

NORTH CAROLINA REGISTER

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April 15, 2013

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PUBLISHED BY

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Contact List for Rulemaking Questions or Concerns

For 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.

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NC Association of County Commissioners
215 North Dawson Street (919) 715-2893
Raleigh, North Carolina 27603
contact: Amy Bason amy.bason@ncacc.org

NC League of Municipalities (919) 715-4000
215 North Dawson Street
Raleigh, North Carolina 27603
contact: Erin L. Wynia ewynia@nclm.org

Legislative Process Concerning Rule-making

Joint Legislative Administrative Procedure Oversight Committee
545 Legislative Office Building
300 North Salisbury Street (919) 733-2578
Raleigh, North Carolina 27611 (919) 715-5460 FAX

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Jeff Hudson, Staff Attorney Jeffrey.hudson@ncleg.net

NORTH CAROLINA REGISTER
Publication Schedule for January 2013 – December 2013

FILING DEADLINES			NOTICE OF TEXT		PERMANENT RULE			TEMPORARY RULES
Volume & issue number	Issue date	Last day for filing	Earliest date for public hearing	End of required comment period	Deadline to submit to RRC for review at next meeting	Earliest Eff. Date of Permanent Rule	Delayed Eff. Date of Permanent Rule 31st legislative day of the session beginning:	270 th day from publication in the Register
27:13	01/02/13	12/06/12	01/17/13	03/04/13	03/20/13	05/01/13	05/2014	09/29/13
27:14	01/15/13	12/19/12	01/30/13	03/18/13	03/20/13	05/01/13	05/2014	10/12/13
27:15	02/01/13	01/10/13	02/16/13	04/02/13	04/22/13	06/01/13	05/2014	10/29/13
27:16	02/15/13	01/25/13	03/02/13	04/16/13	04/22/13	06/01/13	05/2014	11/12/13
27:17	03/01/13	02/08/13	03/16/13	04/30/13	05/20/13	07/01/13	05/2014	11/26/13
27:18	03/15/13	02/22/13	03/30/13	05/14/13	05/20/13	07/01/13	05/2014	12/10/13
27:19	04/01/13	03/08/13	04/16/13	05/31/13	06/20/13	08/01/13	05/2014	12/27/13
27:20	04/15/13	03/22/13	04/30/13	06/14/13	06/20/13	08/01/13	05/2014	01/10/14
27:21	05/01/13	04/10/13	05/16/13	07/01/13	07/22/13	09/01/13	05/2014	01/26/14
27:22	05/15/13	04/24/13	05/30/13	07/15/13	07/22/13	09/01/13	05/2014	02/09/14
27:23	06/03/13	05/10/13	06/18/13	08/02/13	08/20/13	10/01/13	05/2014	02/28/14
27:24	06/17/13	05/24/13	07/02/13	08/16/13	08/20/13	10/01/13	05/2014	03/14/14
28:01	07/01/13	06/10/13	07/16/13	08/30/13	09/20/13	11/01/13	05/2014	03/28/14
28:02	07/15/13	06/21/13	07/30/13	09/13/13	09/20/13	11/01/13	05/2014	04/11/14
28:03	08/01/13	07/11/13	08/16/13	09/30/13	10/21/13	12/01/13	05/2014	04/28/14
28:04	08/15/13	07/25/13	08/30/13	10/14/13	10/21/13	12/01/13	05/2014	05/12/14
28:05	09/03/13	08/12/13	09/18/13	11/04/13	11/20/13	01/01/14	05/2014	05/31/14
28:06	09/16/13	08/23/13	10/01/13	11/15/13	11/20/13	01/01/14	05/2014	06/13/14
28:07	10/01/13	09/10/13	10/16/13	12/02/13	12/20/13	02/01/14	05/2014	06/28/14
28:08	10/15/13	09/24/13	10/30/13	12/16/13	12/20/13	02/01/14	05/2014	07/12/14
28:09	11/01/13	10/11/13	11/16/13	12/31/13	01/21/14	03/01/14	05/2014	07/29/14
28:10	11/15/13	10/24/13	11/30/13	01/14/14	01/21/14	03/01/14	05/2014	08/12/14
28:11	12/02/13	11/06/13	12/17/13	01/31/14	02/20/14	04/01/14	05/2014	08/29/14
28:12	12/16/13	11/21/13	12/31/13	02/14/14	02/20/14	04/01/14	05/2014	09/12/14

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

The North Carolina Register shall be published twice a month and contains the following information submitted for publication by a state agency:

- (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.

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

FILING DEADLINES

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 after the first or fifteenth that is not a Saturday, Sunday, or holiday for State employees.

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.

NOTICE OF TEXT

EARLIEST DATE FOR PUBLIC HEARING: The hearing date shall be at least 15 days after the date a notice of the hearing is published.

END OF REQUIRED COMMENT PERIOD
An agency shall accept comments on the text of a proposed rule for at least 60 days after the text is published or until the date of any public hearings held on the proposed rule, whichever is longer.

DEADLINE TO SUBMIT TO THE RULES REVIEW COMMISSION: The Commission shall review a rule submitted to it on or before the twentieth of a month by the last day of the next month.

FIRST LEGISLATIVE DAY OF THE NEXT REGULAR SESSION OF THE GENERAL ASSEMBLY: This date is the first legislative day of the next regular session of the General Assembly following approval of the rule by the Rules Review Commission. See G.S. 150B-21.3, Effective date of rules.



State of North Carolina

PAT McCRORY

GOVERNOR

March 12, 2013

EXECUTIVE ORDER NO. 6

DECLARATION OF A STATE OF EMERGENCY BY THE GOVERNOR OF THE STATE OF NORTH CAROLINA

WHEREAS, heavy rains in western North Carolina created conditions that caused flooding and mudslides to commence on January 14, 2013 and end on January 18, 2013; and

WHEREAS, due to the flooding and mudslides in western North Carolina, this State sustained severe damage to its road systems, which include both State and Federal-Aid highways, bridges and other facilities; and

WHEREAS, damage to the road systems throughout western North Carolina has been of such an extent that immediate repairs have been necessary, which conditions constitute an emergency as is contemplated in 23 U.S.C. §§ 120(e) and 125; and

WHEREAS, the immediate repair and reconstruction of the damaged highways is vital to the security, well-being, and health of the citizens of the State of North Carolina, and the Federal Highway Division Administrator is hereby requested to concur in the declaration of this emergency.

NOW, THEREFORE, pursuant to the authority vested in me as Governor by the Constitution of the State of North Carolina and N.C.G.S. §166A-19.20, **IT IS ORDERED**:

Section 1.

I hereby declare that a state of emergency as defined in N.C.G.S. §§ 166A-19.3(6) and 166A-19.3(18) exists in the State of North Carolina as a result of the flooding and mudslides that produced severe damage to its road systems, which include both State and Federal-Aid highways, bridges and other facilities.

Section 2.

The emergency area as defined in N.C.G.S. §§ 166A-19.3(7) and N.C.G.S. 166A-19.20(b) includes the following counties: Buncombe, Cherokee, Clay, Graham, Haywood, Jackson, Macon, Madison, McDowell, Mitchell, Swain and Yancey.

Section 3.

I order all state and local government entities and agencies to cooperate in the implementation of the provisions of this declaration and the provisions of the North Carolina Emergency Operations Plan.

Section 4.

I delegate to Kieran J. Shanahan, the Secretary of the Department Public Safety, or his designee, all power and authority granted to me and required of me by Article 1A of Chapter 166A of the General Statutes for the purpose of implementing the State's Emergency Operations Plan and deploying the State Emergency Response Team to take the appropriate actions as is necessary to promote and secure the safety and protection of the populace in North Carolina.

Section 5.

Further, Secretary Shanahan, as chief coordinating officer for the State of North Carolina, shall exercise the powers prescribed in G. S. § 143B-602.

Section 6.

I further direct Secretary Shanahan or his designee, to seek assistance from any and all agencies of the United States Government as may be needed to meet the emergency and seek reimbursement for costs incurred by the State in responding to this emergency.

Section 7.

I hereby order this declaration: (a) to be distributed to the news media and other organizations calculated to bring its contents to the attention of the general public; (b) unless the circumstances of the state of emergency prevent or impede, to be promptly filed with the Secretary of the Department of Public Safety, the Secretary of State, and the clerks of superior court in the counties to which it applies; and (c) to be distributed to others as necessary to assure proper implementation of this declaration.

Section 8.

This declaration does not prohibit or restrict lawfully possessed firearms or ammunition or impose any limitation on the consumption, transportation, sale or purchase of alcoholic beverages as provided in N.C.G.S. § 166A-19.30(c).

Section 9.

Pursuant to N.C.G.S. § 166A-19.23, this declaration triggers the prohibition against excessive pricing as provided in N.C.G.S. § 75-37 and 75-38 in the declared emergency area.

Section 10.


This declaration is effective Tuesday, March 12, 2013 and shall remain in effect until rescinded.

IN WITNESS WHEREOF, I have hereto signed my name and affixed the Great Seal of the State of North Carolina at the Capitol in the City of Raleigh, this twelfth day of March in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.




Governor
Pat McCrory

ATTEST:


Secretary of State
Elaine Marshall



State of North Carolina

PAT McCrory
GOVERNOR

March 12, 2013

EXECUTIVE ORDER NO. 7

NOTICE OF TERMINATION OF THE STATES OF EMERGENCY DECLARED BY EXECUTIVE ORDERS 2 AND 5

WHEREAS, Executive Order No. 2 declaring a state of emergency in portions of the State of North Carolina was issued on January 23, 2013 by the Governor of the State of North Carolina as a result of a landslide obstructing both directions on U.S. Highway 441 beginning on January 15, 2013; and

WHEREAS, Executive Order No. 5 declaring a state of emergency for the Mid-Atlantic region of the United States due to anticipated damage from a winter storm was issued on March 5, 2013 by the Governor of the State of North Carolina, in order to provide the quick restoration of power in that region by temporarily suspending size and weight restrictions and waiving the maximum hours of service on utility trucks passing through North Carolina's interstate highways; and

WHEREAS, the conditions that required the declaration of the states of emergencies have ended.

NOW, THEREFORE, by the power vested in me as Governor by the Constitution and laws of North Carolina, IT IS ORDERED:

Pursuant to N.C.G.S. § 166A-19.20(c) the states of emergencies that were declared by Executive Orders 2 and 5 are hereby terminated as of March 12, 2013.

IN WITNESS WHEREOF, I have hereunto signed my name and affixed the Great Seal of the State of North Carolina at the Capitol in the City of Raleigh, this twelfth day of March in the year of our Lord two thousand and thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.



Pat McCrory
Pat McCrory
Governor

ATTEST:

Rodney S. Walley
Elaine P. Marshall
Secretary of State



State of North Carolina

PAT McCRORY
GOVERNOR

March 19, 2013

EXECUTIVE ORDER NO. 8

DECLARATION OF A STATE OF EMERGENCY BY THE GOVERNOR OF THE STATE OF NORTH CAROLINA

WHEREAS, NC Highway 12 serves as the main lifeline for the communities on Hatteras and Ocracoke Islands, connecting them to each other and the mainland of North Carolina. Island residents depend on the roadway for off-island community services, such as hospitals, emergency response and other services. NC Highway 12 is also the primary evacuation route for all permanent and temporary residents on the islands when severe weather is approaching; and

WHEREAS, NC Highway 12 has been frequently blocked between the temporary bridge on Pea Island to the Village of Rodanthe as a result of flooding and overwash due to Hurricane Sandy, weather events and tidal fluctuations in the last year, including one as recent as this month; and

WHEREAS, as a result of Hurricane Sandy, Governor Beverly Perdue, issued Executive Order 129 declaring a state of emergency for portions of North Carolina including Dare and Hyde counties on October 26, 2012; and

WHEREAS, as a result of the continued overwash and flooding since Hurricane Sandy onto the highway, public safety and transportation infrastructure remains vulnerable between the temporary bridge on Pea Island to the Village of Rodanthe; and

WHEREAS, the State has requested aid from the Federal Highway Administration and the US Army Corps of Engineers, as a result of Hurricane Sandy; and

WHEREAS, the immediate repair and reconstruction of the damaged highway and surrounding transportation infrastructure is vital to the security, well-being, and health of the citizens of the State of North Carolina; and

WHEREAS, care must also be taken to protect the environmentally sensitive areas of the Pea Island National Wildlife Refuge and other protected federal lands; and

WHEREAS, I ask the federal agencies responsible for the maintenance and caretaking of those areas, to work with the State of North Carolina in developing both a short-term and long-term solution to resolve the continued problems at this and other portions of NC Highway 12.

NOW, THEREFORE, pursuant to the authority vested in me as Governor by the Constitution of the State of North Carolina and N.C.G.S. §166A-19.20, **IT IS ORDERED**:

Section 1.

I hereby declare that a state of emergency as defined in N.C.G.S. §§ 166A-19.3(6) and 166A-19.3(18) exists in the State of North Carolina as a result of the continued overwash to portions of NC Highway 12 which causes a continued threat to public safety and transportation infrastructure between the northern end of the temporary bridge on Pea Island to a point 3,250 feet south of SR 1495 (Corbina Drive) in the Village of Rodanthe.

Section 2.

The emergency area as defined in N.C.G.S. §§ 166A-19.3(7) and N.C.G.S. 166A-19.20(b) includes the following: NC Highway 12 between the northern end of the temporary bridge on Pea Island to a point 3,250 feet south of SR 1495 (Corbina Drive) in the Village of Rodanthe.

Section 3.

I order all state and local government entities and agencies to cooperate in the implementation of the provisions of this declaration and the provisions of the North Carolina Emergency Operations Plan.

Section 4.

I delegate to Kieran J. Shanahan, the Secretary of the Department Public Safety, or his designee, all power and authority granted to me and required of me by Article 1A of Chapter 166A of the General Statutes for the purpose of implementing the State's Emergency Operations Plan and deploying the State Emergency Response Team to take the appropriate actions as is necessary to promote and secure the safety and protection of the populace in North Carolina.

Section 5.

Further, Secretary Shanahan, as chief coordinating officer for the State of North Carolina, shall exercise the powers prescribed in G. S. § 143B-602.

Section 6.

I further direct Secretary Shanahan or his designee, to seek assistance from any and all agencies of the United States Government as may be needed to meet the emergency and seek reimbursement for costs incurred by the State in responding to this emergency.

Section 7.

I hereby order this declaration: (a) to be distributed to the news media and other organizations calculated to bring its contents to the attention of the general public; (b) unless the circumstances of the state of emergency prevent or impede, to be promptly filed with the Secretary of the Department of Public Safety, the Secretary of State, and the clerks of superior court in the counties to which it applies; and (c) to be distributed to others as necessary to assure proper implementation of this declaration.

Section 8.

This declaration does not prohibit or restrict lawfully possessed firearms or ammunition or impose any limitation on the consumption, transportation, sale or purchase of alcoholic beverages as provided in N.C.G.S. § 166A-19.30(e).

Section 9.

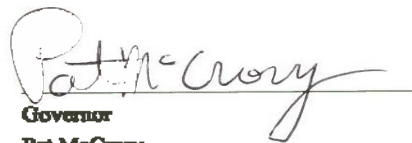
Pursuant to N.C.G.S. § 166A-19.23, this declaration triggers the prohibition against excessive pricing as provided in N.C.G.S. § 75-37 and 75-38 in the declared emergency area.

Section 10.

This declaration is effective Tuesday, March 19, 2013 and shall remain in effect until rescinded.

IN WITNESS WHEREOF, I have hereunto signed my name and affixed the Great Seal of the State of North Carolina at the Capitol in the City of Raleigh, this nineteenth day of March in the year of our Lord two thousand and thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.




Governor
Pat McCrory

ATTEST:


Secretary of State
Elaine Marshall

Note from the Codifier: The notices published in this Section of the NC Register include the text of proposed rules. The agency must accept comments on the proposed rule(s) for at least 60 days from the publication date, or until the public hearing, or a later date if specified in the notice by the agency. If the agency adopts a rule that differs substantially from a prior published notice, the agency must publish the text of the proposed different rule and accept comment on the proposed different rule for 60 days.

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

TITLE 15A – DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

Notice is hereby given in accordance with G.S. 150B-21.2 that the Environmental Management Commission intends to amend the rules cited as 15A NCAC 02D .1104 and 02Q .0711.

Agency obtained G.S. 150B-19.1 certification:

- ☒ **OSBM certified on:** January 31, 2013
- ☐ **RRC certified on:**
- ☐ **Not Required**

Link to agency website pursuant to G.S. 150B-19.1(c):
<http://www.nair.org/rules/hearing/>

Proposed Effective Date: November 1, 2013

Public Hearing:

Date: May 14, 2013

Time: 6:00 p.m.

Location: Training Room #1210, DENR Green Square Office Building, 217 West Jones Street, Raleigh, NC 27603

Reason for Proposed Action: To revise the acceptable ambient level (AAL) for arsenic and inorganic arsenic compounds in 15A NCAC 02D .1104 and the corresponding emission rate requiring a permit in 15A NCAC 02Q .0711 based upon recommendation of the Department of Environment and Natural Resources (DENR) Secretary's Science Advisory Board (SAB) on Toxic Air Pollutants. The AAL value for arsenic and inorganic arsenic compounds is proposed to be changed from 2.3×10^{-7} milligrams per cubic meter (mg/m^3) to 2.1×10^{-6} mg/m^3 on an annual average basis. The corresponding value for toxic air pollutant permitting emissions rates (TPER) for arsenic compounds is proposed to be changed from 0.016 pounds per year to 0.053 pounds per year.

Procedure by which a person can object to the agency on a proposed rule: If you have any objections to the proposed rules, please mail a letter including your specific reasons to: Ms. Joelle Burleson, Division of Air Quality, 1641 Mail Service Center, Raleigh, NC, 27699-1641.

Comments may be submitted to: Joelle Burleson, Division of Air Quality, 1641 Mail Service Center, Raleigh, NC 27699-1641; phone (919) 707-8720; fax (919) 707-8720; email joelle.burleson@ncdenr.gov

Comment period ends: June 14, 2013

Procedure for Subjecting a Proposed Rule to Legislative Review:

If an objection is not resolved prior to the adoption of the rule, a person may also submit written objections to the Rules Review Commission after the adoption of the Rule. If the Rules Review Commission receives written and signed objections after the adoption of the Rule in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive those objections by mail, delivery service, hand delivery, or facsimile transmission. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 919-431-3000.

Fiscal impact (check all that apply).

- ☒ **State funds affected**
- ☐ **Environmental permitting of DOT affected**
- ☐ **Analysis submitted to Board of Transportation**
- ☐ **Local funds affected**
- ☐ **Date submitted to OSBM:**
- ☒ **Substantial economic impact ($\geq \$500,000$)**
- ☒ **Approved by OSBM**
- ☐ **No fiscal note required by G.S. 150B-21.4**

CHAPTER 02 - ENVIRONMENTAL MANAGEMENT COMMISSION

SUBCHAPTER 02D - AIR POLLUTION CONTROL REQUIREMENTS

SECTION .1100 - CONTROL OF TOXIC AIR POLLUTANTS

15A NCAC 02D .1104 TOXIC AIR POLLUTANT GUIDELINES

A facility shall not emit any of the following toxic air pollutants in such quantities that may cause or contribute beyond the premises (adjacent property boundary) to any significant ambient air concentration that may adversely affect human health. In determining these significant ambient air concentrations, the Division shall be guided by the following list of acceptable ambient levels in milligrams per cubic meter at 77° F (25° C) and 29.92 inches (760 mm) of mercury pressure (except for asbestos):

PROPOSED RULES

Pollutant (CAS Number)	Annual (Carcinogens)	24-hour (Chronic Toxicants)	1-hour (Acute Systemic Toxicants)	1-hour (Acute Irritants)
acetaldehyde (75-07-0)				27
acetic acid (64-19-7)				3.7
acrolein (107-02-8)				0.08
acrylonitrile (107-13-1)		0.03	1	
ammonia (7664-41-7)				2.7
aniline (62-53-3)			1	
arsenic and inorganic arsenic compounds	2.3 x 10⁻⁷ 2.1 x 10 ⁻⁶			
asbestos (1332-21-4)	2.8 x 10 ⁻¹¹ fibers/ml			
aziridine (151-56-4)		0.006		
benzene (71-43-2)	1.2 x 10 ⁻⁴			
benzidine and salts (92-87-5)	1.5 x 10 ⁻⁸			
benzo(a)pyrene (50-32-8)	3.3 x 10 ⁻⁵			
benzyl chloride (100-44-7)			0.5	
beryllium (7440-41-7)	4.1 x 10 ⁻⁶			
beryllium chloride (7787-47-5)	4.1 x 10 ⁻⁶			
beryllium fluoride (7787-49-7)	4.1 x 10 ⁻⁶			
beryllium nitrate (13597-99-4)	4.1 x 10 ⁻⁶			
bioavailable chromate pigments, as chromium (VI) equivalent	8.3 x 10 ⁻⁸			
bis-chloromethyl ether (542-88-1)	3.7 x 10 ⁻⁷			
bromine (7726-95-6)				0.2
1,3-butadiene (106-99-0)	4.4 x 10 ⁻⁴			
cadmium (7440-43-9)	5.5 x 10 ⁻⁶			
cadmium acetate (543-90-8)	5.5 x 10 ⁻⁶			
cadmium bromide (7789-42-6)	5.5 x 10 ⁻⁶			
carbon disulfide (75-15-0)		0.186		
carbon tetrachloride (56-23-5)	6.7 x 10 ⁻³			
chlorine (7782-50-5)		0.0375		0.9
chlorobenzene (108-90-7)		2.2		
chloroform (67-66-3)	4.3 x 10 ⁻³			
chloroprene (126-99-8)		0.44	3.5	
cresol (1319-77-3)			2.2	
p-dichlorobenzene (106-46-7)				66
dichlorodifluoromethane (75-71-8)		248		
dichlorofluoromethane (75-43-4)		0.5		
di(2-ethylhexyl)phthalate (117-81-7)		0.03		
dimethyl sulfate (77-78-1)		0.003		
1,4-dioxane (123-91-1)		0.56		
epichlorohydrin (106-89-8)	8.3 x 10 ⁻²			
ethyl acetate (141-78-6)			140	
ethylenediamine (107-15-3)		0.3	2.5	
ethylene dibromide (106-93-4)	4.0 x 10 ⁻⁴			
ethylene dichloride (107-06-2)	3.8 x 10 ⁻³			
ethylene glycol monoethyl ether (110-80-5)		0.12	1.9	
ethylene oxide (75-21-8)	2.7 x 10 ⁻⁵			
ethyl mercaptan (75-08-1)			0.1	
fluorides		0.016	0.25	
formaldehyde (50-00-0)				0.15

PROPOSED RULES

Pollutant (CAS Number)	Annual (Carcinogens)	24-hour (Chronic Toxicants)	1-hour (Acute Systemic Toxicants)	1-hour (Acute Irritants)
hexachlorocyclopentadiene (77-47-4)		0.0006	0.01	
hexachlorodibenzo-p-dioxin (57653-85-7)	7.6×10^{-8}			
n-hexane (110-54-3)		1.1		
hexane isomers except n-hexane				360
hydrazine (302-01-2)		0.0006		
hydrogen chloride (7647-01-0)				0.7
hydrogen cyanide (74-90-8)		0.14	1.1	
hydrogen fluoride (7664-39-3)		0.03		0.25
hydrogen sulfide (7783-06-4)		0.12		
maleic anhydride (108-31-6)		0.012	0.1	
manganese and compounds		0.031		
manganese cyclopentadienyl tricarbonyl (12079-65-1)		0.0006		
manganese tetroxide (1317-35-7)		0.0062		
mercury, alkyl		0.00006		
mercury, aryl and inorganic compounds		0.0006		
mercury, vapor (7439-97-6)		0.0006		
methyl chloroform (71-55-6)		12		245
methylene chloride (75-09-2)	2.4×10^{-2}		1.7	
methyl ethyl ketone (78-93-3)		3.7		88.5
methyl isobutyl ketone (108-10-1)		2.56		30
methyl mercaptan (74-93-1)			0.05	
nickel carbonyl (13463-39-3)		0.0006		
nickel metal (7440-02-0)		0.006		
nickel, soluble compounds, as nickel		0.0006		
nickel subsulfide (12035-72-2)	2.1×10^{-6}			
nitric acid (7697-37-2)				1
nitrobenzene (98-95-3)		0.06	0.5	
n-nitrosodimethylamine (62-75-9)	5.0×10^{-5}			
non-specific chromium (VI) compounds, as chromium (VI) equivalent	8.3×10^{-8}			
pentachlorophenol (87-86-5)		0.003	0.025	
perchloroethylene (127-18-4)	1.9×10^{-1}			
phenol (108-95-2)			0.95	
phosgene (75-44-5)		0.0025		
phosphine (7803-51-2)				0.13
polychlorinated biphenyls (1336-36-3)	8.3×10^{-5}			
soluble chromate compounds, as chromium (VI) equivalent		6.2×10^{-4}		
styrene (100-42-5)			10.6	
sulfuric acid (7664-93-9)		0.012	0.1	
tetrachlorodibenzo-p-dioxin (1746-01-6)	3.0×10^{-9}			
1,1,1,2-tetrachloro-2,2- difluoroethane (76-11-9)		52		
1,1,2,2-tetrachloro-1,2- difluoroethane (76-12-0)		52		

PROPOSED RULES

Pollutant (CAS Number)	Annual (Carcinogens)	24-hour (Chronic Toxicants)	1-hour (Acute Systemic Toxicants)	1-hour (Acute Irritants)
1,1,2,2-tetrachloroethane (79-34-5)	6.3×10^{-3}			
toluene (108-88-3)		4.7		56
toluene diisocyanate, 2,4- (584-84-9) and 2,6- (91-08-7) isomers		0.0002		
trichloroethylene (79-01-6)	5.9×10^{-2}			
trichlorofluoromethane (75-69-4)			560	
1,1,2-trichloro-1,2,2- trifluoroethane (76-13-1)				950
vinyl chloride (75-01-4)	3.8×10^{-4}			
vinylidene chloride (75-35-4)		0.12		
xylene (1330-20-7)		2.7		65

Authority G.S. 143-215.3(a)(1); 143-215.107(a)(3),(4),(5); 143B-282; S.L. 1989, c. 168, s. 45.

SUBCHAPTER 02Q - AIR QUALITY PERMITS PROCEDURES

SECTION .0700 - TOXIC AIR POLLUTANT PROCEDURES

15A NCAC 02Q .0711 EMISSION RATES REQUIRING A PERMIT

(a) A permit to emit toxic air pollutants is required for any facility whose actual (or permitted if higher) rate of emissions from all sources are greater than any one of the following toxic air pollutant permitting emissions rates:

Pollutant (CAS Number)	Carcinogens lb/yr	Chronic Toxicants lb/day	Acute Systemic Toxicants lb/hr	Acute Irritants lb/hr
acetaldehyde (75-07-0)				6.8
acetic acid (64-19-7)				0.96
acrolein (107-02-8)				0.02
acrylonitrile (107-13-1)		0.4	0.22	
ammonia (7664-41-7)				0.68
aniline (62-53-3)			0.25	
arsenic and inorganic arsenic compounds	0.016 0.053			
asbestos (1332-21-4)	1.9×10^{-6}			
aziridine (151-56-4)		0.13		
benzene (71-43-2)	8.1			
benzidine and salts (92-87-5)	0.0010			
benzo(a)pyrene (50-32-8)	2.2			
benzyl chloride (100-44-7)			0.13	
beryllium (7440-41-7)	0.28			
beryllium chloride (7787-47-5)	0.28			
beryllium fluoride (7787-49-7)	0.28			
beryllium nitrate (13597-99-4)	0.28			
bioavailable chromate pigments, as chromium (VI) equivalent	0.0056			
bis-chloromethyl ether (542-88-1)	0.025			
bromine (7726-95-6)				0.052
1,3-butadiene (106-99-0)	11			
cadmium (7440-43-9)	0.37			
cadmium acetate (543-90-8)	0.37			
cadmium bromide (7789-42-6)	0.37			

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carbon disulfide (75-15-0)		3.9		
carbon tetrachloride (56-23-5)	460			
chlorine (7782-50-5)		0.79		0.23
chlorobenzene (108-90-7)		46		
chloroform (67-66-3)	290			
chloroprene (126-99-8)		9.2	0.89	
cresol (1319-77-3)			0.56	
p-dichlorobenzene (106-46-7)				16.8
dichlorodifluoromethane (75-71-8)		5200		
dichlorofluoromethane (75-43-4)		10		
di(2-ethylhexyl)phthalate (117-81-7)		0.63		
dimethyl sulfate (77-78-1)		0.063		
1,4-dioxane (123-91-1)		12		
epichlorohydrin (106-89-8)	5600			
ethyl acetate (141-78-6)			36	
ethylenediamine (107-15-3)		6.3	0.64	
ethylene dibromide (106-93-4)	27			
ethylene dichloride (107-06-2)	260			
ethylene glycol monoethyl ether (110-80-5)		2.5	0.48	
ethylene oxide (75-21-8)	1.8			
ethyl mercaptan (75-08-1)			0.025	
fluorides		0.34	0.064	
formaldehyde (50-00-0)				0.04
hexachlorocyclopentadiene (77-47-4)		0.013	0.0025	
hexachlorodibenzo-p-dioxin (57653- 85-7)	0.0051			
n-hexane (110-54-3)		23		
hexane isomers except n-hexane				92
hydrazine (302-01-2)		0.013		
hydrogen chloride (7647-01-0)				0.18
hydrogen cyanide (74-90-8)		2.9	0.28	
hydrogen fluoride (7664-39-3)		0.63		0.064
hydrogen sulfide (7783-06-4)		1.7		
maleic anhydride (108-31-6)		0.25	0.025	
manganese and compounds		0.63		
manganese cyclopentadienyl tricarbonyl (12079-65-1)		0.013		
manganese tetroxide (1317-35-7)		0.13		
mercury, alkyl		0.0013		
mercury, aryl and inorganic compounds		0.013		
mercury, vapor (7439-97-6)		0.013		
methyl chloroform (71-55-6)		250		64
methylene chloride (75-09-2)	1600		0.39	
methyl ethyl ketone (78-93-3)		78		22.4
methyl isobutyl ketone (108-10-1)		52		7.6
methyl mercaptan (74-93-1)			0.013	
nickel carbonyl (13463-39-3)		0.013		
nickel metal (7440-02-0)		0.13		
nickel, soluble compounds, as nickel		0.013		
nickel subsulfide (12035-72-2)	0.14			
nitric acid (7697-37-2)				0.256
nitrobenzene (98-95-3)		1.3	0.13	
n-nitrosodimethylamine (62-75-9)	3.4			
non-specific chromium (VI) compounds, as chromium (VI) equivalent	0.0056			
pentachlorophenol (87-86-5)		0.063	0.0064	

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perchloroethylene (127-18-4)	13000			
phenol (108-95-2)			0.24	
phosgene (75-44-5)		0.052		
phosphine (7803-51-2)				0.032
polychlorinated biphenyls (1336-36-3)	5.6			
soluble chromate compounds, as chromium (VI) equivalent		0.013		
styrene (100-42-5)			2.7	
sulfuric acid (7664-93-9)		0.25	0.025	
tetrachlorodibenzo-p-dioxin (1746-01-6)	0.00020			
1,1,1,2-tetrachloro-2,2-difluoroethane (76-11-9)		1100		
1,1,2,2-tetrachloro-1,2-difluoroethane (76-12-0)		1100		
1,1,2,2-tetrachloroethane (79-34-5)	430			
toluene (108-88-3)		98		14.4
toluene diisocyanate, 2,4- (584-84-9) and 2,6- (91-08-7) isomers		0.003		
trichloroethylene (79-01-6)	4000			
trichlorofluoromethane (75-69-4)			140	
1,1,2-trichloro-1,2,2-trifluoroethane (76-13-1)				240
vinyl chloride (75-01-4)	26			
vinylidene chloride (75-35-4)		2.5		
xylene (1330-20-7)		57		16.4

(b) For the following pollutants, the highest emissions occurring for any 15-minute period shall be multiplied by four and the product shall be compared to the value in Paragraph (a). These pollutants are:

- (1) acetaldehyde (75-07-0);
- (2) acetic acid (64-19-7);
- (3) acrolein (107-02-8);
- (4) ammonia (7664-41-7);
- (5) bromine (7726-95-6);
- (6) chlorine (7782-50-5);
- (7) formaldehyde (50-00-0);
- (8) hydrogen chloride (7647-01-0);
- (9) hydrogen fluoride (7664-39-3); and
- (10) nitric acid (7697-37-2).

Authority G.S. 143-215.3(a)(1); 143-215.108; 143B-282; S L. 1989, c. 168, s. 45.

Notice is hereby given in accordance with G.S. 150B-21.2 that the NC Wildlife Resources Commission intends to amend the rule cited as 15A NCAC 10F .0303.

Agency obtained G.S. 150B-19.1 certification:

- ☒ **OSBM certified on:** June 19, 2012
☐ **RRC certified on:**
☐ **Not Required**

Link to agency website pursuant to G.S. 150B-19.1(c):
<http://www.ncwildlife.org/> (Click link "Public Notices & Pending Rules")

Fiscal Note posted at:

http://www.osbm.state.nc.us/files/pdf_files/WRC06192012_2.pdf

Proposed Effective Date: September 1, 2013

Public Hearing:

Date: May 8, 2013

Time: 10:00 a.m.

Location: Wildlife Resources Commission Headquarters,
Varsity Drive, Raleigh, NC 27606

Reason for Proposed Action: Subdivisions (a)(1) and (a)(6) address technical changes that convert the current descriptions of the existing "no-wake" zones (NWZ) to descriptions based on latitude and longitude. Changes will have no effect on the public as they do not change any NWZ boundary. Subdivision (a)(5) changes the NWZ described by 15 yards. This is done to conform the rule to the actual placement of the marker in the water, and

is based on a survey of the site that revealed the marker was placed 15 yards inside of the currently described NWZ. Changes will have no effect on the public as they will not alter the currently marked NWZ boundary. 3. Subdivision (a)(2) creates an NWZ that is greater than the one currently authorized by the provisions of 15A NCAC 10E .0104(d). This change is needed to ensure public safety in the vicinity of a new boating access area (BAA).

Procedure by which a person can object to the agency on a proposed rule: *Objections may be submitted in writing or via electronic mail during the comment period to C. Norman Young, Jr., NC Department of Justice, P.O. Box 629, Raleigh, NC 27602-0629 or nyoung@ncdoj.gov.*

Comments may be submitted to: *Ms. Betsy Haywood, 1701 Mail Service Center, Raleigh, NC 27699-1701; phone (919) 707-0013; email betsy.foard@ncwildlife.org*

Comment period ends: *June 14, 2013*

Procedure for Subjecting a Proposed Rule to Legislative Review: If an objection is not resolved prior to the adoption of the rule, a person may also submit written objections to the Rules Review Commission after the adoption of the Rule. If the Rules Review Commission receives written and signed objections after the adoption of the Rule in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive those objections by mail, delivery service, hand delivery, or facsimile transmission. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 919-431-3000.

Fiscal impact (check all that apply).

- ☐ State funds affected
- ☐ Environmental permitting of DOT affected
- ☐ Analysis submitted to Board of Transportation
- ☐ Local funds affected
- ☐ Date submitted to OSBM:
- ☐ Substantial economic impact (≥\$500,000)
- ☒ Approved by OSBM
- ☒ No fiscal note required by G.S. 150B-21.4

CHAPTER 10 – WILDLIFE RESOURCES COMMISSION

SUBCHAPTER 10F - MOTORBOATS AND WATER SAFETY

SECTION .0300 - LOCAL WATER SAFETY REGULATIONS

15A NCAC 10F .0303 BEAUFORT COUNTY

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

- (1) that portion of Broad Creek ~~bounded on the north by a line running due east and west across Broad Creek through a point 1400 feet due north of Red Marker No. 6, on the south by a line running east and west across Broad Creek through the location of Red Marker No. 4, on the east and west by the high water mark on Broad Creek;~~ south of a line from a point on the east shore at 35.49472 N, 76.95693 W to a point on the west shore at 35.49476 N, 76.96028 W and north of a line from a point on the east shore at 35.48485 N, 76.95178 W to a point on the west shore at 35.48495 N, 76.95619 W;
- ~~(2) that portion of Blounts Creek 100 yards on either side of the SR 1112 Bridge;~~
- ~~(3)(2)~~ that portion of Blounts Creek ~~beginning 100 yards below the Old Crist Landing and extending upstream to the NC 33 bridge;~~ south of a line 100 yards north of the Blounts Creek Boating Access Area, from a point on the east shore at 35.40846 N, 76.96091 W to a point on the west shore at 35.40834 N, 76.96355 W, and north of a line 100 yards south of Cotton Patch Landing, from a point on the east shore at 35.40211 N, 76.96573 W to a point on the west shore at 35.40231 N, 76.96702 W;
- ~~(4)(3)~~ the waters of Battalina Creek, within the territorial limits of the Town of Belhaven;
- ~~(5)(4)~~ the navigable portion of ~~Nevils~~ Nevil Creek extending upstream from its mouth at the Pamlico River; ~~and~~
- ~~(6)(5)~~ that portion of Blounts Creek ~~beginning 50 yards on the south side and 300 yards on the north side of the Blounts Creek Bridge;~~ north of a line 35 yards south-southeast of the Mouth of the Creek Bridge from a point on the east shore at 35.43333 N, 76.96985 W to a point on the west shore at 35.43267 N, 76.97196 W and south of a line 350 yards north-northeast of the Mouth of the Creek Bridge from a point on the east shore at 35.43553 N, 76.96962 W to a point on the west shore at 35.43645 N, 76.96998 W; and
- ~~(7)(6)~~ that portion of Tranter's Creek ~~beginning at a line, shore to shore, from a point at 35.56925 N, 77.09138 W and ending at a line, shore to shore, to a point at 35.56703 N, 77.08981 W as delineated by appropriate markers. east of a line from a point on the north shore at 35.56961 N, 77.09159 W to a point on the south shore at 35.56888 N, 77.09118 W and north of a line from a point on the east shore at 35.56714 N, 77.08941 W to a point on the west shore at 35.56689 N, 77.09029 W.~~

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

(c) Placement and Maintenance of Markers. The Board of Commissioners of Beaufort County and the City Council of the City of Washington are designated as suitable agencies for placement and maintenance of the markers implementing this Rule.

Authority G.S. 75A-3; 75A-15.

Notice is hereby given in accordance with G.S. 150B-21.2 that the NC Wildlife Resources Commission intends to amend the rule cited as 15A NCAC 10F .0355.

Agency obtained G.S. 150B-19.1 certification:

- ☒ **OSBM certified on:** March 13, 2013
- ☐ **RRC certified on:**
- ☐ **Not Required**

Link to agency website pursuant to G.S. 150B-19.1(c):
<http://www.ncwildlife.org/> (Click link "Public Notice & Pending Rules")

Fiscal Note posted at:
http://www.osbm.state.nc.us/files/pdf_files/WRC03132013.pdf

Proposed Effective Date: September 1, 2013

Public Hearing:

Date: May 8, 2013

Time: 10:00 a.m.

Location: Wildlife Resources Commission Headquarters, 1751 Varsity Drive, Raleigh, NC 27606

Reason for Proposed Action: This proposed amendment would redefine and slightly modify a currently existing no-wake zone on the Perquimans River in Perquimans County. A new (a)(1)(B) of this rule would add the Town of Hertford. This will create a slightly larger no wake zone that combines the areas in (B) and (C) and extends the no wake area to a line shore to shore approximately 475 yards southwest of the bridge. This is proposed at the request of the county. The changes to (a)(2) and (a)(3) are technical and move the descriptions of the two no wake zones near the Albemarle Plantation Marina Piers - (a)(2)A) - and within the area of Beaver Cove - (a)(2)(B) - from Yeopim River to Yeopim Creek where they are more properly described as being located. WRC has verified that both locations do belong in Yeopim Creek rather than in Yeopim River and should have initially been codified there. Regardless, these proposed changes would not modify these two existing no-wake zones in any way.

Procedure by which a person can object to the agency on a proposed rule: Objections may be submitted in writing or via electronic mail during the comment period to Ms. Betsy Haywood, 1701 Mail Service Center, Raleigh, NC 27699-1701 or betsy.foard@ncwildlife.org.

Comments may be submitted to: Ms. Betsy Haywood, 1701 Mail Service Center, Raleigh, NC 27699-1701; (919) 707-0013; email betsy.foard@ncwildlife.org

Comment period ends: June 14, 2013

Procedure for Subjecting a Proposed Rule to Legislative Review: If an objection is not resolved prior to the adoption of the rule, a person may also submit written objections to the Rules Review Commission after the adoption of the Rule. If the Rules Review Commission receives written and signed objections after the adoption of the Rule in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive those objections by mail, delivery service, hand delivery, or facsimile transmission. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 919-431-3000.

Fiscal impact (check all that apply).

- ☐ State funds affected
- ☐ Environmental permitting of DOT affected
- ☒ Analysis submitted to Board of Transportation
- ☒ Local funds affected
- ☒ Date submitted to OSBM: January 28, 2013
- ☐ Substantial economic impact (≥\$500,000)
- ☒ Approved by OSBM
- ☐ No fiscal note required by G.S. 150B-21.4

CHAPTER 10 – WILDLIFE RESOURCES COMMISSION

SUBCHAPTER 10F - MOTORBOATS AND WATER SAFETY

SECTION .0300 - LOCAL WATER SAFETY REGULATIONS

15A NCAC 10F .0355 PERQUIMANS COUNTY

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

- (1) Perquimans River:
 - (A) The canals of Holiday ~~Island;~~ Island subdivision;
 - (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.~~
 - (B) Town of Hertford: that part of the Perquimans River beginning 75 yards northeast of the Perquimans River Bridge (Hertford S-shaped Bridge) parallel to the bridge, shore to shore, and ending approximately 550 yards southwest, at a line from a point on

the north shore 36.19300 N, 76.46962
W to a point on the south shore
36.19150 N, 76.47099 W.

- (2) Yeopim River:
- (A) ~~The area within 75 yards of the Albemarle Plantation Marina Piers;~~
 - (B) ~~The area of Beaver Cove as delineated by appropriate markers;~~
 - (C)(A) The canal entrance between Navaho Trail and Cherokee Trail;
 - (D)(B) The canal entrance between Cherokee Trail and Ashe Street;
 - (E)(C) The boat ramp at Ashe and Pine Street;
 - (F)(D) The canal entrance between Pine Street and Linden Street;
 - (G)(E) The canal entrance and boat ramp between Willow Street and Evergreen Drive;
 - (H)(F) The canal entrance between Sago Street and Alder Street; and
 - (I)(G) The swimming area at the Snug Harbor Park and Beach.
- (3) Yeopim ~~Creek~~ Creek:
- (A) The canal entrance between Mohave Trail and Iowa Trail; ~~and~~
 - (B) The canal entrance between Iowa Trail and Shawnee ~~Trail~~ Trail;
 - (C) ~~The area within 75 yards of the Albemarle Plantation Marina Piers; and~~
 - (D) ~~The area of Beaver Cove as delineated by appropriate markers.~~
- (4) Little River: The entrance to the cove known as "Muddy Gut Canal," which extends from the waters known as "Deep Creek."

(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.

Authority G.S. 75A-3; 75A-15.

TITLE 21 – OCCUPATIONAL LICENSING BOARDS AND COMMISSIONS

CHAPTER 16 – BOARD OF DENTAL EXAMINERS

Notice is hereby given in accordance with G.S. 150B-21.2 that the NC State Board of Dental Examiners intends to amend the rules cited as 21 NCAC 16Q .0202 and .0302.

Agency obtained G.S. 150B-19.1 certification:

☐ OSBM certified on:

☐ RRC certified on:
☒ Not Required

Link to agency website pursuant to G.S. 150B-19.1(c):
<http://www.ncdentalboard.org>

Proposed Effective Date: October 1, 2013

Public Hearing:

Date: June 13, 2013

Time: 7:00 p.m.

Location: Dental Board Office, 507 Airport Blvd., Ste. 105, Morrisville, NC 27560

Reason for Proposed Action: 21 NCAC 16Q .0202 and .0302 are proposed for amendment to clarify that dentists who administer general anesthetic and/or moderate conscious sedation and/or moderate pediatric sedation must stock appropriate reversal agents for all drugs required by the rules to be maintained in the operatory and recovery room.

Procedure by which a person can object to the agency on a proposed rule: Individuals wishing to oppose the rules may contact Mr. Bobby D. White, Chief Operations Officer, NC State Board of Dental Examiners, 507 Airport Blvd., Ste. 105, Morrisville, NC 27560.

Comments may be submitted to: Mr. Bobby D. White, Chief Operations Officer, 507 Airport Blvd., Ste. 105, Morrisville, NC 27560

Comment period ends: August 2, 2013

Procedure for Subjecting a Proposed Rule to Legislative Review: If an objection is not resolved prior to the adoption of the rule, a person may also submit written objections to the Rules Review Commission after the adoption of the Rule. If the Rules Review Commission receives written and signed objections after the adoption of the Rule in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive those objections by mail, delivery service, hand delivery, or facsimile transmission. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 919-431-3000.

Fiscal impact (check all that apply).

- ☐ State funds affected
- ☐ Environmental permitting of DOT affected
- ☐ Analysis submitted to Board of Transportation
- ☐ Local funds affected
- ☐ Date submitted to OSBM:
- ☐ Substantial economic impact (≥\$500,000)
- ☐ Approved by OSBM
- ☒ No fiscal note required by G.S. 150B-21.4

SUBCHAPTER 16Q - GENERAL ANESTHESIA AND SEDATION

SECTION .0200 - GENERAL ANESTHESIA

21 NCAC 16Q .0202 EQUIPMENT

(a) A dentist administering general anesthesia is solely responsible for providing that the environment in which the general anesthesia is to be administered meets the following requirements:

- (1) The facility is equipped with:
 - (A) An operatory of size and design to permit access of emergency equipment and personnel and to permit effective emergency management;
 - (B) A chair or table for emergency treatment, including chair suitable for CPR or CPR Board;
 - (C) Lighting as necessary for specific procedures; and
 - (D) Suction equipment as necessary for specific procedures, including non-electrical back-up suction;
- (2) The following equipment is maintained:
 - (A) Positive pressure oxygen delivery system, including full face mask for adults and pediatric patients;
 - (B) Oral and nasal airways of various sizes;
 - (C) Blood pressure monitoring device;
 - (D) Electrocardiograph;
 - (E) Pulse oximeter; and
 - (F) Defibrillator;
- (3) The following emergency equipment is maintained:
 - (A) I.V. set-up as necessary for specific procedures, including hardware and fluids;
 - (B) Laryngoscope with current batteries;
 - (C) Intubation forceps and endotracheal tubes;
 - (D) Tonsillar suction with back-up suction;
 - (E) Syringes as necessary for specific procedures;
 - (F) Tourniquet & tape; and
 - (G) Blood pressure monitoring device;
- (4) The following drugs are maintained with a current shelf life and within easy accessibility from the operatory and recovery room:
 - (A) Epinephrine;
 - (B) Atropine;
 - (C) Lidocaine;
 - (D) Antihistamine;
 - (E) Antihypertensive;
 - (F) Bronchial dilator;
 - (G) Antihypoglycemic agent;
 - (H) Vasopressor;

- (I) Corticosteroid;
 - (J) Anticonvulsant;
 - (K) Muscle relaxant;
 - (L) Appropriate reversal agents; ~~Narcotic antagonist~~;
 - (M) Appropriate anti-arrhythmic medication;
 - (N) Nitroglycerine and;
 - (O) Antiemetic.
- (5) Written emergency and patient discharge protocols and training to familiarize office personnel in the treatment of clinical emergencies are provided; and
 - (6) The following records are maintained:
 - (A) Patient's current written medical history, including known allergies and previous surgery;
 - (B) Base line vital signs, including blood pressure and pulse;
 - (C) An anesthesia record which shall include:
 - (i) Periodic vital signs taken at intervals during the procedure;
 - (ii) Drugs administered during the procedure, including route of administration, dosage, time and sequence of administration;
 - (iii) Duration of the procedure;
 - (iv) Documentation of complications or morbidity; and
 - (v) Status of patient upon discharge.
- (b) During an inspection or evaluation, the applicant or permit holder shall demonstrate the administration of anesthesia while the evaluator observes. During the demonstration, the applicant or permit holder shall demonstrate competency in the following areas:
- (1) Monitoring of blood pressure, pulse, and respiration;
 - (2) Drug dosage and administration;
 - (3) Treatment of untoward reactions including respiratory or cardiac depression;
 - (4) Sterilization;
 - (5) Use of CPR certified personnel;
 - (6) Monitoring of patient during recovery; and
 - (7) Sufficiency of patient recovery time.
- (c) During an inspection or evaluation, the applicant or permit holder shall verbally demonstrate competency to the evaluator in the treatment of the following clinical emergencies:
- (1) Laryngospasm;
 - (2) Bronchospasm;
 - (3) Emesis and aspiration;
 - (4) Respiratory depression and arrest;
 - (5) Angina pectoris;
 - (6) Myocardial infarction;
 - (7) Hypertension/Hypotension;

- (8) Syncope;
- (9) Allergic reactions;
- (10) Convulsions;
- (11) Bradycardia;
- (12) Insulin shock; and
- (13) Cardiac arrest.

(d) A dentist administering general anesthesia shall ensure that the facility is staffed with auxiliary personnel who shall document annual successful completion of basic life support training and be capable of assisting with procedures, problems, and emergency incidents that may occur as a result of the general anesthetic or secondary to an unexpected medical complication.

Authority G.S. 90-28; 90-30.1; 90-48.

SECTION .0300 - PARENTERAL CONSCIOUS SEDATION

21 NCAC 16Q .0302 CLINICAL REQUIREMENTS AND EQUIPMENT

(a) A dentist administering moderate conscious sedation or moderate pediatric conscious sedation or supervising the administration of moderate conscious sedation or moderate pediatric conscious sedation by a certified registered nurse anesthetist shall ensure that the facility in which the sedation is to be administered meets the following requirements:

- (1) The facility is equipped with:
 - (A) An operatory of size and design to permit access of emergency equipment and personnel and to permit effective emergency management;
 - (B) A CPR Board or a dental chair without enhancements, suitable for providing emergency treatment;
 - (C) Lighting as necessary for specific procedures; and
 - (D) Suction equipment as necessary for specific procedures, including non-electrical back-up suction.
- (2) The following equipment is maintained:
 - (A) Positive oxygen delivery system, including full face mask for adults and pediatric patients and back-up E-cylinder portable oxygen tank apart from the central system;
 - (B) Oral and nasal airways of various sizes;
 - (C) Blood pressure monitoring device;
 - (D) Pulse oximeter; and
 - (E) Automatic External Defibrillator (AED).
- (3) The following emergency equipment is maintained:
 - (A) I.V. set-up as necessary for specific procedures, including hardware and fluids, if anesthesia is intravenous;

- (B) Syringes as necessary for specific procedures; and
 - (C) Tourniquet and tape.
- (4) The following drugs are maintained with a current shelf life and within easy access from the operatory and recovery area:
- (A) Epinephrine;
 - (B) Atropine;
 - (C) ~~Narcotic antagonist;~~ Appropriate reversal agents;
 - (D) Antihistamine;
 - (E) Corticosteroid;
 - (F) Nitroglycerine;
 - (G) Bronchial dilator;
 - (H) ~~Antiemetic;~~ Antiemetic; and
 - ~~(I) Benzodiazepine antagonist; and~~
 - ~~(J)(1)~~ 50% Dextrose.
- (5) Written emergency and patient discharge protocols are maintained and training to familiarize office personnel in the treatment of clinical emergencies is provided; and
- (6) The following records are maintained for at least 10 years:
- (A) Patient's current written medical history, including known allergies and previous surgery;
 - (B) Drugs administered during the procedure, including route of administration, dosage, strength, time and sequence of administration;
 - (C) A sedation record which shall include:
 - (i) blood pressure;
 - (ii) pulse rate;
 - (iii) respiration;
 - (iv) duration of procedure;
 - (v) documentation of complications or morbidity; and
 - (vi) status of patient upon discharge.
- (b) During an inspection or evaluation, the applicant or permit holder shall demonstrate the administration of moderate conscious sedation on a patient, or where applicable, moderate pediatric conscious sedation on a patient, including the deployment of an intravenous delivery system, while the evaluator observes. Practices limited to pediatric dentistry will not be required to demonstrate the deployment of an intravenous delivery system. Instead, they will orally describe to the evaluator the technique of their training in intravenous and intraosseous deployment. During the demonstration, the applicant or permit holder shall demonstrate competency in the following areas:
- (1) Monitoring blood pressure, pulse, and respiration;
 - (2) Drug dosage and administration;
 - (3) Treatment of untoward reactions including respiratory or cardiac depression, if applicable;
 - (4) Sterile technique;

- (5) Use of CPR certified personnel;
 - (6) Monitoring of patient during recovery; and
 - (7) Sufficiency of patient recovery time.
- (c) During an inspection or evaluation, the applicant or permit holder shall verbally demonstrate competency to the evaluator in the treatment of the following clinical emergencies:
- (1) Laryngospasm;
 - (2) Bronchospasm;
 - (3) Emesis and aspiration;
 - (4) Respiratory depression and arrest;
 - (5) Angina pectoris;
 - (6) Myocardial infarction;
 - (7) Hypertension/Hypotension;
 - (8) Allergic reactions;
 - (9) Convulsions;
 - (10) Syncope;
 - (11) Bradycardia;
 - (12) Insulin shock; and
 - (13) Cardiac arrest.
- (d) A dentist administering moderate conscious sedation or moderate pediatric conscious sedation shall ensure that the facility is staffed with sufficient auxiliary personnel for each procedure performed who shall document annual successful completion of basic life support training and be capable of assisting with procedures, problems, and emergency incidents

that may occur as a result of the sedation or secondary to an unexpected medical complication.

(e) Upon request, the holder of a moderate pediatric conscious sedation or moderate conscious sedation permit may travel to the office of a licensed dentist who does not hold such a permit and provide sedation services at the level for which the traveling dentist holds a valid permit, as well as minimal sedation or moderate conscious sedation limited to oral routes for the patients of that dentist who are undergoing dental procedures. The permit holder is solely responsible for providing that the facility in which the sedation is administered meets the requirements established by the Board, that the required drugs and equipment are present, and that the permit holder utilizes sufficient auxiliary personnel for each procedure performed who shall document annual successful completion of basic life support training and be capable of assisting with procedures, problems, and emergency incidents that may occur as a result of the sedation or secondary to an unexpected medical complication.

(f) Holders of moderate conscious sedation permits limited to oral routes and nitrous oxide inhalation may not provide sedation at the office of a licensed dentist who does not hold an appropriate sedation permit.

Authority G.S. 90-28; 90-30.1; 90-48.

RULES REVIEW COMMISSION

This Section contains information for the meeting of the Rules Review Commission on March 21, 2013 at 1711 New Hope Church Road, RRC Commission 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. Specific instructions and addresses may be obtained from the Rules Review Commission at 919-431-3000. Anyone wishing to address the Commission should notify the RRC staff and the agency no later than 5:00 p.m. of the 2nd business day before the meeting. Please refer to RRC rules codified in 26 NCAC 05.

RULES REVIEW COMMISSION MEMBERS

Appointed by Senate

Addison Bell
Margaret Currin
Pete Osborne
Bob Rippy
Faylene Whitaker

Appointed by House

Ralph A. Walker
Anna Baird Choi
Jeanette Doran
Garth K. Dunklin
Stephanie Simpson

COMMISSION COUNSEL

Joe DeLuca (919)431-3081
Amanda Reeder (919)431-3079

RULES REVIEW COMMISSION MEETING DATES

April 18, 2013 May 16, 2013
June 20, 2013 July 18, 2013

RULES REVIEW COMMISSION

March 21, 2013

MINUTES

The Rules Review Commission met on Thursday, March 21, 2013, in the Commission Room at 1711 New Hope Church Road, Raleigh, North Carolina. Commissioners present were: Addison Bell, Margaret Currin, Jeanette Doran, Garth Dunklin, Bob Rippy, Stephanie Simpson, Ralph Walker and Faylene Whitaker. Commissioner Anna Baird Choi joined via Skype.

Staff members present were: Joe DeLuca and Amanda Reeder, Commission Counsel; Dana Vojtko, Julie Edwards and Tammara Chalmers.

The meeting was called to order at 10:03 a.m. with Chairman Walker presiding. He reminded the Commission members that they have a duty to avoid conflicts of interest and the appearances of conflicts as required by NCGS 138A-15(e).

APPROVAL OF MINUTES

Chairman Walker asked for any discussion, comments, or corrections concerning the minutes of the February 6, 2013 special meeting and the February 21, 2013 meeting. There were none and the minutes were approved as distributed.

Chairman Walker introduced OAH extern Carla Gray.

Chairman Walker welcomed new Commission Counsel Amanda Reeder.

FOLLOW-UP MATTERS

10A NCAC 09 .3004 – Child Care Commission. There has been no response from the agency and no action was taken.

21 NCAC 22F .0108, .0120 – Hearing Aid Dealers and Fitters Board – The Commission returned Rule .0108 to the agency for failure to comply with the Administrative Procedure Act. There was no response from the agency for Rule .0120 and no action was taken.

21 NCAC 22I .0103 – Hearing Aid Dealers and Fitters Board – The Commission unanimously approved the re-written rule.

21 NCAC 22J .0103 – Hearing Aid Dealers and Fitters Board – The Commission unanimously approved the re-written rule.

LOG OF FILINGS

Chairman Walker presided over the review of the log of permanent rules.

Home Inspector Licensure Board

11 NCAC 08 .1012 was approved unanimously.

The Commission extended the period of review for Rule .1116 because it believes that the language in (e)(2), “similar arrangement,” should be worded more clearly to indicate the precise nature of the arrangement that will not be allowed. At the meeting, the Board’s attorney indicated it would provide that clarification by adding language to the rule to clarify the regulatory intent.

Denise Stanford with the agency addressed the Commission.

Environmental Management Commission

15A NCAC 02L .0202 was approved unanimously.

Connie Brower and Evan Kane with the agency addressed the Commission.

Commission for Public Health

Prior to the review of the rules from the Commission for Public Health, Commissioner Rippy recused himself and did not participate in any discussion or vote concerning these rules because he operates public swimming pools.

All rules were approved unanimously.

Jim Hayes with the agency addressed the Commission.

Board of Podiatry Examiners

All rules were approved unanimously.

Penney DePas with the agency addressed the Commission.

Real Estate Commission

Prior to the review of the rules from the Real Estate Commission, Commissioner Dunklin recused himself and did not participate in any discussion or vote concerning these rules because he practices before that Commission.

Prior to the review of the rules from the Real Estate Commission, Commissioner Currin recused herself and did not participate in any discussion or vote concerning these rules because she has an inactive broker’s license.

All rules were approved unanimously with the following exceptions:

The Commission objected to Rule 58A .0110 based on ambiguity. It is not clear in (o), page 5 lines 27 and 28, who the rule applies to. Based on discussions at the Commission meeting it appears that the rule would apply to only a NC licensed broker who was not a NC resident and not a broker-in-charge of a NC office. But this may not be clear in all situations.

The Commission objected to Rule .1402 on the basis of lack of statutory authority and ambiguity. In both (a) and (b) there are discretionary actions that the Real Estate Commission may take. In neither case are there any standards set for when the discretionary authority shall or shall not be exercised so therefore it is unclear what those standards are. There is no authority cited to set those standards outside the rule.

Curtis Aldendifer with the agency addressed the Commission.

Board of Recreational Therapy Licensure

The Commission objected to Rules .0601 and .0901 on the basis of a failure to adopt them in accordance with the Administrative Procedure Act. The agency failed to make the technical changes as requested by counsel and the Commission cannot approve the rule until the changes are made. The issues leading to the technical change requests are serious enough that when cumulated they render the rules ambiguous.

The Commission objected to Rule .0602 on the basis of ambiguity. It is not clear whether the use of the licensee’s email address, as set out in the first sentence of (a) is mandatory or discretionary on the licensee’s part. The board’s Rule .0603 requires an applicant to “notify the Board within 30 days of a change of name, work or home address.” Rule .0401 concerning application procedures states in

(g) that the “Board shall mail any notices to a licensee at the last known address.” Taken together these three rules make it ambiguous whether the use of the email address to mail renewal notices is mandatory or at the discretion of the licensee.

Becky Garrett with the agency addressed the Commission.

OTHER BUSINESS

The meeting adjourned at 12:17 p.m.

The next scheduled meeting of the Commission is Thursday, April 18th at 10:00 a.m.

There is a digital recording of the entire meeting available from the Office of Administrative Hearings / Rules Division.

Respectfully Submitted,

Dana Vojtko
Publications Coordinator

Minutes approved by the Rules Review Commission.

Judge Ralph A. Walker/Chair

March 2013

Rules Review Commission
Meeting
Please Print Legibly

Name	Agency
Connie Brower	DENR - DWQ
SARA Nienan	DENR - DWQ
Evan Kane	DENR - DWQ
Janet Thoren	NCREC
Curtis Aldendiefer	NCREC
Lou Martin	SBE
David McGowan	NCAR
Bob Martin	DPH
Jim Hayes	DPH
Karen Waddell	NCDOT
Denise Stanford	NCDOT
Penney DePas	NC BRE
Jennifer Everett	DENR
Catherine Jorgensen	NC HADFB
Dechy Garrett	NC BRTL
Carla Evans	Extern-OAH
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CONTESTED CASE DECISIONS

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) 431-3000. Also, the Contested Case Decisions are available on the Internet at <http://www.ncoah.com/hearings>.

OFFICE OF ADMINISTRATIVE HEARINGS

Chief Administrative Law Judge
JULIAN MANN, III

Senior Administrative Law Judge
FRED G. MORRISON JR.

ADMINISTRATIVE LAW JUDGES

Beecher R. Gray
Selina Brooks
Melissa Owens Lassiter
Don Overby

Randall May
A. B. Elkins II
Joe Webster

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>DATE</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
<u>ALCOHOLIC BEVERAGE CONTROL COMMISSION</u>			
James Ivery Smith, Ivy Lee Armstrong v. ABC Commission	11 ABC 08266	04/12/12	
Trawick Enterprises LLC v. ABC Commission	11 ABC 08901	05/11/12	27:01 NCR 39
Dawson Street Mini Mart Lovell Glover v. ABC Commission	11 ABC 12597	05/23/12	
ABC Commission v. Christian Broome Hunt T/A Ricky's Sports Bar and Grill	11 ABC 13161	05/03/12	
Alabarati Brothers, LLC T/A Day N Nite Food Mart, v. ABC Commission	11 ABC 13545	05/01/12	
Playground LLC, T/A Playground v. ABC Commission	11 ABC 14031	05/16/12	27:01 NCR 64
ABC Commission v. Quick Quality, Inc., T/A Rock Star Grill and Bar	11 ABC 14036	07/05/12	
ABC Commission v. D's Drive Thru Inc. T/A D's Drive Thru	12 ABC 00060	05/29/12	
ABC Commission v. Choudhary, LLC T/A Speedway	12 ABC 00721	05/01/12	
ABC Commission v. Dos Perros Restaurant LLC T/A Dos Perros Restaurant	12 ABC 05312	09/25/12	
ABC Commission v. Bobby Warren Joyner T/A Hillsdale Club	12 ABC 06153	11/06/12	
ABC Commission v. Quick Quality, Inc., T/A Rock Star Grill and Bar	12 ABC 07260	12/11/12	
ABC Commission v. Fat Cats Grill and Oyster Bar Inc, T/A Fat Cats Grill and Oyster Bar	12 ABC 08988	12/19/12	
<u>DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY</u>			
Brian J. Johnson v. Department of Public Safety Victim Services	12 CPS 01664	12/21/12	
George H. Jagers, III v. Crime Victims Compensation Commission	12 CPS 01693	11/01/12	
Teresa Herbin v. Department of Public Safety Victim Services	12 CPS 03680	08/10/12	
Jacqueline M Davis victim-Antonio T Davis v. Dept. of Public Safety	12 CPS 05919	11/06/12	
Demario J. Livingston v. Dept. of Public Safety Victim Services	12 CPS 06245	10/19/12	
Shirley Ann Robinson v. N.C. Crime Victims Compensation Commission	12 CPS 07601	12/07/12	
<u>DEPARTMENT OF HEALTH AND HUMAN SERVICES</u>			
Stonestrow Group Home Medicaid Provider #6603018 Owned by Alberta Professional Services Inc v. DHHS, Division of Mental Health/Development Disabilities/ Substance Abuse, and DMA	09 DHR 05790	01/11/13	
Bright Haven Residential and Community Care d/b/a New Directions Group Home v. Division of Medical Assistance, DHHS	10 DHR 00232	04/27/12	
Warren W Gold, Gold Care Inc. d/b/a Hill Forest Rest Home, v. DHHS/Division of Health Service Regulation, Adult Care Licensure Section	10 DHR 01666	05/18/12	
Warren W Gold, Gold Care Inc. d/b/a Hill Forest Rest Home v. DHHS, Division of Health Service Regulation, Adult Care Licensure and Certification Section	10 DHR 05801	05/18/12	
Gold Care Inc. Licensee Hill Forest Rest Home Warren W. Gold v. DHHS, Adult Care	10 DHR 05861	05/18/12	

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Robert T. Wilson v. DHHS, DHSR	10 DHR 07700	01/29/13	
Mary Ann Barnes v. DHHS, Division of Health Service Regulation, Health Care Personnel Registry	11 DHR 6488	07/16/12	
Comprehensive PT Center v. DHHS, Division of Medical Assistance	11 DHR 9197	08/14/12	27:12 NCR 1204
Cherry's Group Home, Alphonso Cherry v. DHSR Michelle Elliot	11 DHR 09590	07/12/12	
Leslie Taylor v. DHHS, Division of Health Regulation	11 DHR 10404	10/19/12	
Powell's Medical Facility and Eddie N. Powell, M.D., v. DHHS, Division of Medical Assistance	11 DHR 01451	03/05/12	27:01 NCR 75
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Carlos Kendrick Hamilton v. DHHS, Division of Social Services	11 DHR 11161	10/16/12	27:16 NCR 1679
Teresa Diane Marsh v. DHHS, Division of Health Service Regulation	11 DHR 11456	04/27/12	
Betty Parks v. Division of Child Development, DHHS	11 DHR 11738	06/20/12	
Lorrie Ann Varner v. DHHS, Regulation Health Care Personnel Registry Section	11 DHR 11867	08/02/12	
Brenda Brewer v. DHHS, Division of Child Development	11 DHR 12064	08/03/12	27:12 NCR 1210
Timothy John Murray v. DHHS, Division of Health Service Regulation	11 DHR 12594	06/15/12	
Holly Springs Hospital II, LLC v. DHHS, Division of Health Service Regulation, CON Section and Rex Hospital, Inc., Harnett Health System, Inc. and WakeMed	11 DHR 12727	04/12/12	27:04 NCR 486
Rex Hospital, Inc., v. DHHS, Division of Health Service Regulation, CON Section and WakeMed, Holly Springs Hospital II, LLC, and Harnett Health System, Inc.	11 DHR 12794	04/12/12	27:04 NCR 486
Harnett Health System, Inc., v. DHHS, Division of Health Service Regulation, CON Section and Rex Hospital, Inc., Holly Springs Hospital II, LLC, and WakeMed	11 DHR 12795	04/12/12	27:04 NCR 486
WakeMed v. DHHS, Division of Health Service Regulation, CON Section and Holly Springs Hospital II, LLC, Rex Hospital, Inc., and Harnett Health System, Inc	11 DHR 12796	04/12/12	27:04 NCR 486
Sandra Ellis v. DHHS	11 DHR 12959	07/11/12	
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Michael Timothy Smith, Jr. v. DHHS, Division of Health Service Regulation	11 DHR 14184	08/01/12	
John S. Won v. DHHS	11 DHR 14232	09/05/12	27:15 NCR 1547
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Leslie Taylor, and Octavia Carlton v. Mecklenburg County Department of Social Services Youth and Family Services Division	11 DHR 14335	10/12/12	
Lauren Stewart v. DHHS, Division of Health Service Regulation, Health Care Personnel Registry	11 DHR 14570	06/08/12	
Alice M. Oakley v. Division of Child Development, DHHS	11 DHR 14571	05/15/12	27:04 NCR 508
McWilliams Center for Counseling Inc., v. DHHS, Division of Mental Health, Developmental Disabilities, Substance Abuse Services, and agency of the State of NC	11 DHR 15098	11/13/12	
Althea L. Flythe v. Durham County Health Department	12 DHR 00242	05/17/12	
Jerri Long v. DHHS, Division of Health Service Regulation, Health Care Personnel Registry	12 DHR 00361	07/06/12	
Renal Advantage, Inc., v. DHHS, Division of Health Service Regulation, CON Section and DVA Healthcare Renal Care, Inc	12 DHR 00518	08/28/12	27:15 NCR 1553
Angela Moye v. DHHS, Division of Health Service Regulation, Health Care Personnel Registry	12 DHR 00642	08/23/12	27:12 NCR 1218
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Evelyn Evans v. DHHS, Division of Health Service Regulation	12 DHR 02258	07/02/12	
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Valtina Bronson v. DHHS, Division of Health Service Regulation	12 DHR 06365	08/29/12	
Danny Skipper AKA Danny Skipper v. DHHS, Division of Health Services Regulation	12 DHR 06403	10/22/12	
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Fredia R Wall v. UNC Physicians & Associates 12 UNC 02256 10/04/12

Carolyn A. Green v. UNC Hospitals 12 UNC 02259 09/19/12

Annie E. Jarrett v. UNC Hospitals 12 UNC 03716 10/09/12

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Elonnie Alston v. UNC Hospitals 12 UNC 04551 09/11/12

Diara Z Andrews v. UNC Hospitals 12 UNC 04827 08/15/12

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