

G.S. 150B-21.3A Report for 15A NCAC 02O, FINANCIAL RESPONSIBILITY REQUIREMENTS FOR OWNERS AND OPERATORS OF UNDERGROUND STORAGE TANKS

Agency - Environmental Management Commission

Comment Period - July 21, 2017 - September 27, 2017

Date Submitted to APO - February 19, 2018

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
SECTION .0100 - GENERAL CONSIDERATIONS	15A NCAC 02O .0101	GENERAL	Eff. July 1, 1992	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
	15A NCAC 02O .0102	COPIES OF REFERENCED FEDERAL REGULATIONS	Eff. July 1, 1992	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
	15A NCAC 02O .0103	SUBSTITUTED SECTIONS	Eff. July 1, 1992	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
SECTION .0200 - PROGRAM SCOPE	15A NCAC 02O .0201	APPLICABILITY	Eff. July 1, 1992	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 280.90	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 02O .0202	COMPLIANCE DATES	Eff. July 1, 1992	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 280.91	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 02O .0203	DEFINITIONS	Eff. July 1, 1992	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 280.92	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 02O .0204	AMOUNT AND SCOPE OF REQUIRED FINANCIAL RESPONSIBILITY	Eff. July 1, 1992	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
SECTION .0300 - ASSURANCE MECHANISMS	15A NCAC 02O .0301	ALLOWABLE MECHANISMS AND COMBINATIONS OF MECHANISMS	Eff. July 1, 1992	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 280.94	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 02O .0302	SELF INSURANCE	Eff. August 3, 1992	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 280.102	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 02O .0303	GUARANTEE	Eff. July 1, 1992	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 280.96	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 02O .0304	INSURANCE AND RISK RETENTION GROUP COVERAGE	Eff. July 1, 1992	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 280.97	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 02O .0305	SURETY BOND	Eff. July 1, 1992	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 280.98	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 02O .0306	LETTER OF CREDIT	Eff. July 1, 1992	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 280.99	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 02O .0307	STANDBY TRUST FUND	Eff. July 1, 1992	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 280.103	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 02O .0308	INSURANCE POOLS	Eff. July 1, 1992	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
SECTION .0400 - RESPONSIBILITIES OF OWNERS AND OPERATORS	15A NCAC 02O .0401	REPORTING BY OWNER OR OPERATOR	Eff. July 1, 1992	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 280.106	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 02O .0402	RECORD KEEPING	Eff. July 1, 1992	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 280.107	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
SECTION .0500 - CHANGES IN STATUS	15A NCAC 02O .0501	DRAWING ON FINANCIAL ASSURANCE MECHANISMS	Eff. July 1, 1992	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 280.108	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 02O .0502	RELEASE FROM THE REQUIREMENTS	Eff. July 1, 1992	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 280.109	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 02O .0503	INCAPACITY OF OWNER OR OPERATOR OR PROVIDER OF ASSURANCE	Eff. July 1, 1992	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 280.110	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 02O .0504	REPLENISHMENT	Eff. July 1, 1992	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 280.111	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt