

Commission Review
Log of Permanent Rule Filings
February 21, 2024 through March 20, 2024

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); industrial radiography x-ray machines (.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); and standards for protection against radiation (.1600).

<u>General Rules Applicable to the Specific Licensing of Byp...</u> Readopt with Changes*	10A NCAC 15 .0301
<u>General Domestic Licenses for Byproduct Material</u> Readopt with Changes*	10A NCAC 15 .0302
<u>Exempt Concentrations: Other than Source Material</u> Readopt/Repeal*	10A NCAC 15 .0303
<u>Specific Licenses: Manufacture or Transfer Certain Items ...</u> Readopt with Changes*	10A NCAC 15 .0304
<u>Specific Domestic Licenses of Broad Scope for Byproduct M...</u> Readopt with Changes*	10A NCAC 15 .0305
<u>Medical Use of Byproduct Material in Humans</u> Readopt with Changes*	10A NCAC 15 .0307
<u>Licenses and Radiation Safety Requirements for Irradiators</u> Readopt with Changes*	10A NCAC 15 .0308
<u>Domestic Licensing of Source Material</u> Readopt with Changes*	10A NCAC 15 .0309
<u>Domestic Licensing of Special Nuclear Material</u> Readopt with Changes*	10A NCAC 15 .0310
<u>General Licenses: Calibration and Reference</u> Readopt/Repeal*	10A NCAC 15 .0312
<u>General Licenses: In Vitro Clinical or Laboratory Testing</u> Readopt/Repeal*	10A NCAC 15 .0314
<u>General Licenses: Ice Detection Devices</u> Readopt/Repeal*	10A NCAC 15 .0315
<u>Specific Licenses: Filing Application and General Require...</u> Readopt/Repeal*	10A NCAC 15 .0317
<u>Specific Licenses: General Requirements for Human Use</u> Readopt/Repeal*	10A NCAC 15 .0318
<u>Specific Licenses: Human Use in Hospitals</u> Readopt/Repeal*	10A NCAC 15 .0319
<u>Specific Licenses: Human Use by Individual Physicians</u> Readopt/Repeal*	10A NCAC 15 .0320
<u>Specific Licenses: General Requirements for Human Use of ...</u> Readopt/Repeal*	10A NCAC 15 .0321
<u>Specific Licenses: Human Use of Sealed Sources</u>	10A NCAC 15 .0322

Readopt/Repeal*			
<u>Specific Licenses: Broad Scope</u>	10A	NCAC 15	.0324
Readopt/Repeal*			
<u>Specific Licenses: Exempt Gas and Aerosol Detectors</u>	10A	NCAC 15	.0327
Readopt/Repeal*			
<u>Specific Licenses: Manufacture Devices to Persons Licensed</u>	10A	NCAC 15	.0328
Readopt/Repeal*			
<u>Specific Licenses: Luminous Safety Devices in Aircraft</u>	10A	NCAC 15	.0329
Readopt/Repeal*			
<u>Specific Licenses: Manufacture of Calibration Sources</u>	10A	NCAC 15	.0330
Readopt/Repeal*			
<u>Specific Licenses - Manufacture of In Vitro Test Kits</u>	10A	NCAC 15	.0331
Readopt/Repeal*			
<u>Specific Licenses: Manufacture of Ice Detection Devices</u>	10A	NCAC 15	.0332
Readopt/Repeal*			
<u>Specific Licenses: Manufacture of Radiopharmaceuticals</u>	10A	NCAC 15	.0333
Readopt/Repeal*			
<u>Specific Licenses: Generators and Reagent Kits</u>	10A	NCAC 15	.0334
Readopt/Repeal*			
<u>Specific Licenses: Products Containing Depleted Uranium</u>	10A	NCAC 15	.0335
Readopt/Repeal*			
<u>Issuance of Specific Licenses and Sealed Source and Devic...</u>	10A	NCAC 15	.0337
Readopt/Repeal*			
<u>Specific Terms and Conditions of Licenses</u>	10A	NCAC 15	.0338
Readopt/Repeal*			
<u>Expiration and Termination of Licenses and Decommissioning</u>	10A	NCAC 15	.0339
Readopt/Repeal*			
<u>Renewal of Licenses</u>	10A	NCAC 15	.0340
Readopt/Repeal*			
<u>Amendment of Licenses at Request of Licensee</u>	10A	NCAC 15	.0341
Readopt/Repeal*			
<u>Agency Action on Applications to Renew or Amend</u>	10A	NCAC 15	.0342
Readopt/Repeal*			
<u>Transfer of Material</u>	10A	NCAC 15	.0343
Readopt/Repeal*			
<u>Modification: Revocation: and Termination of Licenses and...</u>	10A	NCAC 15	.0344
Readopt/Repeal*			
<u>Specific Licenses: Certain Incinerator Facilities</u>	10A	NCAC 15	.0348
Readopt/Repeal*			
<u>Specific Licenses: Mobile Nuclear Medicine Services</u>	10A	NCAC 15	.0351
Readopt/Repeal*			
<u>Emergency Plans</u>	10A	NCAC 15	.0352
Readopt/Repeal*			
<u>Financial Assurance and Record-Keeping for Decommissioning</u>	10A	NCAC 15	.0353
Readopt/Repeal*			
<u>Methods of Financial Assurance for Decommissioning</u>	10A	NCAC 15	.0354
Readopt/Repeal*			
<u>Financial Tests: Self- and Parent Co. Guarantees: Decommi...</u>	10A	NCAC 15	.0355
Readopt/Repeal*			

<u>Procedures for Administrations Requiring a Written Directive</u> Readopt/Repeal*	10A NCAC 15 .0356
<u>Reporting Requirements</u> Readopt/Repeal*	10A NCAC 15 .0357
<u>Release of Patients Containing Radiopharmaceuticals or Pe...</u> Readopt/Repeal*	10A NCAC 15 .0358
<u>Measurements/Dosages of Unsealed Radioactive Material for...</u> Readopt/Repeal*	10A NCAC 15 .0359
<u>Surveys of Radiopharmaceutical Areas for Radiation Exposu...</u> Readopt/Repeal*	10A NCAC 15 .0360
<u>Medical Use of Unsealed Radioactive Material</u> Readopt/Repeal*	10A NCAC 15 .0361
<u>Decay-In-Storage</u> Readopt/Repeal*	10A NCAC 15 .0362
<u>Provisions for the Protection of Human Research Subjects</u> Readopt/Repeal*	10A NCAC 15 .0363
<u>Medical Events</u> Readopt/Repeal*	10A NCAC 15 .0364
<u>Report and Notification of a Dose to an Embryo/Fetus or a...</u> Readopt/Repeal*	10A NCAC 15 .0365
<u>Industrial Radiographic Operations of Electronic Radiatio...</u> Amend*	10A NCAC 15 .0501
<u>Definitions</u> Repeal*	10A NCAC 15 .0502
<u>Equipment Radiation Level Limits</u> Readopt/Repeal*	10A NCAC 15 .0503
<u>Radiographic Exposure Devices and Storage Containers</u> Readopt/Repeal*	10A NCAC 15 .0504
<u>Storage, Labels and Transportation Precautions</u> Readopt/Repeal*	10A NCAC 15 .0505
<u>Survey Instruments</u> Repeal*	10A NCAC 15 .0506
<u>Leak Testing and Replacement of Sealed Sources</u> Readopt/Repeal*	10A NCAC 15 .0507
<u>Quarterly Inventory</u> Readopt/Repeal*	10A NCAC 15 .0508
<u>Utilization Logs</u> Repeal*	10A NCAC 15 .0509
<u>Limitations</u> Repeal*	10A NCAC 15 .0510
<u>Inspection and Maintenance</u> Repeal*	10A NCAC 15 .0511
<u>Personnel Monitoring</u> Repeal*	10A NCAC 15 .0512
<u>Operating and Emergency Procedures</u> Repeal*	10A NCAC 15 .0513
<u>Security</u> Repeal*	10A NCAC 15 .0514
<u>Radiation Surveys and Survey Records</u>	10A NCAC 15 .0515

Repeal*			
<u>Posting</u>	10A NCAC 15	.0516	
Repeal*			
<u>Supervision of Radiographers' Assistants</u>	10A NCAC 15	.0517	
Repeal*			
<u>Subjects to be Covered During Instruction of Radiographers</u>	10A NCAC 15	.0519	
Repeal*			
<u>Permanent Radiographic Installations</u>	10A NCAC 15	.0520	
Repeal*			
<u>Performance Requirements for Radiography Equipment</u>	10A NCAC 15	.0521	
Readopt/Repeal*			
<u>Reporting Requirements</u>	10A NCAC 15	.0522	
Repeal*			
<u>Records of Industrial Radiography</u>	10A NCAC 15	.0523	
Repeal*			
<u>Specific License for Industrial Radiography</u>	10A NCAC 15	.0524	
Readopt/Repeal*			
<u>Radiographer Certification</u>	10A NCAC 15	.0525	
Repeal*			
<u>Scope</u>	10A NCAC 15	.0701	
Readopt/Repeal*			
<u>Manual Brachytherapy</u>	10A NCAC 15	.0702	
Readopt/Repeal*			

HHS - MENTAL HEALTH/DD/SAS, DIVISION OF/COMMISSION FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE 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).

Appeals Regarding Utilization Review Decisions for Non-Me... 10A NCAC 27G .7004
Amend*

MENTAL HEALTH/DD/SAS, COMMISSION FOR

The rules in Subchapter 27I are from the Secretary of Health and Human Services and are the requirements of local management entities including general information (.0100); general operations and management requirements (.0200); secretary approval of LME service delivery (.0400); content, format, submission, review and approval of local management entity business plan (.0500); and the non-medicaid appeal process (.0600).

<u>Scope</u>	10A NCAC 27I .0601
Amend*	
<u>Definitions</u>	10A NCAC 27I .0602
Amend*	
<u>Division's Initial Response to a Non-Medicaid Appeal</u>	10A NCAC 27I .0605
Amend*	
<u>Hearing Schedule and Composition of the Panel</u>	10A NCAC 27I .0606
Amend*	
<u>Panel Hearing Procedures</u>	10A NCAC 27I .0607
Amend*	
<u>Panel Decision Findings</u>	10A NCAC 27I .0608
Amend*	
<u>Final Written Decision</u>	10A NCAC 27I .0609
Amend*	

The rules in Chapter 28 are from either the Secretary or the Mental Health Commission and concern state operated facilities and services. The rules in Subchapter 28F concern admission and discharge including admission (.0100); voluntary admissions, involuntary commitments and discharge of adults from regional psychiatric hospitals (.0200); medical staff bylaws of North Carolina regional mental hospitals (.0300); hospitals behavior therapy programs (.0400); designation of research facilities in regional psychiatric hospitals (.0500); voluntary admission of adults who are not otherwise admissible as clients to designated research facilities in regional psychiatric hospitals (.0600); admission of deaf clients to state psychiatric hospitals and transfer of deaf clients to Dorothea Dix Hospital (.0700); general rules for MR Centers (.0800); voluntary admission and discharge to alcoholic rehabilitation centers (ARCS) (.0900); and probation and discharge (.1000).

Regions for Division Institutional Admissions 10A NCAC 28F .0101

Amend*

CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION

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).

Agency Retention of Records of Certification 12 NCAC 09C .0307
Amend*

LABOR, DEPARTMENT OF

The rules in Chapter 15 pertain to elevators and amusement devices and include general provisions (.0100); various industry codes and standards (.0200); elevators and related equipment (.0300); amusement devices (.0400); penalties (.0500); forms (.0600); and fees (.0700).

Amusement Device Inspection Fee Schedule 13 NCAC 15 .0703
Amend*

WILDLIFE RESOURCES COMMISSION

The rules in Subchapter 10A cover general WRC practices and procedures including petitions for rulemaking (.0400); declaratory rulemaking (.0500); warning tickets (.1000); waivers (.1100); emergency powers (.1200); wildlife poacher reward fund (.1300); interstate wildlife violator compact (wcv) (.1400); and evidence (.1500).

When Issued 15A NCAC 10A .0501

Readopt with Changes*

When Not Issued 15A NCAC 10A .0502

Readopt with Changes*

Procedure 15A NCAC 10A .0503

Readopt with Changes*

Funding Sources 15A NCAC 10A .1301

Readopt/Repeal*

Offenses and Reward Amounts 15A NCAC 10A .1302

Readopt with Changes*

Eligibility 15A NCAC 10A .1303

Readopt with Changes*

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).

Dog Training and Field Trials 15A NCAC 10B .0114

Repeal*

Bear 15A NCAC 10B .0202

Amend*

Deer (White Tailed) 15A NCAC 10B .0203

Amend*

<u>Ring-Necked Pheasant</u>	15A NCAC 10B .0211
Amend*	
<u>Feral Swine</u>	15A NCAC 10B .0223
Amend*	

The rules in Subchapter 10C cover inland fishing including jurisdictional issues involving the Marine Fisheries Commission (.0100); general rules (.0200); game fish in inland fishing waters (.0300); nongame fish in inland fishing waters (.0400); primary nursery areas (.0500); anadromous fish spawning areas (.0600); game fish in coastal fishing waters (.0700); and joint fishing waters (.0800).

<u>Public Mountain Trout Waters</u>	15A NCAC 10C .0205
Amend*	
<u>Spawning Areas</u>	15A NCAC 10C .0208
Amend*	
<u>Largemouth Bass</u>	15A NCAC 10C .0305
Amend*	
<u>Crappie</u>	15A NCAC 10C .0306
Amend*	
<u>Flounder</u>	15A NCAC 10C .0307
Amend*	
<u>American Shad and Hickory Shad</u>	15A NCAC 10C .0313
Amend*	
<u>Striped Bass</u>	15A NCAC 10C .0314
Amend*	
<u>Mountain Trout</u>	15A NCAC 10C .0316
Amend*	
<u>Inland Game Fishes Designated in Joint Fishing Waters</u>	15A NCAC 10C .0801
Adopt*	
<u>Taking and Possession of Other Fishes by Hook and Line in...</u>	15A NCAC 10C .0802
Adopt*	

The rules in Subchapter 10D are game lands rules.

<u>General Regulations Regarding Hunting on Game Lands</u>	15A NCAC 10D .0103
Amend*	
<u>Wayne Bailey-Caswell Game Land in Caswell County</u>	15A NCAC 10D .0215
Amend*	
<u>Chatham Game Land in Chatham County</u>	15A NCAC 10D .0216
Amend*	
<u>Dover Bay Game Land in Craven County</u>	15A NCAC 10D .0225
Amend*	
<u>Harris Game Land in Chatham, Harnett, and Wake Counties</u>	15A NCAC 10D .0233
Amend*	
<u>Lee Game Land in Lee County</u>	15A NCAC 10D .0245
Amend*	
<u>Nantahala Game Land in Cherokee, Clay, Graham, Jackson, M...</u>	15A NCAC 10D .0251
Amend*	
<u>North River Game Land in Camden and Currituck Counties</u>	15A NCAC 10D .0256
Amend*	
<u>Thurmond Chatham Game Land in Alleghany and Wilkes Counties</u>	15A NCAC 10D .0283
Amend*	

<u>Yadkin River Game Land in Davidson, Davie, Montgomery, Ro...</u> Amend*	15A NCAC 10D .0293
<u>North Bend Game Land in Burke County</u> Adopt*	15A NCAC 10D .0294

The rules in Subchapter 10E concern fishing and boating access areas.

<u>Definition</u> Readopt with Changes*	15A NCAC 10E .0101
<u>Regulations Posted</u> Readopt/Repeal*	15A NCAC 10E .0102
<u>Signs and Markers</u> Readopt/Repeal*	15A NCAC 10E .0103
<u>Use of Areas Regulated</u> Readopt with Changes*	15A NCAC 10E .0104

The rules in Subchapter 10H concern activities regulated by the Commission including controlled hunting preserves for domestically raised waterfowl and 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) and field trials and dog training (.1700).

<u>General Requirements</u> Amend*	15A NCAC 10H .0101
<u>Establishment and Operation</u> Amend*	15A NCAC 10H .0102
<u>Records and Reporting Requirements</u> Amend*	15A NCAC 10H .0105
<u>Quail Call-Pen Traps</u> Amend*	15A NCAC 10H .0109
<u>Game Bird Propagation License</u> Amend*	15A NCAC 10H .0901
<u>Disposition of Game Birds or Game Birds Eggs</u> Amend*	15A NCAC 10H .0904
<u>Transportation</u> Amend*	15A NCAC 10H .0905
<u>Records</u> Amend*	15A NCAC 10H .0906
<u>Wildlife Control Agent License Renewal and Revocation</u> Amend*	15A NCAC 10H .1505
<u>Wildlife Control Technician Certification and Eligibility...</u> Amend*	15A NCAC 10H .1510
<u>Field Trials</u> Adopt*	15A NCAC 10H .1701
<u>Dog Training</u> Adopt*	15A NCAC 10H .1702

PHARMACY, BOARD OF

The rules in Chapter 46 cover organization of the board (.1200); general definitions (.1300); hospitals and other health facilities (.1400); admission requirements and examinations (.1500); licenses and permits (.1600); drugs dispensed by nurse and physician assistants (.1700); prescriptions (.1800); forms (.1900); administrative provisions (.2000); elections (.2100); continuing education (.2200); prescription information and records (.2300); dispensing in health departments (.2400); miscellaneous provisions (.2500); devices (.2600); nuclear pharmacy (.2700); compounding (.2800); product selection (.2900); disposal of unwanted drugs (.3000); clinical pharmacist practitioner (.3100); impaired pharmacist peer review program (.3200); and registry of pharmacist technicians (.3300).

Extension of Period for Certain Members of the Armed Forces 21 NCAC 46 .1613
Amend*

BUILDING CODE COUNCIL

2024 NC Plumbing Code Sections 702.1, 702.4,
Amend* 1102.2, 1102.7

2024 NC Fire Code 231219 Item B-5
Amend*

2024 NC Fire Code/Exception to Applicability 102.13, Exception 7
Amend*

2024 NC Fire Code Sections 202, 203,
Amend* 608, 911, 3307, 5003
and Chapter 80

2024 NC Fire Code/Mobile Food Preparation Vehicles 105.5.32
Amend*

2024 NC Fire Code/Stability and Mobile Cooking Operations 319.11.1, 319.11.13
Amend*

2024 NC Fire Code/Automatic Smoke Detection Systems 907.2.3.1
Amend*

2024 NC Fire Code 1010.2.14,
Amend* 1010.2.14.4, 1010.2.1

2024 NC Fire Code/Commercial, Industrial, Governmental or... 5706.5.4.5
Amend*

2024 NC Existing Building Code Chapter 80 and NFPA
Amend* 241

2024 NC Existing Building Code 231219 Item B-12
Amend*

2024 NC Existing Building Code/Scope 101.2, Exception 2
Amend*

2024 NC Existing Building Code/Low-Rise Buildings, Except... 803.2.1.2
Amend*

2017 and 2020 NC Electrical Code 231212 Item B-12
Repeal*

2024 NC Building Code Section 1901, Chapter
Amend* 35

2024 Building Code/Toilet and Bathing Facilities, Excepti... 1109.2
Amend*

<u>2024 NC Building Code</u> Amend*	1010.2.14, 1010.2.14.4, 1010.2.1 907.2.3.1
<u>2024 NC Building Code/Automatic Smoke Detection Systems</u> Amend*	
<u>2024 NC Building Code/Scope</u> Amend*	Sections 202, 307, 414
<u>2024 NC Building Code/Scope</u> Amend*	101.20 Exception 7 and 8
<u>2024 NC Building Code</u> Amend*	231219 Item B-3
<u>2024 NC Administrative Code and Policies</u> Amend*	Appendix H
<u>2024 NC Administrative Code and Policies</u> Amend*	Section 204.4.5.1
<u>2024 Administrative Codes and Policies</u> Amend*	Section 204.4.5