

Commission Review
Log of Permanent Rule Filings
October 21, 2015 through November 20, 2015

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

PESTICIDE BOARD

The rules in Chapter 9 are from the Food and Drug Protection Division of the Department of Agriculture and Consumer Services.

The rules in Subchapter 9L are from the N.C. Pesticide Board and include organizational rules (.0100); registration (.0300); samples and submissions (.0400); pesticide licenses (.0500); pesticide and pesticide container disposal (.0600); declaration of pests and restrictions on their control (.0700); bulk distribution of pesticides (.0800); aerial application of pesticides (.1000); private pesticide applicator certification (.1100); arsenic trioxide (.1200); availability of restricted use pesticides (.1300); ground application of pesticides (.1400); worker protection standards for agricultural pesticides (.1800); pesticide storage (.1900); chemigation (any process whereby pesticides are applied to land, crops, or plants using an irrigation system) (.2000); hearing rules of the North Carolina pesticide board (.2100); and interim protection measures for the Carolina heelsplitter mussel (.2200).

Notification of Apiaries 02 NCAC 09L .1009
Amend/*

CROP SEED IMPROVEMENT, BOARD OF

The rules in Subchapter 29B concern the duties of the board.

Appeal Board 02 NCAC 29B .0103
Repeal/*

AGRICULTURE, BOARD OF

The rules in Chapter 48 concern the plant industry.

The rules in Subchapter 48C concern seeds.

Recording Flue-Cured Varieties 02 NCAC 48C .0113
Amend/*

Recording Blends 02 NCAC 48C .0115
Amend/*

The rules in Chapter 52 concern the veterinary division.

The rules in Subchapter 52C concern the miscellaneous provisions for control of livestock diseases including diseased and dead animals (.0100); virus and bacteria diseases (.0200); diagnostic laboratories (.0300); bone meal (.0400); biological residues (.0500); disease reports (.0600); and miscellaneous requirements (.0700).

Intrastate Requirements: Cervidae 02 NCAC 52C .0701
Amend/*

INDUSTRIAL COMMISSION

The rules in Chapter 10 are from the Industrial Commission.

The rules in Subchapter 10A concern workers' compensation rules including administration (.0100); notice of act (.0200); insurance (.0300); disability, compensation, fees (.0400); agreements (.0500); claims administration and procedures (.0600); appeals (.0700); rules of the commission (.0800); report of earnings (.0900); and preauthorization for medical treatment (.1000).

<u>Location of Main Office and Hours of Business</u>	04	NCAC	10A	.0101
Amend/*				
<u>Electronic Filings with the Commission; How to File</u>	04	NCAC	10A	.0108
Adopt/*				
<u>Termination and Suspension of Compensation</u>	04	NCAC	10A	.0404
Amend/*				
<u>Reinstatement of Compensation</u>	04	NCAC	10A	.0405
Amend/*				
<u>Compromise Settlement Agreements</u>	04	NCAC	10A	.0502
Amend/*				
<u>Motions Practice in Contested Cases</u>	04	NCAC	10A	.0609
Amend/*				
<u>Medical Motions and Emergency Medical Motions</u>	04	NCAC	10A	.0609A
Amend/*				
<u>Pre-Trial Agreement</u>	04	NCAC	10A	.0610
Amend/*				
<u>Expert Witnesses and Fees</u>	04	NCAC	10A	.0613
Amend/*				
<u>Attorneys Retained for Proceedings</u>	04	NCAC	10A	.0617
Amend/*				

911 BOARD

The rules in Subchapter 06C concern the 911 Board including forms, definitions, administration (.0100); public safety answering points (PSAPS) (.0200); commercial mobile radio service (CMRS) Providers (.0300); and grant fund (.0400).

<u>Forms</u>	09	NCAC	06C	.0101
Adopt/*				
<u>Physical Address of 911 Board</u>	09	NCAC	06C	.0102
Adopt/*				
<u>Definitions</u>	09	NCAC	06C	.0103
Adopt/*				
<u>Failure to Comply with Rules</u>	09	NCAC	06C	.0104
Adopt/*				
<u>Service Provider Failure to Comply with Rules</u>	09	NCAC	06C	.0105
Adopt/**				
<u>PSAP Failure to Comply with Rules</u>	09	NCAC	06C	.0106
Adopt/**				
<u>Review 911 Funds Expenditures, Disbursements and Reimburs...</u>	09	NCAC	06C	.0107
Adopt/**				

<u>Waiver of Rules</u> Adopt/*	09	NCAC	06C	.0108
<u>Hearings</u> Adopt/*	09	NCAC	06C	.0109
<u>Declaratory Rulings</u> Adopt/*	09	NCAC	06C	.0110
<u>Requests for Declaratory Rulings</u> Adopt/**	09	NCAC	06C	.0111
<u>Response to a Request for Declaratory Ruling</u> Adopt/**	09	NCAC	06C	.0112
<u>Effect of a Declaratory Ruling</u> Adopt/**	09	NCAC	06C	.0113
<u>Record of Ruling</u> Adopt/**	09	NCAC	06C	.0114
<u>PSAP Eligibility</u> Adopt/*	09	NCAC	06C	.0201
<u>PSAP Eligible Expenses</u> Adopt/*	09	NCAC	06C	.0202
<u>Termination and Suspension of 911 Fund</u> Adopt/*	09	NCAC	06C	.0203
<u>PSAP Reporting</u> Adopt/*	09	NCAC	06C	.0204
<u>Comprehensive Emergency Management Plan (CEMP)</u> Adopt/**	09	NCAC	06C	.0205
<u>Back-up PSAPS</u> Adopt/*	09	NCAC	06C	.0206
<u>PSAP Operations and Management</u> Adopt/*	09	NCAC	06C	.0207
<u>Telecommunicator Qualifications, Training and Staffing</u> Adopt/*	09	NCAC	06C	.0208
<u>PSAP Call Operating Procedures</u> Adopt/*	09	NCAC	06C	.0209
<u>Public Safety Answering Point (PSAP) Facilities</u> Adopt/*	09	NCAC	06C	.0210
<u>Telephones</u> Adopt/*	09	NCAC	06C	.0211
<u>Dispatching Systems</u> Adopt/*	09	NCAC	06C	.0212
<u>Computer Aided (CAD) Dispatching Systems</u> Adopt/*	09	NCAC	06C	.0213
<u>Testing</u> Adopt/*	09	NCAC	06C	.0214
<u>Records</u> Adopt/*	09	NCAC	06C	.0215
<u>Assessing PSAP Operations</u> Adopt/**	09	NCAC	06C	.0216
<u>Registration of CMRS Service Providers</u> Adopt/*	09	NCAC	06C	.0301

<u>CMRS Service Provider Reimbursement Plans</u> Adopt/**	09	NCAC	06C	.0302
<u>Cost Recovery Plan Review</u> Adopt/**	09	NCAC	06C	.0303
<u>CMRS Service Provider Reimbursement</u> Adopt/**	09	NCAC	06C	.0304
<u>Remittance of Service Charges</u> Adopt/*	09	NCAC	06C	.0305
<u>Prepaid Wireless Service</u> Adopt/*	09	NCAC	06C	.0306
<u>PSAP Grants</u> Adopt/*	09	NCAC	06C	.0401
<u>Grants for Construction or Renovation</u> Adopt/*	09	NCAC	06C	.0402
<u>Grant Agreements</u> Adopt/*	09	NCAC	06C	.0403
<u>Grant Funds</u> Adopt/*	09	NCAC	06C	.0404
<u>Grantee Reports</u> Adopt/*	09	NCAC	06C	.0405

MEDICAL CARE COMMISSION

The rules in Subchapter 13O deal with the registries maintained by the Department of Health and Human Services including the healthcare personnel registry (.0100); medication aide registry (.0200); and nurse aide I registry (.0300).

<u>Nurse Aide I Training and Competency Evaluation</u> Adopt/*	10A	NCAC	13O	.0301
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RADIATION PROTECTION COMMISSION

The rules in Chapter 15 are from the Radiation Protection Commission and include general provisions (.0100); registration of radiation machines, facilities and services (.0200); licensing of radioactive material (.0300); safety requirements for industrial radiography operations (.0500); x-rays in the healing arts (.0600); use of radioactive sources in the healing arts (.0700); requirements for analytical x-ray equipment (.0800); requirements for particle accelerators (.0900); notices, instructions, reports and inspections (.1000); fees (.1100); land disposal of radioactive waste (.1200); requirements for wire-line service operators and subsurface-tracer studies (.1300); tanning facilities (.1400); licenses for disposal site access (.1500); and standards for protections against radiation (.1600).

<u>Communications</u> Amend/*	10A	NCAC	15	.0111
<u>Operating Requirements</u> Amend/*	10A	NCAC	15	.0805

ENVIRONMENTAL MANAGEMENT COMMISSION

The rules in Chapter 2 concern environmental management and are promulgated by the Environmental Management Commission or the Department of Environment and Natural Resources.

The rules in Subchapter 2L cover groundwater classifications and standards including general considerations (.0100); classifications and groundwater quality standards (.0200); the assignments of underground water classifications (.0300); risk-based assessment and corrective action for petroleum underground storage tanks (.0400); and risk-based assessment and correction action for non-UST petroleum releases (.0500).

<u>Purpose and Scope</u> Adopt/*	15A NCAC 02L .0501
<u>Definitions</u> Adopt/*	15A NCAC 02L .0502
<u>Rule Application</u> Adopt/*	15A NCAC 02L .0503
<u>Required Initial Abatement Actions by Responsible Party</u> Adopt/*	15A NCAC 02L .0504
<u>Requirements for Limited Site Assessment</u> Adopt/*	15A NCAC 02L .0505
<u>Discharge or Release Classifications</u> Adopt/*	15A NCAC 02L .0506
<u>Reclassification of Risk Levels</u> Adopt/*	15A NCAC 02L .0507
<u>Assessment and Remediation Procedures</u> Adopt/*	15A NCAC 02L .0508
<u>Notification Requirements</u> Adopt/*	15A NCAC 02L .0509
<u>Departmental Listing of Discharges or Releases</u> Adopt/*	15A NCAC 02L .0510
<u>Establishing Maximum Soil Contamination Concentrations</u> Adopt/*	15A NCAC 02L .0511
<u>Analytical Procedures for Soil Samples</u> Adopt/*	15A NCAC 02L .0512
<u>Analytical Procedures for Groundwater Samples</u> Adopt/*	15A NCAC 02L .0513
<u>Required Laboratory Certification</u> Adopt/*	15A NCAC 02L .0514
<u>Discharges or Releases from Other Sources</u> Adopt/*	15A NCAC 02L .0515

COSMETIC ART EXAMINERS, BOARD OF

The rules in Subchapter 14H are sanitation rules for both operators and facilities including sanitation (.0100); shop licensing and physical dimensions (.0200); cosmetic art shop and equipment (.0300); sanitation procedures and practices (.0400); and enforcement, maintenance of licensure (.0500).

<u>First Aid</u> Amend/*	21 NCAC 14H .0404
<u>Systems of Grading Beauty Establishments</u> Readopt without Changes/*	21 NCAC 14H .0504
<u>Rule Compliance and Enforcement Measures</u> Readopt without Changes/*	21 NCAC 14H .0505

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>Natural Hair Care Schools</u>	21	NCAC	14T	.0205
Readopt with Changes/*				
<u>Equipment for Cosmetology Schools</u>	21	NCAC	14T	.0302
Amend/**				
<u>Equipment for Esthetics Schools</u>	21	NCAC	14T	.0303
Amend/*				
<u>Equipment for Manicuring Schools</u>	21	NCAC	14T	.0304
Amend/*				
<u>Equipment for Natural Hair Care Styling Schools</u>	21	NCAC	14T	.0305
Readopt with Changes/*				
<u>Cosmetic Art Curricula</u>	21	NCAC	14T	.0601
Amend/*				
<u>Cosmetology Curriculum</u>	21	NCAC	14T	.0602
Readopt with Changes/*				
<u>Apprentice Cosmetology Curriculum</u>	21	NCAC	14T	.0603
Readopt with Changes/*				
<u>Esthetics Curriculum</u>	21	NCAC	14T	.0604
Readopt with Changes/*				
<u>Manicuring Curriculum</u>	21	NCAC	14T	.0605
Readopt with Changes/*				
<u>Natural Hair Care Curriculum</u>	21	NCAC	14T	.0606
Readopt with Changes/*				
<u>Cosmetology Teacher Trainee Curriculum</u>	21	NCAC	14T	.0607
Readopt without Changes/*				
<u>Esthetic Teacher Trainee Curriculum</u>	21	NCAC	14T	.0608
Readopt without Changes/*				
<u>Manicurist Teacher Trainee Curriculum</u>	21	NCAC	14T	.0609
Readopt without Changes/*				
<u>Natural Hair Care Teacher Curriculum</u>	21	NCAC	14T	.0610
Readopt without Changes/*				
<u>Instruction Guidelines</u>	21	NCAC	14T	.0612
Amend/*				
<u>School Operations/Licensure Maintenance</u>	21	NCAC	14T	.0701
Readopt with Changes/*				
<u>School Performance Requirements</u>	21	NCAC	14T	.0705
Readopt without Changes/*				

IRRIGATION CONTRACTORS LICENSING BOARD

The rules in Chapter 23 are from the Irrigation Contractors' Licensing Board and concern licensing (.0100); hearing rules of the North Carolina Irrigation Contractors' Licensing Board (0200); irrigation record drawing minimum standards (.0300); irrigation design minimum standards (.0400); irrigation system installation minimum standards (.0500); irrigation system management for water efficiency minimum standards (.0600); and fees (.0700).

<u>Continuing Education</u>	21	NCAC	23	.0104
Readopt with Changes/*				
<u>Conduct of Hearing</u>	21	NCAC	23	.0206
Readopt without Changes/*				
<u>Decision of Board</u>	21	NCAC	23	.0207
Readopt without Changes/*				
<u>Components and Zone Designs</u>	21	NCAC	23	.0406
Readopt without Changes/*				
<u>Trenching and Piping</u>	21	NCAC	23	.0505
Readopt without Changes/*				

MEDICAL BOARD

The rules in Chapter 32 are from the Medical Board.

The rules in Subchapter 32B concern license to practice medicine including prescribing (.1000); general (.1300); resident's training license (.1400); faculty limited license (.1500); purpose license (.1600); other business (.1700); and expedited license for physician license (.2000).

<u>Reentry to Active Practice</u>	21	NCAC	32B	.1370
Amend/*				
<u>Application for Resident's Training License</u>	21	NCAC	32B	.1402
Amend/*				

The rules in Subchapter 32S regulate physician assistants including physician assistant registration (.0200).

<u>Qualifications and Requirements for License</u>	21	NCAC	32S	.0202
Amend/*				

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).

<u>Fees</u>	21	NCAC	69	.0104
Amend/*				