

1 19A NCAC 06B .0402 is readopted with changes as published in 31:03 NCR 149 as follows:

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3 **19A NCAC 06B .0402 IDENTIFYING INFORMATION**

4 Information related to RIAP may be obtained from:

5 ~~Director, Rail Division~~

6 ~~NC DOT~~

7 ~~PO Box 25201~~

8 ~~1 South Wilmington Street~~

9 ~~Raleigh, NC 27611~~

10 ~~Telephone 919 733 4713~~

11  
12 Branch Manager, Planning and Development

13 North Carolina Department of Transportation

14 (Mail) 1553 Mail Service Center

15 Raleigh, NC 27699-1553

16  
17 (Delivery) 1 South Wilmington Street

18 Raleigh, NC 27601

19  
20 Telephone 919-707-4700

21  
22 <http://www.ncbytrain.org/projects/industrial/default.html>

23  
24 *History Note: Authority G.S. 136-44.36; ~~143B-350(f) and (g); 143B-348;~~*

25 *Eff. April 30, 1997. 1997;*

26 *Readopted Eff. December 1, 2016.*

1 19A NCAC 06B .0405 is readopted with changes as published in 31:03 NCR 149 as follows:

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3 **19A NCAC 06B .0405 INELIGIBLE COSTS**

4 Costs which are not eligible for RIAP program costs are as follows:

- 5 (1) Relocation of utilities;
- 6 (2) Acquisition of rights of way; and
- 7 (3) Rail dock.

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9 *History Note:* Authority G.S. 136-44.36; ~~143B-350(f) and (g); 143B-348;~~

10 *Eff. April 30, 1997;*

11 *Amended Eff. April 1, ~~1999-1999;~~*

12 *Readopted Eff. December 1, 2016.*

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1 19A NCAC 06B .0406 is readopted with changes as published in 31:03 NCR 150 as follows:

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3 **19A NCAC 06B .0406 APPLICATION**

4 Candidates for RIAP funding shall complete and submit a funding application as specified in Rule .0410 of this Section to the  
5 Department of Transportation. Copies of the application may be obtained from:

6 Director, Rail Division

7 North Carolina Department of Transportation

8 PO Box 25201

9 1 South Wilmington Street

10 Raleigh, NC 27611

11 Telephone 919-733-4713

12  
13 Branch Manager, Planning and Development

14 North Carolina Department of Transportation

15 (Mail) 1553 Mail Service Center

16 Raleigh, NC 27699-1553

17  
18 (Delivery) 1 South Wilmington Street

19 Raleigh, NC 27601

20  
21 Telephone 919-707-4700

22  
23  
24 *History Note: Authority G.S. 136-44.36; 143B-350(f) and (g); 143B-348;*

25 *Eff. April 30, ~~1997~~-1997:*

26 *Readopted Eff. December 1, 2016.*

1 19A NCAC 06B .0410 is readopted with changes as published in 31:03 NCR 150 as follows:

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**19A NCAC 06B .0410 APPLICATION EVALUATION**

The Department shall evaluate the following when recommending rail projects to the Board of Transportation for approval:

- (1) Employment created ~~in~~ by the project during the first two years;
- (2) Capital investment in the project during the first two years;
- (3) Annual rail ~~traffic~~; rail traffic created by the project;
- ~~(4)~~ Whether the project is located in a county designated as distressed by the North Carolina Department of Commerce as defined in G.S. 105-130.40(e) or G.S. 105-151.17(e);
- ~~(5)~~ (4) Whether the project is served by a shortline railroad; and
- ~~(6)~~ (5) Impact on local or regional income or economic development.

*History Note:* Authority G.S. 105-130.40(e); 105-151.17(e); 136-44.36; 143B-350(f) and (g); 143B-348;  
 Eff. April 30, 1997;  
 Amended Eff. April 1, ~~1999-1999~~;  
 Readopted Eff. December 1, 2016.

1 19A NCAC 06B .0411 is readopted with changes as published in 31:03 NCR 150 as follows:

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3 **19A NCAC 06B .0411 ALLOCATION OF FUNDING**

4 (a) After evaluation of public benefits, including new ~~employment and employment~~, capital ~~investment investment~~, and  
5 ~~available funding, funding available~~, the Department may award up to a maximum 50% of total project costs. Except as  
6 provided in Paragraph (b) of this Rule, a project shall receive no more than 20% of the ~~total RIAP budget allocated annual~~  
7 ~~budgeted funding~~ for the RIAP in any fiscal year.

8 (b) The North Carolina Board of Transportation may approve funding above the maximum for individual projects based on  
9 the following criteria:

10 (1) Comparison of project costs, benefits, and grantee resources; and

11 (2) Availability of funding.

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13 *History Note:* Authority G.S. 136-44.36; ~~143B-350(f) and (g); 143B-348;~~

14 *Eff. April 30, 1997. 1997;*

15 *Readopted Eff. December 1, 2016.*

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1 19A NCAC 06B .0413 is readopted with changes as published in 31:03 NCR 150 as follows:  
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3 **19A NCAC 06B .0413 REQUESTS FOR REIMBURSEMENT**

4 (a) Upon execution of the Grant Agreement, the Grantee may shall be required by the Project Manager or Grants  
5 Administrator to submit periodic progress reports to the Department until the project tracks are completed.

6 (b) The Department shall not reimburse the Grantee for eligible expenses until the Department verifies completion of the  
7 project tracks, the railroad certifies that it has used the project tracks, or the Department confirms that the railroad has used the  
8 project tracks.

9 (c) The Grantee shall submit one itemized request that includes project information, sponsor, amount due, and contact  
10 information for reimbursement to the Department upon completion of project work at the following address:

11 ~~Grants Administrator~~ Rail Planning Manager

12 Rail Industrial Access Program

13 North Carolina Department of Transportation

14 ~~PO Box 25204~~

15 ~~1 South Wilmington Street~~

16 Raleigh, NC 27611

17 (Mail) 1553 Mail Service Center

18 Raleigh, NC 27699-1553

19  
20 (Delivery) 1 South Wilmington Street

21 Raleigh, NC 27601

22  
23 Telephone 919-707-4700  
24  
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26 (d) The Department shall examine the request for reimbursement to verify that the costs were necessary to accomplish the  
27 project.

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29 *History Note:* Authority G.S. 143B-350(f) and (g); 143B-348;

30 Eff. April 30, 1997; April 1, 1999-1999;

31 Readopted Eff. December 1, 2016.  
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