

Commission Review
Log of Permanent Rule Filings
October 21, 2014 through November 20, 2014

* Approval Recommended, ** Objection Recommended, *** Other

AGRICULTURE, BOARD OF

The rules in Chapter 9 are from the Food and Drug Protection Division.

The rules in Subchapter 9O concern the marketing of shell eggs.

Standards for Shell Eggs
Amend/*

02 NCAC 09O .0103

PRIVATE PROTECTIVE SERVICES BOARD

The rules in Subchapter 7D cover organization and general provisions (.0100); licenses and trainee permits (.0200); security guard patrol and guard dog service (.0300); private investigator and counterintelligence (.0400); polygraph (.0500); psychological stress evaluator (PSE) (.0600); unarmed security guard registration (.0700); armed security guard firearm registration permit (.0800); trainer certificate (.0900); recovery fund (.1000); training and supervision for private investigator associates (.1100); continuing education (.1300); unarmed armored car service guard registration requirements (.1400); and armed armored car service guard registration permit requirements (.1500).

Uniforms and Equipment
Amend/*

12 NCAC 07D .0105

Application Completion Deadline
Adopt/*

12 NCAC 07D .0116

Authorized Firearms
Amend/*

12 NCAC 07D .0809

Uniforms and Equipment
Adopt/*

12 NCAC 07D .1408

Uniforms and Equipment
Adopt/*

12 NCAC 07D .1508

CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION

This Criminal Justice Education and Training Standards Commission has primary responsibility for setting statewide education, training, employment, and retention standards for criminal justice personnel (not including sheriffs).

The rules in Subchapter 9A cover the Commission organization and procedure (.0100) and enforcement of the rules (.0200).

Definitions
Amend/*

12 NCAC 09A .0103

The rules in Subchapter 9B cover minimum standards for: employment (.0100); schools and training programs (.0200); criminal justice instructors (.0300); completion of training (.0400); school directors (.0500); and certification of post-secondary criminal justice education programs (.0600).

Admission of Trainees
Amend/*

12 NCAC 09B .0203

The rules in Subchapter 9G are the standards for correction including scope, applicability and definitions (.0100); minimum standards for certification of correctional officers, probation/parole officers, and probation/parole officers-intermediate (.0200); certification of correctional officers, probation/parole officers, probation/parole officers intermediate and instructors (.0300); minimum standards for training of correctional officers, probation/parole officers, and probation/parole officers-intermediate (.0400); enforcement of rules (.0500); professional certification program (.0600); and forms (.0700).

<u>Scope and Applicability of Subchapter</u> Amend/*	12 NCAC 09G .0101
<u>Definitions</u> Amend/*	12 NCAC 09G .0102
<u>Citizenship</u> Amend/*	12 NCAC 09G .0202
<u>Age</u> Amend/*	12 NCAC 09G .0203
<u>Education</u> Amend/*	12 NCAC 09G .0204
<u>Physical and Mental Standards</u> Amend/*	12 NCAC 09G .0205
<u>Moral Character</u> Amend/*	12 NCAC 09G .0206
<u>Certification of Correctional Officers and Probation/Paro...</u> Amend/*	12 NCAC 09G .0301
<u>Notification of Criminal Charges/Convictions</u> Amend/*	12 NCAC 09G .0302
<u>Probationary Certification</u> Amend/*	12 NCAC 09G .0303
<u>General Certification</u> Amend/*	12 NCAC 09G .0304
<u>Retention of Records of Certification</u> Amend/*	12 NCAC 09G .0306
<u>Basic Training for Probation/Parole Officers</u> Amend/*	12 NCAC 09G .0412
<u>Basic Training for Probation/Parole Officers Intermediate</u> Repeal/*	12 NCAC 09G .0413
<u>Suspension: Revocation: or Denial of Certification</u> Amend/*	12 NCAC 09G .0504
<u>General Provisions</u> Amend/*	12 NCAC 09G .0602

SHERIFFS EDUCATION AND TRAINING STANDARDS COMMISSION

Rules in Subchapter 10B are from the NC Sheriffs' Education and Training Standards Commission. These rules govern the commission organization and procedure (.0100); enforcement rules (.0200); minimum standards for employment as a justice officer (deputy or jailer) (.0300); certification of justice officers (.0400); standards and accreditation for justice officers schools, training programs, and the instructors (.0500-.0900); certificate and awards programs for sheriffs, deputies, justice officers, jailers,

reserve officers, and telecommunicators (.1000-.1700); in-service training (.2000); and firearms in-service training and re-qualification (.2100).

<u>Minimum Training Requirements</u> Amend/*	12 NCAC 10B .2005
<u>In-Service Training Program Specifications</u> Amend/*	12 NCAC 10B .2006

ENVIRONMENTAL MANAGEMENT COMMISSION

The rules in Subchapter 2B pertain to surface water standards and monitoring including procedures for assignment of water quality standards (.0100); the standards used to classify the waters of the state (.0200); stream classifications (.0300); effluent limitations (.0400); monitoring and reporting requirements (.0500); and water quality management plans (.0600).

<u>Flow Design Criteria for Effluent Limitations</u> Amend/*	15A NCAC 02B .0206
<u>Fresh Surface Water Quality Standards for Class C Waters</u> Amend/*	15A NCAC 02B .0211
<u>Fresh Surface Water Quality Standards for Class WS-I Waters</u> Amend/*	15A NCAC 02B .0212
<u>Fresh Surface Water Quality Standards for Class WS-II Waters</u> Amend/*	15A NCAC 02B .0214
<u>Fresh Surface Water Quality Standards for Class WS-III Wa...</u> Amend/*	15A NCAC 02B .0215
<u>Fresh Surface Water Quality Standards for Class WS-IV Waters</u> Amend/*	15A NCAC 02B .0216
<u>Fresh Surface Water Quality Standards for Class WS-V Waters</u> Amend/*	15A NCAC 02B .0218
<u>Tidal Salt Water Quality Standards for Class SC Waters</u> Amend/*	15A NCAC 02B .0220

The rules in Subchapter 2D are air pollution control requirements including definitions and references (.0100); air pollution sources (.0200); air pollution emergencies (.0300); ambient air quality standards (.0400); emission control standards (.0500); air pollutants monitoring and reporting (.0600); complex sources (.0800); volatile organic compounds (.0900); motor vehicle emission control standards (.1000); control of toxic air pollutants (.1100); control of emissions from incinerators (.1200); oxygenated gasoline standard (.1300); nitrogen oxide standards (.1400); general conformity for federal actions (.1600); emissions at existing municipal solid waste landfills (.1700); control of odors (.1800); open burning (.1900); transportation conformity (.2000); risk management program (.2100); special orders (.2200); emission reduction credits (.2300); clean air interstate rules (.2400); mercury rules for electric generators (.2500); and source testing (.2600).

<u>Definitions</u> Amend/*	15A NCAC 02D .0101
<u>Purpose and Scope</u> Repeal/*	15A NCAC 02D .0801
<u>Definitions</u> Repeal/*	15A NCAC 02D .0802
<u>Airport Facilities</u> Repeal/*	15A NCAC 02D .0804

<u>Parking Facilities</u>	15A NCAC 02D .0805
Repeal/*	
<u>Ambient Monitoring and Modeling Analysis</u>	15A NCAC 02D .0806
Repeal/*	
<u>Open Burning Purpose Scope</u>	15A NCAC 02D .1901
Amend/*	
<u>Definitions</u>	15A NCAC 02D .1902
Amend/*	

The rules in Subchapter 2H concern procedures for permits: approvals including point source discharges to the surface waters (.0100); waste not discharged to surface waters (.0200); coastal waste treatment disposal (.0400); water quality certification (.0500); laboratory certification (.0800); local pretreatment programs (.0900); stormwater management (.1000); biological laboratory certification (.1100); special orders (.1200); and discharges to isolated wetlands and isolated waters (.1300).

<u>Definitions</u>	15A NCAC 02H .1002
Amend/*	
<u>Stormwater Requirements: Oil and Gas Exploration and Prod...</u>	15A NCAC 02H .1030
Adopt/**	

The rules in Subchapter 2Q are from the EMC and relate to applying for and obtaining air quality permits and include general information (.0100); fees (.0200); application requirements (.0300); acid rain program requirements (.0400); establishment of an air quality permitting program (.0500); transportation facility requirements (.0600); toxic air pollutant procedures (.0700); exempt categories (.0800); and permit exemptions (.0900).

<u>Required Air Quality Permits</u>	15A NCAC 02Q .0101
Amend/*	
<u>Definitions</u>	15A NCAC 02Q .0103
Amend/*	
<u>Where to Obtain and File Permit Applications</u>	15A NCAC 02Q .0104
Amend/*	
<u>Permit and Application Fees</u>	15A NCAC 02Q .0203
Amend/*	
<u>Final Action on Permit Applications</u>	15A NCAC 02Q .0308
Amend/*	
<u>Purpose of Section and Requirement for a Permit</u>	15A NCAC 02Q .0601
Repeal/*	
<u>Definitions</u>	15A NCAC 02Q .0602
Repeal/*	
<u>Applications</u>	15A NCAC 02Q .0603
Repeal/*	
<u>Public Participation</u>	15A NCAC 02Q .0604
Repeal/*	
<u>Final Action on Permit Applications</u>	15A NCAC 02Q .0605
Repeal/*	
<u>Termination, Modification and Revocation of Permits</u>	15A NCAC 02Q .0606
Repeal/*	
<u>Application Processing Schedule</u>	15A NCAC 02Q .0607

Repeal/*

The rules in Subchapter 2T set out the requirements for the issuance of permits for waste systems that do not discharge to the surface waters of the state and include general requirements (.0100); and requirements for various systems including: wastewater pump and haul systems (.0200); sewer extensions (.0300); system-wide collection system permitting (.0400); wastewater irrigation systems (.0500); single-family residence wastewater irrigation systems (.0600); high rate infiltration systems (.0700); other non-discharge wastewater systems (.0800); reclaimed water systems (.0900); closed-loop recycle systems (.1000); residuals management (.1100); coal combustion products management (.1200); animal waste management systems (.1300); manure hauler operations (.1400); soil remediation (.1500); and groundwater remediation systems (.1600).

Permitting by Regulation 15A NCAC 02T .0113
Amend/*

Scope 15A NCAC 02T .1001
Amend/*

Scope 15A NCAC 02T .1501
Amend/*

The rules in Subchapter 2U concern reclaimed water including general requirements (.0100); application requirements (.0200); effluent standards (.0300); design standards (.0400); general utilization requirements (.0500); bulk distribution of reclaimed water (.0600); setbacks (.0700); operational plans (.0800); local program approval (.0900); wetlands augmentation (.1100); and irrigation to food chain crops (.1400).

Permitting by Regulation 15A NCAC 02U .0113
Amend/*

WILDLIFE RESOURCES COMMISSION

The rules in Subchapter 10F cover motorboats and water safety including boat registration (.0100); safety equipment and accident reports (.0200); and local water safety regulations covering speed limits, no-wake restrictions, restrictions on swimming and other activities, and placement of markers for designated counties or municipalities (.0300).

Mountain Island Lake: Mecklenburg, Gaston and Lincoln Cou... 15A NCAC 10F .0353
Amend/*

Perquimans County 15A NCAC 10F .0355
Amend/*

TRANSPORTATION, DEPARTMENT OF

The rules in Chapter 2 are from the Division of Highways.

The rules in Subchapter 2E concern miscellaneous operations including tort claims (.0100); outdoor advertising (.0200); junkyard control (.0300); general ordinances (.0400); selective vegetation removal policy (.0600); professional or specialized services (.0700); solicitation of contributions for religious purposes at rest areas (.0800); distribution of newspapers from dispensers at rest areas and welcome centers (.0900); scenic byways (.1000); tourist-oriented directional sign program (.1100); private property owners (.1200).

Selective Vegetation Removal Permit Required to Remove Ve... 19A NCAC 02E .0601

Amend/*	
<u>Requests for Selective Vegetation Removal Permits for a F...</u>	19A NCAC 02E .0602
Amend/*	
<u>Issuance or Denial of Selective Vegetation Removal Permit...</u>	19A NCAC 02E .0603
Amend/*	
<u>Conditions of Selective Vegetation Removal Permit for Fac...</u>	19A NCAC 02E .0604
Amend/*	
<u>Requests for Selective Vegetation Removal Permits for Out...</u>	19A NCAC 02E .0608
Amend/*	
<u>Issuance or Denial of Selective Vegetation Removal Permit...</u>	19A NCAC 02E .0609
Amend/*	
<u>Conditions of Selective Vegetation Removal Permit for Out...</u>	19A NCAC 02E .0610
Amend/*	
<u>Beautification and Replanting Requirements for Selective ...</u>	19A NCAC 02E .0611
Amend/*	
<u>Modified Vegetation Cut or Removal Zone for Outdoor Adver...</u>	19A NCAC 02E .0612
Adopt/*	

COSMETIC ART EXAMINERS, BOARD OF

The rules in Subchapter 14A are the Cosmetic Art Board of Examiners departmental rules including organizational rules (.0100); and license renewal waiver for armed forces (.0400).

<u>Address</u>	21 NCAC 14A .0104
Amend/*	

The rules in Subchapter 14T concern cosmetic art schools including the scope of the rules and school applications (.0100); physical requirements for cosmetic art schools (.0200); school equipment and supplies (.0300); student equipment (.0400); record keeping (.0500); curricula for all cosmetic art disciplines (.0600); school licensure, operations, closing and relocating schools (.0700); school inspections (.0800); and disciplinary actions (.0900).

<u>All Cosmetic Art Schools</u>	21 NCAC 14T .0201
Amend/**	
<u>Cosmetology Curriculum</u>	21 NCAC 14T .0602
Amend/*	
<u>Apprentice Cosmetology Curriculum</u>	21 NCAC 14T .0603
Amend/*	
<u>Esthetics Curriculum</u>	21 NCAC 14T .0604
Amend/*	
<u>Manicuring Curriculum</u>	21 NCAC 14T .0605
Amend/*	
<u>Natural Hair Care Curriculum</u>	21 NCAC 14T .0606
Amend/*	
<u>School Performance Requirements</u>	21 NCAC 14T .0705
Amend/*	

HEARING AID DEALERS AND FITTERS BOARD

The rules in Subchapter 22I concern professional affairs.

<u>Visual Inspection and Hearing Test</u> Amend/*	21	NCAC 22I	.0103
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The rules in Subchapter 22J concern code of ethics.

<u>Scope of Practice</u> Adopt/*	21	NCAC 22J	.0116
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LANDSCAPE ARCHITECTS, BOARD OF

The rules in Chapter 26 are from the Board of Landscape Architects and include statutory and administrative provisions (.0100); practice rules for registered landscape architects (.0200); examination and licensing procedures (.0300); rules, petitions and hearings (.0400); and board disciplinary procedures (.0500).

<u>Authority: Name and Location of the Board</u> Amend/*	21	NCAC 26	.0101
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<u>Organization of the Board's Officers</u> Amend/*	21	NCAC 26	.0103
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<u>Fees</u> Amend/*	21	NCAC 26	.0105
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<u>Suspension of Authority to Expend Funds</u> Adopt/*	21	NCAC 26	.0106
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<u>Definitions</u> Adopt/*	21	NCAC 26	.0107
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<u>Board Listing of Individuals and Firm Names</u> Amend/*	21	NCAC 26	.0201
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<u>Examination and Licensure</u> Amend/*	21	NCAC 26	.0301
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<u>Reciprocity License by Comity</u> Amend/*	21	NCAC 26	.0303
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<u>Continuing Education as a Condition of Annual Renewal</u> Amend/*	21	NCAC 26	.0307
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<u>Duties and Functions of Continuing Education Advisory Com...</u> Adopt/*	21	NCAC 26	.0308
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<u>Exemptions</u> Adopt/*	21	NCAC 26	.0309
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<u>Reinstatement Criteria</u> Adopt/*	21	NCAC 26	.0310
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<u>Applications for Approval</u> Adopt/*	21	NCAC 26	.0311
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<u>Compliance</u> Adopt/*	21	NCAC 26	.0312
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<u>Individual Licenses</u> Adopt/*	21	NCAC 26	.0313
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<u>Corporate Practice of Landscape Architecture</u> Adopt/*	21	NCAC 26	.0314
<u>Out-of-State Entities</u> Adopt/*	21	NCAC 26	.0315
<u>Disciplinary Review</u> Amend/*	21	NCAC 26	.0510

NURSING, BOARD OF

The rules in Chapter 36 include rules relating to general provisions (.0100); licensure (.0200); approval of nursing programs (.0300); unlicensed personnel and nurses aides (.0400); professional corporations (.0500); articles of organization (.0600); nurse licensure compact (.0700); and approval and practice parameters for nurse practitioners (.0800).

<u>Clinical Nurse Specialist Practice</u> Amend/*	21	NCAC 36	.0228
<u>Administration</u> Amend/*	21	NCAC 36	.0317
<u>Faculty</u> Amend/*	21	NCAC 36	.0318
<u>Records and Reports</u> Amend/*	21	NCAC 36	.0323

OCCUPATIONAL THERAPY, BOARD OF

The rules in Chapter 38 cover organization and general provisions (.0100); application for license (.0200); licensing (.0300); business conduct (.0400); provisions concerning rulemaking (.0500); administrative hearing procedures (.0600); professional corporations (.0700); continuing competence activity (.0800); supervision, supervisory roles, and clinical responsibilities of occupational therapists and occupational therapy assistants (.0900); supervision of limited permittees (.1000); and supervision of unlicensed personnel (.1100).

<u>Continuing Competence Requirements for Licensure</u> Amend/*	21	NCAC 38	.0802
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PHARMACY, BOARD OF

The rules in Chapter 46 cover organization of the board (.1200); general definitions (.1300); hospitals and other health facilities (.1400); admission requirements and examinations (.1500); licenses and permits (.1600); drugs dispensed by nurse and physician assistants (.1700); prescriptions (.1800); forms (.1900); administrative provisions (.2000); elections (.2100); continuing education (.2200); prescription information and records (.2300); dispensing in health departments (.2400); miscellaneous provisions (.2500); devices (.2600); nuclear pharmacy (.2700); compounding (.2800); product selection (.2900); disposal of unwanted drugs (.3000); clinical pharmacist practitioner (.3100); impaired pharmacist peer review program (.3200); and registry of pharmacist technicians (.3300).

<u>Physical Requirements</u> Amend/*	21	NCAC 46	.1412
<u>Compounding</u> Repeal/*	21	NCAC 46	.1810
<u>Medication in Health Departments</u> Amend/*	21	NCAC 46	.2401

<u>Drugs and Devices to be Dispensed</u>	21	NCAC 46	.2403
Amend/*			
<u>Compounding</u>	21	NCAC 46	.2801
Amend/*			
<u>Definitions</u>	21	NCAC 46	.2802
Repeal/*			
<u>Reg/Pharmacies Dispensing Sterile Pharmaceuticals</u>	21	NCAC 46	.2803
Repeal/*			
<u>Responsibilities of Pharmacist-Manager</u>	21	NCAC 46	.2804
Repeal/*			
<u>Labeling</u>	21	NCAC 46	.2805
Repeal/*			
<u>Records and Reports</u>	21	NCAC 46	.2806
Repeal/*			
<u>Anti-Neoplastic Agents</u>	21	NCAC 46	.2807
Repeal/*			
<u>Quality Assurance</u>	21	NCAC 46	.2808
Repeal/*			

APPRAISAL BOARD

The rules in Subchapter 57A cover licensing, certification and practice rules for appraisers including application procedures (.0100); licensing and certification (.0200); examination (.0300); general practice requirements (.0400); and appraisal standards (.0500).

<u>Supervision of Trainees</u>	21	NCAC 57A	.0407
Amend/*			

The rules in Subchapter 57B cover real estate appraisal education including the courses required for licensure or certification (.0100); course sponsor standards for pre-licensing or pre-certification courses (.0200); pre-licensing and pre-certification course standards (.0300); course sponsor fees (.0400); fees for private real estate appraisal education schools (.0500); and continuing education course standards (.0600).

<u>Registered Trainee Course Requirements</u>	21	NCAC 57B	.0101
Amend/*			
<u>Criteria for Course Approval</u>	21	NCAC 57B	.0603
Amend/*			

RESPIRATORY CARE BOARD

The rules in Chapter 61 are from the Respiratory Care Board and concern organization and definitions (.0100); application for license (.0200); licensing (.0300); continuing education requirements for license holders (.0400); miscellaneous provisions (.0500); rulemaking and declaratory rulings (.0600); and administrative hearing procedures (.0700).

<u>Continuing Education Requirements</u>	21	NCAC 61	.0401
Amend/*			

VETERINARY MEDICAL BOARD

The rules in Chapter 66 are from the Veterinary Medical Board including statutory and administrative provisions (.0100); practice of veterinary medicine (.0200); examination and licensing procedures (.0300); rules petitions hearings (.0400); declaratory rulings (.0500); administrative hearings procedures (.0600); administrative hearings decisions related rights (.0700) and judicial review (.0800).

Fees
Amend/*

21 NCAC 66 .0108

SOIL SCIENTISTS, BOARD FOR LICENSING OF

The rules in Chapter 69 are from the Board for Licensing of Soil Scientists including statutory and administrative provisions (.0100); licensing of soil scientists (.0200); continuing professional competency (.0300); standards of professional conduct (.0400); and disciplinary action and procedure (.0500).

Authority: Name and Location of Board
Amend/*

21 NCAC 69 .0101

Fees
Amend/*

21 NCAC 69 .0104