

Commission Review

Log of Permanent Rule Filings

June 21, 2016 through July 20, 2016

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

ENVIRONMENTAL MANAGEMENT COMMISSION

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>Stormwater Discharges</u>	15A NCAC 02H .0126
Readopt without Changes/*	
<u>Definitions: NPDES MS4 Stormwaters</u>	15A NCAC 02H .0150
Readopt with Changes/*	
<u>NPDES MS4 Stormwater: Designation of Petition Process</u>	15A NCAC 02H .0151
Readopt with Changes/*	
<u>Development in Urbanizing Areas</u>	15A NCAC 02H .0152
Repeal/*	
<u>NPDES MS4 Stormwater: Program Implementation</u>	15A NCAC 02H .0153
Readopt with Changes/*	
<u>Post Construction Practices</u>	15A NCAC 02H .0154
Repeal/*	
<u>Post-Construction Stormwater Management: Purpose and Scope</u>	15A NCAC 02H .1001
Readopt with Changes/*	
<u>Definitions</u>	15A NCAC 02H .1002
Readopt with Changes/*	
<u>Requirements that Apply to All Subject Projects</u>	15A NCAC 02H .1003
Readopt with Changes/*	
<u>Stormwater Requirements: Coastal Counties</u>	15A NCAC 02H .1005
Repeal/*	
<u>Stormwater Requirements: High Quality Waters</u>	15A NCAC 02H .1006
Repeal/*	
<u>Stormwater Requirements: Outstanding Resource Waters</u>	15A NCAC 02H .1007
Repeal/*	
<u>Design of Stormwater Management Measures</u>	15A NCAC 02H .1008
Repeal/*	
<u>Staff Review and Permit Preparation</u>	15A NCAC 02H .1009
Repeal/*	
<u>Final Action on Permit Applications to the Division</u>	15A NCAC 02H .1010
Repeal/*	
<u>Modification and Revocation of Permits</u>	15A NCAC 02H .1011
Repeal/*	
<u>Delegation of Authority</u>	15A NCAC 02H .1012
Repeal/*	
<u>General Permits</u>	15A NCAC 02H .1013
Repeal/*	

<u>Stormwater Management for Urbanizing Areas</u> Repeal/*	15A NCAC 02H .1014
<u>Urbanizing Area Definitions</u> Repeal/*	15A NCAC 02H .1015
<u>Development in Urbanizing Areas: Applicability and Deline...</u> Readopt with Changes/*	15A NCAC 02H .1016
<u>NPDES MS4 and Urbanizing Areas: Post-Construction Practices</u> Readopt with Changes/*	15A NCAC 02H .1017
<u>Urbanizing Areas: Delegation</u> Adopt/*	15A NCAC 02H .1018
<u>Coastal Counties</u> Adopt/**	15A NCAC 02H .1019
<u>Universal Stormwater Management Program</u> Readopt with Changes/*	15A NCAC 02H .1020
<u>Non-Coastal County High Quality Waters (HQW) and Outstand...</u> Adopt/*	15A NCAC 02H .1021
<u>Permit Administration</u> Adopt/*	15A NCAC 02H .1040
<u>General Permits</u> Adopt/*	15A NCAC 02H .1041
<u>Standard Permitting Process</u> Adopt/**	15A NCAC 02H .1042
<u>Fast Track Permitting Process: Authorization to Construct</u> Adopt/**	15A NCAC 02H .1043
<u>Fast Track Permitting Process: Final Permit</u> Adopt/**	15A NCAC 02H .1044
<u>Requirements for Permit Transfers and Permit Renewals</u> Adopt/**	15A NCAC 02H .1045
<u>MDC for All Stormwater Control Measures</u> Adopt/**	15A NCAC 02H .1050
<u>MDC for Infiltration Systems</u> Adopt/**	15A NCAC 02H .1051
<u>MDC for Bioretention Cells</u> Adopt/**	15A NCAC 02H .1052
<u>MDC for Wet Ponds</u> Adopt/**	15A NCAC 02H .1053
<u>MDC for Stormwater Wetlands</u> Adopt/**	15A NCAC 02H .1054
<u>MDC for Permeable Pavement</u> Adopt/**	15A NCAC 02H .1055
<u>MDC for Sand Filters</u> Adopt/**	15A NCAC 02H .1056
<u>MDC for Rainwater Harvesting</u> Adopt/*	15A NCAC 02H .1057
<u>MDC for Green Roofs</u> Adopt/*	15A NCAC 02H .1058
<u>MDC for Level Spreader-Filter Strips</u> Adopt/**	15A NCAC 02H .1059

<u>MDC for Disconnected Impervious Surfaces</u> Adopt/**	15A NCAC 02H .1060
<u>MDC for Treatment Swales</u> Adopt/*	15A NCAC 02H .1061
<u>MDC for Dry Ponds</u> Adopt/*	15A NCAC 02H .1062

COASTAL RESOURCES COMMISSION

The rules in Subchapter 7H are the state guidelines for areas of environmental concern (AECs) including introduction and general comments (.0100); the estuarine system (.0200); ocean hazard areas (.0300); public water supplies (.0400); natural and cultural resource areas (.0500); development standards (.0600); general permits for construction or maintenance of bulkheads and the placement of riprap for shoreline protection in estuarine and public trust waters (.1100); piers, docks and boat houses in estuarine and public trust waters (.1200); general permit to construct boat ramps along estuarine and public trust shorelines and into estuarine and public trust waters (.1300); groins in estuarine and public trust waters (.1400); excavation within or connecting to existing canals, channels, basins, or ditches in estuarine waters, public trust waters, and estuarine shoreline AECs (.1500); aerial and subaqueous utility lines with attendant structures in coastal wetlands, estuarine waters, public trust waters and estuarine shorelines (.1600); emergency work requiring a CAMA or a dredge and fill permit (.1700); beach bulldozing landward of the mean high-water mark in the ocean hazard AEC (.1800); temporary structures within the estuarine and ocean hazard AECs (.1900); authorizing minor modifications and repair to existing pier/mooring facilities in estuarine and public trust waters and ocean hazard areas (.2000); construction of sheetpile sill for shoreline protection in estuarine and public trust waters (.2100); construction of freestanding moorings in established waters and public trust areas (.2200); replacement of existing bridges and culverts in estuarine waters, estuarine shorelines, public trust areas and coastal wetlands (.2300); placement of riprap for wetland protection in estuarine and public trust waters (.2400); replacement of structures; the reconstruction of primary or frontal dune systems; and the maintenance excavation of existing canals, basins, channels, or ditches, damaged, destroyed, or filled in by hurricanes or tropical storms (.2500); construction of wetland, stream and buffer mitigation sites by the North Carolina Ecosystem Enhancement Program or the North Carolina Wetlands Restoration Program (.2600); and the construction of riprap sills for wetland enhancement in estuarine and public trust waters (.2700).

<u>Coastal Wetlands</u> Amend/*	15A NCAC 07H .0205
<u>Purpose</u> Amend/*	15A NCAC 07H .1801
<u>Approval Procedures</u> Amend/*	15A NCAC 07H .1802
<u>General Conditions</u> Amend/*	15A NCAC 07H .1804
<u>Specific Conditions</u> Amend/*	15A NCAC 07H .1805
<u>Specific Conditions</u> Amend/*	15A NCAC 07H .2505

ENVIRONMENTAL MANAGEMENT COMMISSION

The rules in Chapter 13 concern Solid Waste Management.

The rules in Subchapter 13B concern Solid Waste Management including general provisions (.0100); permits for solid waste management facilities (.0200); treatment and processing facilities (.0300); transfer facilities (.0400); disposal sites (.0500); monitoring requirements (.0600); administrative penalty procedures (.0700); septage management (.0800); yard waste facilities (.0900); solid waste management loan program (.1000); scrap tire management (.1100); medical waste management (.1200); disposition of remains of terminated pregnancies (.1300); municipal solid waste compost facilities (.1400); standards for special tax treatment of recycling and resource recovery equipment and facilities (.1500); requirements for municipal solid waste landfill facilities (.1600); and requirements for beneficial use of coal combustion by-products (.1700).

<u>Permit Required</u> Amend/*	15A NCAC 13B .0201
<u>Option to Apply for Issuance of 10-Year Permit for Sanita...</u> Repeal/*	15A NCAC 13B .0206
<u>Life-of-Site Permit Issued for a Sanitary Landfill or Tra...</u> Adopt/*	15A NCAC 13B .0207

HEARING AID DEALERS AND FITTERS BOARD

The rules in Subchapter 22F concern general examination and license provisions.

<u>Annual Continuing Education Requirements</u> Amend/*	21 NCAC 22F .0202
<u>Self-Study</u> Amend/*	21 NCAC 22F .0208

The rules in Chapter 22 are from the hearing aid dealers and fitters board.

The rules in Subchapter 22L concern administrative hearings and contested cases.

<u>Committee on Investigations</u> Amend/*	21 NCAC 22L .0101
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LANDSCAPE CONTRACTORS' LICENSING BOARD

The rules in Subchapter 28B are from the Landscape Contractors' Licensing Board and include board meetings and definitions (.0100); licensure, reciprocity and seal (.0200); license renewal and reinstatement (.0300); continuing education (.0400); minimum standards (.0500); fees (.0600); complaints and investigations (.0700); and hearings process and summary suspension (.0800).

<u>Name and Location of Board</u> Adopt/*	21 NCAC 28B .0101
<u>Meetings</u> Adopt/*	21 NCAC 28B .0102
<u>Practice of Landscape Contracting</u> Adopt/*	21 NCAC 28B .0103
<u>Applications for Licensure</u> Adopt/*	21 NCAC 28B .0201
<u>Reciprocity</u> Adopt/*	21 NCAC 28B .0202

<u>Military-Trained Applicant; Military Spouse</u> Adopt/*	21	NCAC 28B .0203
<u>Maintain Current Information</u> Adopt/*	21	NCAC 28B .0204
<u>License Renewal; Waiver</u> Adopt/*	21	NCAC 28B .0301
<u>Reinstatement</u> Adopt/*	21	NCAC 28B .0302
<u>General</u> Adopt/*	21	NCAC 28B .0401
<u>Continuing Education Units</u> Adopt/*	21	NCAC 28B .0402
<u>Continuing Education Records; Audit</u> Adopt/*	21	NCAC 28B .0403
<u>Extension of Time</u> Adopt/*	21	NCAC 28B .0404
<u>Requests for Approval</u> Adopt/*	21	NCAC 28B .0405
<u>General</u> Adopt/*	21	NCAC 28B .0501
<u>Planting</u> Adopt/*	21	NCAC 28B .0502
<u>Turf</u> Adopt/*	21	NCAC 28B .0503
<u>Finish Grade</u> Adopt/*	21	NCAC 28B .0504
<u>Design and Consultation</u> Adopt/*	21	NCAC 28B .0505
<u>Drainage Systems and Cisterns</u> Adopt/*	21	NCAC 28B .0506
<u>Low-Voltage Lighting; Pools</u> Adopt/*	21	NCAC 28B .0507
<u>Walls</u> Adopt/*	21	NCAC 28B .0508
<u>Paving</u> Adopt/*	21	NCAC 28B .0509
<u>Pruning</u> Adopt/*	21	NCAC 28B .0510
<u>Wildflower, Native Grass, and No-Mow Seed Establishment</u> Adopt/*	21	NCAC 28B .0511
<u>Fee Schedule</u> Adopt/*	21	NCAC 28B .0601
<u>Complaints; Investigations</u> Adopt/*	21	NCAC 28B .0701
<u>Probable Cause</u> Adopt/*	21	NCAC 28B .0801
<u>Hearings</u> Adopt/*	21	NCAC 28B .0802

<u>Subpoenas</u>	21	NCAC 28B .0803
<u>Adopt/*</u>		
<u>Summary Suspension</u>	21	NCAC 28B .0804
<u>Adopt/*</u>		

MEDICAL BOARD

The rules in Subchapter 32R concern Continuing Medical Education (CME) Requirements.

<u>Continuing Medical Education (CME) Required</u>	21	NCAC 32R .0101
<u>Amend/*</u>		

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

<u>Continuing Medical Education</u>	21	NCAC 32S .0216
<u>Amend/*</u>		

OPTOMETRY, BOARD OF EXAMINERS IN

The rules in Subchapter 42J concern the fee schedule.

<u>Fees</u>	21	NCAC 42J .0101
<u>Amend/*</u>		

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>Medication in Health Departments</u>	21	NCAC 46 .2401
<u>Amend/*</u>		

<u>Drugs and Devices to be Dispensed</u>	21	NCAC 46 .2403
<u>Amend/*</u>		

PODIATRY EXAMINERS, BOARD OF

The rules in Chapter 52 concern Board of Podiatry Examiners including organization of the Board (.0100); examination and licensing (.0200); professional corporations (.0300); revocation or suspension of license (.0400); certification of podiatric assistants (.0500); general provisions (.0600); petitions for rules (.0700); notice of rulemaking hearings (.0800); rulemaking hearings (.0900); declaratory rulings (.1000); administrative hearing procedures (.1100); administrative hearings decisions related rights and procedures (.1200); nominations for podiatrist members of the board of podiatry examiners; the board of podiatry examiners constituting a board of podiatry elections; and procedures for holding an election (.1300); and scope of practice (.1400).

<u>Application</u>	21	NCAC 52	.0201
Readopt without Changes/*			
<u>Examination</u>	21	NCAC 52	.0202
Readopt without Changes/*			
<u>Re-Examination</u>	21	NCAC 52	.0204
Readopt without Changes/*			
<u>Practice Orientation</u>	21	NCAC 52	.0205
Readopt without Changes/*			
<u>Annual Renewal of License</u>	21	NCAC 52	.0207
Readopt without Changes/*			
<u>Applicants Licensed in Other States</u>	21	NCAC 52	.0209
Readopt without Changes/*			
<u>Fee for Validation of Licensee Lists; Computer Services</u>	21	NCAC 52	.0210
Readopt without Changes/*			
<u>Military License</u>	21	NCAC 52	.0211
Readopt without Changes/*			
<u>Specialty Credentialing Privileges</u>	21	NCAC 52	.0212
Readopt without Changes/*			
<u>Registration</u>	21	NCAC 52	.0301
Readopt without Changes/*			
<u>Annual Renewal</u>	21	NCAC 52	.0302
Readopt without Changes/*			
<u>Penalties</u>	21	NCAC 52	.0303
Readopt without Changes/*			
<u>Hearings</u>	21	NCAC 52	.0402
Readopt without Changes/*			
<u>Service of Notice</u>	21	NCAC 52	.0403
Readopt without Changes/*			
<u>Place of Hearings</u>	21	NCAC 52	.0404
Readopt without Changes/*			
<u>Appeal</u>	21	NCAC 52	.0408
Readopt without Changes/*			
<u>Application for Examination</u>	21	NCAC 52	.0601
Readopt without Changes/*			
<u>Appl/Exam/Podiatrist Licensed/Other States (Reciprocity)</u>	21	NCAC 52	.0610
Readopt without Changes/*			
<u>Payment of Fees</u>	21	NCAC 52	.0612
Readopt without Changes/*			
<u>Fee Schedule</u>	21	NCAC 52	.0613
Readopt without Changes/*			
<u>Petition for Rulemaking Hearings</u>	21	NCAC 52	.0701
Readopt without Changes/*			
<u>Contents of Petition</u>	21	NCAC 52	.0702
Readopt without Changes/*			
<u>Dispositions of Petitions</u>	21	NCAC 52	.0703
Readopt without Changes/*			
<u>Notice Mailing List</u>	21	NCAC 52	.0804
Readopt without Changes/*			

<u>Subjects of Declaratory Rulings</u> Readopt without Changes/*	21	NCAC 52	.1001
<u>Submission of Request for Ruling</u> Readopt without Changes/*	21	NCAC 52	.1002
<u>Disposition of Requests</u> Readopt without Changes/*	21	NCAC 52	.1003
<u>Record of Decision</u> Readopt without Changes/*	21	NCAC 52	.1004
<u>Definition</u> Readopt without Changes/*	21	NCAC 52	.1005
<u>Simplification of Issues</u> Readopt without Changes/*	21	NCAC 52	.1202
<u>Subpoenas</u> Readopt without Changes/*	21	NCAC 52	.1203
<u>Final Decisions in Administrative Hearings</u> Readopt without Changes/*	21	NCAC 52	.1204
<u>Board of Podiatry Examiners Elections</u> Readopt without Changes/*	21	NCAC 52	.1301
<u>Procedures for Conducting Elections</u> Readopt without Changes/*	21	NCAC 52	.1302
<u>Soft Tissue Procedures</u> Readopt without Changes/*	21	NCAC 52	.1401

BUILDING CODE COUNCIL

<u>2012 NC Building Code/Family or Assisted -Use Toilet and ...</u> Amend/*	1109.2.1
<u>2012 NC Plumbing Code/General Definitions</u> Amend/*	202
<u>2012 NC Plumbing Code/Tempered Water for Public Hand-Wash...</u> Amend/*	416.5
<u>2012 NC Residential Code/Air Space</u> Amend/*	R703.7.4.2
<u>2014 NC Electrical Code/Branch Circuit Extensions or Modi...</u> Amend/*	210.12 (B)
<u>2014 NC Electrical Code/Installation Methods for Branch C...</u> Amend/*	338.10 (B) (4)