 519		14:16 NCR 1402	*						

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10 NCAC 20B .0205	14:07 NCR 519		14:16 NCR 1402	*						
10 NCAC 20B .0206	14:07 NCR 519		14:16 NCR 1402	*						
10 NCAC 20B .0207	14:07 NCR 519		14:16 NCR 1402	*						
10 NCAC 20B .0208	14:07 NCR 519		14:16 NCR 1402	*						
10 NCAC 20B .0209	14:07 NCR 519		14:16 NCR 1402	*						
10 NCAC 20B .0210	14:07 NCR 519		14:16 NCR 1402	S						
10 NCAC 20B .0211	14:07 NCR 519		14:16 NCR 1402	*						
10 NCAC 20B .0217	14:07 NCR 519									
10 NCAC 20B .0221	14:07 NCR 519		14:16 NCR 1402	*						
10 NCAC 20B .0223	14:07 NCR 519		14:16 NCR 1402	*						
10 NCAC 20B .0224		13:17 NCR 1379	14:05 NCR 392	*	Approve	12/16/99	*		14:17 NCR 1525	
10 NCAC 20B .0225	14:07 NCR 519		14:16 NCR 1402	*						
10 NCAC 20B .0228		13:17 NCR 1379	14:05 NCR 392	*	Approve	12/16/99			14:17 NCR 1525	
10 NCAC 20C .0101	14:07 NCR 519									
10 NCAC 20C .0120	14:07 NCR 519									
10 NCAC 20C .0122	14:07 NCR 519									
10 NCAC 20C .0123	14:07 NCR 519									
10 NCAC 20C .0201	14:07 NCR 519									
10 NCAC 20C .0202	14:07 NCR 519									
10 NCAC 20C .0203	14:07 NCR 519									
10 NCAC 20C .0204	14:07 NCR 519									
10 NCAC 20C .0205	14:07 NCR 519									
10 NCAC 20C .0206	14:07 NCR 519									
10 NCAC 20C .0301	14:07 NCR 519									
10 NCAC 20C .0302	14:07 NCR 519									
10 NCAC 20C .0303	14:07 NCR 519									
10 NCAC 20C .0304	14:07 NCR 519									

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10 NCAC 20C .0305	14:07 NCR 519									
10 NCAC 20C .0306	14:07 NCR 519									
10 NCAC 20C .0307	14:07 NCR 519									
10 NCAC 20C .0308	14:07 NCR 519									
10 NCAC 20C .0310	14:07 NCR 519									
10 NCAC 20C .0311	14:07 NCR 519									
10 NCAC 20C .0313	14:07 NCR 519									
10 NCAC 20C .0314	14:07 NCR 519									
10 NCAC 20C .0315	14:07 NCR 519									
10 NCAC 20C .0316	14:07 NCR 519									
10 NCAC 20C .0401	14:07 NCR 519									
10 NCAC 20C .0408	14:07 NCR 519									
10 NCAC 20C .0502	14:07 NCR 519									
10 NCAC 20C .0601	14:07 NCR 519									
10 NCAC 20C .0603	14:07 NCR 519									
10 NCAC 20C .0604	14:07 NCR 519									
10 NCAC 20D .0101	14:07 NCR 519									
10 NCAC 20D .0201	14:07 NCR 519									
10 NCAC 20D .0301	14:07 NCR 519									
HOUSING FINANCE AGENCY										
24 NCAC 01H .0103	13:22 NCR 1822		14:02 NCR 82	*	Approve	12/16/99	*		14:17 NCR 1525	
INSURANCE										
11 NCAC 06B .0201	12:09 NCR 744		14:10 NCR 752	*	Approve	01/20/00				
11 NCAC 06B .0202	12:09 NCR 744		14:10 NCR 752	*	Approve	01/20/00				
11 NCAC 06B .0203	12:09 NCR 744		14:10 NCR 752	*	Approve	01/20/00				
11 NCAC 06B .0204	12:09 NCR 744		14:10 NCR 752	*	Approve	01/20/00				
11 NCAC 06B .0205	12:09 NCR 744		14:10 NCR 752	*	Approve	01/20/00				

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11 NCAC 06B .0301	12:09 NCR 744		14:10 NCR 752	*	Approve	01/20/00				
11 NCAC 06B .0302	12:09 NCR 744		14:10 NCR 752	*	Approve	01/20/00				
11 NCAC 06B .0303	12:09 NCR 744		14:10 NCR 752	*	Approve	01/20/00				
11 NCAC 06B .0304	12:09 NCR 744		14:10 NCR 752	*	Approve	01/20/00				
11 NCAC 06B .0401	12:09 NCR 744		14:10 NCR 752	*	Approve	01/20/00				
11 NCAC 06B .0402	12:09 NCR 744		14:10 NCR 752	*	Approve	01/20/00				
11 NCAC 06B .0403	12:09 NCR 744		14:10 NCR 752	*	Approve	01/20/00				
11 NCAC 06B .0404	12:09 NCR 744		14:10 NCR 752	*	Approve	01/20/00				
11 NCAC 06B .0405	12:09 NCR 744		14:10 NCR 752	*	Approve	01/20/00				
11 NCAC 10 .0105	14:10 NCR 809	14:10 NCR 809	14:14 NCR 1225	*						
11 NCAC 10 .1110	14:10 NCR 809	14:10 NCR 809	14:14 NCR 1225	*						
11 NCAC 11F .0401	14:10 NCR 811	14:10 NCR 811	14:14 NCR 1226	*						
11 NCAC 11F .0402	14:10 NCR 811	14:10 NCR 811	14:14 NCR 1226	*						
11 NCAC 11F .0403	14:10 NCR 811	14:10 NCR 811	14:14 NCR 1226	*						
11 NCAC 11F .0404	14:10 NCR 811	14:10 NCR 811	14:14 NCR 1226	*						
11 NCAC 11F .0405	14:10 NCR 811	14:10 NCR 811	14:14 NCR 1226	*						
11 NCAC 11F .0501	14:10 NCR 811	14:10 NCR 811	14:14 NCR 1226	*						
11 NCAC 11F .0502	14:10 NCR 811	14:10 NCR 811	14:14 NCR 1226	*						
11 NCAC 11F .0503	14:10 NCR 811	14:10 NCR 811	14:14 NCR 1226	*						
11 NCAC 11F .0504	14:10 NCR 811	14:10 NCR 811	14:14 NCR 1226	*						
11 NCAC 12 .0308	14:10 NCR 819	14:10 NCR 819	N/A	N/A	Approve	01/20/00				
11 NCAC 12 .0327	14:12 NCR 1038	14:12 NCR 1038	14:16 NCR 1409	*					14:10 NCR 839	
11 NCAC 12 .1025	N/A		N/A		Approve	10/04/99				
11 NCAC 12 .1701	14:10 NCR 819	14:10 NCR 819	14:14 NCR 1234	*						
11 NCAC 12 .1702	14:02 NCR 78		14:06 NCR 433	*	Approve	11/17/99			14:15 NCR 1354	
11 NCAC 12 .1702	14:10 NCR 819	14:10 NCR 819	14:14 NCR 1234	*						
11 NCAC 12 .1703	14:10 NCR 819	14:10 NCR 819	14:14 NCR 1234	*						

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11 NCAC 12 .1707	14:10 NCR 819	14:10 NCR 819	14:14 NCR 1234	*						
11 NCAC 12 .1709	14:10 NCR 819	14:10 NCR 819	14:14 NCR 1234	*						
11 NCAC 13 .0317	14:10 NCR 822	14:10 NCR 822	14:14 NCR 1237	*						
11 NCAC 13 .0318	14:10 NCR 822	14:10 NCR 822	14:14 NCR 1237	*						
11 NCAC 13 .0324	14:10 NCR 822	14:10 NCR 822	14:14 NCR 1237	*						
11 NCAC 13 .0326	14:10 NCR 822	14:10 NCR 822	14:14 NCR 1237	*						
11 NCAC 13 .0406	14:10 NCR 822	14:10 NCR 822	N/A	N/A	Approve	01/20/00				
11 NCAC 13 .0514	14:02 NCR 78		14:06 NCR 433	*	Approve	11/17/99			14:15 NCR 1354	
11 NCAC 13 .0518	14:02 NCR 78		14:06 NCR 433	*	Approve	11/17/99			14:15 NCR 1354	
Home Inspector Licensure Board										
11 NCAC 08 .1103	14:08 NCR 577		14:12 NCR 959	*						
11 NCAC 08 .1105	14:08 NCR 577		14:12 NCR 959	*						
11 NCAC 08 .1107	14:08 NCR 577		14:12 NCR 959	*						
11 NCAC 08 .1116	14:08 NCR 577		14:12 NCR 959	*						
11 NCAC 08 .1300	14:08 NCR 577									
JUSTICE										
Alarm Systems Licensing Board										
12 NCAC 11 .0500	14:15 NCR 1344									
Criminal Justice Education and Training Standards Commission										
12 NCAC 09A .0103	N/A		N/A	N/A	Approve	10/04/99			14:10 NCR 839	
12 NCAC 09A .0103	14:15 NCR 1344									
12 NCAC 09B .0106	N/A		N/A	N/A	Approve	10/04/99			14:10 NCR 839	
12 NCAC 09B .0107	13:14 NCR 1110		13:19 NCR 1611	*	Ext. Review Return to Agcy	06/17/99				
					Approve	07/15/99				
12 NCAC 09B .0109	13:14 NCR 1110		13:19 NCR 1611	*	Approve	10/04/99			14:10 NCR 839	
12 NCAC 09B .0110	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99	*		14:05 NCR 402	
12 NCAC 09B .0112	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99	*		14:05 NCR 402	
					Approve	06/17/99	*		14:05 NCR 402	

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12 NCAC 09B .0302	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99	*		14:05 NCR 402	
12 NCAC 09B .0303	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99	*		14:05 NCR 402	
12 NCAC 09B .0304	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99	*		14:05 NCR 402	
12 NCAC 09B .0305	13:14 NCR 1110		13:19 NCR 1611	*	Object Return to Agency	06/17/99 07/15/99	*		14:10 NCR 839	
					Approve	10/04/99			14:05 NCR 402	
12 NCAC 09B .0312	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99			14:05 NCR 402	
12 NCAC 09B .0403	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99			14:05 NCR 402	
12 NCAC 09B .0404	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99			14:05 NCR 402	
12 NCAC 09B .0405	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99			14:05 NCR 402	
12 NCAC 09B .0406	13:14 NCR 1110		13:19 NCR 1611	S	Approve	06/17/99	*		14:05 NCR 402	
12 NCAC 09B .0407	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99			14:05 NCR 402	
12 NCAC 09B .0414	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99	*		14:05 NCR 402	
12 NCAC 09B .0415	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99			14:05 NCR 402	
12 NCAC 09C .0211	13:14 NCR 1110		13:19 NCR 1611	*	Object Return to Agency	06/17/99 07/15/99			14:10 NCR 839	
					Approve	10/04/99				
12 NCAC 09C .0212	13:14 NCR 1110		13:19 NCR 1611	*	Object Return to Agency	06/17/99 07/15/99	*		14:10 NCR 839	
					Approve	10/04/99				
12 NCAC 09C .0213	13:14 NCR 1110		13:19 NCR 1611	*	Object Return to Agency	06/17/99 07/15/99	*		14:10 NCR 839	
					Approve	10/04/99				
12 NCAC 09C .0403	13:14 NCR 1110		13:19 NCR 1611	*	Object Return to Agency	06/17/99 07/15/99	*		14:10 NCR 839	
					Approve	10/04/99			14:05 NCR 402	
12 NCAC 09E .0107	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99			14:05 NCR 402	
Private Protective Services Board										
12 NCAC 07D .0807	13:14 NCR 1110		14:07 NCR 523	*	Approve	06/17/99				
Sheriffs' Education and Training Standards Commission										
12 NCAC 10B .0103	13:14 NCR 1110		13:19 NCR 1637	S	Object Return to Agency	06/17/99 07/15/99				
					Approve	11/17/99	*		14:15 NCR 1354	
12 NCAC 10B .0302	14:12 NCR 957		14:16 NCR 1410	*						

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12 NCAC 10B .0303	14:12 NCR 957		14:16 NCR 1410	*						
12 NCAC 10B .0502	13:14 NCR 1110		13:19 NCR 1637	L	Object	06/17/99			14:15 NCR 1354	
12 NCAC 10B .0505	13:14 NCR 1110		13:19 NCR 1637	*	Approve	11/17/99	*		14:05 NCR 402	
12 NCAC 10B .0506	13:14 NCR 1110		13:19 NCR 1637	*	Approve	06/17/99			14:05 NCR 402	
12 NCAC 10B .0507	13:14 NCR 1110		13:19 NCR 1637	*	Approve	06/17/99			14:05 NCR 402	
12 NCAC 10B .0508	13:14 NCR 1110		13:19 NCR 1637	*	Approve	06/17/99			14:05 NCR 402	
12 NCAC 10B .0509	13:14 NCR 1110		13:19 NCR 1637	*	Approve	06/17/99			14:05 NCR 402	
12 NCAC 10B .0601	13:14 NCR 1110		13:19 NCR 1637	S/L	Object	06/17/99	*		14:15 NCR 1354	
12 NCAC 10B .0606	13:14 NCR 1110				Approve	11/17/99				
12 NCAC 10B .0607	13:14 NCR 1110									
12 NCAC 10B .0703	13:14 NCR 1110									
12 NCAC 10B .0908	13:14 NCR 1110		13:19 NCR 1637	S/L	Approve	06/17/99	*		14:05 NCR 402	
12 NCAC 10B .0909	14:12 NCR 957		13:19 NCR 1637	S/L	Approve	06/17/99			14:05 NCR 402	
12 NCAC 10B .1002	13:14 NCR 1110		14:16 NCR 1410	*						
12 NCAC 10B .1401	13:14 NCR 1110		13:19 NCR 1637	*	Approve	06/17/99			14:05 NCR 402	
12 NCAC 10B .1402	13:14 NCR 1110		13:19 NCR 1637	S	Approve	06/17/99			14:05 NCR 402	
12 NCAC 10B .1403	13:14 NCR 1110		13:19 NCR 1637	S	Approve	06/17/99	*		14:05 NCR 402	
12 NCAC 10B .1404	13:14 NCR 1110		13:19 NCR 1637	S	Approve	06/17/99	*		14:05 NCR 402	
12 NCAC 10B .1405	13:14 NCR 1110		13:19 NCR 1637	S	Approve	06/17/99	*		14:05 NCR 402	
12 NCAC 10B .1406	13:14 NCR 1110		13:19 NCR 1637	S	Approve	06/17/99	*		14:05 NCR 402	

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13 NCAC 01A .0100	14:07 NCR 519									
13 NCAC 01B .0100	14:07 NCR 519									
13 NCAC 01B .0200	14:07 NCR 519									
13 NCAC 01B .0300	14:07 NCR 519									
13 NCAC 01B .0400	14:07 NCR 519									
13 NCAC 01B .0500	14:07 NCR 519									

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13 NCAC 01B .0600	14:07 NCR 519									
13 NCAC 01C .0100	14:07 NCR 519									
13 NCAC 01C .0200	14:07 NCR 519									
13 NCAC 01C .0300	14:07 NCR 519									
13 NCAC 01C .0400	14:07 NCR 519									
13 NCAC 01C .0500	14:07 NCR 519									
Elevator and Amusement Device Division										
13 NCAC 15 .0201		14:14 NCR 1315								14:07 NCR 517
Occupational Safety and Health										
*Verbatim Adoption Federal Standards										
13 NCAC 07A .0401	14:02 NCR 78		14:12 NCR 961	*						
13 NCAC 07F .0101	14:02 NCR 78									
13 NCAC 07F .0201	11:03 NCR 106		14:16 NCR 1412	N/A						
13 NCAC 07F .0201	14:02 NCR 78									
13 NCAC 07F .0410	14:02 NCR 78									
13 NCAC 07F .0601	13:02 NCR 176		13:21 NCR 1786	S/L/SE	Object	10/04/99				
13 NCAC 07F .0602	13:02 NCR 176		13:21 NCR 1786	S/L	Object	12/16/99				
13 NCAC 07F .0603	13:02 NCR 176		13:21 NCR 1786	S/L/SE	Object	10/04/99				
13 NCAC 07F .0604	13:02 NCR 176		13:21 NCR 1786	S/L/SE	Object	12/16/99				
13 NCAC 07F .0605	13:02 NCR 176		13:21 NCR 1786	S/L/SE	Object	10/04/99				
13 NCAC 07F .0606	13:02 NCR 176		13:21 NCR 1786	S/L	Object	12/16/99				
Retaliatory Employment Discrimination										
13 NCAC 19 .0101	N/A	N/A	N/A	N/A	Approve	08/19/99			14:09 NCR 708	
Wage and Hour Division										
13 NCAC 12 .0501	13:03 NCR 268									

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13 NCAC 12 .0801	13:03 NCR 268									
13 NCAC 12 .0802	13:03 NCR 268									
LANDSCAPE ARCHITECTS, BOARD OF										
21 NCAC 26 .0101	14:05 NCR 373		14:12 NCR 1015	*						
21 NCAC 26 .0104	14:05 NCR 373		14:12 NCR 1015	*						
21 NCAC 26 .0105	14:05 NCR 373		14:12 NCR 1015	*						
21 NCAC 26 .0302	14:05 NCR 373		14:12 NCR 1015	*						
MEDICAL BOARD										
21 NCAC 32	13:06 NCR 538									
21 NCAC 32B	11:18 NCR 1369									
21 NCAC 32B	12:04 NCR 245									
21 NCAC 32O .0118	11:18 NCR 1369		13:08 NCR 709	*						
21 NCAC 32O .0119	11:18 NCR 1369		13:08 NCR 709	*						
21 NCAC 32O .0120	11:18 NCR 1369		13:08 NCR 709	*						
21 NCAC 32O .0121	11:18 NCR 1369		13:08 NCR 709	*						
21 NCAC 32R .0101	14:03 NCR 127		14:16 NCR 1455	*						
21 NCAC 32R .0102	14:03 NCR 127		14:16 NCR 1455	*						
21 NCAC 32R .0103	14:03 NCR 127		14:16 NCR 1455	*						
21 NCAC 32R .0104	14:03 NCR 127		14:16 NCR 1455	*						
MIDWIFERY JOINT COMMITTEE										
21 NCAC 33 .0101	14:12 NCR 958		14:16 NCR 1456	*						
21 NCAC 33 .0102	14:12 NCR 958		14:16 NCR 1456	*						
21 NCAC 33 .0104	14:12 NCR 958		14:16 NCR 1456	*						
21 NCAC 33 .0106	14:12 NCR 958		14:16 NCR 1456	*						
MORTUARY SCIENCE, BOARD OF										
21 NCAC 34C	12:09 NCR 745									
NURSING, BOARD OF										

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21 NCAC 36 .0213	13:22 NCR 1821		14:02 NCR 82	*	Approve	11/17/99			14:15 NCR 1354	
21 NCAC 36 .0220	14:07 NCR 521		14:12 NCR 1016	*						14:13 NCR 1090
21 NCAC 36 .0221	14:07 NCR 521		14:12 NCR 1016	*						14:13 NCR 1090
21 NCAC 36 .0227	14:07 NCR 521		14:12 NCR 1016	*						14:13 NCR 1090
21 NCAC 36 .0318	14:07 NCR 521		14:12 NCR 1016	*						14:13 NCR 1090
21 NCAC 36 .0404	14:07 NCR 521		14:12 NCR 1016	*						14:13 NCR 1090
21 NCAC 36 .0405	14:07 NCR 521		14:12 NCR 1016	*						14:13 NCR 1090
21 NCAC 36 .0701	14:07 NCR 521		14:12 NCR 1016	*						14:13 NCR 1090
21 NCAC 36 .0702	14:07 NCR 521		14:12 NCR 1016	*						14:13 NCR 1090
21 NCAC 36 .0703	14:07 NCR 521		14:12 NCR 1016	*						14:13 NCR 1090
21 NCAC 36 .0704	14:07 NCR 521		14:12 NCR 1016	*						14:13 NCR 1090
21 NCAC 36 .0705	14:07 NCR 521		14:12 NCR 1016	*						14:13 NCR 1090
NURSING HOME ADMINISTRATORS, BOARD OF EXAMINERS FOR										
21 NCAC 37D .0202		14:05 NCR 398	14:09 NCR 684	*						
21 NCAC 37D .0302	14:08 NCR 578		14:13 NCR 1149	*						
21 NCAC 37D .0303	14:08 NCR 578		14:13 NCR 1149	*						
21 NCAC 37D .0403	14:08 NCR 578		14:13 NCR 1149	*						
21 NCAC 37D .0405	14:08 NCR 578		14:13 NCR 1149	*						
21 NCAC 37D .0407	14:08 NCR 578		14:13 NCR 1149	*						
21 NCAC 37D .0502	14:08 NCR 578		14:13 NCR 1149	*						
21 NCAC 37D .0504	14:08 NCR 578		14:13 NCR 1149	*						
21 NCAC 37D .0601	14:08 NCR 578		14:13 NCR 1149	*						
21 NCAC 37D .0603	14:08 NCR 578		14:13 NCR 1149	*						
21 NCAC 37D .0605	14:08 NCR 578		14:13 NCR 1149	*						
21 NCAC 37D .0701	14:08 NCR 578		14:13 NCR 1149	*						
21 NCAC 37D .0704	14:08 NCR 578		14:13 NCR 1149	*						
21 NCAC 37E .0101	14:08 NCR 578		14:13 NCR 1149	*						
21 NCAC 37E .0102		14:05 NCR 398	14:09 NCR 684	*						

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21 NCAC 37E .0102	14:08 NCR 578		14:13 NCR 1149	*						
21 NCAC 37F .0101	14:08 NCR 578		14:13 NCR 1149	*						
21 NCAC 37F .0102		14:05 NCR 398	14:09 NCR 684	*						
21 NCAC 37F .0102	14:08 NCR 578		14:13 NCR 1149	*						
21 NCAC 37G .0102		14:05 NCR 398	14:09 NCR 684	*						
21 NCAC 37G .0201		14:05 NCR 398	14:09 NCR 684	*						
21 NCAC 37G .0201	14:08 NCR 578		14:13 NCR 1149	*						
21 NCAC 37G .0202	14:08 NCR 578									
21 NCAC 37H .0102		14:05 NCR 398	14:09 NCR 684	*						
21 NCAC 37H .0102	14:08 NCR 578		14:13 NCR 1149	*						
21 NCAC 37H .0104	14:08 NCR 578		14:13 NCR 1149	*						
21 NCAC 37I .0101	14:08 NCR 578		14:13 NCR 1149	*						
PHARMACY, BOARD OF										
21 NCAC 46 .1317	13:22 NCR 1821									
21 NCAC 46 .1413	13:22 NCR 1821		14:06 NCR 480	*	Approve	11/17/99	*		14:15 NCR 1354	
21 NCAC 46 .1414	13:22 NCR 1821									
21 NCAC 46 .1508	13:22 NCR 1821		14:06 NCR 480	*	Approve	11/17/99	*		14:15 NCR 1354	
21 NCAC 46 .1601	13:22 NCR 1821									
21 NCAC 46 .1804	12:03 NCR 168		12:07 NCR 527 12:09 NCR 797 13:02 NCR 246	* * SE	State Budget Object Object Object Approve	03/20/98 12/17/98 02/18/99 04/15/99 05/20/99				
21 NCAC 46 .1810	13:22 NCR 1821		14:06 NCR 480	*					14:04 NCR 330	
21 NCAC 46 .1813	13:22 NCR 1821									
21 NCAC 46 .1814	13:22 NCR 1821		14:06 NCR 480	*	Approve	12/16/99	*		14:17 NCR 1525	
21 NCAC 46 .1815		13:11 NCR 910	13:22 NCR 1848 13:24 NCR 2016 14:06 NCR 480	* * *	Approve Approve	08/19/99 12/16/99	*		14:09 NCR 708 14:17 NCR 1525	
21 NCAC 46 .1816	13:22 NCR 1821			*						

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PHYSICAL THERAPY EXAMINERS

21 NCAC 48F .0102 14:06 NCR 489 14:06 NCR 489 14:10 NCR 771 *
 PLUMBING, HEATING AND FIRE SPRINKLER CONTRACTORS, EXAMINERS OF

21 NCAC 50 .0301 14:06 NCR 429 14:14 NCR 1242 *
 21 NCAC 50 .0304 14:06 NCR 429 14:14 NCR 1242 *
 21 NCAC 50 .0306 14:06 NCR 429 14:14 NCR 1242 *
 21 NCAC 50 .0310 14:06 NCR 429 14:14 NCR 1242 *
 21 NCAC 50 .0402 14:06 NCR 429 14:14 NCR 1242 *
 21 NCAC 50 .0404 14:06 NCR 429 14:14 NCR 1242 *
 21 NCAC 50 .0406 14:06 NCR 429 14:14 NCR 1242 *
 21 NCAC 50 .0412 14:06 NCR 429 14:14 NCR 1242 *
 21 NCAC 50 .0501 14:10 NCR 749 14:14 NCR 1242 *
 21 NCAC 50 .0506 14:06 NCR 429 14:14 NCR 1242 *
 21 NCAC 50 .0508 14:06 NCR 429 14:14 NCR 1242 *
 21 NCAC 50 .0512 14:06 NCR 429 14:14 NCR 1242 *
 21 NCAC 50 .0513 14:06 NCR 429 14:14 NCR 1242 *
 21 NCAC 50 .0514 14:06 NCR 429 14:14 NCR 1242 *
 21 NCAC 50 .1001 14:10 NCR 749 14:14 NCR 1242 *
 21 NCAC 50 .1004 14:10 NCR 749 14:14 NCR 1242 *
 21 NCAC 50 .1006 14:10 NCR 749 14:14 NCR 1242 *
 21 NCAC 50 .1007 14:10 NCR 749 14:14 NCR 1242 *
 21 NCAC 50 .1008 14:10 NCR 749 14:14 NCR 1242 *
 21 NCAC 50 .1009 14:10 NCR 749 14:14 NCR 1242 *
 21 NCAC 50 .1010 14:10 NCR 749 14:14 NCR 1242 *
 21 NCAC 50 .1011 14:10 NCR 749 14:14 NCR 1242 *
 21 NCAC 50 .1013 14:10 NCR 749 14:14 NCR 1242 *

14:13 NCR 1091

01/20/00 Approve

01/20/00

Approve

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21 NCAC 50 .1014	14:10 NCR 749		14:14 NCR 1242	*						
21 NCAC 50 .1101	14:06 NCR 429		14:14 NCR 1242	*						
21 NCAC 50 .1204	14:06 NCR 429		14:14 NCR 1242	*						
21 NCAC 50 .1205	14:06 NCR 429		14:14 NCR 1242	*						
21 NCAC 50 .1206	14:06 NCR 429		14:14 NCR 1242	*						
21 NCAC 50 .1210	14:06 NCR 429		14:14 NCR 1242	*						
21 NCAC 50 .1212	14:06 NCR 429		14:14 NCR 1242	*						
21 NCAC 50 .1213	14:06 NCR 429		14:14 NCR 1242	*						
PSYCHOLOGY BOARD										
21 NCAC 54 .1611	12:05 NCR 338		13:13 NCR 1050 14:16 NCR 1458	*						
21 NCAC 54 .1901	13:21 NCR 1784			*						
21 NCAC 54 .2006	12:05 NCR 338									
21 NCAC 54 .2010	12:05 NCR 338									
21 NCAC 54 .2104	12:05 NCR 338		13:13 NCR 1050 14:16 NCR 1458	*						
21 NCAC 54 .2301	12:05 NCR 338			*						
21 NCAC 54 .2302	12:05 NCR 338									
21 NCAC 54 .2303	12:05 NCR 338									
21 NCAC 54 .2304	12:05 NCR 338									
21 NCAC 54 .2305	12:05 NCR 338									
21 NCAC 54 .2306	12:05 NCR 338									
21 NCAC 54 .2307	12:05 NCR 338									
21 NCAC 54 .2308	12:05 NCR 338									
21 NCAC 54 .2309	12:05 NCR 338									
21 NCAC 54 .2310	12:05 NCR 338									
21 NCAC 54 .2311	12:05 NCR 338									
21 NCAC 54 .2312	12:05 NCR 338									
21 NCAC 54 .2313	12:05 NCR 338									

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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		13:13 NCR 1050	*	Approve	11/17/99	*		14:15 NCR 1354	
21 NCAC 54 .2706	12:05 NCR 338		13:13 NCR 1050	*	Approve	11/17/99	*		14:15 NCR 1354	
21 NCAC 54 .2801	12:05 NCR 338		13:13 NCR 1050	*						
			14:16 NCR 1458	*						
21 NCAC 54 .2802	12:05 NCR 338		13:13 NCR 1050	*						
			14:16 NCR 1458	*						
21 NCAC 54 .2803	12:05 NCR 338		13:13 NCR 1050	*						
			14:16 NCR 1458	*						
21 NCAC 54 .2804	12:05 NCR 338		13:13 NCR 1050	*						
			14:16 NCR 1458	*						
21 NCAC 54 .2805	12:05 NCR 338		13:13 NCR 1050	*						
21 NCAC 54 .2806	12:05 NCR 338		13:13 NCR 1050	*						
21 NCAC 54 .2807	12:05 NCR 338		13:13 NCR 1050	*						
PUBLIC EDUCATION										
16 NCAC 06B .0108		13:13 NCR 1061	13:18 NCR 1503	*	Approve	07/15/99			14:06 NCR 490	
16 NCAC 06C .0100	14:06 NCR 428									
16 NCAC 06C .0102	14:06 NCR 428		13:18 NCR 1503	*	Return to Agency	07/15/99				
			14:12 NCR 998	*						
16 NCAC 06C .0103	14:06 NCR 428		13:18 NCR 1503	*	Return to Agency	07/15/99				
			14:12 NCR 998	*						
16 NCAC 06C .0200	14:06 NCR 428									
16 NCAC 06C .0202			13:18 NCR 1503	*	Return to Agency	07/15/99				

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16 NCAC 06C .0205	14:06 NCR 428		14:12 NCR 998	*	Return to Agcy	07/15/99				
16 NCAC 06C .0205	14:06 NCR 428		13:18 NCR 1503	*						
16 NCAC 06C .0205			14:12 NCR 998	*						
16 NCAC 06C .0206			13:24 NCR 2008	*						
16 NCAC 06C .0207	14:06 NCR 428		13:18 NCR 1503	*	Return to Agcy	07/15/99				
16 NCAC 06C .0300	14:06 NCR 428		14:12 NCR 998	*	Return to Agcy	07/15/99				
16 NCAC 06C .0301			13:18 NCR 1503	*						
16 NCAC 06C .0302	14:06 NCR 428		14:12 NCR 998	*	Return to Agcy	07/15/99				
16 NCAC 06C .0303	14:06 NCR 428		13:18 NCR 1503	*	Return to Agcy	07/15/99				
16 NCAC 06C .0304	14:06 NCR 428		14:12 NCR 998	*	Return to Agcy	07/15/99				
16 NCAC 06C .0305	14:06 NCR 428		13:18 NCR 1503	*	Return to Agcy	07/15/99				
16 NCAC 06C .0306	14:06 NCR 428		14:12 NCR 998	*	Return to Agcy	07/15/99				
16 NCAC 06C .0307	14:06 NCR 428		13:18 NCR 1503	*	Return to Agcy	07/15/99				
16 NCAC 06C .0308	14:06 NCR 428		14:12 NCR 998	*	Return to Agcy	07/15/99				
16 NCAC 06C .0309	14:06 NCR 428		13:18 NCR 1503	*	Return to Agcy	07/15/99				
16 NCAC 06C .0311	14:06 NCR 428		14:12 NCR 998	*	Return to Agcy	07/15/99				
16 NCAC 06C .0312	14:06 NCR 428		13:18 NCR 1503	*	Return to Agcy	07/15/99				
16 NCAC 06C .0313	14:06 NCR 428		14:12 NCR 998	*	Return to Agcy	07/15/99				
16 NCAC 06C .0400	14:06 NCR 428		13:18 NCR 1503	*	Return to Agcy	07/15/99				
16 NCAC 06C .0401	14:17 NCR 1497		14:12 NCR 998	*	Return to Agcy	07/15/99				
16 NCAC 06C .0402		14:11 NCR 910	14:17 NCR 1506	*						
16 NCAC 06C .0404	14:17 NCR 1497		13:18 NCR 1503	*	Object	07/15/99				
16 NCAC 06C .0501				*						

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16 NCAC 06G .0502			13:18 NCR 1503	*	Return to Agcy	07/15/99				
16 NCAC 06H .0101	14:06 NCR 428		14:12 NCR 998	*	Return to Agcy	07/15/99				
16 NCAC 06H .0101	N/A		13:18 NCR 1503	*	Approve	10/04/99			14:15 NCR 1354	
16 NCAC 06H .0103	14:06 NCR 428		13:18 NCR 1503	*	Return to Agcy	07/15/99				
16 NCAC 06H .0105			14:12 NCR 998	*	Return to Agcy	07/15/99				
16 NCAC 06H .0105	N/A		13:18 NCR 1503	*	Approve	10/04/99			14:15 NCR 1354	
16 NCAC 06H .0106	14:06 NCR 428		13:18 NCR 1503	*	Return to Agcy	07/15/99				
16 NCAC 06H .0107	14:06 NCR 428		14:12 NCR 998	*	Return to Agcy	07/15/99				
16 NCAC 06H .0107	N/A		13:18 NCR 1503	*	Approve	10/04/99			14:15 NCR 1354	
16 NCAC 06H .0108	N/A		N/A	*	Return to Agcy	07/15/99				
16 NCAC 06H .0108	N/A		N/A	N/A	Approve	10/04/99			14:15 NCR 1354	
16 NCAC 06H .0109	N/A		13:18 NCR 1503	*	Return to Agcy	07/15/99			14:15 NCR 1354	
16 NCAC 06H .0109	N/A		N/A	N/A	Approve	10/04/99				
16 NCAC 06H .0110			13:18 NCR 1503	*	Return to Agcy	07/15/99			14:15 NCR 1354	
REAL ESTATE COMMISSION										
21 NCAC 58A .0107	14:06 NCR 429		14:10 NCR 772	*	Return to Agcy	07/15/99				
21 NCAC 58A .0109	14:06 NCR 429		14:10 NCR 772	*	Object	10/04/99	*		14:15 NCR 1354	
21 NCAC 58A .0110	14:06 NCR 429		14:10 NCR 772	*	Approve	11/17/99				
21 NCAC 58A .0113	14:06 NCR 429		14:10 NCR 772	*	Approve	11/17/99				
21 NCAC 58A .0114	14:06 NCR 429		14:10 NCR 772	*	Approve	11/17/99				
21 NCAC 58A .0301	14:06 NCR 429		14:10 NCR 772	*	Approve	11/17/99				
21 NCAC 58A .0302	14:06 NCR 429		14:10 NCR 772	*	Approve	11/17/99				
21 NCAC 58A .0303	14:06 NCR 429		14:10 NCR 772	S	Approve	11/17/99				
21 NCAC 58A .0304	14:06 NCR 429		14:10 NCR 772	*	Approve	11/17/99				
21 NCAC 58A .0401	14:06 NCR 429		14:10 NCR 772	*	Approve	11/17/99				

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21 NCAC 58A .0402	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58A .0403	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58A .0404	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58A .0406	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58A .0503	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58A .0505	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58A .0601	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58A .0615	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58A .1402	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58A .1703	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58A .1708	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58B .0101	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58B .0102	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0105	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0106	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0107	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0108	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0207	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0213	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0214	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0217	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0218	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0220	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0302	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0304	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0305	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0306	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0307	14:06 NCR 429		14:10 NCR 772	*						

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21 NCAC 58C .0312	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0601	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0602	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0603	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0604	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0605	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0606	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0607	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0608	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58E .0102	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58E .0202	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58E .0204	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58E .0205	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58E .0304	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58E .0310	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58E .0412	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58E .0515	14:06 NCR 429		14:10 NCR 772	*						
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21 NCAC 60 .0102	14:08 NCR 579		14:12 NCR 1028	*						
21 NCAC 60 .0207	14:08 NCR 579		14:12 NCR 1028	*						
21 NCAC 60 .0311	14:08 NCR 579		14:12 NCR 1028	*						
21 NCAC 60 .0316	14:08 NCR 579		14:12 NCR 1028	*						
21 NCAC 60 .1102	14:08 NCR 579		14:12 NCR 1028	*						
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17 NCAC 01C .0504	N/A		14:16 NCR 1424	*						

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17 NCAC 01C .0506	N/A		14:16 NCR 1424	*						
17 NCAC 01C .0509	N/A		14:16 NCR 1424	*						
17 NCAC 01C .0601	N/A		14:16 NCR 1424	*						
17 NCAC 03B .0302	N/A		14:16 NCR 1427	*						
17 NCAC 03C .0108	N/A		14:16 NCR 1427	*						
17 NCAC 04B .0102	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0104	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0105	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0106	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0107	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0301	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0302	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0306	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0308	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0309	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0310	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0311	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0312	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0403	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0405	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .2902	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .4301	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .4301	N/A		14:16 NCR 1428	*						
17 NCAC 04B .4302	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .4302	N/A		14:16 NCR 1428	*						
17 NCAC 04B .4401	N/A		14:16 NCR 1428	*						
17 NCAC 04B .4402	N/A		14:16 NCR 1428	*						
17 NCAC 04C .0603	N/A		14:16 NCR 1428	*						

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17 NCAC 04C .1101	N/A		14:16 NCR 1428	*						
17 NCAC 04C .1801	N/A		14:16 NCR 1428	*						
17 NCAC 04E .0102	N/A		13:08 NCR 690	N/A						
17 NCAC 04E .0103	N/A		13:08 NCR 690	N/A						
17 NCAC 04E .0201	N/A		13:08 NCR 690	N/A						
17 NCAC 04E .0201	N/A		14:16 NCR 1428	*						
17 NCAC 04E .0202	N/A		13:08 NCR 690	N/A						
17 NCAC 04E .0203	N/A		13:08 NCR 690	N/A						
17 NCAC 04E .0302	N/A		13:08 NCR 690	N/A						
17 NCAC 04E .0703	N/A		13:08 NCR 690	N/A						
17 NCAC 04F .0005	N/A		13:08 NCR 690	N/A						
17 NCAC 05B .0603	N/A		14:16 NCR 1431	*						
17 NCAC 05B .0803	N/A		14:16 NCR 1431	*						
17 NCAC 05B .0903	N/A		14:16 NCR 1431	*						
17 NCAC 05C .0702	N/A		14:16 NCR 1431	*						
17 NCAC 05C .0703	N/A		14:16 NCR 1431	*						
17 NCAC 05C .2003	N/A		14:16 NCR 1431	*						
17 NCAC 06B .0105	N/A		13:08 NCR 694	N/A						
17 NCAC 06B .0118	N/A		13:09 NCR 762	N/A						
17 NCAC 06B .0605	N/A		14:16 NCR 1433	*	Object	12/17/98				
17 NCAC 06B .3408	N/A		14:16 NCR 1433	*	Object	03/18/99				
17 NCAC 06B .3503	N/A		14:16 NCR 1433	*	Approve	04/15/99	*		14:02 NCR 84	
17 NCAC 07B .0104	N/A		14:16 NCR 1437	*						
17 NCAC 07B .0118	N/A		14:16 NCR 1437	*						
17 NCAC 07B .0123	N/A		14:16 NCR 1437	*						
17 NCAC 07B .0124	N/A		13:08 NCR 695	N/A						
17 NCAC 07B .0125	N/A		13:08 NCR 695	N/A						

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17 NCAC 07B .0207	N/A		14:16 NCR 1437	*						
17 NCAC 07B .1401	N/A		14:16 NCR 1437	*						
17 NCAC 07B .1402	N/A		14:16 NCR 1437	*						
17 NCAC 07B .1404	N/A		14:16 NCR 1437	*						
17 NCAC 07B .1601	N/A		14:16 NCR 1437	*						
17 NCAC 07B .1602	N/A		14:16 NCR 1437	*						
17 NCAC 07B .1702	N/A		14:16 NCR 1437	*						
17 NCAC 07B .1801	N/A		14:16 NCR 1437	*						
17 NCAC 07B .1802	N/A		14:16 NCR 1437	*						
17 NCAC 07B .1902	N/A		14:16 NCR 1437	*						
17 NCAC 07B .2101	N/A		13:09 NCR 767	N/A						
17 NCAC 07B .2213	N/A		14:16 NCR 1437	*						
17 NCAC 07B .2401	N/A		14:16 NCR 1437	*						
17 NCAC 07B .2801	N/A		14:16 NCR 1437	*						
17 NCAC 07B .2901	N/A		14:16 NCR 1437	*						
17 NCAC 07B .2903	N/A		14:16 NCR 1437	*						
17 NCAC 07B .3001	N/A		14:16 NCR 1437	*						
17 NCAC 07B .3004	N/A		14:16 NCR 1437	*						
17 NCAC 07B .3009	N/A		14:16 NCR 1437	*						
17 NCAC 07B .3010	N/A		14:16 NCR 1437	*						
17 NCAC 07B .3013	N/A		14:16 NCR 1437	*						
17 NCAC 07B .3204	N/A		14:16 NCR 1437	*						
17 NCAC 07B .4301	N/A		14:16 NCR 1437	*						
17 NCAC 07B .4303	N/A		14:16 NCR 1437	*						
17 NCAC 09I .0302	N/A		14:16 NCR 1451	*						
17 NCAC 09K .0601	N/A		13:08 NCR 695	N/A						
17 NCAC 09K .0602	N/A		14:16 NCR 1451	*						
17 NCAC 09L .0403	N/A		14:16 NCR 1451	*						

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					Action	Date				
17 NCAC 10 .0101	N/A		14:16 NCR 1452	*						
17 NCAC 10 .0405	N/A		14:16 NCR 1452	*						
17 NCAC 10 .0504	N/A		14:16 NCR 1452	*						
17 NCAC 10 .0505	N/A		14:16 NCR 1452	*						14:12 NCR 954
Tax Review Board										
SECRETARY OF STATE										
18 NCAC 06 .1212		13:14 NCR 1151								
		14:08 NCR 645	14:08 NCR 645	*	Approve	01/20/00				
18 NCAC 06 .1304		13:14 NCR 1151								
		14:08 NCR 645	14:08 NCR 645	*	Approve	01/20/00				
18 NCAC 06 .1402	14:17 NCR 1497									
18 NCAC 06 .1413	14:17 NCR 1497									
18 NCAC 06 .1502		13:14 NCR 1151								
		14:08 NCR 645	14:08 NCR 645	*	Approve	01/20/00				
18 NCAC 06 .1709	14:17 NCR 1497									
18 NCAC 06 .1802		12:07 NCR 534	12:14 NCR 1312	*						
		Temp Expired 06/28/98								
18 NCAC 06 .1803		12:07 NCR 534	12:14 NCR 1312	*						
		Temp Expired 06/28/98								
18 NCAC 10 .0101	13:09 NCR 759	13:14 NCR 1153								
		Expired 10/12/99								
		13:18 NCR 1556								
		Expired 12/10/99								
18 NCAC 10 .0201	13:09 NCR 759	14:12 NCR 1046								
		13:14 NCR 1153								
		Expired 10/12/99								
		13:18 NCR 1556								
		Expired 12/10/99								
18 NCAC 10 .0301	13:09 NCR 759	14:12 NCR 1046								
		13:14 NCR 1153								
		Expired 10/12/99								
		13:18 NCR 1556								
		Expired 12/10/99								
18 NCAC 10 .0302	13:09 NCR 759	14:12 NCR 1046								
		13:14 NCR 1153								
		Expired 10/12/99								

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					Action	Date				
18 NCAC 10 .0303	13:09 NCR 759	14:12 NCR 1046 13:14 NCR 1153 Expired 10/12/99								Temp Filed over obj
18 NCAC 10 .0304	13:09 NCR 759	14:12 NCR 1046 13:14 NCR 1153 Expired 10/12/99								Temp Filed over obj
18 NCAC 10 .0305	13:09 NCR 759	14:12 NCR 1046 13:14 NCR 1153 Expired 10/12/99 13:18 NCR 1556 Expired 12/10/99								Temp Filed over obj
18 NCAC 10 .0306		14:12 NCR 1046 13:18 NCR 1556 Expired 12/10/99								Temp Filed over obj
18 NCAC 10 .0307		14:12 NCR 1046 13:18 NCR 1556 Expired 12/10/99								Temp Filed over obj
18 NCAC 10 .0308		14:12 NCR 1046 13:18 NCR 1556 Expired 12/10/99								Temp Filed over obj
18 NCAC 10 .0309		14:12 NCR 1046 13:18 NCR 1556 Expired 12/10/99								Temp Filed over obj
18 NCAC 10 .0401	13:09 NCR 759	14:12 NCR 1046 13:14 NCR 1153-Recodified to .0801 Expired 10/12/99								Temp Filed over obj
18 NCAC 10 .0402	13:09 NCR 759	13:18 NCR 1556 Expired 12/10/99 13:14 NCR 1153-Recodified to .0802 Expired 10/12/99								Temp Filed over obj
18 NCAC 10 .0501	13:09 NCR 759	13:18 NCR 1556 Expired 12/10/99 13:14 NCR 1153-Recodified to .0901 Expired 10/12/99								Temp Filed over obj
18 NCAC 10 .0701		13:18 NCR 1556 Expired 12/10/99								Temp Filed over obj
18 NCAC 10 .0801		14:12 NCR 1046 13:18 NCR 1556 Expired 12/10/99								Temp Filed over obj

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18 NCAC 10 .0802	14:12 NCR 1046									
	13:18 NCR 1556									
	Expired 12/10/99									
	14:12 NCR 1046									
18 NCAC 10 .0901	13:18 NCR 1556									
	Expired 12/10/99									
	14:12 NCR 1046									

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14:17 NCR 1493

SOCIAL WORK CERTIFICATION AND LICENSURE BOARD

Additional Public Hearing on March 16, 2000

21 NCAC 63 .0101	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0102	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0103	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0104	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0105	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0201	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0202	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0204	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0205	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0206	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0207	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0208	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0209	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0210	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0211	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0212	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0213	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0301	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0302	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0303	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0304	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						

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21 NCAC 63 .0305	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0306	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0401	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0402	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0403	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0404	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0501	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0503	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0507	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0508	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0509	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0601	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0602	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0603	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0604	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0607	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0609	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0701	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0702	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0703	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0704	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0801	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0802	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0803	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0804	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0805	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0806	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						

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21 NCAC 63 .0807	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0808	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0809	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0820	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
STATE PERSONNEL COMMISSION										
25 NCAC 01B .0354	13:05 NCR 436		13:09 NCR 773	*						
25 NCAC 01B .0414		13:18 NCR 1560	13:22 NCR 1850	*	Approve	10/04/99	*		14:10 NCR 839	
25 NCAC 01B .0434		13:18 NCR 1560	13:22 NCR 1850	*	Approve	10/04/99	*		14:10 NCR 839	
25 NCAC 01B .0437	13:05 NCR 436		13:09 NCR 773	*	Object	10/04/99	*		14:15 NCR 1354	
25 NCAC 01C .0214		13:18 NCR 1560	13:22 NCR 1850	*	Approve	11/17/99	*		14:10 NCR 839	
25 NCAC 01C .0801	14:16 NCR 1467	14:16 NCR 1467								
25 NCAC 01C .0802	14:16 NCR 1467	14:16 NCR 1467								
25 NCAC 01C .0803	14:16 NCR 1467	14:16 NCR 1467								
25 NCAC 01C .0804	14:16 NCR 1467	14:16 NCR 1467								
25 NCAC 01C .0805	14:16 NCR 1467	14:16 NCR 1467								
25 NCAC 01C .0806	14:16 NCR 1467	14:16 NCR 1467								
25 NCAC 01C .0807	14:16 NCR 1467	14:16 NCR 1467								
25 NCAC 01C .0808	14:16 NCR 1467	14:16 NCR 1467								
25 NCAC 01C .0809	14:16 NCR 1467	14:16 NCR 1467								
25 NCAC 01C .0810	14:16 NCR 1467	14:16 NCR 1467								
25 NCAC 01C .0811	14:16 NCR 1467	14:16 NCR 1467								
25 NCAC 01C .0812	14:16 NCR 1467	14:16 NCR 1467								
25 NCAC 01C .0813	14:16 NCR 1467	14:16 NCR 1467								
25 NCAC 01D .2516		11:13 NCR 1062	11:19 NCR 1429	*						
25 NCAC 01D .2517		Temp Expired	Temp Expired 07/31/98							
25 NCAC 01H .0602	13:05 NCR 436	12:09 NCR 835	13:09 NCR 773	*	Approve	10/04/99	*		14:10 NCR 839	

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25 NCAC 01H .0605	13:05 NCR 436		13:09 NCR 773	*	Object	10/04/99				
25 NCAC 01H .0606	13:05 NCR 436		13:09 NCR 773	*	Approve	11/17/99	*		14:15 NCR 1354	
25 NCAC 01J .0503	13:05 NCR 436		13:09 NCR 773	*	Object	10/04/99	*		14:15 NCR 1354	
25 NCAC 01J .0506	13:05 NCR 436		13:09 NCR 773	*	Approve	11/17/99	*		14:10 NCR 839	
25 NCAC 01J .0512	13:05 NCR 436	13:18 NCR 1560	13:22 NCR 1850	*	Approve	10/04/99	*		14:10 NCR 839	
25 NCAC 01J .0603	13:05 NCR 436		13:09 NCR 773	*						
25 NCAC 01J .0603	13:05 NCR 436		13:09 NCR 773	*	Approve	10/04/99	*		14:10 NCR 839	
25 NCAC 01J .0603	13:18 NCR 1560		13:22 NCR 1850	*	Approve	10/04/99	*		14:10 NCR 839	
STATE TREASURER										
20 NCAC 08 .0102	14:16 NCR 1466	14:16 NCR 1466								
20 NCAC 08 .0110	14:16 NCR 1466	14:16 NCR 1466								
20 NCAC 08 .0111	14:16 NCR 1466	14:16 NCR 1466								
20 NCAC 08 .0112	14:16 NCR 1466	14:16 NCR 1466								
SUBSTANCE ABUSE PROFESSIONAL CERTIFICATION BOARD										
21 NCAC 68 .0101	14:10 NCR 749		14:14 NCR 1259	*						
21 NCAC 68 .0203	14:10 NCR 749		14:16 NCR 1460	*						
21 NCAC 68 .0205	14:10 NCR 749		14:16 NCR 1460	*						
21 NCAC 68 .0206	14:10 NCR 749		14:16 NCR 1460	*						
21 NCAC 68 .0208	14:10 NCR 749		14:16 NCR 1460	*						
21 NCAC 68 .0209	14:10 NCR 749		14:16 NCR 1460	*						
21 NCAC 68 .0211	14:10 NCR 749		14:16 NCR 1460	*						
21 NCAC 68 .0212	14:10 NCR 749		14:16 NCR 1460	*						
21 NCAC 68 .0213	14:10 NCR 749		14:16 NCR 1460	*						
21 NCAC 68 .0503	14:10 NCR 749		14:14 NCR 1259	*						
21 NCAC 68 .0503	14:10 NCR 749		14:16 NCR 1460	*						
21 NCAC 68 .0507	14:10 NCR 749		14:14 NCR 1259	*						
21 NCAC 68 .0509	14:10 NCR 749		14:14 NCR 1259	*						

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21 NCAC 68 .0511	14:10 NCR 749		14:14 NCR 1259	*						
21 NCAC 68 .0601	14:10 NCR 749		14:14 NCR 1259	*						
21 NCAC 68 .0701	14:10 NCR 749		14:16 NCR 1460	*						
21 NCAC 68 .0706	14:10 NCR 749		14:14 NCR 1259	*						
TRANSPORTATION										
Highways, Division of										
19A NCAC 02D .0415	13:08 NCR 626		13:14 NCR 1116	*	Approve	04/15/99			14:02 NCR 84	
19A NCAC 02E .0201	14:03 NCR 126		14:09 NCR 670	*						
19A NCAC 02E .0202	14:03 NCR 126		14:09 NCR 670	*						
19A NCAC 02E .0203	14:03 NCR 126		14:09 NCR 670	*						
19A NCAC 02E .0206	14:03 NCR 126		14:09 NCR 670	*						
19A NCAC 02E .0207	14:03 NCR 126	14:09 NCR 695	14:09 NCR 695	*						
19A NCAC 02E .0208	14:03 NCR 126		14:09 NCR 670	*						
19A NCAC 02E .0209	14:03 NCR 126		14:09 NCR 670	*						
19A NCAC 02E .0210	14:03 NCR 126		14:09 NCR 670	*						
19A NCAC 02E .0211	14:03 NCR 126		14:09 NCR 670	*						
19A NCAC 02E .0212	14:03 NCR 126		14:09 NCR 670	*						
19A NCAC 02E .0213	14:03 NCR 126		14:09 NCR 670	*						
19A NCAC 02E .0214	14:03 NCR 126		14:09 NCR 670	*						
19A NCAC 02E .0215	14:03 NCR 126	14:09 NCR 695	14:09 NCR 695	*						
19A NCAC 02E .0221	13:04 NCR 361		13:10 NCR 811	*	Approve	03/18/99	*		14:01 NCR 48	
19A NCAC 02E .0222	13:04 NCR 361		13:10 NCR 811	*	Approve	03/18/99			14:01 NCR 48	
19A NCAC 02E .0224	14:03 NCR 126		14:09 NCR 670	*						
19A NCAC 02E .0225	14:03 NCR 126		14:09 NCR 670	*						
19A NCAC 02E .0602	14:03 NCR 126	14:09 NCR 695	14:09 NCR 695	*						
19A NCAC 02E .0603	14:03 NCR 126		14:12 NCR 1012	*						
19A NCAC 02E .0604	14:03 NCR 126		14:09 NCR 670	*						

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Motor Vehicles, Division of										
19A NCAC 03D .0801		14:11 NCR 911	14:16 NCR 1453	*						
19A NCAC 03D .0802	14:14 NCR 1223									
19A NCAC 03G .0203	14:07 NCR 520		14:13 NCR 1145	*						
19A NCAC 03G .0205	14:07 NCR 520		14:13 NCR 1145	*						
19A NCAC 03G .0206	14:07 NCR 520		14:13 NCR 1145	*						
19A NCAC 03G .0207	14:07 NCR 520		14:13 NCR 1145	*						
19A NCAC 03G .0209	14:07 NCR 520		14:13 NCR 1145	*						
19A NCAC 03G .0213	14:07 NCR 520		14:13 NCR 1145	*						
19A NCAC 031 .0207	13:16 NCR 1258		13:22 NCR 1843	*	Approve	07/15/99			14:06 NCR 490	
19A NCAC 031 .0301	13:16 NCR 1258		13:22 NCR 1843	*	Approve	07/15/99			14:06 NCR 490	
19A NCAC 031 .0302	13:16 NCR 1258		13:22 NCR 1843	*	Approve	07/15/99			14:06 NCR 490	
19A NCAC 031 .0307	13:16 NCR 1258		13:22 NCR 1843	*	Object	07/15/99				
					Approve	08/19/99	*		14:09 NCR 708	
19A NCAC 031 .0401	13:16 NCR 1258		13:22 NCR 1843	*	Approve	07/15/99			14:06 NCR 490	
19A NCAC 031 .0402	13:16 NCR 1258		13:22 NCR 1843	*	Object	07/15/99				
					Approve	08/19/99	*		14:09 NCR 708	
19A NCAC 031 .0501	13:16 NCR 1258		13:22 NCR 1843	*	Approve	07/15/99			14:06 NCR 490	
19A NCAC 031 .0601	13:16 NCR 1258		13:22 NCR 1843	*	Approve	07/15/99			14:06 NCR 490	
19A NCAC 031 .0701	13:16 NCR 1258		13:22 NCR 1843	*	Approve	07/15/99			14:06 NCR 490	
19A NCAC 031 .0804	13:16 NCR 1258		13:22 NCR 1843	*	Object	07/15/99				
					Approve	08/19/99	*		14:09 NCR 708	

VETERINARY MEDICAL BOARD

21 NCAC 66 .0207	12:23 NCR 2089
21 NCAC 66 .0208	12:23 NCR 2089

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