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Commission Review

Log of Permanent Rule Filings

September 21, 2010 through October 20, 2010

PLANT CONSERVATION BOARD

The rules in Chapter 48 are from the Plant Conservation Board and cover plant industry. The rules in Subchapter 48F concern plant conservation and include the endangered and threatened plant species lists and the list of species of special concern (.0300); collection, propagation and movement of endangered and threatened plant species (.0400); and forms (.0500).

<u>Protected Plant Species List</u>	02	NCAC	48F	.0301
Amend				
<u>Threatened Plant Species List</u>	02	NCAC	48F	.0302
Repeal				
<u>Plant Species of Special Concern</u>	02	NCAC	48F	.0304
Repeal				
<u>Collection and Sale of Ginseng</u>	02	NCAC	48F	.0305
Amend				
<u>Collection and Sale of Venus Flytrap</u>	02	NCAC	48F	.0306
Amend				
<u>Definitions</u>	02	NCAC	48F	.0401
Amend				
<u>Protected Plant Propagation</u>	02	NCAC	48F	.0402
Amend				
<u>Movement and Sale of Special Concern</u>	02	NCAC	48F	.0403
Repeal				
<u>Duplication of Special Concern Permits</u>	02	NCAC	48F	.0404
Repeal				
<u>Movement for Conservation Purposes</u>	02	NCAC	48F	.0406
Amend				
<u>Protected Plant Permits, Certificate of Origin</u>	02	NCAC	48F	.0407
Amend				
<u>Criteria for Approval Plant Conservation Permits</u>	02	NCAC	48F	.0408
Repeal				
<u>Emergency Procedures for Rescue Operations</u>	02	NCAC	48F	.0409
Amend				
<u>Criteria for Issuance of Protected Plant Permits</u>	02	NCAC	48F	.0410
Adopt				
<u>Issuance of Protected Plant Permits</u>	02	NCAC	48F	.0411
Adopt				
<u>Conditions of Permit Issuance and Acceptance</u>	02	NCAC	48F	.0412
Adopt				
<u>Amendment of Permits</u>	02	NCAC	48F	.0413
Adopt				
<u>Designations</u>	02	NCAC	48F	.0501
Repeal				
<u>Form PC-1</u>	02	NCAC	48F	.0502
Repeal				
<u>Form PC-2</u>	02	NCAC	48F	.0503
Repeal				
<u>Form PC-3</u>	02	NCAC	48F	.0504
Repeal				

<u>Form PC-4</u>	02	NCAC	48F	.0505
Repeal				
<u>Form PC-5</u>	02	NCAC	48F	.0506
Repeal				
<u>Form PC-6</u>	02	NCAC	48F	.0507
Repeal				
<u>Form PC07</u>	02	NCAC	48F	.0508
Repeal				
<u>Form PC-9</u>	02	NCAC	48F	.0509
Repeal				
<u>Form PC-9</u>	02	NCAC	48F	.0510
Repeal				
<u>Form PC-10</u>	02	NCAC	48F	.0511
Repeal				
<u>Form PC-11</u>	02	NCAC	48F	.0512
Repeal				
<u>Form PC-12</u>	02	NCAC	48F	.0513
Repeal				
<u>Form PC-13</u>	02	NCAC	48F	.0514
Repeal				
<u>Form PC-14</u>	02	NCAC	48F	.0515
Repeal				

LABOR, DEPARTMENT OF

The rules in Chapter 7 are from the office of occupational safety and health. The rules in Subchapter 7A are general rules and operational procedures including purpose, definitions (.0100); organization (.0200); procedures (.0300); state advisory council on occupational safety and health (.0500); safety and health programs and committees (.0600); rules of practice for variances, limitations, tolerances and exemptions (.0700); informal conference procedures (.0800); and access to employee medical records (.0900).

<u>Incorporation by Reference</u>	13	NCAC	07A	.0301
Amend				
<u>Copies Available</u>	13	NCAC	07A	.0302
Repeal				

The rules in Chapter 7 are from the Commissioner of Labor and cover the Occupational and Safety Health Act (OSHA). The rules in Subchapter 7F cover specific OSHA standards for various industries: general (.0100); construction (.0200); agriculture (.0300); shops fabricating structural steel and steel plate (.0400); maritime (.0500); communication towers (.0600); blasting and use of explosives (.0700); and cranes and derricks standards (.0900).

<u>General Requirements</u>	13	NCAC	07F	.0401
Repeal				
<u>Definitions Applicable to this Standard</u>	13	NCAC	07F	.0402
Repeal				
<u>Color Coding and Warning Signs for Physical Hazards</u>	13	NCAC	07F	.0403
Repeal				
<u>Personal Protective Equipment</u>	13	NCAC	07F	.0404
Repeal				
<u>Lighting</u>	13	NCAC	07F	.0405
Repeal				
<u>Ventilation</u>	13	NCAC	07F	.0406
Repeal				
<u>Cleaners and Solvents</u>	13	NCAC	07F	.0407
Repeal				

<u>Ionizing Radiation</u> Repeal	13	NCAC	07F	.0408
<u>General Requirements for All Machines and Equipment</u> Repeal	13	NCAC	07F	.0409
<u>Cranes: Derricks: and Hoists</u> Repeal	13	NCAC	07F	.0410
<u>Material Handling Devices</u> Repeal	13	NCAC	07F	.0411
<u>Slings and Alloy-Steel Chains</u> Repeal	13	NCAC	07F	.0412
<u>Mobile Equipment</u> Repeal	13	NCAC	07F	.0413
<u>Jacks: Lever: Ratchet: Screw: and Hydraulic</u> Repeal	13	NCAC	07F	.0414
<u>Portable Power and Hand Tools</u> Repeal	13	NCAC	07F	.0415
<u>Electrical</u> Repeal	13	NCAC	07F	.0416
<u>Handling and Storing Material</u> Repeal	13	NCAC	07F	.0417
<u>Handling Material from a Railway Car</u> Repeal	13	NCAC	07F	.0418
<u>Unloading Material from a Truck</u> Repeal	13	NCAC	07F	.0419
<u>Reaming and Drilling</u> Repeal	13	NCAC	07F	.0420
<u>Riveting</u> Repeal	13	NCAC	07F	.0421
<u>Bolting</u> Repeal	13	NCAC	07F	.0422
<u>Manual Abrasive Blasting</u> Repeal	13	NCAC	07F	.0423
<u>Painting</u> Repeal	13	NCAC	07F	.0424
<u>Galvanizing and Pickling Operations</u> Repeal	13	NCAC	07F	.0425
<u>Source of Standards</u> Repeal	13	NCAC	07F	.0426

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).

<u>Outstanding Resource Waters</u> Amend	15A	NCAC	02B	.0225
<u>New River Basin</u> Amend	15A	NCAC	02B	.0307
<u>Catawba River Basin</u> Amend	15A	NCAC	02B	.0308

WILDLIFE RESOURCES COMMISSION

The rules in Subchapter 10F cover motorboats and water safety including boat registration (.0100); safety equipment and accident

reports (.0200); and local water safety regulations covering speed limits, no-wake restrictions, restrictions on swimming and other activities, and placement of markers for designated counties or municipalities (.0300).

<u>Hyde County</u>	15A NCAC	10F	.0313
Amend			
<u>Rowan County</u>	15A NCAC	10F	.0329
Amend			
<u>Person County</u>	15A NCAC	10F	.0348
Amend			

ENVIRONMENT AND NATURAL RESOURCES, DEPARTMENT OF (RETIRED)

The rules in Chapter 28 are from the NC Aquariums and concern use of North Carolina Aquariums (.0100); scheduling activities for group use (.0200); unauthorized use of facilities, fees (.0300); firearms, fires, and smoking (.0400); conduct, alcoholic beverages, pets and proper dress (.0500); commercial activities, solicitations, etc. (.0600); and preservation of aquarium property (.0700).

<u>Fee Schedule</u>	15A NCAC	28	.0302
Amend			

ELECTROLYSIS EXAMINERS, BOARD OF

The rules in Chapter 19 are from the Board of Electrolysis Examiners and include general provisions (.0100); application procedures (.0200); administrative law procedures (.0300); sanitation, equipment and supplies (.0400); schools (.0600); and continuing education (.0700).

<u>Infection Control Standards</u>	21	NCAC	19	.0401
Repeal				
<u>Sterilization and Disinfection</u>	21	NCAC	19	.0402
Repeal				
<u>Definitions</u>	21	NCAC	19	.0404
Adopt				
<u>Hand Hygiene</u>	21	NCAC	19	.0405
Adopt				
<u>Use of Gloves</u>	21	NCAC	19	.0406
Adopt				
<u>Cleaning, Sterilization, and Safety Precautions for Instr...</u>	21	NCAC	19	.0407
Adopt				
<u>Environmental Control and Housekeeping</u>	21	NCAC	19	.0408
Adopt				
<u>Client Evaluation</u>	21	NCAC	19	.0409
Adopt				
<u>Hepatitis B Virus (HBV) Vaccination</u>	21	NCAC	19	.0410
Adopt				
<u>Follow-Up Procedures for Exposures to Hepatitis, Human Im...</u>	21	NCAC	19	.0411
Adopt				
<u>Standard Precautions for Disease Control and Prevention</u>	21	NCAC	19	.0412
Adopt				
<u>Curriculum</u>	21	NCAC	19	.0601
Amend				
<u>Certifications Not Transferable</u>	21	NCAC	19	.0603
Amend				
<u>Program Directors</u>	21	NCAC	19	.0604
Amend				
<u>Enrollment Procedures</u>	21	NCAC	19	.0605
Amend				

<u>School Equipment</u> Amend	21	NCAC	19	.0608
<u>School Library</u> Amend	21	NCAC	19	.0609
<u>Equipment, Student and Teacher Ratio</u> Amend	21	NCAC	19	.0613
<u>School Hours and Schedule</u> Amend	21	NCAC	19	.0614
<u>School Advertisements</u> Amend	21	NCAC	19	.0617
<u>Private Practice in a School Building</u> Amend	21	NCAC	19	.0618
<u>Equipment Endorsements and Sales Prohibited</u> Amend	21	NCAC	19	.0619
<u>Certification of Schools in Other States or Jurisdictions</u> Amend	21	NCAC	19	.0622
<u>Continuing Education Requirements, Renewal, Reinstatement...</u> Amend	21	NCAC	19	.0701
<u>Board Approval of Courses</u> Amend	21	NCAC	19	.0702
<u>Time Limits on Credit</u> Amend	21	NCAC	19	.0704

NURSING, BOARD OF

The rules in Chapter 36 include rules relating to general provisions (.0100); licensure (.0200); approval of nursing programs (.0300); unlicensed personnel and nurses aides (.0400); professional corporations (.0500); articles of organization (.0600); nurse licensure compact (.0700); and approval and practice parameters for nurse practitioners (.0800).

<u>Selection and Qualifications of Nurse Members</u> Amend	21	NCAC	36	.0109
<u>Suspension of Authority to Expend Funds</u> Adopt	21	NCAC	36	.0119
<u>Regular Renewal</u> Amend	21	NCAC	36	.0201
<u>Reinstatement of Lapsed License</u> Adopt	21	NCAC	36	.0203
<u>Nurse Anesthesia Practice</u> Amend	21	NCAC	36	.0226

ON-SITE WASTEWATER CONTRACTORS AND INSPECTORS CERTIFICATION BOARD

The rules in Chapter 39 are from the Onsite Wastewater Contractors and Inspectors Certification Board and include definitions (.0100); certification of onsite wastewater contractors or inspectors (.0200); onsite wastewater contractor or inspector fees (.0300); certification by examination (.0400); certification renewal (.0500); continuing education requirements (.0600); and procedures for disciplinary actions (.0700).

<u>Definitions</u> Adopt	21	NCAC	39	.0101
<u>Types of Certification</u> Adopt	21	NCAC	39	.0102
<u>Application Requirements for Certification</u> Adopt	21	NCAC	39	.0201
<u>Schedule of Certification Fees</u> Adopt	21	NCAC	39	.0301

<u>Onsite Wastewater Contractor or Inspector Examinations</u> Adopt	21	NCAC	39	.0401
<u>Time and Place of Examination</u> Adopt	21	NCAC	39	.0402
<u>Conducting and Grading Examinations</u> Adopt	21	NCAC	39	.0403
<u>Issuance of Certificates</u> Adopt	21	NCAC	39	.0404
<u>Conditions and Limitations for Renewal of Certification</u> Adopt	21	NCAC	39	.0501
<u>Requirements</u> Adopt	21	NCAC	39	.0601
<u>Approval of Continuing Education Courses</u> Adopt	21	NCAC	39	.0602
<u>Determination of Credit</u> Adopt	21	NCAC	39	.0603
<u>Recordkeeping</u> Adopt	21	NCAC	39	.0604
<u>Special Provisions for Continuing Education</u> Adopt	21	NCAC	39	.0605
<u>Revocation, or Suspension of Certification</u> Adopt	21	NCAC	39	.0701
<u>Certification Following Revocation or Voluntary Surrender...</u> Adopt	21	NCAC	39	.0702
<u>Penalties</u> Adopt	21	NCAC	39	.0703

RESPIRATORY CARE BOARD

The rules in Chapter 61 are from the Respiratory Care Board and concern organization and definitions (.0100); application for license (.0200); licensing (.0300); continuing education requirements for license holders (.0400); miscellaneous provisions (.0500); rulemaking and declaratory rulings (.0600); and administrative hearing procedures (.0700).

<u>Fees</u> Amend	21	NCAC	61	.0204
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BUILDING CODE COUNCIL

<u>NC Fuel Gas Code - Purging of Gas Piping</u> Amend	406.7
<u>NC Residential Code - Definitions(100309 Item B-4)</u> Amend	202
<u>NC Residential Code - Basic Design Wind Velocities for Mo...</u> Amend	R802.3.1
<u>2012 NC Building Code</u> Adopt	2009 IBC with NC Amendments
<u>424.1.13</u> Adopt	424.1.13
<u>425.1</u> Adopt	425.1
<u>1008.1.9.3</u> Adopt	1008.1.9.3
<u>G101.4</u> Adopt	G101.4

<u>1704.1.1</u>	1704.1.1
Adopt	
<u>1704.1.3</u>	1704.1.3
Adopt	
<u>1807.2.4</u>	1807.2.4
Adopt	
<u>1807.2.5</u>	1807.2.5
Adopt	
<u>1810.3.5.2.5</u>	1810.3.5.2.5
Adopt	
<u>2210.3.1</u>	2210.3.1
Adopt	
<u>2210.3.3</u>	2210.3.3
Adopt	
<u>2303.4.1.4</u>	2303.4.1.4
Adopt	
<u>2303.4.3</u>	2303.4.3
Adopt	
<u>3603.6</u>	3603.6
Adopt	
<u>3604.1</u>	3604.1
Adopt	
<u>3604.2</u>	3604.2
Adopt	
<u>3604.3</u>	3604.3
Adopt	
<u>3606.1</u>	3606.1
Adopt	
<u>3606.7</u>	3606.7
Adopt	
<u>3607.2</u>	3607.2
Adopt	
<u>2012 NC Fire Code</u>	2009 IFC with NC Amendments
Adopt	
<u>Chapter 2</u>	Chapter 2
Adopt	
<u>1008.1.9.3</u>	1008.1.9.3
Adopt	
<u>2206.2.3.1</u>	2206.2.3.1
Adopt	
<u>2012 NC Fuel Gas Code</u>	2009 IFGC with NC Amendments
Adopt	
<u>Chapter 2</u>	Chapter 2
Adopt	
<u>2012 NC Mechanical Code</u>	2009 IMC with NC Amendments
Adopt	
<u>Chapter 2</u>	Chapter 2
Adopt	
<u>2012 NC Plumbing Code</u>	2009 IPC with NC Amendments
Adopt	
<u>607.1</u>	607.1
Adopt	
<u>701.4</u>	701.4
Adopt	

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Log of Permanent Rule Filings

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Adopt