

**G.S. 150B-21.3A Report for 21 NCAC 39, ON-SITE WASTEWATER CONTRACTORS AND INSPECTORS CERTIFICATION BOARD**

Agency - Onsite Wastewater Contractors and Inspectors Certification Board

Comment Period -12/19/23 - 3/14/24

Date Submitted to APO - Filled in by RRC staff

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Required to Implement or Conform 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 - DUTIES AND DEFINITIONS	21 NCAC 39 .0101	DEFINITIONS	Amended Eff. June 1, 2021	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		21 NCAC 39 .0102	TYPES OF CERTIFICATION	Amended Eff. June 1, 2021	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		21 NCAC 39 .0103	ANNUAL REPORTS	Eff. July 1, 2019	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0200 - CERTIFICATION OF ON-SITE WASTEWATER CONTRACTORS, INSPECTORS, OR AUTHORIZED ON-SITE WASTEWATER EVALUATORS	21 NCAC 39 .0201	APPLICATION REQUIREMENTS FOR CERTIFICATION	Amended Eff. June 1, 2021	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		21 NCAC 39 .0202	BUSINESS SUCCESSION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0300 - ONSITE WASTEWATER CONTRACTOR, INSPECTOR, OR EVALUATOR FEES	21 NCAC 39 .0301	SCHEDULE OF CERTIFICATION FEES	Amended Eff. June 1, 2021	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0400 - CERTIFICATION BY EXAMINATION	21 NCAC 39 .0401	ON-SITE WASTEWATER CONTRACTOR, INSPECTOR, OR EVALUATOR EXAMINATIONS	Amended Eff. June 1, 2021	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		21 NCAC 39 .0402	TIME AND PLACE OF EXAMINATION	Amended Eff. June 1, 2021	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		21 NCAC 39 .0403	CONDUCTING AND GRADING EXAMINATIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		21 NCAC 39 .0404	ISSUANCE OF CERTIFICATES	Amended Eff. June 1, 2021	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		21 NCAC 39 .0405	LICENSURE FOR MILITARY-TRAINED APPLICANT; LICENSURE FOR MILITARY SPOUSE	Amended Eff. June 1, 2021	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0500 - CERTIFICATION RENEWAL	21 NCAC 39 .0501	CONDITIONS AND LIMITATIONS FOR RENEWAL OF CERTIFICATIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0600 - CONTINUING EDUCATION REQUIREMENTS	21 NCAC 39 .0601	REQUIREMENTS	Amended Eff. June 1, 2021	Necessary	No		No	Necessary	One or more comments with merit	Necessary and must be readopted	Agency must readopt
		21 NCAC 39 .0602	APPROVAL OF CONTINUING EDUCATION COURSES	Amended Eff. June 1, 2021	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		21 NCAC 39 .0604	RECORDKEEPING	Amended Eff. June 1, 2021	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		21 NCAC 39 .0605	EXTENSION OF TIME	Amended Eff. June 1, 2021	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0700 - PROCEDURES FOR DISCIPLINARY ACTIONS	21 NCAC 39 .0701	REVOCAION, OR SUSPENSION OF CERTIFICATION	Amended Eff. June 1, 2021	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		21 NCAC 39 .0702	CERTIFICATION FOLLOWING REVOCAION OR VOLUNTARY SURRENDER OF CERTIFICATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		21 NCAC 39 .0703	PENALTIES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0800 - ONSITE WASTEWATER CONTRACTOR, INSPECTOR, OR EVALUATOR CODE OF ETHICS	21 NCAC 39 .0801	CODE OF ETHICS	Amended Eff. July 1, 2021	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt

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		21 NCAC 39 .0802	COOPERATION WITH BOARD INQUIRY	Eff. July 1, 2019	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		21 NCAC 39 .0803	DELEGATING TO THIRD-PARTY SERVICE PROVIDERS	Eff. July 1, 2019	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	<b>SECTION .0900 – RULEMAKING PROCEDURES</b>	21 NCAC 39 .0901	PETITION FOR RULE-MAKING	Eff. July 1, 2019	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		21 NCAC 39 .0902	REQUEST FOR DECLARATORY RULING	Eff. July 1, 2019	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		21 NCAC 39 .0903	REFUSAL TO ISSUE DECLARATORY RULING	Eff. July 1, 2019	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		21 NCAC 39 .0904	WAIVER OR EXTENSION	Eff. June 1, 2021	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	<b>SECTION .1000 - NC ON-SITE WASTEWATER INSPECTOR STANDARDS OF PRACTICE</b>	21 NCAC 39 .1001	DEFINITIONS	Amended Eff. June 1, 2021	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		21 NCAC 39 .1002	GENERAL REQUIREMENTS FOR CONTRACTORS AND INSPECTORS	Amended Eff. June 1, 2021	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		21 NCAC 39 .1004	GENERAL EXCLUSIONS FOR CONTRACTORS AND INSPECTORS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		21 NCAC 39 .1005	ON-SITE WASTEWATER SYSTEM COMPONENTS	Amended Eff. July 1, 2019	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		21 NCAC 39 .1006	MINIMUM ON-SITE WASTEWATER SYSTEM INSPECTION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	<b>SECTION .1100 - NC ON-SITE WASTEWATER EVALUATOR STANDARDS OF PRACTICE</b>	21 NCAC 39 .1101	DEFINITIONS	Eff. June 1, 2021	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		21 NCAC 39 .1102	GENERAL REQUIREMENTS FOR EVALUATORS	Eff. June 1, 2021	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		21 NCAC 39 .1103	GENERAL EXCLUSIONS FOR EVALUATORS	Eff. June 1, 2021	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		21 NCAC 39 .1104	REQUIRED DOCUMENTS FOR EVALUATORS	Eff. June 1, 2021	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt