REQUEST FOR TECHNICAL CHANGE

AGENCY: Commission for Public Health

RULE CITATION: Rule 15A NCAC 13B .0832

DEADLINE FOR RECEIPT: Friday, December 13, 2013

***NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.***

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*On the Submission for Permanent Rule forms, please state the date the agency adopted the rule.*

*Why are the Subparagraphs in (a) separated by semicolons, whereas in the rest of the Rule, each subparagraph ends with a period? Is it to make sure people know all of the 8 Subparagraphs apply?*

*In (a)(2), does your regulated public know what “spent media” is?*

*In (a)(5), delete the comma after “applicant.”*

*In (a)(7), change the reference to “Rule .202(a)(3) of this Subchapter” Note similar changes for the references in (d)(5) and (7).*

*Also in (a)(7), insert a comma after “Section” on line 18.*

*In Paragraph (b), lines 25 the correct reference is “G.S. 130A-291.2”*

*On lines 26 and 32, the correct reference is “G.S. 130A-290(a)(1c).*

*In Subparagraph (b)(1), is the responsibility mentioned the responsibility for clean up?*

*I’d rewrite Subparagraph (c)(2) as “Wastewater from recreational vehicles… on a regular basis that are not connected…”*

*Delete the comma after “system” on line 5, page 2.*

*In Paragraph (d), I take it your regulated public knows what a grease interceptor is? Or is the term just “interceptor”? And in (d)(3), does your public know what “yellow grease” is? And in (d)(4), what is a “paint filter test”?*

*In Paragraph (e), is the training just pre-approved or is it developed and approved, as set forth in G.S. 130A-291.3(d)?*

§ 130A-291.3.  Septage operator training required.

(d)       The Department shall establish educational committees to develop and approve a training curriculum to satisfy the training requirements under this section. A training committee shall be established to develop a training program for portable sanitation waste; a training committee shall be established to develop a training program for septic tank waste and grease septage; and a training committee shall be established to develop a training program for land application of septage. Each committee shall consist of four industry members, one public health member, two employees of the Department, and one representative of the North Carolina Cooperative Extension Service. (2001-505, s. 1.2.)

*In (f), line 32, remove the comma after ‘tanks” Add a comma after “days” on line 33.*

*In (f), what is “land applied”?*

*Is (g)(5) “to protect the legitimate proprietary interests” of the permit holder? And what are those legitimate interests?*

*Because of the language in (a)(2), I think you should add 130A-335 to the History Note. Also add G.S. 130A-295.3(c), due to the language in (a)(4). You could also add 130A-291.2 here.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.