

Commission Review
Log of Permanent Rule Filings
February 21, 2023 through March 20, 2023

RADIATION PROTECTION COMMISSION

The rules in Chapter 15 are from the Radiation Protection Commission and include general provisions (.0100); registration of radiation machines, facilities and services (.0200); licensing of radioactive material (.0300); safety requirements for industrial radiography operations (.0500); x-rays in the healing arts (.0600); use of radioactive sources in the healing arts (.0700); requirements for analytical x-ray equipment (.0800); requirements for particle accelerators (.0900); notices, instructions, reports and inspections (.1000); fees (.1100); land disposal of radioactive waste (.1200); requirements for wire-line service operators and subsurface-tracer studies (.1300); tanning facilities (.1400); licenses for disposal site access (.1500); and standards for protections against radiation (.1600).

<u>Classification of Radioactive Material</u> Readopt/Repeal*	10A NCAC 15 .0113
<u>Specific Licenses: Sealed Sources in Industrial Radiograp...</u> Readopt with Changes*	10A NCAC 15 .0323
<u>Exemptions: Waste Management by Generators</u> Readopt/Repeal*	10A NCAC 15 .0349
<u>Purpose and Scope</u> Readopt/Repeal*	10A NCAC 15 .1201
<u>Definitions</u> Readopt/Repeal*	10A NCAC 15 .1202
<u>License Required: Land Disposal of Low-Level Radioactive ...</u> Readopt with Changes*	10A NCAC 15 .1203
<u>Content of Application</u> Readopt/Repeal*	10A NCAC 15 .1204
<u>General Informations</u> Readopt/Repeal*	10A NCAC 15 .1205
<u>Specific Technical Information</u> Readopt/Repeal*	10A NCAC 15 .1206
<u>Environmental Information</u> Readopt/Repeal*	10A NCAC 15 .1207
<u>Technical and Environmental Analyses</u> Readopt/Repeal*	10A NCAC 15 .1208
<u>Institutional Information</u> Readopt/Repeal*	10A NCAC 15 .1209
<u>Financial Information</u> Readopt/Repeal*	10A NCAC 15 .1210
<u>Filing and Distribution of Application</u> Readopt/Repeal*	10A NCAC 15 .1211
<u>Elimination of Repetition</u> Readopt/Repeal*	10A NCAC 15 .1212
<u>Updating of Application</u> Readopt/Repeal*	10A NCAC 15 .1213
<u>Standards for Issuance of a License</u> Readopt/Repeal*	10A NCAC 15 .1214
<u>Conditions of License</u>	10A NCAC 15 .1215

Readopt/Repeal*	
<u>Amendment of License</u>	10A NCAC 15 .1216
Readopt/Repeal*	
<u>Application for Renewal or Closure</u>	10A NCAC 15 .1217
Readopt/Repeal*	
<u>Contents of Application for Closure</u>	10A NCAC 15 .1218
Readopt/Repeal*	
<u>Postclosure Observation and Maintenance</u>	10A NCAC 15 .1219
Readopt/Repeal*	
<u>Transfer of License</u>	10A NCAC 15 .1220
Readopt/Repeal*	
<u>Termination of License</u>	10A NCAC 15 .1221
Readopt/Repeal*	
<u>Performance Objectives: General Requirement</u>	10A NCAC 15 .1222
Readopt/Repeal*	
<u>Protection of Population from Release of Radioactivity</u>	10A NCAC 15 .1223
Readopt/Repeal*	
<u>Protection of individuals from Inadvertent Intrusion</u>	10A NCAC 15 .1224
Readopt/Repeal*	
<u>Protection of Individuals During Operations</u>	10A NCAC 15 .1225
Readopt/Repeal*	
<u>Stability of the Disposal Site After Closure</u>	10A NCAC 15 .1226
Readopt/Repeal*	
<u>Technical Requirements for Land Disposal Facilities</u>	10A NCAC 15 .1227
Readopt/Repeal*	
<u>Disposal Site Suitability Requirements</u>	10A NCAC 15 .1228
Readopt/Repeal*	
<u>Site Design for Land Disposal</u>	10A NCAC 15 .1229
Readopt/Repeal*	
<u>Facility Operation and Disposal Site Closure</u>	10A NCAC 15 .1230
Readopt/Repeal*	
<u>Environmental Monitoring</u>	10A NCAC 15 .1231
Readopt/Repeal*	
<u>Waste Classification and Characteristics</u>	10A NCAC 15 .1233
Readopt/Repeal*	
<u>Institutional Requirements</u>	10A NCAC 15 .1234
Readopt/Repeal*	
<u>Applicant Qualifications and Assurances</u>	10A NCAC 15 .1235
Readopt/Repeal*	
<u>Funding of Closure: Stabilization: Institutional Controls</u>	10A NCAC 15 .1236
Readopt/Repeal*	
<u>Records: Reports: Tests: and Inspections</u>	10A NCAC 15 .1237
Readopt/Repeal*	
<u>Maintenance of Records: Reports and Transfers</u>	10A NCAC 15 .1238
Readopt/Repeal*	
<u>Tests at Land Disposal Facilities</u>	10A NCAC 15 .1239
Readopt/Repeal*	
<u>Agency Inspections of Land Disposal Facilities</u>	10A NCAC 15 .1240
Readopt/Repeal*	

<u>Inspection</u> Readopt/Repeal*	10A NCAC 15 .1241
<u>Notifications and Reports</u> Readopt/Repeal*	10A NCAC 15 .1242
<u>Purpose and Scope</u> Readopt/Repeal*	10A NCAC 15 .1501
<u>Definitions</u> Readopt/Repeal*	10A NCAC 15 .1502
<u>License Required</u> Readopt/Repeal*	10A NCAC 15 .1503
<u>Application for Site Access License: General Requirements</u> Readopt/Repeal*	10A NCAC 15 .1504
<u>Application for Site Access License - Waste Generators</u> Readopt/Repeal*	10A NCAC 15 .1505
<u>Content of Application for Waste Collectors</u> Readopt/Repeal*	10A NCAC 15 .1506
<u>Content of Application for Waste Processors</u> Readopt/Repeal*	10A NCAC 15 .1507
<u>Certification of Compliance with Applicable Requirements</u> Readopt/Repeal*	10A NCAC 15 .1508
<u>Prior Notification for Waste Shipments</u> Readopt/Repeal*	10A NCAC 15 .1509
<u>Radioactive Shipment Manifest</u> Readopt/Repeal*	10A NCAC 15 .1510
<u>Financial Qualification and Requirements</u> Readopt/Repeal*	10A NCAC 15 .1511
<u>Waste Management and Reduction Requirements</u> Readopt/Repeal*	10A NCAC 15 .1512
<u>Issuance and Expiration of Site Access Licenses</u> Readopt/Repeal*	10A NCAC 15 .1513
<u>Site Access License Renewal</u> Readopt/Repeal*	10A NCAC 15 .1514
<u>Site Access License Amendment</u> Readopt/Repeal*	10A NCAC 15 .1515
<u>Modification, Revocation, and Termination of License</u> Readopt/Repeal*	10A NCAC 15 .1516
<u>Temporary or Emergency Access</u> Readopt/Repeal*	10A NCAC 15 .1517
<u>Classification/Radioactive Waste for Near-Surface Disposal</u> Readopt/Repeal*	10A NCAC 15 .1650
<u>Radioactive Waste Characteristics</u> Readopt/Repeal*	10A NCAC 15 .1651
<u>Labeling</u> Readopt/Repeal*	10A NCAC 15 .1652
<u>Additional Requirements for Licensees Possessing Category... Amend*</u>	10A NCAC 15 .1701

CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION

The rules in Subchapter 9B cover minimum standards for: employment (.0100); schools and training programs (.0200); criminal justice instructors (.0300); completion of training (.0400); school directors (.0500); and certification of post-secondary criminal justice education programs (.0600).

Terms and Conditions of Specialized Instructor Certification 12 NCAC 09B .0305
Amend*

The rules in Subchapter 9C concern the administration of criminal justice education and training standards including responsibilities of the criminal justice standards division (.0100); forms (.0200); certification of criminal justice officers (.0300); accreditation of criminal justice schools and training courses (.0400); minimum standards for accreditation of associate of applied science degree programs incorporating basic law enforcement training (.0500); and equipment and procedures (.0600).

Recertification Following Separation 12 NCAC 09C .0311
Adopt*

The rules in Subchapter 9E relate to the law enforcement officers' in-service training program.

Failure to Qualify: Annual In-Service Firearms Training 12 NCAC 09E .0107
Amend*

The rules in Subchapter 9G are the standards for correction including scope, applicability and definitions (.0100); minimum standards for certification of correctional officers, probation/parole officers, and probation/parole officers-intermediate (.0200); certification of correctional officers, probation/parole officers, probation/parole officers intermediate and instructors (.0300); minimum standards for training of correctional officers, probation/parole officers, and probation/parole officers-intermediate (.0400); enforcement of rules (.0500); professional certification program (.0600); and forms (.0700).

Definitions 12 NCAC 09G .0102
Amend*

Documentation of Educational Requirements 12 NCAC 09G .0204
Amend*

Medical Examination 12 NCAC 09G .0205
Amend*

Moral Character 12 NCAC 09G .0206
Repeal*

Fingerprint Criminal History Record Check 12 NCAC 09G .0207
Adopt*

Minimum Standards for Correctional Officers 12 NCAC 09G .0208
Adopt*

Minimum Standards for Probation/Parole Officers 12 NCAC 09G .0209
Adopt*

Background Investigation 12 NCAC 09G .0210
Adopt*

Agency Reporting of Drug Screening Results 12 NCAC 09G .0211
Adopt*

Criminal History Record 12 NCAC 09G .0302
Amend*

General Certification 12 NCAC 09G .0304
Amend*

Recertification Following Separation 12 NCAC 09G .0305
Amend*

Suspension: Revocation: or Denial of Certification 12 NCAC 09G .0504

Amend*

Period of Suspension: Revocation: or Denial

12 NCAC 09G .0505

Amend*

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).

Neuse River Basin

15A NCAC 02B .0315

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).

Sulfur Dioxide Emissions from Combustion Sources

15A NCAC 02D .0516

Amend*

MARINE FISHERIES COMMISSION

The rules in Subchapter 3M cover harvesting of finfish including general rules (.0100); striped bass (.0200); mackerel (.0300); menhaden and Atlantic herring (.0400); and other finfish (.0500).

Mutilated Finfish

15A NCAC 03M .0101

Amend*

WILDLIFE RESOURCES COMMISSION

The rules in Subchapter 10B are hunting and trapping rules and cover general hunting and wildlife provisions (.0100), hunting specific animals (.0200), trapping (.0300), tagging furs (.0400), chronic wasting disease management (.0500).

Attendance of Traps

15A NCAC 10B .0110

Repeal*

Possession of Wildlife Killed Accidentally or Found Dead

15A NCAC 10B .0127

Amend*

Deer (White Tailed)

15A NCAC 10B .0203

Amend*

Wild Quail Management Areas

15A NCAC 10B .0227

Amend*

Definitions

15A NCAC 10B .0301

Amend*

Open Seasons

15A NCAC 10B .0303

Amend*

Attendance and Tagging of Traps

15A NCAC 10B .0306

Adopt*

The rules in Subchapter 10H concern activities regulated by the Commission including controlled hunting preserves for domestically raised game birds (.0100), holding wildlife in captivity (.0300), commercial trout ponds (.0400), fish propagation (.0700), falconry (.0800), game bird propagators (.0900), taxidermy (.1000), furbearer propagation (.1100), controlled fox hunting preserves (.1200), reptiles and amphibians (.1300), wildlife captivity and rehabilitation (.1400), wildlife and alligator control agents (.1500).

Alligator Control Agent Certification Eligibility and Req... 15A NCAC 10H .1506
Amend*

The rules in Subchapter 10J cover wildlife conservation areas.

Designation of Wildlife Conservation Areas 15A NCAC 10J .0101
Readopt with Changes*

General Regulations Regarding Use of Conservation Areas 15A NCAC 10J .0102
Readopt with Changes*

MARINE FISHERIES COMMISSION

The rules in Chapter 18 cover environmental aspects of health such as sanitation (18A), mosquito control (18B), water supplies (18C), and water treatment facility operators (18D).

The rules in Subchapter 18A deal with sanitation and include handling, packing and shipping of crustacean meat (.0100) and shellfish (.0300 and .0400); operation of shellstock plants and reshippers (.0500); shucking and packing plants (.0600); depuration mechanical purification facilities (.0700); wet storage of shellstock (.0800); shellfish growing waters (.0900); summer camps (.1000); grade A milk (.1200); hospitals, nursing homes, rest homes, etc. (.1300); mass gatherings (.1400); local confinement facilities (.1500); residential care facilities (.1600); protection of water supplies (.1700); lodging places (.1800); sewage treatment and disposal systems (.1900); migrant housing (.2100); bed and breakfast homes (.2200); delegation of authority to enforce rules (.2300); public, private and religious schools (.2400); public swimming pools (.2500); restaurants, meat markets, and other food handling establishments (.2600); child day care facilities (.2800); restaurant and lodging fee collection program (.2900); bed and breakfast inns (.3000); lead poisoning prevention (.3100); tattooing (.3200); adult day service facilities (.3300); primitive camps (.3500); rules governing the sanitation of resident camps (.3600); and private drinking water well sampling (.3800).

Marinas, Docking Facilities, and Other Mooring Areas 15A NCAC 18A .0911
Readopt with Changes*

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).

Continuing Education (CE) 21 NCAC 36 .0807
Amend*

NURSING HOME ADMINISTRATORS, BOARD OF EXAMINERS FOR

The rules in Subchapter 37B are departmental rules including general provisions (.0100); and definitions (.0200).

Fees 21 NCAC 37B .0104
Adopt*

The rules in Subchapter 37D concern new licenses including general provisions (.0100); application for license (.0200); education, experience, and required course (.0300); administrators in training (.0400); preceptors (.0500); national exam (.0600); and state exam (.0700).

Grade Required 21 NCAC 37D .0604
Amend*

Subject Areas 21 NCAC 37D .0605
Amend*

PLUMBING, HEATING AND FIRE SPRINKLER CONTRACTORS, BOARD OF EXAMINERS OF

The rules in Chapter 50 are from the Plumbing, Heating and Fire Sprinkler Contractors including rules about organization (.0100); forms (.0200); examinations (.0300); general procedures (.0400); policy statements and interpretative rules (.0500); contested cases (.1000); fees (.1100); petitions for rules (.1200); declaratory rulings (.1300); and continuing education (.1400).

Onsite Supervision and Standard of Competence 21 NCAC 50 .0520
Adopt*