

Commission Review
Log of Permanent Rule Filings
February 21, 2017 through March 20, 2017

PUBLIC HEALTH, COMMISSION FOR

The rules in Chapter 41 concern epidemiology health.

The rules in Subchapter 41A deal with communicable disease control and include reporting of communicable diseases (.0100); control measures for communicable diseases including special control measures (.0200-.0300); immunization (.0400); purchase and distribution of vaccine (.0500); special program/project funding (.0600); licensed nursing home services (.0700); communicable disease grants and contracts (.0800); and biological agent registry (.0900).

<u>Sale of Turtles Restricted</u>	10A NCAC 41A .0302
Amend/	

ENVIRONMENTAL MANAGEMENT COMMISSION

The rules in Subchapter 2N concern underground storage tanks including general considerations (.0100); program scope and interim prohibition (.0200); UST systems: design, construction, installation, and notification (.0300); general operating requirements (.0400); release detection (.0500); release reporting, investigation, and confirmation (.0600); release response and corrective action for UST systems containing petroleum or hazardous substances (.0700); out-of-service UST systems and closure (.0800); performance standards for UST system or UST system component installation or replacement completed on or after november 1, 2007 (.0900); and UST systems with field-constructed tanks and airport hydrant fuel distribution systems (.1000).

<u>General</u>	15A NCAC 02N .0101
Amend/	
<u>Copies of Referenced Federal Regulations</u>	15A NCAC 02N .0102
Amend/	
<u>Adoption by Reference Updates</u>	15A NCAC 02N .0103
Repeal/	
<u>Identification of Tanks</u>	15A NCAC 02N .0104
Amend/	
<u>Applicability</u>	15A NCAC 02N .0201
Amend/	
<u>Installation Requirements for Partially Excluded UST Systems</u>	15A NCAC 02N .0202
Amend/	
<u>Definitions</u>	15A NCAC 02N .0203
Amend/	
<u>Performance Standards for New UST System Installations or...</u>	15A NCAC 02N .0301
Amend/	
<u>Upgrading of Existing UST Systems After December 22, 1988...</u>	15A NCAC 02N .0302
Amend/	
<u>Notification Requirements</u>	15A NCAC 02N .0303
Amend/	
<u>Implementation Schedule for Performance Standards for New...</u>	15A NCAC 02N .0304
Amend/	

<u>Spill and Overfill Control</u>	15A NCAC 02N .0401
Amend/	
<u>Operation and Maintenance of Corrosion Protection</u>	15A NCAC 02N .0402
Amend/	
<u>Compatibility</u>	15A NCAC 02N .0403
Amend/	
<u>Repairs Allowed</u>	15A NCAC 02N .0404
Amend/	
<u>Reporting and Recordkeeping</u>	15A NCAC 02N .0405
Amend/	
<u>Periodic Testing of Spill Prevention Equipment and Contai...</u>	15A NCAC 02N .0406
Adopt/	
<u>Periodic Operation and Maintenance Walkthrough Inspections</u>	15A NCAC 02N .0407
Adopt/	
<u>General Requirements for All UST Systems</u>	15A NCAC 02N .0501
Amend/	
<u>Requirements for Petroleum UST Systems</u>	15A NCAC 02N .0502
Amend/	
<u>Requirements for Hazardous Substance UST Systems</u>	15A NCAC 02N .0503
Amend/	
<u>Methods of Release Detection for Tanks</u>	15A NCAC 02N .0504
Amend/	
<u>Methods of Release Detection for Piping</u>	15A NCAC 02N .0505
Amend/	
<u>Release Detection Recordkeeping</u>	15A NCAC 02N .0506
Amend/	
<u>Reporting of Suspected Releases</u>	15A NCAC 02N .0601
Amend/	
<u>Investigation Due to Site Impacts</u>	15A NCAC 02N .0602
Amend/	
<u>Release Investigation and Confirmation Steps</u>	15A NCAC 02N .0603
Amend/	
<u>Reporting and Cleanup of Spills and Overfills</u>	15A NCAC 02N .0604
Amend/	
<u>General</u>	15A NCAC 02N .0701
Amend/	
<u>Initial Response</u>	15A NCAC 02N .0702
Amend/	
<u>Initial Abatement Measures and Site Check</u>	15A NCAC 02N .0703
Amend/	
<u>Initial Site Characterization</u>	15A NCAC 02N .0704
Amend/	
<u>Free Product Removal</u>	15A NCAC 02N .0705
Amend/	
<u>Investigations for Soil and Groundwater Cleanup</u>	15A NCAC 02N .0706
Amend/	
<u>Corrective Action Plan</u>	15A NCAC 02N .0707
Amend/	

<u>Public Participation</u>	15A NCAC 02N .0708
Amend/	
<u>Temporary Closure</u>	15A NCAC 02N .0801
Amend/	
<u>Permanent Closure and Changes-In-Service</u>	15A NCAC 02N .0802
Amend/	
<u>Assessing the Site at Closure or Change-In-Services</u>	15A NCAC 02N .0803
Amend/	
<u>Applicability to Previously Closed UST Systems</u>	15A NCAC 02N .0804
Amend/	
<u>Closure Records</u>	15A NCAC 02N .0805
Amend/	
<u>Definitions</u>	15A NCAC 02N .1001
Adopt/	
<u>General Requirements</u>	15A NCAC 02N .1002
Adopt/	
<u>Additions, Exceptions, and Alternatives for UST Systems w...</u>	15A NCAC 02N .1003
Adopt/	

The rules in Subchapter 2O concern financial responsibility requirements for owners and operators of underground storage tanks including general considerations (.0100); program scope (.0200); assurance mechanisms, responsibilities of owners and operators (.0400); and changes in status (.0500).

<u>Substitution of Financial Assurance Mechanisms</u>	15A NCAC 02O .0309
Repeal/	
<u>Cancellation or Nonrenewal by a Provider of Assurance</u>	15A NCAC 02O .0310
Repeal/	
<u>Local Government Bond Rating Test</u>	15A NCAC 02O .0311
Adopt/	
<u>Local Government Financial Test</u>	15A NCAC 02O .0312
Adopt/	
<u>Local Government Guarantee</u>	15A NCAC 02O .0313
Adopt/	
<u>Local Government Fund</u>	15A NCAC 02O .0314
Adopt/	
<u>Substitution of Financial Assurance Mechanisms</u>	15A NCAC 02O .0315
Adopt/	
<u>Cancellation or Nonrenewal by a Provider of Assurance</u>	15A NCAC 02O .0316
Adopt/	

MARINE FISHERIES COMMISSION

The rules in Subchapter 3H concern general information for the marine fisheries commission.

<u>Proclamations, General</u>	15A NCAC 03H .0103
Amend/	

The rules in Subchapter 3J concern the use of nets in general (.0100) and in specific areas (.0200); the use of pots, dredges, and other fishing devices (.0300); fishing gear (.0400); and pound nets (.0500).

Trawl Nets 15A NCAC 03J .0104
Amend/

The rules in subchapter 3K concern oyster, clams, scallops and mussels including shellfish, general (.0100); crabs (.0200); hard clams (mercenaria) (.0300); rangia clams (.0400); and scallops (.0500).

Public Health and Control of Oysters, Clams, Scallops and... 15A NCAC 03K .0110
Amend/

Oyster Harvest Management 15A NCAC 03K .0201
Amend/

Culling Requirements for Oysters 15A NCAC 03K .0202
Amend/

Mechanical Harvest of Clams from Public Bottom 15A NCAC 03K .0302
Amend/

The rules in Subchapter 3L concern shrimp (.0100); crabs (.0200); and lobsters (.0300).

Weekend Shrimping Prohibited 15A NCAC 03L .0102
Amend/

The rules in Subchapter 3M cover harvesting of finfish including general rules (.0100); striped bass (.0200); mackerel (.0300); menhaden and Atlantic herring (.0400); and other finfish (.0500).

Spotted Seatrout 15A NCAC 03M .0522
Adopt/

The rules in Subchapter 3O cover various licenses (.0100); leases and franchises (.0200); license appeal procedures (.0300); Standard Commercial Fishing License Eligibility Board (.0400); and licenses, leases and franchises (.0500).

Suspension, Revocation and Reissuance of Licenses 15A NCAC 03O .0114
Amend/

Standards and Requirements for Shellfish Bottom Leases an... 15A NCAC 03O .0201
Amend/

Termination of Shellfish Bottom Leases and Franchises and... 15A NCAC 03O .0208
Amend/

Procedures and Requirements to Obtain Permits 15A NCAC 03O .0501
Amend/

Permit Conditions; Specific 15A NCAC 03O .0503
Amend/

The rules in Subchapter 3P concern hearing procedures (.0100); declaratory rules (.0200); and petitions for rulemaking (.0300).

License, Permit, or Certificate Denial: Request for Review
Amend/

15A NCAC 03P .0101

The rules in Subchapter 3R specify boundaries for various areas (.0100); and fishery management areas (.0200).

Primary Nursery Areas
Amend/

15A NCAC 03R .0103

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).

Sampling and Analysis
Amend/

15A NCAC 13B .0840

CERTIFIED PUBLIC ACCOUNTANT EXAMINERS, BOARD OF

The rules in Chapter 8 are from the N C State Board of Certified Public Accountant Examiners.

The rules in Subchapter 8A are departmental rules including organizational rules (.0100), board procedures (.0200), and definitions (.0300).

Definitions
Amend/

21 NCAC 08A .0301

The rules in Subchapter 8I concern revocation of certificates and other disciplinary action.

Disciplinary Action
Amend/

21 NCAC 08I .0101

The rules in Subchapter 8N are professional ethics and conduct rules including scope and applicability (.0100); rules applicable to all CPAs (.0200); rules applicable to CPAs who use the CPA title in offering or rendering products or services to clients (.0300); and rules applicable to CPAs performing attest services (.0400).

Discreditable Conduct Prohibited
Amend/

21 NCAC 08N .0203

Reporting Convictions, Judgements, and Disciplinary Actions
Amend/

21 NCAC 08N .0208

Retention of Client Records
Amend/

21 NCAC 08N .0305

LOCKSMITH LICENSING BOARD

The rules in Chapter 29 include general rules (.0100); rules about examinations (.0200); licensing requirements (.0400); code of ethics (.0500); administrative law procedures (.0600); license renewal requirements (.0700); and continuing education (.0800).

<u>Meetings</u>	21	NCAC 29	.0102
Readopt with Changes/			
<u>Examination Fee</u>	21	NCAC 29	.0201
Amend/			
<u>Requirements of Examinees</u>	21	NCAC 29	.0204
Readopt without Changes/			
<u>Failure to Attend Scheduled Examination Session</u>	21	NCAC 29	.0205
Readopt without Changes/			
<u>Special Administration</u>	21	NCAC 29	.0206
Readopt without Changes/			
<u>Application Form</u>	21	NCAC 29	.0401
Readopt without Changes/			
<u>Establishment of Moral and Ethical Character</u>	21	NCAC 29	.0402
Readopt without Changes/			
<u>Fees</u>	21	NCAC 29	.0404
Readopt without Changes/			
<u>Fair Business Practices</u>	21	NCAC 29	.0502
Readopt without Changes/			
<u>Protection of the Public Interest</u>	21	NCAC 29	.0503
Readopt without Changes/			
<u>Technical Integrity</u>	21	NCAC 29	.0504
Readopt without Changes/			
<u>Petitions for Adoption, Amendment or Repeal of Rules</u>	21	NCAC 29	.0601
Readopt without Changes/			
<u>Due Date</u>	21	NCAC 29	.0702
Readopt with Changes/			
<u>Reinstatement of Expired License</u>	21	NCAC 29	.0703
Readopt with Changes/			
<u>Requirements</u>	21	NCAC 29	.0802
Readopt without Changes/			
<u>Determination of Credit</u>	21	NCAC 29	.0803
Readopt without Changes/			
<u>Record Keeping</u>	21	NCAC 29	.0804
Readopt without Changes/			
<u>Exceptions</u>	21	NCAC 29	.0805
Readopt without Changes/			
<u>Non Compliance</u>	21	NCAC 29	.0806
Readopt without Changes/			

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>Examination</u>	21	NCAC 46	.1505
Amend/			
<u>E-Profile Number Required for License Permit, or Registra...</u>	21	NCAC 46	.1615
Adopt/			
<u>Eligibility to Vote</u>	21	NCAC 46	.2102
Amend/			
<u>Committee on Nominations</u>	21	NCAC 46	.2104
Amend/			
<u>Nomination by Petition</u>	21	NCAC 46	.2105
Amend/			
<u>Ballots: Casting and Counting</u>	21	NCAC 46	.2107
Amend/			
<u>Determination of Election Results</u>	21	NCAC 46	.2108
Amend/			