

Commission Review
Log of Permanent Rule Filings
April 21, 2023 through May 20, 2023

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

CHILD CARE COMMISSION

The rules in Chapter 9 are child care rules and include definitions (.0100); general provisions related to licensing (.0200); procedures for obtaining a license (.0300); issuance of provisional and temporary licenses (.0400); age and developmentally appropriate environments for centers (.0500); safety requirements for child care centers (.0600); staff qualifications (.0700); health standards for children (.0800); nutrition standards (.0900); transportation standards (.1000); continuing education and professional development (.1100); building code requirements for child care centers (.1300); space requirements (.1400); temporary care requirements (.1500); family child care home requirements (.1700); discipline (.1800); special procedures concerning abuse/neglect in child care (.1900); rulemaking and contested case procedures (.2000); religious-sponsored child care center requirements (.2100); administrative actions and civil penalties (.2200); forms (.2300); child care for mildly ill children (.2400); care for school-age children (.2500); child care for children who are medically fragile (.2600); criminal records checks (.2700); voluntary rated licenses (.2800); developmental day services (.2900); NC pre-kindergarten services (.3000); and care for school-age children during state of emergency(.3100).

<u>Staff/Child Ratios for Centers</u> Amend*	10A NCAC 09 .0713
<u>Cooperative Arrangement for Instructional Needs</u> Adopt*	10A NCAC 09 .2513
<u>Enhanced Space Requirements</u> Amend*	10A NCAC 09 .2809

ENVIRONMENTAL MANAGEMENT COMMISSION

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).

<u>Copies of Referenced Federal Regulations</u> Amend*	15A NCAC 02D .0103
<u>Compliance with Emission Control Standards</u> Amend*	15A NCAC 02D .0501
<u>Control of Emissions from Log Fumigation Operations</u> Amend*	15A NCAC 02D .0546
<u>General Recordkeeping and Reporting Requirements</u> Amend*	15A NCAC 02D .0605
<u>Open Burning Without an Air Quality Permit</u> Amend*	15A NCAC 02D .1903
<u>Air Curtain Incinerators</u>	15A NCAC 02D .1904

Amend*	
<u>Regional Office Locations</u>	15A NCAC 02D .1905
Amend*	
<u>Public Notice</u>	15A NCAC 02D .2203
Amend*	

The rules in Subchapter 2Q are from the EMC and relate to applying for and obtaining air quality permits and include general information (.0100); fees (.0200); application requirements (.0300); acid rain program requirements (.0400); establishment of an air quality permitting program (.0500); transportation facility requirements (.0600); toxic air pollutant procedures (.0700); exempt categories (.0800); and permit exemptions (.0900).

<u>Where to Obtain and File Permit Applications</u>	15A NCAC 02Q .0104
Amend*	
<u>Copies of Referenced Documents</u>	15A NCAC 02Q .0105
Amend*	
<u>Payment of Fees</u>	15A NCAC 02Q .0206
Amend*	
<u>Applications</u>	15A NCAC 02Q .0304
Amend*	
<u>Application Submittal Content</u>	15A NCAC 02Q .0305
Amend*	
<u>Public Participation Procedures</u>	15A NCAC 02Q .0307
Amend*	
<u>Application Submittal Content</u>	15A NCAC 02Q .0505
Amend*	
<u>Application</u>	15A NCAC 02Q .0507
Amend*	
<u>Permit Content</u>	15A NCAC 02Q .0508
Amend*	
<u>Public Notice and Opportunity for Public Hearing</u>	15A NCAC 02Q .0710
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).

Use Standards 15A NCAC 07H .0208
Amend*

Specific Use Standards for Ocean Hazard Areas 15A NCAC 07H .0308
Amend*

The rules in Subchapter 7K set out activities in areas of environmental concern (AECs) which do not require a Coastal Area Management Act (CAMA) permit. These include activities that are not considered development (.0100); exempt minor maintenance and improvement (.0200); and exempt federal agency activities (.0400).

Structural Accessways Over Frontal Dunes Exempted 15A NCAC 07K .0207
Amend*

The rules in Subchapter 7M concern general policy guidelines for the coastal area including purpose and authority (.0100); shoreline erosion response policies (.0200); shorefront access policies (.0300); coastal energy policies (.0400); post-disaster policies (.0500); floating structure policies (.0600); mitigation policy (.0700); coastal water quality policies (.0800); policies on use of coastal airspace (.0900); policies on water and wetland based target areas for military training activities (.1000); policies on beneficial use and availability of materials resulting from the excavation or maintenance of navigational channels (.1100); and policies on ocean mining (.1200).

Definitions 15A NCAC 07M .0602
Amend*

Policy Statements 15A NCAC 07M .0603
Amend*

DENTAL EXAMINERS, BOARD OF

The rules in Subchapter 16C are dental hygienist licensure rules including general provisions (.0100); qualifications (.0200); application (.0300); Board conducted examinations (.0400); and licensure by credentials (.0500).

Dental Hygiene Licensure by Credentials 21 NCAC 16C .0501
Amend*

The rules in Subchapter 16H concern dental assistants including classification and training (.0100); and permitted functions of dental assistant (.0200).

Dental Radiology Course and Examination Requirements 21 NCAC 16H .0105
Adopt*

The rules in Subchapter 16I concern the annual renewal and continuing education requirements of the dental hygienist license.

Continuing Education Required 21 NCAC 16I .0201
Amend*

The rules in Subchapter 16R concern annual renewal of license and continuing education requirements of dentists (.0100 and .0200).

Exemption from and Credit for Continuing Education
Amend*

21 NCAC 16R .0204

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).

License Required
Amend*

21 NCAC 36 .0221

OPTOMETRY, BOARD OF EXAMINERS IN

The rules in Subchapter 42B concern license to practice optometry including license by examination (.0100); responsibility to supply information (.0200); and professional corporations and limited liability companies (.0300).

National Board Examinations
Amend*

21 NCAC 42B .0107

REAL ESTATE COMMISSION

The rules in Subchapter 58A are rules relating to real estate brokers and salesmen including rules dealing with general brokerage (.0100); application for license (.0300); examinations (.0400); licensing (.0500); real estate commission hearings (.0600); petitions for rules (.0700); rulemaking (.0800); declaratory rulings (.0900); real estate education and recovery fund (.1400); discriminatory practices prohibited (.1600); mandatory continuing education (.1700); limited nonresident commercial licensing (.1800); post-licensure education (.1900); annual reports (.2000); brokers in military service (.2100); and broker price opinions and comparative market analyses (.2200).

Residential Property and Owners' Association Disclosure S...
Amend*

21 NCAC 58A .0114

STATE HUMAN RESOURCES COMMISSION

The rules in Subchapter 1C concern personnel administration including employment (.0100); general employment policies (.0200); personnel records and reports (.0300); appointment (.0400); work schedule (.0500); competitive service (.0600); secondary employment (.0700); requirements for teleworking programs (.0800); employee recognition programs (.0900); and separation (.1000).

Separation
Amend*

25 NCAC 01C .1007