

G.S. 150B-21.3A Report for 13 NCAC 10, OSHA REVIEW BOARD'S RULES OF PROCEDURE

Agency - LABOR/ OSHA REVIEW BOARD

Comment Period - June 11, 2014 - August 11, 2014

Date Submitted to APO - Filled in by RRC staff - November 24, 2014

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(d1)]	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
SECTION .0100 - GENERAL PROVISIONS	13 NCAC 10 .0101	DEFINITIONS	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	13 NCAC 10 .0102	SCOPE OF RULES: APPLICABILITY OF NORTH CAROLINA RULES	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	13 NCAC 10 .0103	USE OF GENDER AND NUMBER	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	13 NCAC 10 .0104	COMPUTATION OF TIME	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	13 NCAC 10 .0105	EXTENSIONS OF TIME	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	13 NCAC 10 .0106	RECORD ADDRESS	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	13 NCAC 10 .0107	SERVICE AND NOTICE	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	13 NCAC 10 .0108	FILING	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	13 NCAC 10 .0109	CONSOLIDATION	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	13 NCAC 10 .0110	SEVERANCE	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	13 NCAC 10 .0111	PROTECTION OF TRADE SECRETS: CONFIDENTIAL INFORMATION	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
SECTION .0200 - PARTIES AND REPRESENTATIVES	13 NCAC 10 .0201	PARTY STATUS	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	13 NCAC 10 .0202	INTERVENTION: APPEARANCE BY NON-PARTIES	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	13 NCAC 10 .0203	REPRESENTATIVE OF PARTIES AND INTERVENORS	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
SECTION .0300 - PLEADINGS AND MOTIONS	13 NCAC 10 .0301	FORM	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	13 NCAC 10 .0302	CAPTION: TITLES OF CASES	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	13 NCAC 10 .0303	NOTICE OF CONTEST	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	13 NCAC 10 .0304	EMPLOYER CONTEST	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	13 NCAC 10 .0305	PETITION FOR MODIFICATION OF ABATEMENT PERIOD	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
13 NCAC 10 .0306	EMPLOYEE CONTEST	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code	
13 NCAC 10 .0307	STATEMENT OF POSITION	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code	

G.S. 150B-21.3A Report for 13 NCAC 10, OSHA REVIEW BOARD'S RULES OF PROCEDURE

Agency - LABOR/ OSHA REVIEW BOARD

Comment Period - June 11, 2014 - August 11, 2014

Date Submitted to APO - Filled in by RRC staff - November 24, 2014

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(d1)]	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
	13 NCAC 10 .0308	RESPONSE TO MOTIONS	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	13 NCAC 10 .0309	FAILURE TO FILE	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
SECTION .0400 - PRE-HEARING PROCEDURES AND DISCOVERY	13 NCAC 10 .0401	WITHDRAWAL OF NOTICE OF CONTEST	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	13 NCAC 10 .0402	PRE-HEARING CONFERENCE	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	13 NCAC 10 .0403	REQUESTS FOR ADMISSION	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	13 NCAC 10 .0404	DISCOVERY DEPOSITIONS AND INTERROGATORIES	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	13 NCAC 10 .0405	FAILURE TO COMPLY WITH ORDER FOR DISCOVERY	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	13 NCAC 10 .0406	SUBPOENAS ISSUED: MODIFY SUBPOENAS: INSPECT AND COPY DATA	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
SECTION .0500 - HEARINGS	13 NCAC 10 .0501	NOTICE OF HEARING	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	13 NCAC 10 .0502	POSTPONEMENT OF HEARING	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	13 NCAC 10 .0503	FAILURE TO APPEAR	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	13 NCAC 10 .0504	PAYMENT OF FEES AND MILEAGE TO WITNESSES: COURT REPORTERS	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	13 NCAC 10 .0505	REPORTER'S FEES	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	13 NCAC 10 .0506	TRANSCRIPT OF TESTIMONY	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	13 NCAC 10 .0507	DUTIES AND POWER OF BOARD AND HEARING EXAMINER	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	13 NCAC 10 .0508	DISQUALIFICATION OF MEMBER OF BOARD OR HEARING EXAMINER	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	13 NCAC 10 .0509	EXAMINATION OF WITNESSES	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	13 NCAC 10 .0510	AFFIDAVITS	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	13 NCAC 10 .0511	GENERAL PROCEDURES: DEPOSITIONS IN LIEU OF ORAL TESTIMONY	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	13 NCAC 10 .0512	EXHIBITS	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	13 NCAC 10 .0513	RULES OF EVIDENCE	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code

G.S. 150B-21.3A Report for 13 NCAC 10, OSHA REVIEW BOARD'S RULES OF PROCEDURE

Agency - LABOR/ OSHA REVIEW BOARD

Comment Period - June 11, 2014 - August 11, 2014

Date Submitted to APO - Filled in by RRC staff - November 24, 2014

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(d1)]	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
	13 NCAC 10 .0514	BURDEN OF PROOF	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	13 NCAC 10 .0515	OBJECTIONS	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	13 NCAC 10 .0516	FILING OF BRIEFS: ORAL ARGUMENTS	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
SECTION .0600 - POST HEARING PROCEDURES	13 NCAC 10 .0601	DECISIONS OF HEARING EXAMINER	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	13 NCAC 10 .0602	REVIEW	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	13 NCAC 10 .0603	STAY OF FINAL ORDER	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	13 NCAC 10 .0604	ORAL ARGUMENT BEFORE THE BOARD	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	13 NCAC 10 .0605	JUDICIAL REVIEW	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
SECTION .0700 - MISCELLANEOUS PROVISIONS	13 NCAC 10 .0701	SETTLEMENT	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	13 NCAC 10 .0702	EXPEDITED PROCEEDING	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	13 NCAC 10 .0703	STANDARDS OF CONDUCT	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	13 NCAC 10 .0704	EX PARTE COMMUNICATION	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	13 NCAC 10 .0705	RESTRICTIONS ON PARTICIPATION BY COMMISSIONER	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	13 NCAC 10 .0706	INSPECTION AND REPRODUCTION OF DOCUMENTS	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	13 NCAC 10 .0707	RESTRICTIONS WITH RESPECT TO FORMER EMPLOYEES	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	13 NCAC 10 .0708	AMENDMENTS TO RULES	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	13 NCAC 10 .0709	SPECIAL CIRCUMSTANCES: WAIVER OF RULES	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	13 NCAC 10 .0710	PENALTIES	Eff. March 15, 1978	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code