Commission Review Log of Permanent Rule Filings June 23, 2020 through July 20, 2020

* Approval Recommended, ** Objection Recommended, *** Other, P Pre-reviewed

NATURAL AND CULTURAL RESOURCES, DEPARTMENT OF

The rules in Subchapter 13B concern parks and recreation areas including general provisions (.0100); preservation of the park (.0200); bathing (.0300); refuse and rubbish (.0400); traffic and parking (.0500); boating and camping (.0600); sports and games (.0700); hunting and fishing (.0800); firearms, explosives, fires, etc. (.0900); disorderly conduct, public nuisance, etc. (.1000); commercial enterprises, advertising, meetings, exhibitions, etc. (.1100); and miscellaneous (.1200).

Alcoholic Beverages and Controlled Substances Readopt with Changes* 07 NCAC 13B .1003

ENVIRONMENTAL MANAGEMENT COMMISSION

The rules in Subchapter 2B pertain to surface water standards and monitoring including procedures for assignment of water quality standards (.0100); the standards used to classify the waters of the state (.0200); stream classifications (.0300); effluent limitations (.0400); monitoring and reporting requirements (.0500); and water quality management plans (.0600).

French Broad River Basin

15A NCAC 02B .0304

Amend*

The rules in Subchapter 2D are air pollution control requirements including definitions and references (.0100); air pollution sources (.0200); air pollution emergencies (.0300); ambient air quality standards (.0400); emission control standards (.0500); monitoring: recordkeeping: reporting (.0600); volatile organic compounds (.0900); motor vehicle emission control standard (.1000); control of toxic air pollutants (.1100); control of emissions from incinerators and combustion units (.1200); nitrogen oxides (.1400); municipal solid waste landfills (.1700); control of odors (.1800); open burning (.1900); transportation conformity (.2000); risk management program (.2100); special orders (.2200); banking emission reduction credits (.2300); and source testing (.2600).

<u>Total Suspended Particulates</u> Readopt without Changes*	15A NCAC 02D .0403
<u>Compliance with Emission Control Standards</u> Readopt without Changes*	15A NCAC 02D .0501
<u>Purpose</u> Readopt without Changes*	15A NCAC 02D .0502
Particulates from Fuel Burning Indirect Heat Exchangers Readopt without Changes*	15A NCAC 02D .0503
Particulates from Wood Burning Indirect Heat Exchangers Readopt with Changes*	15A NCAC 02D .0504
Particulates from Hot Mix Asphalt Plants Readopt without Changes*	15A NCAC 02D .0506
Particulates from Chemical Fertilizer Manufacturing Plants Readopt without Changes*	15A NCAC 02D .0507
Particulates from Pulp and Paper Mills Readopt without Changes*	15A NCAC 02D .0508
Particulates from MICA or Feldspar Processing Plants	15A NCAC 02D .0509

Particulates from Sand, Gravel, or Crushed Stone Operations Readopt without Changes*	15A NCAC 02D .05
Particulates from Lightweight Aggregate Processes Readopt without Changes*	15A NCAC 02D .05
Particulates from Wood Products Finishing Plants Readopt without Changes*	15A NCAC 02D .05
Particulates from Portland Cement Plants Readopt without Changes*	15A NCAC 02D .05
Particulates from Ferrous Jobbing Foundries Readopt without Changes*	15A NCAC 02D .05
Particulates from Miscellaneous Industrial Processes Readopt without Changes*	15A NCAC 02D .05
Sulfur Dioxide Emissions from Combustion Sources Readopt without Changes*	15A NCAC 02D .05
Emissions from Plants Producing Sulfuric Acid Readopt without Changes*	15A NCAC 02D .05
Control of Nitrogen Dioxide and Nitrogen Oxides Readopt without Changes*	15A NCAC 02D .05
<u>Control of Visible Emissions</u> Readopt without Changes*	15A NCAC 02D .05
<u>New Source Performance Standards</u> Readopt without Changes*	15A NCAC 02D .05
Emissions from Spodumene Ore Roasting Readopt without Changes*	15A NCAC 02D .05
Total Reduced Sulfur from Kraft Pulp Mills Readopt without Changes*	15A NCAC 02D .05
Fluoride Emissions from Primary Aluminum Reduction Plants Readopt without Changes*	15A NCAC 02D .05
Prevention of Significant Deterioration Readopt with Changes*	15A NCAC 02D .05
Sources in Nonattainment Areas Readopt without Changes*	15A NCAC 02D .05
Sources Contributing to an Ambient Violation Readopt with Changes*	15A NCAC 02D .05
<u>Stack Height</u> Readopt without Changes*	15A NCAC 02D .05
Flouride Emissions from Phosphate Fertilizer Industry Readopt without Changes*	15A NCAC 02D .05
Excess Emissions Reporting and Malfunctions Readopt without Changes*	15A NCAC 02D .05
Particulate Emissions from Electric Utility Boilers Readopt/Repeal*	15A NCAC 02D .05
<u>Control of Mercury Emissions</u> Readopt without Changes*	15A NCAC 02D .05
Control of Ethylene Oxide Emissions Readopt without Changes*	15A NCAC 02D .05
Odor Control of Feed Ingredient Manufacturing Plants Readopt without Changes*	15A NCAC 02D .05

Control of Emissions from Abrasive Blasting Readopt without Changes*	15A NCAC 02D .0541
Control of Particulate Emissions from Cotton Ginning Oper Readopt without Changes*	15A NCAC 02D .0542
Best Available Retrofit Technology Readopt without Changes*	15A NCAC 02D .0543
Prevention of Significant Deterioration Requirements for Readopt without Changes*	15A NCAC 02D .0544
Delegation Readopt/Repeal*	15A NCAC 02D .0615
Definitions Readopt without Changes*	15A NCAC 02D .0901
<u>Applicability</u> Readopt without Changes*	15A NCAC 02D .0902
<u>Recordkeeping: Reporting: Monitoring</u> Readopt without Changes*	15A NCAC 02D .0903
<u>Circumvention</u> Readopt without Changes*	15A NCAC 02D .0906
Compliance Schedules for Sources In Ozone Nonattainment a Readopt without Changes*	15A NCAC 02D .0909
<u>General Provisions on Test Methods and Procedures</u> Readopt without Changes*	15A NCAC 02D .0912
<u>Can Coating</u> Readopt without Changes*	15A NCAC 02D .0918
<u>Coil Coating</u> Readopt without Changes*	15A NCAC 02D .0919
<u>Metal Furniture Coatings</u> Readopt without Changes*	15A NCAC 02D .0922
Surface Coating of Large Appliance Parts Readopt without Changes*	15A NCAC 02D .0923
<u>Magnet Wire Coating</u> Readopt without Changes*	15A NCAC 02D .0924
Petroleum Liquid Storage in Fixed Roof Tanks Readopt without Changes*	15A NCAC 02D .0925
Bulk Gasoline Plants Readopt with Changes*	15A NCAC 02D .0926
Bulk Gasoline Terminals Readopt with Changes*	15A NCAC 02D .0927
Gasoline Service Stations Stage 1 Readopt without Changes*	15A NCAC 02D .0928
<u>Solvent Metal Cleaning</u> Readopt without Changes*	15A NCAC 02D .0930
<u>Cutback Asphalt</u> Readopt without Changes*	15A NCAC 02D .0931
Gasoline Truck Tanks and Vapor Collection Systems Readopt with Changes*	15A NCAC 02D .0932
Petroleum Liquid Storage in External Floating Roof Tanks Readopt without Changes*	15A NCAC 02D .0933
Factory Surface Coating of Flat Wood Paneling	15A NCAC 02D .0935

Readopt without Changes*	
<u>Manufacture of Pneumatic Rubber Tires</u> Readopt without Changes*	15A NCAC 02D .0937
Synthetic Organic Chemical and Polymer Manufacturing Readopt without Changes*	15A NCAC 02D .0943
Manufacture of Polyethylene: Polypropylene and Polystyrene Readopt without Changes*	15A NCAC 02D .0944
<u>Petroleum Dry Cleaning</u> Readopt without Changes*	15A NCAC 02D .0945
Manufacture of Synthesized Pharmaceutical Products Readopt without Changes*	15A NCAC 02D .0947
VOC Emissions from Transfer Operations Readopt without Changes*	15A NCAC 02D .0948
Storage of Miscellaneous Volatile Organic Compounds Readopt without Changes*	15A NCAC 02D .0949
RACT for Sources of Volatile Organic Compounds Readopt without Changes*	15A NCAC 02D .0951
Petition for Alternative Controls for RACT Readopt without Changes*	15A NCAC 02D .0952
Thread Bonding Manufacturing Readopt without Changes*	15A NCAC 02D .0955
Glass Christmas Ornament Manufacturing Readopt without Changes*	15A NCAC 02D .0956
Commercial Bakeries Readopt without Changes*	15A NCAC 02D .0957
Work Practices for Sources of Volatile Organic Compounds Readopt without Changes*	15A NCAC 02D .0958
Petition for Superior Alternative Controls Readopt without Changes*	15A NCAC 02D .0959
Cargo Tank Leak Tester Report Readopt with Changes*	15A NCAC 02D .0960
Offset Lithographic Printing and Letterpress Printing Readopt without Changes*	15A NCAC 02D .0961
Industrial Cleaning Solvents Readopt without Changes*	15A NCAC 02D .0962
Fiberglass Boat Manufacturing Materials Readopt without Changes*	15A NCAC 02D .0963
Miscellaneous Industrial Adhesives Readopt without Changes*	15A NCAC 02D .0964
Flexible Package Printing Readopt without Changes*	15A NCAC 02D .0965
Paper, Film and Foil Coatings Readopt without Changes*	15A NCAC 02D .0966
Miscellaneous Metal and Plastic Parts Coatings Readopt without Changes*	15A NCAC 02D .0967
Automobile and Light Duty Truck Assembly Coatings Readopt without Changes*	15A NCAC 02D .0968
Definitions Readopt without Changes*	15A NCAC 02D .1401

Applicability Readopt without Changes*	15A NCAC 02D .1402
Compliance Schedules	15A NCAC 02D .1403
Readopt without Changes* <u>Recordkeeping: Reporting: Monitoring</u> Readent without Changes*	15A NCAC 02D .1404
Readopt without Changes* <u>Circumvention</u>	15A NCAC 02D .1405
Readopt without Changes* <u>Boilers and Indirect-Fired Process Heaters</u>	15A NCAC 02D .1407
Readopt without Changes* <u>Stationary Combustion Turbines</u>	15A NCAC 02D .1408
Readopt without Changes* <u>Stationary Internal Combustion Engines</u>	15A NCAC 02D .1409
Readopt without Changes* <u>Emissions Averaging</u>	15A NCAC 02D .1410
Readopt without Changes* Seasonal Fuel Switching	15A NCAC 02D .1411
Readopt without Changes* <u>Petition for Alternative Limitations</u> <u>Baadopt without Changes*</u>	15A NCAC 02D .1412
Readopt without Changes* <u>Sources not Otherwise Listed in this Section</u> Readopt without Changes*	15A NCAC 02D .1413
Tune-Up Requirement Readopt without Changes*	15A NCAC 02D .1414
Test Methods and Procedures Readopt without Changes*	15A NCAC 02D .1415
New Electric Generating Units, Boilers, Combustion Turbin Readopt without Changes*	15A NCAC 02D .1418
Large Internal Combustion Engines Readopt without Changes*	15A NCAC 02D .1423
Definitions Readopt without Changes*	15A NCAC 02D .1701
Applicability Readopt with Changes*	15A NCAC 02D .1702
Emission Standards Readopt without Changes*	15A NCAC 02D .1703
Test Methods and Procedures Readopt without Changes*	15A NCAC 02D .1704
Operational Standards Readopt without Changes*	15A NCAC 02D .1705
<u>Compliance Provisions</u> Readopt without Changes*	15A NCAC 02D .1706
<u>Monitoring Provisions</u> Readopt without Changes*	15A NCAC 02D .1707
Reporting Requirements Readopt without Changes*	15A NCAC 02D .1708
Recordkeeping Requirements Readopt without Changes*	15A NCAC 02D .1709
Compliance Schedule	15A NCAC 02D .1710

Readopt without Changes* <u>Determination of Leak Tightness and Vapor Leaks</u> Readopt with Changes*

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); requirements for solid waste management facilities (.1800).

Purpose and Applicability for Construction and Demolition Readopt with Changes*	15A NCAC 13B .0531
Definitions for C&DLF Facilities Readopt with Changes*	15A NCAC 13B .0532
General Application Requirements and Processing for C&DLF Readopt with Changes*	15A NCAC 13B .0533
General Requirements for C&DLF Facilities and Units Readopt with Changes*	15A NCAC 13B .0534
Application Requirements for C&DLF Facilities Readopt with Changes*	15A NCAC 13B .0535
Site Study for C&DLF Facilities Readopt with Changes*	15A NCAC 13B .0536
Facility Plan for C&DLFs Readopt with Changes*	15A NCAC 13B .0537
Geologic and Hydrogeologic Investigations for C&DLF Facil Readopt with Changes*	15A NCAC 13B .0538
Engineering Plan for C&DLF Facilities Readopt with Changes*	15A NCAC 13B .0539
Construction Requirements for C&DLF Facilities Readopt with Changes*	15A NCAC 13B .0540
Construction Quality Assurance for C&DLF Facilities Readopt with Changes*	15A NCAC 13B .0541
Operation Plan and Requirements for C&DLF Facilities Readopt with Changes*	15A NCAC 13B .0542
<u>Closure and Post-Closure Requirements for C&DLF Facilities</u> Readopt with Changes*	15A NCAC 13B .0543
Monitoring Plans and Requirments for C&DLF Facilities Readopt with Changes*	15A NCAC 13B .0544
Assessment and Corrective Action Program for C&DLF Facili Readopt with Changes*	15A NCAC 13B .0545
Existing C&DLF Units as of January 1, 2007 Readopt/Repeal*	15A NCAC 13B .0547
Purpose and Applicability Readopt with Changes*	15A NCAC 13B .1601
Definitions Readopt with Changes*	15A NCAC 13B .1602

General Application and Requirements and Processing Readopt with Changes*	15A NCAC 13B .1603
General Requirements for MSWLF Facilities Readopt with Changes*	15A NCAC 13B .1604
Application Requirements for MSWLF Facilities Readopt with Changes*	15A NCAC 13B .1617
Site Study for MSWLF Facilities Readopt with Changes*	15A NCAC 13B .1618
<u>Facility Plan</u> Readopt with Changes*	15A NCAC 13B .1619
Engineering Plan Readopt with Changes*	15A NCAC 13B .1620
Construction Quality Assurance Plan Readopt with Changes*	15A NCAC 13B .1621
Location Restrictions for MSWLF Facility Siting Readopt with Changes*	15A NCAC 13B .1622
Geologic and Hydrogeologic Investigations for MSWLF Facil Readopt with Changes*	15A NCAC 13B .1623
Construction Requirements for SMWLF Facilities Readopt with Changes*	15A NCAC 13B .1624
Operation Plan for MSWLF Facilities Readopt with Changes*	15A NCAC 13B .1625
Operational Requirements for MSWLF Facilities Readopt with Changes*	15A NCAC 13B .1626
Closure and Post-Closure Requirements for MSWLF Facilities Readopt with Changes*	15A NCAC 13B .1627
Closure and Post-Closure Plan Readopt with Changes*	15A NCAC 13B .1629
Applicability of Groundwater Monitoring Requirements Readopt with Changes*	15A NCAC 13B .1630
<u>Groundwater Monitoring Systems</u> Readopt with Changes*	15A NCAC 13B .1631
GroundWater Sampling and Analysis Requirements Readopt with Changes*	15A NCAC 13B .1632
Detection Monitoring Program Readopt with Changes*	15A NCAC 13B .1633
Assessment Monitoring Program Readopt with Changes*	15A NCAC 13B .1634
Assessment of Corrective Measures Readopt with Changes*	15A NCAC 13B .1635
Selection of Remedy Readopt with Changes*	15A NCAC 13B .1636
Implementation of the Corrective Action Program Readopt with Changes*	15A NCAC 13B .1637
<u>Leachate Storage Requirements</u> Readopt with Changes*	15A NCAC 13B .1680

GENERAL CONTRACTORS, LICENSING BOARD FOR

The rules in Subchapter 12A concern general provisions including organization and responsibilities of the board (.0100); licensing requirements (.0200); application procedure (.0300); examination (.0400); license (.0500); board disciplinary procedures (.0700); contested cases (.0800); and homeowners recovery fund (.0900).

<u>Fees</u> Amend*	21	NCAC 12A .0304
Renewal of License Amend*	21	NCAC 12A .0503

The rules in Subchapter 12B concern the general provisions (.0100); providers (.0200); courses (.0300); and instructors (.0400) for continuing education.

General	21	NCAC 12B .0101
Adopt* <u>Continuing Education Credit</u>	21	NCAC 12B .0102
Adopt*	21	
Continuing Education Records; Audit Adopt*	21	NCAC 12B .0103
Extension of Time Adopt*	21	NCAC 12B .0104
Inactive Status Adopt*	21	NCAC 12B .0105
Application for Initial Approval of Continuing Education Adopt*	21	NCAC 12B .0201
Expiration and Renewal of Provider Approval Adopt*	21	NCAC 12B .0202
<u>Denial or Withdrawal of Provider Approval</u> Adopt*	21	NCAC 12B .0203
Attendance; Roster Reports and Certificates Adopt*	21	NCAC 12B .0204
Course Scheduling Adopt*	21	NCAC 12B .0205
Records and Board Review Adopt*	21	NCAC 12B .0206
Course Requirements Adopt*	21	NCAC 12B .0301
Approval and Renewal of Elective Course Adopt*	21	NCAC 12B .0302
Mandatory Course Adopt*	21	NCAC 12B .0303
Application Criteria for Initial Instructor Approval Adopt*	21	NCAC 12B .0401
Renewal and Expiration of Instructor Approval Adopt*	21	NCAC 12B .0402
Denial or Withdrawal of Instructor Approval Adopt*	21	NCAC 12B .0403

COSMETIC ART EXAMINERS, BOARD OF

The rules in Subchapter 14H are sanitation rules for both operators and facilities including sanitation (.0100); shop licensing and physical dimensions (.0200); cosmetic art shop and equipment (.0300); sanitation procedures and practices (.0400); and enforcement, maintenance of licensure (.0500).

Licensees and Students Amend*	21	NCAC 14H .0401
Disinfection Procedures Amend*	21	NCAC 14H .0403
<u>First Aid</u> Amend*	21	NCAC 14H .0404

The rules in Subchapter 14T concern cosmetic art schools including the scope of the rules and school applications (.0100); physical requirements for cosmetic art schools (.0200); school equipment and supplies (.0300); student equipment (.0400); record keeping (.0500); curricula for all cosmetic art disciplines (.0600); school licensure, operations, closing and relocating schools (.0700); school inspections (.0800); and disciplinary actions (.0900).

Cosmetology and Apprentice Student Equipment Amend*	21	NCAC 14T .0401
Permanent Records, Forms and Documentation Amend*	21	NCAC 14T .0502
Cosmetology Curriculum Amend*	21	NCAC 14T .0602
Apprentice Cosmetology Curriculum Amend*	21	NCAC 14T .0603
Esthetics Curriculum Amend*	21	NCAC 14T .0604
<u>Manicuring Curriculum</u> Amend*	21	NCAC 14T .0605
Natural Hair Care Curriculum Amend*	21	NCAC 14T .0606
<u>Field Trips</u> Amend*	21	NCAC 14T .0615

DENTAL EXAMINERS, BOARD OF

The rules in Chapter 16 cover the licensing of dentists and dental hygienists.

The rules in Subchapter 16B concern licensure examination for dentists including examination required (.0100); qualifications (.0200); application (.0300); Board conducted examinations (.0400); licensure by credentials (.0500); limited volunteer dental license (.0600); instructor's license (.0700); temporary volunteer dental license (.0800); and exemptions for active military (.0900).

Application for Reinstatement and Proof of Competency	21	NCAC 16B .1101
Amend*		

The rules in Subchapter 16C are dental hygienist licensure rules including general provisions (.0100); qualifications (.0200); application (.0300); Board conducted examinations (.0400); and licensure by credentials (.0500).

Board Approved Examinations Amend*	21	NCAC 16C .0303	
Application for Reinstatement and Proof of Competency Amend*	21	NCAC 16C .0601	
The rules in Subchapter 16F concern professional corporations.			
Certificate of Registration Amend*	21	NCAC 16F .0104	
Application for Renewal Amend*	21	NCAC 16F .0105	
The rules in Subchapter 16G concern dental hygienists.			
Procedures Prohibited Amend*	21	NCAC 16G .0103	
The rules in Subchapter 16H concern dental assistants including classification and training (.0100); and permitted functions of dental assistant (.0200).			
Approved Education and Training Programs Amend*	21	NCAC 16H .0104	
The rules in Subchapter 16I concern the annual renewal of the dental hygienist license.			
Applications Amend*	21	NCAC 16I .0101	
The rules in Subchapter 16N concern rule-making and administrative hearing procedures including petitions for rulemaking (.0100); notice of rule-making hearings (.0200); rule-making hearings (.0300); declaratory rulings (.0400); administrative hearing procedures (.0500); and administrative hearings, decisions, related rights and procedures (.0600).			
<u>Disposition of Requests</u> Amend*	21	NCAC 16N .0403	
The rules in Subchapter 16R concern continuing education requirements of dentists (.0100 and .0200).			
Applications Amend*	21	NCAC 16R .0101	
Fee for Late Filing and Duplicate License Amend*	21	NCAC 16R .0102	
License Void Upon Failure to Timely Renew Amend*	21	NCAC 16R .0108	

MEDICAL BOARD

The rules in Subchapter 32R concern Continuing Medical Education (CME) Requirements.

Approved Categories of CME	21	NCAC 32R .0102
Amend*		

STATE HUMAN RESOURCES COMMISSION

The rules in Chapter 1 are from the State Personnel Commission. The rules in Subchapter 1C concern personnel administration including employment (.0100); general employment policies (.0200); personnel records and reports (.0300); appointment (.0400); work schedule (.0500); competitive service (.0600); secondary employment (.0700); requirements for teleworking programs (.0800); employee recognition programs (.0900); and separation (.1000).

Covered Employees Amend* 25 NCAC 01C .0802