

Commission Review
Log of Permanent Rule Filings
August 21, 2025 through September 20, 2025

* Approval Recommended, ** Objection Recommended, *** Other

MENTAL HEALTH/DD/SAS, COMMISSION FOR

The rules in Chapter 26 are general mental health rules. The rules in Subchapter 26E concern the manufacture, distribution, and dispensing of controlled substances including general provisions and registration (.0100); labeling, packaging, and record keeping (.0200); prescriptions (.0300); some miscellaneous provisions (.0400); administrative functions, practices, and procedures (.0500); and controlled substance reporting system (.0600); and intractable epilepsy alternative treatment pilot study (.0700).

Disposal of Unused Controlled Substances from Nursing Home
Amend*

10A NCAC 26E .0406

The rules in Chapter 27 concern mental health community facilities and services. The rules in Subchapter 27G are from either the department or the Commission for Mental Health, Developmental Disabilities, and Substance Abuse Services including general information (.0100); operation and management rules (.0200); physical plant rules (.0300); facility licensing procedures (.0400); area program requirements (.0500); area authority or county program monitoring of facilities and services (.0600); accreditation of area programs and services (.0700); waivers and appeals (.0800); general rules for infants and toddlers (.0900); partial hospitalization for individuals who are mentally ill (.1100); psychological rehabilitation facilities for individuals with severe and persistent mental illness (.1200); residential treatment for children and adolescents who are emotionally disturbed or who have a mental illness (.1300); day treatment for children and adolescents with emotional or behavioral disturbances (.1400); intensive residential treatment for children and adolescents who are emotionally disturbed or who have a mental illness (.1500); residential treatment staff secure facilities for children or adolescents (.1700); psychiatric residential treatment facilities for children and adolescents (.1900); specialized community residential centers for individuals with developmental disabilities (.2100); before/after school and summer developmental day services for children with or at risk for developmental delays or disabilities, or atypical development (.2200); adult developmental and vocational programs for individuals with developmental disabilities (.2300); developmental day services for children with or at risk for developmental delays or disabilities, or atypical development (.2400); early childhood intervention services (ECIS) for children with an at risk for developmental delays or disabilities, or atypical development and their families (.2500); nonhospital medical detoxification for individuals who are substance abusers (.3100); social setting detoxification for substance abuse (.3200); outpatient detoxification for substance abuse (.3300); residential treatment/rehabilitation for individuals with substance abuse disorders (.3400); outpatient facilities for individuals with substance abuse disorders (.3500); outpatient opioid treatment (.3600); day treatment facilities for individuals with substance abuse disorders (.3700); substance abuse services for DWI offenders (.3800); drug education schools (DES) (.3900); treatment alternatives to street crimes (TASC) (.4000); substance abuse primary prevention services (.4200); therapeutic community (.4300); facility based crises services for individual of all disability groups (.5000); community respite services for individuals of all disability groups (.5100); residential therapeutic (habilitative) camps for children and adolescents of all disability groups (.5200); day activity for individuals of all disability groups (.5400); sheltered workshops for individuals of all disability groups (.5500); supervised living for individuals of all disability groups (.5600); assertive community treatment service (.5700); supportive employment for individuals of all disability groups (.5800); case management for individuals of all disability groups (.5900); inpatient hospital treatment for individuals who have mental illness or substance abuse disorders (.6000); emergency services for individuals of all disability groups (.6100); outpatient services for individuals of all disability groups (.6200); companion respite services for individuals of all disability groups (.6300); personal assistants

for individuals of all disabilities groups (.6400); employment assistance programs (.6500); specialized foster care services (.6600); forensic screening and evaluation services for individuals of all disability groups (.6700); prevention services (.6800); consultation and education services (.6900); local management entity response to complaints (.7000); and target population (.7100).

Medication Units and Mobile Units

10A NCAC 27G .3605

Adopt*

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).

Fresh Surface Water Quality Standards for Class B Waters

15A NCAC 02B .0219

Amend*

Exemptions From Surface Water Quality Standards

15A NCAC 02B .0226

Amend*

The rules in Chapter 2 concern environmental management and are promulgated by the Environmental Management Commission or the Department of Environment and Natural Resources. The rules in Subchapter 2L cover groundwater classifications and standards including general considerations (.0100); classifications and groundwater quality standards (.0200); the assignments of underground water classifications (.0300); risk-based assessment and corrective action for petroleum underground storage tanks (.0400); and risk-based assessment and correction action for non-UST petroleum releases (.0500).

Groundwater Quality Standards

15A NCAC 02L .0202

Amend*

COASTAL RESOURCES COMMISSION

The rules in Subchapter 7H are the state guidelines for areas of environmental concern (AECs) including introduction and general comments (.0100); the estuarine system (.0200); ocean hazard areas (.0300); public water supplies (.0400); natural and cultural resource areas (.0500); development standards (.0600); general permits for construction or maintenance of bulkheads and the placement of riprap for shoreline protection in estuarine and public trust waters (.1100); piers, docks and boat houses in estuarine and public trust waters (.1200); general permit to construct boat ramps along estuarine and public trust shorelines and into estuarine and public trust waters (.1300); groins in estuarine and public trust waters (.1400); excavation within or connecting to existing canals, channels, basins, or ditches in estuarine waters, public trust waters, and estuarine shoreline AECs (.1500); aerial and subaqueous utility lines with attendant structures in coastal wetlands, estuarine waters, public trust waters and estuarine shorelines (.1600); emergency work requiring a CAMA or a dredge and fill permit (.1700); beach bulldozing landward of the mean high-water mark in the ocean hazard AEC (.1800); general permit to allow for temporary structures within the estuarine and ocean AECs (.1900); authorizing minor modifications and repair to existing pier/mooring facilities in estuarine and public trust waters and ocean hazard areas (.2000); construction of sheetpile sill for shoreline protection in estuarine and public trust waters (.2100); construction of freestanding moorings in established waters and public trust areas (.2200); replacement of existing bridges and culverts in estuarine waters, estuarine shorelines, public trust areas and coastal wetlands (.2300); placement of riprap for wetland protection in estuarine and public trust waters (.2400); emergency general permit, to be initiated at the discretion of the Secretary of the Department of Environment and Natural Resources for replacement of structures; the reconstruction of primary or frontal dune systems; and the maintenance excavation of existing canals,

basins, channels, or ditches, damaged, destroyed, or filled in by hurricanes or tropical storms, provided all replacement, reconstruction and maintenance excavation activities conform to all current standards (.2500); construction of wetland, stream and buffer mitigation sites by the North Carolina Ecosystem Enhancement Program or the North Carolina Wetlands Restoration Program (.2600); and the construction of riprap sills for wetland enhancement in estuarine and public trust waters (.2700).

<u>Coastal Shorelines</u>	15A NCAC 07H .0209
Amend*	
<u>Use Standards for Ocean Hazard Areas: Exceptions</u>	15A NCAC 07H .0309
Amend*	
<u>Jockey's Ridge Area of Environmental Concern</u>	15A NCAC 07H .0508
Amend*	

ONSITE WASTEWATER CONTRACTORS AND INSPECTORS CERTIFICATION BOARD

The rules in Chapter 39 are from the Onsite Wastewater Contractors and Inspectors Certification Board and include duties and definitions (.0100); certification of onsite wastewater contractors, inspectors, or authorized on-site wastewater evaluators (.0200); onsite wastewater contractor, inspector, or evaluator fees (.0300); certification by examination (.0400); certification renewal (.0500); continuing education requirements (.0600); procedures for disciplinary actions (.0700); onsite wastewater contractor, inspector, evaluator code of ethics (.0800); rulemaking procedures (.0900); NC on-site wastewater inspector standards of practice (.1000); and NC on-site wastewater evaluator standards of practice (.1100).

<u>Definitions</u>	21 NCAC 39 .0101
Readopt with Changes*	
<u>Types of Certification</u>	21 NCAC 39 .0102
Readopt with Changes*	
<u>Annual Reports</u>	21 NCAC 39 .0103
Readopt without Changes*	
<u>Application Requirements for Certification</u>	21 NCAC 39 .0201
Readopt with Changes*	
<u>Business Succession</u>	21 NCAC 39 .0202
Readopt with Changes*	
<u>Schedule of Certification Fees</u>	21 NCAC 39 .0301
Readopt with Changes*	
<u>On-site Wastewater Contractor, Inspector, or Evaluator Ex...</u>	21 NCAC 39 .0401
Readopt with Changes*	
<u>Time and Place of Examination</u>	21 NCAC 39 .0402
Readopt with Changes*	
<u>Conducting and Grading Examinations</u>	21 NCAC 39 .0403
Readopt with Changes*	
<u>Issuance of Certificates</u>	21 NCAC 39 .0404
Readopt with Changes*	
<u>Licensure for Military-Trained Applicant; Licensure for M...</u>	21 NCAC 39 .0405
Readopt without Changes*	
<u>Conditions and Limitations for Renewal of Certification</u>	21 NCAC 39 .0501
Readopt without Changes*	
<u>Requirements</u>	21 NCAC 39 .0601
Readopt with Changes*	

<u>Approval of Continuing Education Courses</u>	21	NCAC	39	.0602
Readopt with Changes*				
<u>Recordkeeping</u>	21	NCAC	39	.0604
Readopt with Changes*				
<u>Extension of Time</u>	21	NCAC	39	.0605
Readopt with Changes*				
<u>Revocation, or Suspension of Certification</u>	21	NCAC	39	.0701
Readopt with Changes*				
<u>Certification Following Revocation or Voluntary Surrender...</u>	21	NCAC	39	.0702
Readopt without Changes*				
<u>Penalties</u>	21	NCAC	39	.0703
Readopt without Changes*				
<u>Code of Ethics</u>	21	NCAC	39	.0801
Readopt with Changes*				
<u>Cooperation with Board Inquiry</u>	21	NCAC	39	.0802
Readopt without Changes*				
<u>Delegating to Third-Party Service Providers</u>	21	NCAC	39	.0803
Readopt without Changes*				
<u>Petition for Rule-Making</u>	21	NCAC	39	.0901
Readopt without Changes*				
<u>Request for Declaratory Ruling</u>	21	NCAC	39	.0902
Readopt without Changes*				
<u>Refusal to Issue Declaratory Ruling</u>	21	NCAC	39	.0903
Readopt without Changes*				
<u>Waiver or Extension</u>	21	NCAC	39	.0904
Readopt without Changes*				
<u>Definitions</u>	21	NCAC	39	.1001
Readopt without Changes*				
<u>General Requirements for Contractors and Inspectors</u>	21	NCAC	39	.1002
Readopt with Changes*				
<u>General Exclusions of an Inspection</u>	21	NCAC	39	.1004
Readopt with Changes*				
<u>On-Site Wastewater System Components</u>	21	NCAC	39	.1005
Readopt with Changes*				
<u>Minimum On-Site Wastewater System Inspection</u>	21	NCAC	39	.1006
Readopt with Changes*				
<u>Definitions</u>	21	NCAC	39	.1101
Readopt without Changes*				
<u>General Requirements for Evaluators</u>	21	NCAC	39	.1102
Readopt without Changes*				
<u>General Exclusions for Evaluators</u>	21	NCAC	39	.1103
Readopt without Changes*				
<u>Required Documents for Evaluators</u>	21	NCAC	39	.1104
Readopt without Changes*				

STATE HUMAN RESOURCES COMMISSION

The rules in Subchapter 1I concern service to local government including local government employment policies (.1700); general provisions (.1800); recruitment and selection (.1900); appointment and

separation (.2000); compensation (.2100); hours of work and overtime compensation (.2200); disciplinary action, suspension, dismissal and appeals (.2300); and basic requirements for a substantially equivalent personnel system (.2400).

Salary Rates
Amend*

25 NCAC 01I .2103