

G.S. 150B-21.3A Report for 10A NCAC 41D, METHAMPHETAMINE DECONTAMINATION

Agency - DHHS/Commission for Public Health

Comment Period - 6/6/17 - 8/5/17

Date Submitted to APO - December 18, 2017

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(e)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
SUBCHAPTER 41D – METHAMPHETAMINE DECONTAMINATION	SECTION .0100 – DECONTAMINATION OF METHAMPHETAMINE SITES	10A NCAC 41D .0101	GENERAL	Eff. April 1, 2005	Necessary without substantive public interest	No		Yes	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41D .0102	PRE-DECONTAMINATION ASSESSMENT	Eff. April 1, 2005	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41D .0103	DECONTAMINATION	Eff. April 1, 2005	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41D .0104	POST-DECONTAMINATION	Eff. April 1, 2005	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41D .0105	ENFORCEMENT	Eff. April 1, 2005	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note

Agency	Rule	Name	Type of Comment	Comment	Agency Response
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Commission for Public Health			Public Comment as defined in G.S. 150B-21.3A(a)(5)	I believe you need to clarify whether to include other locations where meth is being manufactured, for example, vehicles, areas accessed by the public (store) and outdoor camp grounds, that are subject to decontamination.	This is already covered by the authorizing statute. "§ 130A-284. Decontamination of property used for the manufacture of methamphetamine. For the protection of the public health, the Commission shall adopt rules establishing decontamination standards to ensure that certain property is reasonably safe for habitation. An owner, lessee, operator or other person in control of a residence or place of business or any structure appurtenant to a residence or place of business, and who has knowledge that the property has been used for the manufacture of methamphetamine, shall comply with these rules. For purposes of this section, the terms "residence" and "place of business" shall be defined as set forth in G.S. 130A-334. (2004-178, s. 7.)"
	10A NCAC 41D .0101	General			