

**G.S. 150B-21.3A Report for 15A NCAC 02P, LEAKING PETROLEUM UNDERGROUND STORAGE TANK CLEANUP FUNDS**

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 02P .0101	GENERAL	Amended Eff. September 1, 1993	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 02P .0102	COPIES OF RULES INCORPORATED BY REFERENCE	Eff. February 1, 1993	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 02P .0103	FALSE OR MISLEADING INFORMATION	Eff. February 1, 1993	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 .0200 - PROGRAM SCOPE	15A NCAC 02P .0201	APPLICABILITY	Eff. February 1, 1993	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
	15A NCAC 02P .0202	DEFINITIONS	Amended Eff. September 1, 1993	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 - ANNUAL OPERATING FEES	15A NCAC 02P .0301	FEES AND PAYMENT	Eff. February 1, 1993	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
	15A NCAC 02P .0302	NOTIFICATION	Eff. February 1, 1993	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 - REIMBURSEMENT PROCEDURE	15A NCAC 02P .0401	ELIGIBILITY OF OWNER OR OPERATOR	Amended Eff December 31, 2016	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
	15A NCAC 02P .0402	CLEANUP COSTS	Amended Eff. December 31, 2016	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
	15A NCAC 02P .0403	THIRD PARTY CLAIMS	Eff. September 30, 2015	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
	15A NCAC 02P .0404	REQUESTS FOR REIMBURSEMENT	Amended Eff. September 1, 1993	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
	15A NCAC 02P .0405	METHOD OF REIMBURSEMENT	Amended Eff. September 1, 1993	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
	15A NCAC 02P .0406	REIMBURSEMENT APPORTIONMENT	Eff. February 1, 1993	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
	15A NCAC 02P .0407	FINAL ACTION	Amended Eff. September 1, 1993	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
	15A NCAC 02P .0408	Performance-based Cleanups	Expired October 1, 2011	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