SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Child Care Commission

2. Rule citation & name (name not required for repeal): 10A NCAC 09 .1102 Health and Safety Training

3. Action:
☐ **ADOPTION** ☒ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: January 15, 2026
Link to Agency notice: https://ncchildcare.ncdhhs.gov/Services/Child-Care-Rules-Law-and-Public-Information
Hearing on: March 9, 2026
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: May 11, 2026
☐ **Notice not required under G.S.:**
Adoption by Agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☒ **This Rule was part of a combined analysis.**
☒ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☒ **Approved by OSBM**
☐ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☐ **Agency**
☐ **Court order / cite:**
☒ **Federal statute / cite: 42 USCS 9858c,e**
☒ **Federal regulation / cite: 45 CFR 98.15, 98.41, 98.44**
☐ **Legislation enacted by the General Assembly Cite Session Law:**
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain: This set of rule amendments is being submitted in order to come into full compliance with requirements of the federal Child Care Development Block Fund Grant, 42 U.S.C. §9858 (CCDBG). The CCDBG Act is the primary federal law supporting child care programs for low income working families. It provides discretionary funding to state, territorial, and tribal agencies to subsidize child care costs for eligible children and enhance the quality and availability of child care. Discretionary CCDBG funds are combined with mandatory Child Care Entitlement to States (CCES) funds, which are permanently authorized under Section 418 of the Social Security Act and must follow CCDBG rules. Together, these funding streams form the Child Care and Development Fund (CCDF), which is administered by the U.S. Department of Health and Human Services. The CCDF provides federal subsidies for low-income families with a parent who is working or continuing their education and training. These subsidies for low-income families with a parent who is working or continuing their education and training. These subsidies help families pay for child care services. To receive CCDF funds, states must set educational, health, and safety standards in 11 areas, which CCDF child care providers must follow. States must have both pre-service (or during an orientation period) and on-going minimum health and safety training requirements (appropriate to the provider setting) for providers serving CCDF children in the topic areas listed above. The CCDBG law does not require any specific number of preservice and ongoing training hours for CCDF health and safety training. The NC Child Care Commission addressed the CCDBG requirements by stating all health and safety topics are covered over a specified period of time but maintain the currently required number of on-going training hours. The health and safety standards required by CCDF are designed to benefit children, parents, child care workers, and the State. The benefit to children and parents is avoiding illness and injury to children in care. The benefit to child care workers is improved quality of child care and support for the child care workforce. Finally, the benefit to the State is ensuring continued federal CCDF Discretionary funds, which are used for child care subsidies and for activities to improve the quality and accessibility of child care. In addition to the above rule changes required to comply with federal CCDF requirements, the Child Care Commission is proposing an amendment to 10A NCAC 09 .2101to clarify that religious-sponsored child care centers are not exempt from the health and safety training requirements if they participate in the child care subsidy assistance program. By law, religious sponsored child care centers are exempt from other requirements related to licensing and employee qualifications. The proposed amendment to 10A NCAC 09 .2101 will align the rule with a declaratory ruling and longstanding practice. As such, this change will have no impact other than from incremental improvement to rule clarity.

SUBMISSION FOR PERMANENT RULE

10. Rulemaking Coordinator: Cheryl Johnson **Phone: 919-814-6392** **E-Mail: Cheryl.johnson@dhhs.nc.gov** **Additional agency contact, if any:** Kimberly Mallady **Phone: 919-618-0103** **E-Mail:** Kimberly.mallady@dhhs.nc.gov	**11. Signature of Agency Head* or Rule-making Coordinator:** *Cheryl Johnson* _____ **By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.** ***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.** **Typed Name: Cheryl Johnson** **Title:**

RRC AND OAH USE ONLY

Action taken:

- ☐ RRC extended period of review:
- ☐ RRC determined substantial changes:
- ☐ Withdrawn by agency
- ☐ Subject to Legislative Review
- ☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Child Care Commission

2. Rule citation & name (name not required for repeal): 10A NCAC 09 .1703 On-Going Requirements for Family Child Care Home Operators

3. Action:
☐ **ADOPTION** ☒ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: January 15, 2026
Link to Agency notice: https://ncchildcare.ncdhhs.gov/Services/Child-Care-Rules-Law-and-Public-Information
Hearing on: March 9, 2026
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: May 11, 2026
☐ **Notice not required under G.S.:**
Adoption by Agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☒ **This Rule was part of a combined analysis.**
☒ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☒ **Approved by OSBM**
☐ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☐ **Agency**
☐ **Court order / cite:**
☒ **Federal statute / cite: 42 USCS 9858c,e**
☒ **Federal regulation / cite: 45 CFR 98.15, 98.41, 98.44**
☐ **Legislation enacted by the General Assembly**
Cite Session Law: S.L. 2025-36
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain: This set of rule amendments is being submitted in order to come into full compliance with requirements of the federal Child Care Development Block Fund Grant, 42 U.S.C. §9858 (CCDBG). The CCDBG Act is the primary federal law supporting child care programs for low-income working families. It provides discretionary funding to state, territorial, and tribal agencies to subsidize child care costs for eligible children and enhance the quality and availability of child care. Discretionary CCDBG funds are combined with mandatory Child Care Entitlement to States (CCES) funds, which are permanently authorized under Section 418 of the Social Security Act and must follow CCDBG rules. Together, these funding streams form the Child Care and Development Fund (CCDF), which is administered by the U.S. Department of Health and Human Services. The CCDF provides federal subsidies for low-income families with a parent who is working or continuing their education and training. These subsidies for low-income families with a parent who is working or continuing their education and training. These subsidies help families pay for child care services. To receive CCDF funds, states must set educational, health, and safety standards in 11 areas, which CCDF child care providers must follow. States must have both pre-service (or during an orientation period) and on-going minimum health and safety training requirements (appropriate to the provider setting) for providers serving CCDF children in the topic areas listed above. The CCDBG law does not require any specific number of preservice and ongoing training hours for CCDF health and safety training. The NC Child Care Commission addressed the CCDBG requirements by stating all health and safety topics are covered over a specified period of time but maintain the currently required number of on-going training hours. The health and safety standards required by CCDF are designed to benefit children, parents, child care workers, and the State. The benefit to children and parents is avoiding illness and injury to children in care. The benefit to child care workers is improved quality of child care and support for the child care workforce. Finally, the benefit to the State is ensuring continued federal CCDF Discretionary funds, which are used for child care subsidies and for activities to improve the quality and accessibility of child care. In addition to the above rule changes required to comply with federal CCDF requirements, the Child Care Commission is proposing an amendment to 10A NCAC 09 .2101to clarify that religious-sponsored child care centers are not exempt from the health and safety training requirements if they participate in the child care subsidy assistance program. By law, religious sponsored child care centers are exempt from other requirements related to licensing and employee qualifications. The proposed amendment to 10A NCAC 09 .2101 will align the rule with a declaratory ruling and longstanding practice. As such, this change will have no impact other than from incremental improvement to rule clarity.

SUBMISSION FOR PERMANENT RULE

10. Rulemaking Coordinator: Cheryl Johnson **Phone: 919-814-6392** **E-Mail: Cheryl.johnson@dhhs.nc.gov** **Additional agency contact, if any:** Kimberly Mallady **Phone: 919-618-0103** **E-Mail:** Kimberly.mallady@dhhs.nc.gov	**11. Signature of Agency Head* or Rule-making Coordinator:** *Cheryl Johnson* _____ **By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.** ***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.** **Typed Name: Cheryl Johnson** **Title: Rulemaking Coordinator**

RRC AND OAH USE ONLY

Action taken:

- ☐ RRC extended period of review:
- ☐ RRC determined substantial changes:
- ☐ Withdrawn by agency
- ☐ Subject to Legislative Review
- ☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Child Care Commission

2. Rule citation & name (name not required for repeal): 10A NCAC 09 .1729 Additional Caregiver and Substitute Provider Qualifications

3. Action:
☐ **ADOPTION** ☒ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: January 15, 2026
Link to Agency notice: https://ncchildcare.ncdhhs.gov/Services/Child-Care-Rules-Law-and-Public-Information
Hearing on: March 9, 2026
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: May 11, 2026
☐ **Notice not required under G.S.:**
Adoption by Agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☒ **This Rule was part of a combined analysis.**
☒ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☒ **Approved by OSBM**
☐ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☐ **Agency**
☐ **Court order / cite:**
☒ **Federal statute / cite: 42 USCS 9858c,e**
☒ **Federal regulation / cite: 45 CFR 98.15, 98.41, 98.44**
☐ **Legislation enacted by the General Assembly**
Cite Session Law: S.L. 2025-36
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain: This set of rule amendments is being submitted in order to come into full compliance with requirements of the federal Child Care Development Block Fund Grant, 42 U.S.C. §9858 (CCDBG). The CCDBG Act is the primary federal law supporting child care programs for low-income working families. It provides discretionary funding to state, territorial, and tribal agencies to subsidize child care costs for eligible children and enhance the quality and availability of child care. Discretionary CCDBG funds are combined with mandatory Child Care Entitlement to States (CCES) funds, which are permanently authorized under Section 418 of the Social Security Act and must follow CCDBG rules. Together, these funding streams form the Child Care and Development Fund (CCDF), which is administered by the U.S. Department of Health and Human Services. The CCDF provides federal subsidies for low-income families with a parent who is working or continuing their education and training. These subsidies for low-income families with a parent who is working or continuing their education and training. These subsidies help families pay for child care services. To receive CCDF funds, states must set educational, health, and safety standards in 11 areas, which CCDF child care providers must follow. States must have both pre-service (or during an orientation period) and on-going minimum health and safety training requirements (appropriate to the provider setting) for providers serving CCDF children in the topic areas listed above. The CCDBG law does not require any specific number of preservice and ongoing training hours for CCDF health and safety training. The NC Child Care Commission addressed the CCDBG requirements by stating all health and safety topics are covered over a specified period of time but maintain the currently required number of on-going training hours. The health and safety standards required by CCDF are designed to benefit children, parents, child care workers, and the State. The benefit to children and parents is avoiding illness and injury to children in care. The benefit to child care workers is improved quality of child care and support for the child care workforce. Finally, the benefit to the State is ensuring continued federal CCDF Discretionary funds, which are used for child care subsidies and for activities to improve the quality and accessibility of child care. In addition to the above rule changes required to comply with federal CCDF requirements, the Child Care Commission is proposing an amendment to 10A NCAC 09 .2101to clarify that religious-sponsored child care centers are not exempt from the health and safety training requirements if they participate in the child care subsidy assistance program. By law, religious sponsored child care centers are exempt from other requirements related to licensing and employee qualifications. The proposed amendment to 10A NCAC 09 .2101 will align the rule with a declaratory ruling and longstanding practice. As such, this change will have no impact other than from incremental improvement to rule clarity.

SUBMISSION FOR PERMANENT RULE

10. Rulemaking Coordinator: Cheryl Johnson **Phone: 919-618-6392** **E-Mail: Cheryl.johnson@dhhs.nc.gov** **Additional agency contact, if any:** Kimberly Mallady **Phone: 919-618-0103** **E-Mail:** kimberly.mallady@dhhs.nc.gov	**11. Signature of Agency Head* or Rule-making Coordinator:** *Cheryl Johnson* _____ **By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.** ***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.** **Typed Name: Cheryl Johnson** **Title: Rulemaking Coordinator**

RRC AND OAH USE ONLY

Action taken:

- ☐ RRC extended period of review:
- ☐ RRC determined substantial changes:
- ☐ Withdrawn by agency
- ☐ Subject to Legislative Review
- ☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Child Care Commission

2. Rule citation & name (name not required for repeal): 10A NCAC 09 .2101 Religious Sponsored Child Care Center Requirements

3. Action:
☐ **ADOPTION** ☒ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: January 15, 2026
Link to Agency notice: https://ncchildcare.ncdhhs.gov/Services/Child-Care-Rules-Law-and-Public-Information
Hearing on: March 9, 2026
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: May 11, 2026
☐ **Notice not required under G.S.:**
Adoption by Agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☒ **This Rule was part of a combined analysis.**
☒ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☒ **Approved by OSBM**
☐ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☐ **Agency**
☐ **Court order / cite:**
☒ **Federal statute / cite: 42 USCS 9858c,e**
☒ **Federal regulation / cite: 45 CFR 98.15, 98.41, 98.44**
☐ **Legislation enacted by the General Assembly Cite Session Law:**
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain: This set of rule amendments is being submitted in order to come into full compliance with requirements of the federal Child Care Development Block Fund Grant, 42 U.S.C. §9858 (CCDBG). The CCDBG Act is the primary federal law supporting child care programs for low-income working families. It provides discretionary funding to state, territorial, and tribal agencies to subsidize child care costs for eligible children and enhance the quality and availability of child care. Discretionary CCDBG funds are combined with mandatory Child Care Entitlement to States (CCES) funds, which are permanently authorized under Section 418 of the Social Security Act and must follow CCDBG rules. Together, these funding streams form the Child Care and Development Fund (CCDF), which is administered by the U.S. Department of Health and Human Services. The CCDF provides federal subsidies for low-income families with a parent who is working or continuing their education and training. These subsidies for low-income families with a parent who is working or continuing their education and training. These subsidies help families pay for child care services. To receive CCDF funds, states must set educational, health, and safety standards in 11 areas, which CCDF child care providers must follow. States must have both pre-service (or during an orientation period) and on-going minimum health and safety training requirements (appropriate to the provider setting) for providers serving CCDF children in the topic areas listed above. The CCDBG law does not require any specific number of preservice and ongoing training hours for CCDF health and safety training. The NC Child Care Commission addressed the CCDBG requirements by stating all health and safety topics are covered over a specified period of time but maintain the currently required number of on-going training hours. The health and safety standards required by CCDF are designed to benefit children, parents, child care workers, and the State. The benefit to children and parents is avoiding illness and injury to children in care. The benefit to child care workers is improved quality of child care and support for the child care workforce. Finally, the benefit to the State is ensuring continued federal CCDF Discretionary funds, which are used for child care subsidies and for activities to improve the quality and accessibility of child care. In addition to the above rule changes required to comply with federal CCDF requirements, the Child Care Commission is proposing an amendment to 10A NCAC 09 .2101to clarify that religious-sponsored child care centers are not exempt from the health and safety training requirements if they participate in the child care subsidy assistance program. By law, religious sponsored child care centers are exempt from other requirements related to licensing and employee qualifications. The proposed amendment to 10A NCAC 09 .2101 will align the rule with a declaratory ruling and longstanding practice. As such, this change will have no impact other than from incremental improvement to rule clarity.

SUBMISSION FOR PERMANENT RULE

10. Rulemaking Coordinator: Cheryl Johnson **Phone: 919-814-6392** **E-Mail: cheryl.johnson@dhhs.nc.gov** **Additional agency contact, if any:** Kimberly Mallady **Phone: 919-814-0103** **E-Mail:** kimberly.mallady@dhhs.nc.gov	**11. Signature of Agency Head* or Rule-making Coordinator:** _____ **By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.** ***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.** **Typed Name: Cheryl Johnson** **Title: Rulemaking Coordinator**

RRC AND OAH USE ONLY

Action taken:

- ☐ RRC extended period of review:
- ☐ RRC determined substantial changes:
- ☐ Withdrawn by agency
- ☐ Subject to Legislative Review
- ☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Child Care Commission

2. Rule citation & name (name not required for repeal): 10A NCAC 09 .1101 New Staff Orientation Requirements

3. Action:
☐ **ADOPTION** ☒ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: January 15, 2026
Link to Agency notice: https://ncchildcare.ncdhhs.gov/Services/Child-Care-Rules-Law-and-Public-Information
Hearing on: March 9, 2026
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: May 11, 2026
☐ **Notice not required under G.S.:**
Adoption by Agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☒ **This Rule was part of a combined analysis.**
☒ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☒ **Approved by OSBM**
☐ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☐ **Agency**
☐ **Court order / cite:**
☒ **Federal statute / cite: 42 USCS 9858c,e**
☒ **Federal regulation / cite: 45 CFR 98.15, 98.41, 98.44**
☐ **Legislation enacted by the General Assembly**
Cite Session Law: S.L. 2025-36
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain: This set of rule amendments is being submitted in order to come into full compliance with requirements of the federal Child Care Development Block Fund Grant, 42 U.S.C. §9858 (CCDBG). The CCDBG Act is the primary federal law supporting child care programs for low-income working families. It provides discretionary funding to state, territorial, and tribal agencies to subsidize child care costs for eligible children and enhance the quality and availability of child care. Discretionary CCDBG funds are combined with mandatory Child Care Entitlement to States (CCES) funds, which are permanently authorized under Section 418 of the Social Security Act and must follow CCDBG rules. Together, these funding streams form the Child Care and Development Fund (CCDF), which is administered by the U.S. Department of Health and Human Services. The CCDF provides federal subsidies for low-income families with a parent who is working or continuing their education and training. These subsidies for low-income families with a parent who is working or continuing their education and training. These subsidies help families pay for child care services. To receive CCDF funds, states must set educational, health, and safety standards in 11 areas, which CCDF child care providers must follow. States must have both pre-service (or during an orientation period) and on-going minimum health and safety training requirements (appropriate to the provider setting) for providers serving CCDF children in the topic areas listed above. The CCDBG law does not require any specific number of preservice and ongoing training hours for CCDF health and safety training. The NC Child Care Commission addressed the CCDBG requirements by stating all health and safety topics are covered over a specified period of time but maintain the currently required number of on-going training hours. The health and safety standards required by CCDF are designed to benefit children, parents, child care workers, and the State. The benefit to children and parents is avoiding illness and injury to children in care. The benefit to child care workers is improved quality of child care and support for the child care workforce. Finally, the benefit to the State is ensuring continued federal CCDF Discretionary funds, which are used for child care subsidies and for activities to improve the quality and accessibility of child care. In addition to the above rule changes required to comply with federal CCDF requirements, the Child Care Commission is proposing an amendment to 10A NCAC 09 .2101to clarify that religious-sponsored child care centers are not exempt from the health and safety training requirements if they participate in the child care subsidy assistance program. By law, religious sponsored child care centers are exempt from other requirements related to licensing and employee qualifications. The proposed amendment to 10A NCAC 09 .2101 will align the rule with a declaratory ruling and longstanding practice. As such, this change will have no impact other than from incremental improvement to rule clarity.

SUBMISSION FOR PERMANENT RULE

10. Rulemaking Coordinator: **Cheryl Johnson** **Phone: 919-814-6392** **E-Mail: cheryl.johnson@dhhs.nc.gov** **Additional agency contact, if any:** Kimberly Mallady **Phone: 919-618-0103** **E-Mail:** Kimberly.mallady@dhhs.nc.gov	**11. Signature of Agency Head* or Rule-making Coordinator:** *Cheryl Johnson* _____ **By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.** ***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.** **Typed Name: Cheryl L. Johnson** **Title: Rulemaking Coordinator**

RRC AND OAH USE ONLY

Action taken:

- ☐ RRC extended period of review:
- ☐ RRC determined substantial changes:
- ☐ Withdrawn by agency
- ☐ Subject to Legislative Review
- ☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: N.C. Radiation Protection Commission

2. Rule citation & name (name not required for repeal): 10A NCAC 15 .0601/PURPOSE AND SCOPE

3. Action:
☐ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☒ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: 8/15/2025
Link to Agency notice: https://info.ncdhhs.gov/dhsr/ruleactions.html
Hearing on: 10/2/2025
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: 6/17/26
☐ **Notice not required under G.S.:**
Adoption by Agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☒ **This Rule was part of a combined analysis.**
☒ **State funds affected**
☒ **Local funds affected**
☒ **Substantial economic impact (≥$1,000,000)**
☒ **Approved by OSBM**
☐ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law: 2023-91
☐ **Petition for rule-making**
☒ **Other: 150B-21.3A.(c)(2)(g)**

9B. Explain: The rules in 10A NCAC 15 regulate the use of radioactive materials and radiation machines in North Carolina pursuant to G.S. 104E. Rules in Section .0600 of Chapter 15 regulate all registrants who use radiation machines in NC. Rule .0601 - .0602, .0605-.0607 will be readopted, Rules .0608 and .0610 will be repealed through readoption, and .0611 will be repealed with the rulemaking action. Rules .0603 and .0604 are being republished in the Register and will be readopted at a later date. The requirements in these rules were incorporated into the substantive changes in the proposed rules for readoption. As mandated by G.S. 150B-19(4) the agency may not adopt a rule that repeats the content of a law, a rule, or a federal regulation. To comply with this mandate, the federal regulations in 21 CFR Subchapter J Parts 1000, 1001, 1002, 1010, and 1020 are being incorporated by reference. Federal regulations are being incorporated by reference into Rule 10A NCAC 15 .0607(b).

10. Rulemaking Coordinator: Shanah Black

Phone: 919-855-3481
E-Mail: shanah.black@dhhs.nc.gov

Additional agency contact, if any: Regina Kissinger

Phone: 919-814-2335
E-Mail: regina.kissinger@dhhs.nc.gov

11. Signature of Agency Head* or Rule-making Coordinator:
Shanah F Black

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Shanah Black
Title: Rule-making Coordinator

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: N.C. Radiation Protection Commission

2. Rule citation & name (name not required for repeal): 10A NCAC 15 .0602/DEFINITIONS

3. Action:
☐ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☒ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: 8/15/2025
Link to Agency notice: https://info.ncdhhs.gov/dhsr/ruleactions.html
Hearing on: 10/2/2025
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on:6/17/26
☐ **Notice not required under G.S.:**
Adoption by Agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☒ **This Rule was part of a combined analysis.**
☒ **State funds affected**
☒ **Local funds affected**
☒ **Substantial economic impact (≥$1,000,000)**
☒ **Approved by OSBM**
☐ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law: 2023-91
☐ **Petition for rule-making**
☒ **Other: 150B-21.3A.(c)(2)(g)**

9B. Explain: The rules in 10A NCAC 15 regulate the use of radioactive materials and radiation machines in North Carolina pursuant to G.S. 104E. Rules in Section .0600 of Chapter 15 regulate all registrants who use radiation machines in NC. Rule .0601 - .0602, .0605-.0607 will be readopted, Rules .0608 and .0610 will be repealed through readopton, and .0611 will be repealed with the rulemaking action. Rules .0603 and .0604 are being republished in the Register and will be readopted at a later date. The requirements in these rules were incorporated into the substantive changes in the proposed rules for readoption. As mandated by G.S. 150B-19(4) the agency may not adopt a rule that repeats the content of a law, a rule, or a federal regulation. To comply with this mandate, the federal regulations in 21 CFR Subchapter J Parts 1000, 1001, 1002, 1010, and 1020 are being incorporated by reference. Federal regulations are being incorporated by reference into Rule 10A NCAC 15 .0607(b).

10. Rulemaking Coordinator: Shanah Black

Phone: 919-855-3481
E-Mail: shanah.black@dhhs.nc.gov

Additional agency contact, if any: Regina Kissinger

Phone: 919-814-2335
E-Mail: regina.kissinger@dhhs.nc.gov

11. Signature of Agency Head* or Rule-making Coordinator:
Shanah F Black

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Shanah Black
Title: Rule-making Coordinator

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: N.C. Radiation Protection Commission

2. Rule citation & name (name not required for repeal): 10A NCAC 15 .0605/OPERATING REQUIREMENTS

3. Action:
☐ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☒ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: 8/15/2025
Link to Agency notice: https://info.ncdhhs.gov/dhsr/ruleactions.html
Hearing on: 10/2/2025
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: 6/17/26
☐ **Notice not required under G.S.:**
Adoption by Agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☒ **This Rule was part of a combined analysis.**
☒ **State funds affected**
☒ **Local funds affected**
☒ **Substantial economic impact (≥$1,000,000)**
☒ **Approved by OSBM**
☐ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law: 2023-91
☐ **Petition for rule-making**
☒ **Other: 150B-21.3A.(c)(2)(g)**

9B. Explain: The rules in 10A NCAC 15 regulate the use of radioactive materials and radiation machines in North Carolina pursuant to G.S. 104E. Rules in Section .0600 of Chapter 15 regulate all registrants who use radiation machines in NC. Rule .0601 - .0602, .0605-.0607 will be readopted, Rules .0608 and .0610 will be repealed through readoption, and .0611 will be repealed with the rulemaking action. Rules .0603 and .0604 are being republished in the Register and will be readopted at a later date. The requirements in these rules were incorporated into the substantive changes in the proposed rules for readoption. As mandated by G.S. 150B-19(4) the agency may not adopt a rule that repeats the content of a law, a rule, or a federal regulation. To comply with this mandate, the federal regulations in 21 CFR Subchapter J Parts 1000, 1001, 1002, 1010, and 1020 are being incorporated by reference. Federal regulations are being incorporated by reference into Rule 10A NCAC 15 .0607(b).

10. Rulemaking Coordinator: Shanah Black

Phone: 919-855-3481
E-Mail: shanah.black@dhhs.nc.gov

Additional agency contact, if any: Regina Kissinger

Phone: 919-814-2335
E-Mail: regina.kissinger@dhhs.nc.gov

11. Signature of Agency Head* or Rule-making Coordinator:
Shanah F Black

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Shanah Black
Title: Rule-making Coordinator

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: N.C. Radiation Protection Commission

2. Rule citation & name (name not required for repeal): 10A NCAC 15 .0606/AREA REQUIREMENTS

3. Action:
☐ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☒ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: 8/15/2025
Link to Agency notice: https://info.ncdhhs.gov/dhsr/ruleactions.html
Hearing on: 10/2/2025
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: 6/17/26
☐ **Notice not required under G.S.:**
Adoption by Agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☒ **This Rule was part of a combined analysis.**
☒ **State funds affected**
☒ **Local funds affected**
☒ **Substantial economic impact (≥$1,000,000)**
☒ **Approved by OSBM**
☐ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law: 2023-91
☐ **Petition for rule-making**
☒ **Other: 150B-21.3A.(c)(2)(g)**

9B. Explain: The rules in 10A NCAC 15 regulate the use of radioactive materials and radiation machines in North Carolina pursuant to G.S. 104E. Rules in Section .0600 of Chapter 15 regulate all registrants who use radiation machines in NC. Rule .0601 - .0602, .0605-.0607 will be readopted, Rules .0608 and .0610 will be repealed through readoption, and .0611 will be repealed with the rulemaking action. Rules .0603 and .0604 are being republished in the Register and will be readopted at a later date. The requirements in these rules were incorporated into the substantive changes in the proposed rules for readoption. As mandated by G.S. 150B-19(4) the agency may not adopt a rule that repeats the content of a law, a rule, or a federal regulation. To comply with this mandate, the federal regulations in 21 CFR Subchapter J Parts 1000, 1001, 1002, 1010, and 1020 are being incorporated by reference. Federal regulations are being incorporated by reference into Rule 10A NCAC 15 .0607(b).

10. Rulemaking Coordinator: Shanah Black

Phone: 919-855-3481
E-Mail: shanah.black@dhhs.nc.gov

Additional agency contact, if any: Regina Kissinger

Phone: 919-814-2335
E-Mail: regina.kissinger@dhhs.nc.gov

11. Signature of Agency Head* or Rule-making Coordinator:
Shanah F Black

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Shanah Black
Title: Rule-making Coordinator

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: N.C. Radiation Protection Commission

2. Rule citation & name (name not required for repeal): 10A NCAC 15 .0607/RADIATION MACHINE REQUIREMENTS

3. Action:
☐ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☒ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: 8/15/2025
Link to Agency notice: https://info.ncdhhs.gov/dhsr/ruleactions.html
Hearing on: 10/2/2025
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: 6/17/26
☐ **Notice not required under G.S.:**
Adoption by Agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☒ **This Rule was part of a combined analysis.**
☒ **State funds affected**
☒ **Local funds affected**
☒ **Substantial economic impact (≥$1,000,000)**
☒ **Approved by OSBM**
☐ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law: 2023-91
☐ **Petition for rule-making**
☒ **Other: 150B-21.3A.(c)(2)(g)**

9B. Explain: The rules in 10A NCAC 15 regulate the use of radioactive materials and radiation machines in North Carolina pursuant to G.S. 104E. Rules in Section .0600 of Chapter 15 regulate all registrants who use radiation machines in NC. Rule .0601 - .0602, .0605-.0607 will be readopted, Rules .0608 and .0610 will be repealed through readoption, and .0611 will be repealed with the rulemaking action. Rules .0603 and .0604 are being republished in the Register and will be readopted at a later date. The requirements in these rules were incorporated into the substantive changes in the proposed rules for readoption. As mandated by G.S. 150B-19(4) the agency may not adopt a rule that repeats the content of a law, a rule, or a federal regulation. To comply with this mandate, the federal regulations in 21 CFR Subchapter J Parts 1000, 1001, 1002, 1010, and 1020 are being incorporated by reference. Federal regulations are being incorporated by reference into Rule 10A NCAC 15 .0607(b).

10. Rulemaking Coordinator: Shanah Black

Phone: 919-855-3481
E-Mail: shanah.black@dhhs.nc.gov

Additional agency contact, if any: Regina Kissinger

Phone: 919-814-2335
E-Mail: regina.kissinger@dhhs.nc.gov

11. Signature of Agency Head* or Rule-making Coordinator:
Shanah F Black

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Shanah Black
Title: Rule-making Coordinator

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: N.C. Radiation Protection Commission

2. Rule citation & name (name not required for repeal): 10A NCAC 15 .0608/THERAPEUTIC X-RAY INSTALLATIONS: LESS THAN ONE MEV

3. Action:
☐ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☒ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: 8/15/2025
Link to Agency notice: https://info.ncdhhs.gov/dhsr/ruleactions.html
Hearing on: 10/2/2025
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: 6/17/26
☐ **Notice not required under G.S.:**
Adoption by Agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☒ **This Rule was part of a combined analysis.**
☒ **State funds affected**
☒ **Local funds affected**
☒ **Substantial economic impact (≥$1,000,000)**
☒ **Approved by OSBM**
☐ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law: 2023-91
☐ **Petition for rule-making**
☒ **Other: 150B-21.3A.(c)(2)(g)**

9B. Explain: The rules in 10A NCAC 15 regulate the use of radioactive materials and radiation machines in North Carolina pursuant to G.S. 104E. Rules in Section .0600 of Chapter 15 regulate all registrants who use radiation machines in NC. Rule .0601 - .0602, .0605-.0607 will be readopted, Rules .0608 and .0610 will be repealed through readoption, and .0611 will be repealed with the rulemaking action. Rules .0603 and .0604 are being republished in the Register and will be readopted at a later date. The requirements in these rules were incorporated into the substantive changes in the proposed rules for readoption. As mandated by G.S. 150B-19(4) the agency may not adopt a rule that repeats the content of a law, a rule, or a federal regulation. To comply with this mandate, the federal regulations in 21 CFR Subchapter J Parts 1000, 1001, 1002, 1010, and 1020 are being incorporated by reference. Federal regulations are being incorporated by reference into Rule 10A NCAC 15 .0607(b).

10. Rulemaking Coordinator: Shanah Black

Phone: 919-855-3481
E-Mail: shanah.black@dhhs.nc.gov

Additional agency contact, if any: Regina Kissinger

Phone: 919-814-2335
E-Mail: regina.kissinger@dhhs.nc.gov

11. Signature of Agency Head* or Rule-making Coordinator:
Shanah F Black

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Shanah Black
Title: Rule-making Coordinator

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: N.C. Radiation Protection Commission

2. Rule citation & name (name not required for repeal): 10A NCAC 15 .0610/VETERINARY MEDICINE RADIOGRAPHIC INSTALLATIONS

3. Action:
☐ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☒ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: 8/15/2025
Link to Agency notice: https://info.ncdhhs.gov/dhsr/ruleactions.html
Hearing on: 10/2/2025
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: 6/17/26
☐ **Notice not required under G.S.:**
Adoption by Agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☒ **This Rule was part of a combined analysis.**
☒ **State funds affected**
☒ **Local funds affected**
☒ **Substantial economic impact (≥$1,000,000)**
☒ **Approved by OSBM**
☐ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law: 2023-91
☐ **Petition for rule-making**
☒ **Other: 150B-21.3A.(c)(2)(g)**

9B. Explain: The rules in 10A NCAC 15 regulate the use of radioactive materials and radiation machines in North Carolina pursuant to G.S. 104E. Rules in Section .0600 of Chapter 15 regulate all registrants who use radiation machines in NC. Rule .0601 - .0602, .0605-.0607 will be readopted, Rules .0608 and .0610 will be repealed through readoption, and .0611 will be repealed with the rulemaking action. Rules .0603 and .0604 are being republished in the Register and will be readopted at a later date. The requirements in these rules were incorporated into the substantive changes in the proposed rules for readoption. As mandated by G.S. 150B-19(4) the agency may not adopt a rule that repeats the content of a law, a rule, or a federal regulation. To comply with this mandate, the federal regulations in 21 CFR Subchapter J Parts 1000, 1001, 1002, 1010, and 1020 are being incorporated by reference. Federal regulations are being incorporated by reference into Rule 10A NCAC 15 .0607(b).

10. Rulemaking Coordinator: Shanah Black

Phone: 919-855-3481
E-Mail: shanah.black@dhhs.nc.gov

Additional agency contact, if any: Regina Kissinger

Phone: 919-814-2335
E-Mail: regina.kissinger@dhhs.nc.gov

11. Signature of Agency Head* or Rule-making Coordinator:
Shanah F Black

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Shanah Black
Title: Rule-making Coordinator

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

1. Rule-Making Agency: NC Sheriffs' Education and Training Standards Commission

2. Rule citation & name (name not required for repeal): 12 NCAC 10B .1303 **Time Req/Completion/Telecommunicator Certification Course**

3. Action:
☐ **ADOPTION** ☒ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: April 15, 2026
Link to Agency notice: Proposed Rule Amendments - NCDOJ
Hearing on: April 30, 2026
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 18, 2026
☐ **Notice not required under G.S.:**
Adoption by Agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain:
12 NCAC 10B .1303 Time Req/Completion/Telecommunicator Certification Course The amendment eliminates unnecessary language.

10. Rulemaking Coordinator: Robin P. Pendergraft

Phone: 919-779-8213
E-Mail: rpendergraft@ncdoj.gov

Additional agency contact, if any: Sirena Jones

Phone: 919-779-8213
E-Mail: scjones@ncdoj.gov

11. Signature of Agency Head* or Rule-making Coordinator:
Robin P. Pendergraft

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Robin P. Pendergraft
Title: Projects Manager

RRC AND OAH USE ONLY

Action taken:

- ☐ RRC extended period of review:
- ☐ RRC determined substantial changes:
- ☐ Withdrawn by agency
- ☐ Subject to Legislative Review
- ☐ Other:

1. Rule-Making Agency: NC Sheriffs' Education and Training Standards Commission

2. Rule citation & name (name not required for repeal): 12 NCAC 10B .1304 **Evaluation for Training Waiver**

3. Action:
☐ **ADOPTION** ☒ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: April 15, 2026
Link to Agency notice: Proposed Rule Amendments - NCDOJ
Hearing on: April 30, 2026
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 18, 2026
☐ **Notice not required under G.S.:**
Adoption by Agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain:
12 NCAC 10B .1304 Evaluation for Training Waiver The amendment adds the word "certification" for clarity.

10. Rulemaking Coordinator: Robin P. Pendergraft

Phone: 919-779-8213
E-Mail: rpendergraft@ncdoj.gov

Additional agency contact, if any: Sirena Jones

Phone: 919-779-8213
E-Mail: scjones@ncdoj.gov

11. Signature of Agency Head* or Rule-making Coordinator:
Robin P. Pendergraft

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Robin P. Pendergraft
Title: Projects Manager

RRC AND OAH USE ONLY

Action taken:

- ☐ RRC extended period of review:
- ☐ RRC determined substantial changes:
- ☐ Withdrawn by agency
- ☐ Subject to Legislative Review
- ☐ Other:

1. Rule-Making Agency: NC Sheriffs' Education and Training Standards Commission

2. Rule citation & name (name not required for repeal): 12 NCAC 10B .1305 **Trainee Attendance**

3. Action:
☐ **ADOPTION** ☒ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: April 15, 2026
Link to Agency notice: Proposed Rule Amendments - NCDOJ
Hearing on: April 30, 2026
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 18, 2026
☐ **Notice not required under G.S.:**
Adoption by Agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain:

12 NCAC 10B .1305 Trainee Attendance The amendment eliminates unnecessary language and adds wording for clarity.

10. Rulemaking Coordinator: Robin P. Pendergraft

Phone: 919-779-8213
E-Mail: rpendergraft@ncdoj.gov

Additional agency contact, if any: Sirena Jones

Phone: 919-779-8213
E-Mail: scjones@ncdoj.gov

11. Signature of Agency Head* or Rule-making Coordinator:
Robin P. Pendergraft

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Robin P. Pendergraft
Title: Projects Manager

RRC AND OAH USE ONLY

Action taken:

- ☐ RRC extended period of review:
- ☐ RRC determined substantial changes:
- ☐ Withdrawn by agency
- ☐ Subject to Legislative Review
- ☐ Other:

1. Rule-Making Agency: NC Sheriffs' Education and Training Standards Commission

2. Rule citation & name (name not required for repeal): 12 NCAC 10B .1306 **Completion of Telecommunicator Certification Course**

3. Action:
☐ **ADOPTION** ☒ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: April 15, 2026
Link to Agency notice: Proposed Rule Amendments - NCDOJ
Hearing on: April 30, 2026
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 18, 2026
☐ **Notice not required under G.S.:**
Adoption by Agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain:
12 NCAC 10B .1306 Completion of Telecommunicator Certification Course The amendment eliminates unnecessary language and adds wording for clarity.

10. Rulemaking Coordinator: Robin P. Pendergraft

Phone: 919-779-8213
E-Mail: rpendergraft@ncdoj.gov

Additional agency contact, if any: Sirena Jones

Phone: 919-779-8213
E-Mail: scjones@ncdoj.gov

11. Signature of Agency Head* or Rule-making Coordinator:
Robin P. Pendergraft

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Robin P. Pendergraft
Title: Projects Manager

RRC AND OAH USE ONLY

Action taken:

- ☐ RRC extended period of review:
- ☐ RRC determined substantial changes:
- ☐ Withdrawn by agency
- ☐ Subject to Legislative Review
- ☐ Other:

1. Rule-Making Agency: NC Sheriffs' Education and Training Standards Commission

2. Rule citation & name (name not required for repeal): 12 NCAC 10B .1308 **Satisfaction of Minimum Training Requirements**

3. Action:
☐ **ADOPTION** ☒ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: April 15, 2026
Link to Agency notice: Proposed Rule Amendments - NCDOJ
Hearing on: April 30, 2026
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 18, 2026
☐ **Notice not required under G.S.:**
Adoption by Agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain:
12 NCAC 10B .1308 Satisfaction of Minimum Training Requirements The amendment eliminates unnecessary language.

10. Rulemaking Coordinator: Robin P. Pendergraft

Phone: 919-779-8213
E-Mail: rpendergraft@ncdoj.gov

Additional agency contact, if any: Sirena Jones

Phone: 919-779-8213
E-Mail: scjones@ncdoj.gov

11. Signature of Agency Head* or Rule-making Coordinator:
Robin P. Pendergraft

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Robin P. Pendergraft
Title: Projects Manager

RRC AND OAH USE ONLY

Action taken:

- ☐ RRC extended period of review:
- ☐ RRC determined substantial changes:
- ☐ Withdrawn by agency
- ☐ Subject to Legislative Review
- ☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Mining Commission

2. Rule citation & name (name not required for repeal):
15A NCAC 05A .0101 NAME AND ADDRESS

3. Action:
☐ ADOPTION ☐ AMENDMENT ☐ REPEAL ☑ READOPTION ☐ REPEAL through READOPTION

4. Rule exempt from RRC review?
☐ Yes. Cite authority:
☑ No

5. Rule automatically subject to legislative review?
☐ Yes. Cite authority:
☑ No

6. Notice for Proposed Rule:
☑ Notice Required
Notice of Text published on: October 15, 2025
Link to Agency notice: https://www.deq.nc.gov/about/boards-and-commissions/nc-mining-commission
Hearing on: November 18, 2025
☑ The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.
Adoption by Agency on: May 12, 2026
☐ Notice not required under G.S.:
Adoption by Agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)
☐ Yes
Agency submitted request for consultation on:
Consultation not required. Cite authority:
☑ No

8. Fiscal impact. Check all that apply.
☑ This Rule was part of a combined analysis.
☐ State funds affected
☐ Local funds affected
☐ Substantial economic impact (≥$1,000,000)
☑ Approved by OSBM
☐ No fiscal note required

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:
☑ Agency
☐ Court order / cite:
☐ Federal statute / cite:
☐ Federal regulation / cite:
☐ Legislation enacted by the General Assembly
Cite Session Law:
☐ Petition for rule-making
☑ Other: G.S. 150B-21.3A Periodic review and readoption

9B. Explain:
G.S. 150B-21.3A requires a periodic review and readoption of all the rules used by state agencies on at least a 10-year basis. The Mining Commission has directed the staff of the Division of Energy, Mineral and Land Resources to implement the administrative process necessary for the review of the rules in Title 15A, Chapter 05 of the North Carolina Administrative Code. The proposed rule changes are designed not only to satisfy the readoption requirement, but also to update references and terminology and to revise requirements in line with current practices and technological advancements. These updates will help ensure the rules remain accurate, relevant, and effective.

10. Rulemaking Coordinator:
Jennifer Everett
Phone: 919-707-8595
E-Mail:
Jennifer.everett@deq.nc.gov
Additional agency contact, if any:
Adam Parr
Phone: 919-707-9207
E-Mail:
adam.parr@deq.nc.gov

11. Signature of Agency Head* or Rule-making Coordinator:
Jennifer Everett
By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Jennifer Everett
Title: DEQ Rulemaking Coordinator

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Mining Commission

2. Rule citation & name (name not required for repeal):
15A NCAC 05A .0202 AUTHORITIES AND DEFINITIONS

3. Action:
☐ ADOPTION ☐ AMENDMENT ☐ REPEAL ☑ READOPTION ☐ REPEAL through READOPTION

4. Rule exempt from RRC review?
☐ Yes. Cite authority:
☑ No

5. Rule automatically subject to legislative review?
☐ Yes. Cite authority:
☑ No

6. Notice for Proposed Rule:
☑ **Notice Required**
Notice of Text published on: October 15, 2025
Link to Agency notice: https://www.deq.nc.gov/about/boards-and-commissions/nc-mining-commission
Hearing on: November 18, 2025
☑ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: May 12, 2026
☐ **Notice not required under G.S.:**
Adoption by Agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)
☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:
☑ **No**

8. Fiscal impact. Check all that apply.
☑ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☑ **Approved by OSBM**
☐ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:
☑ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☑ **Other:** G.S. 150B-21.3A Periodic review and readoption

9B. Explain:
G.S. 150B-21.3A requires a periodic review and readoption of all the rules used by state agencies on at least a 10-year basis. The Mining Commission has directed the staff of the Division of Energy, Mineral and Land Resources to implement the administrative process necessary for the review of the rules in Title 15A, Chapter 05 of the North Carolina Administrative Code. The proposed rule changes are designed not only to satisfy the readoption requirement, but also to update references and terminology and to revise requirements in line with current practices and technological advancements. These updates will help ensure the rules remain accurate, relevant, and effective.

10. Rulemaking Coordinator:
Jennifer Everett
Phone: 919-707-8595
E-Mail:
Jennifer.everett@deq.nc.gov
Additional agency contact, if any:
Adam Parr
Phone: 919-707-9207
E-Mail:
adam.parr@deq.nc.gov

11. Signature of Agency Head* or Rule-making Coordinator:
Jennifer Everett
By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Jennifer Everett
Title: DEQ Rulmaking Coordinator

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Mining Commission

2. Rule citation & name (name not required for repeal):
15A NCAC 05B .0103 BONDING REQUIREMENTS

3. Action:
☐ ADOPTION ☐ AMENDMENT ☐ REPEAL ☑ READOPTION ☐ REPEAL through READOPTION

4. Rule exempt from RRC review?
☐ Yes. Cite authority:
☑ No

5. Rule automatically subject to legislative review?
☐ Yes. Cite authority:
☑ No

6. Notice for Proposed Rule:
☑ **Notice Required**
Notice of Text published on: October 15, 2025
Link to Agency notice: https://www.deq.nc.gov/about/boards-and-commissions/nc-mining-commission
Hearing on: November 18, 2025
☑ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: May 12, 2026
☐ **Notice not required under G.S.:**
Adoption by Agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)
☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:
☑ **No**

8. Fiscal impact. Check all that apply.
☑ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☑ **Substantial economic impact (≥$1,000,000)**
☑ **Approved by OSBM**
☐ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:
☑ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☑ **Other:** G.S. 150B-21.3A Periodic review and readoption

9B. Explain:
G.S. 150B-21.3A requires a periodic review and readoption of all the rules used by state agencies on at least a 10-year basis. The Mining Commission has directed the staff of the Division of Energy, Mineral and Land Resources to implement the administrative process necessary for the review of the rules in Title 15A, Chapter 05 of the North Carolina Administrative Code. The proposed rule changes are designed not only to satisfy the readoption requirement, but also to update references and terminology and to revise requirements in line with current practices and technological advancements. These updates will help ensure the rules remain accurate, relevant, and effective.

10. Rulemaking Coordinator:
Jennifer Everett
Phone: 919-707-8595
E-Mail:
Jennifer.everett@deq.nc.gov
Additional agency contact, if any:
Adam Parr
Phone: 919-707-9207
E-Mail:
adam.parr@deq.nc.gov

11. Signature of Agency Head* or Rule-making Coordinator:
Jennifer Everett

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Jennifer Everett
Title: DEQ Rulemaking Coordinator

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Mining Commission

2. Rule citation & name (name not required for repeal):
15A NCAC 05B .0104 INFORMATION REQUIRED IN PERMIT APPLICATION

3. Action:
☐ ADOPTION ☐ AMENDMENT ☐ REPEAL ☑ READOPTION ☐ REPEAL through READOPTION

4. Rule exempt from RRC review?
☐ Yes. Cite authority:
☑ No

5. Rule automatically subject to legislative review?
☐ Yes. Cite authority:
☑ No

6. Notice for Proposed Rule:
☑ **Notice Required**
Notice of Text published on: October 15, 2025
Link to Agency notice: https://www.deq.nc.gov/about/boards-and-commissions/nc-mining-commission
Hearing on: November 18, 2025
☑ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: May 12, 2026
☐ **Notice not required under G.S.:**
Adoption by Agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)
☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:
☑ **No**

8. Fiscal impact. Check all that apply.
☑ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☑ **Approved by OSBM**
☐ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:
☑ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☑ **Other:** G.S. 150B-21.3A Periodic review and readoption

9B. Explain:
G.S. 150B-21.3A requires a periodic review and readoption of all the rules used by state agencies on at least a 10-year basis. The Mining Commission has directed the staff of the Division of Energy, Mineral and Land Resources to implement the administrative process necessary for the review of the rules in Title 15A, Chapter 05 of the North Carolina Administrative Code. The proposed rule changes are designed not only to satisfy the readoption requirement, but also to update references and terminology and to revise requirements in line with current practices and technological advancements. These updates will help ensure the rules remain accurate, relevant, and effective.

In subparagaphs (c)(12) through (c)(17) is proposed language that was not shown as underlined in the register, but is now underlined.

10. Rulemaking Coordinator:
Jennifer Everett
Phone: 919-707-8595
E-Mail:
Jennifer.everett@deq.nc.gov
Additional agency contact, if any:
Adam Parr
Phone: 919-707-9207
E-Mail:
adam.parr@deq.nc.gov

11. Signature of Agency Head* or Rule-making Coordinator:
Jennifer Everett
By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Jennifer Everett
Title: DEQ Rulemaking Coordinator

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Mining Commission

2. Rule citation & name (name not required for repeal):
15A NCAC 05B .0105 CONDITIONS WHICH MAY BE INCLUDED IN PERMIT

3. Action:
☐ ADOPTION ☐ AMENDMENT ☐ REPEAL ☑ READOPTION ☐ REPEAL through READOPTION

4. Rule exempt from RRC review?
☐ Yes. Cite authority:
☑ No

5. Rule automatically subject to legislative review?
☐ Yes. Cite authority:
☑ No

6. Notice for Proposed Rule:
☑ **Notice Required**
Notice of Text published on: October 15, 2025
Link to Agency notice: https://www.deq.nc.gov/about/boards-and-commissions/nc-mining-commission
Hearing on: November 18, 2025
☑ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: May 12, 2026
☐ **Notice not required under G.S.:**
Adoption by Agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)
☐ Yes
Agency submitted request for consultation on:
Consultation not required. Cite authority:
☑ No

8. Fiscal impact. Check all that apply.
☑ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☑ **Approved by OSBM**
☐ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:
☑ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☑ **Other:** G.S. 150B-21.3A Periodic review and readoption

9B. Explain:
G.S. 150B-21.3A requires a periodic review and readoption of all the rules used by state agencies on at least a 10-year basis. The Mining Commission has directed the staff of the Division of Energy, Mineral and Land Resources to implement the administrative process necessary for the review of the rules in Title 15A, Chapter 05 of the North Carolina Administrative Code. The proposed rule changes are designed not only to satisfy the readoption requirement, but also to update references and terminology and to revise requirements in line with current practices and technological advancements. These updates will help ensure the rules remain accurate, relevant, and effective.

10. Rulemaking Coordinator:
Jennifer Everett
Phone: 919-707-8595
E-Mail:
Jennifer.everett@deq.nc.gov
Additional agency contact, if any:
Adam Parr
Phone: 919-707-9207
E-Mail:
adam.parr@deq.nc.gov

11. Signature of Agency Head* or Rule-making Coordinator:
Jennifer Everett
By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Jennifer Everett
Title: DEQ Rulemaking Coordinator

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Mining Commission

2. Rule citation & name (name not required for repeal):
15A NCAC 05B .0106

3. Action:
☐ ADOPTION ☐ AMENDMENT ☐ REPEAL ☐ READOPTION ☑ REPEAL through READOPTION

4. Rule exempt from RRC review?
☐ Yes. Cite authority:
☑ No

5. Rule automatically subject to legislative review?
☐ Yes. Cite authority:
☑ No

6. Notice for Proposed Rule:
☑ **Notice Required**
Notice of Text published on: October 15, 2025
Link to Agency notice: https://www.deq.nc.gov/about/boards-and-commissions/nc-mining-commission
Hearing on: November 18, 2025
☑ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: May 12, 2026
☐ **Notice not required under G.S.:**
Adoption by Agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)
☐ Yes
Agency submitted request for consultation on:
Consultation not required. Cite authority:
☑ No

8. Fiscal impact. Check all that apply.
☑ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☑ **Approved by OSBM**
☐ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:
☑ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly Cite Session Law:**
☐ **Petition for rule-making**
☑ **Other:** G.S. 150B-21.3A Periodic review and readoption

9B. Explain:
G.S. 150B-21.3A requires a periodic review and readoption of all the rules used by state agencies on at least a 10-year basis. The Mining Commission has directed the staff of the Division of Energy, Mineral and Land Resources to implement the administrative process necessary for the review of the rules in Title 15A, Chapter 05 of the North Carolina Administrative Code. The proposed rule changes are designed not only to satisfy the readoption requirement, but also to update references and terminology and to revise requirements in line with current practices and technological advancements. These updates will help ensure the rules remain accurate, relevant, and effective.

10. Rulemaking Coordinator:
Jennifer Everett
Phone: 919-707-8595
E-Mail:
Jennifer.everett@deq.nc.gov
Additional agency contact, if any:
Adam Parr
Phone: 919-707-9207
E-Mail:
adam.parr@deq.nc.gov

11. Signature of Agency Head* or Rule-making Coordinator:
Jennifer Everett
By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Jennifer Everett
Title: DEQ Rulemaking Coordinator

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Mining Commission

2. Rule citation & name (name not required for repeal):
15A NCAC 05B .0110 MINING RECLAMATION REPORTS

3. Action:
☐ ADOPTION ☐ AMENDMENT ☐ REPEAL ☑ READOPTION ☐ REPEAL through READOPTION

4. Rule exempt from RRC review?
☐ Yes. Cite authority:
☑ No

5. Rule automatically subject to legislative review?
☐ Yes. Cite authority:
☑ No

6. Notice for Proposed Rule:
☑ **Notice Required**
Notice of Text published on: October 15, 2025
Link to Agency notice: https://www.deq.nc.gov/about/boards-and-commissions/nc-mining-commission
Hearing on: November 18, 2025
☑ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: May 12, 2026
☐ **Notice not required under G.S.:**
Adoption by Agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)
☐ Yes
Agency submitted request for consultation on:
Consultation not required. Cite authority:
☑ No

8. Fiscal impact. Check all that apply.
☑ This Rule was part of a combined analysis.
☐ State funds affected
☐ Local funds affected
☐ Substantial economic impact (≥$1,000,000)
☑ Approved by OSBM
☐ No fiscal note required

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:
☑ Agency
☐ Court order / cite:
☐ Federal statute / cite:
☐ Federal regulation / cite:
☐ Legislation enacted by the General Assembly
Cite Session Law:
☐ Petition for rule-making
☑ Other: G.S. 150B-21.3A Periodic review and readoption

9B. Explain:
G.S. 150B-21.3A requires a periodic review and readoption of all the rules used by state agencies on at least a 10-year basis. The Mining Commission has directed the staff of the Division of Energy, Mineral and Land Resources to implement the administrative process necessary for the review of the rules in Title 15A, Chapter 05 of the North Carolina Administrative Code. The proposed rule changes are designed not only to satisfy the readoption requirement, but also to update references and terminology and to revise requirements in line with current practices and technological advancements. These updates will help ensure the rules remain accurate, relevant, and effective.

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Typed Name: Jennifer Everett
Title: DEQ Rulemaking Coordinator

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Mining Commission

2. Rule citation & name (name not required for repeal):
15A NCAC 05B .0111 PUBLIC HEARINGS

3. Action:
☐ ADOPTION ☐ AMENDMENT ☐ REPEAL ☑ READOPTION ☐ REPEAL through READOPTION

4. Rule exempt from RRC review?
☐ Yes. Cite authority:
☑ No

5. Rule automatically subject to legislative review?
☐ Yes. Cite authority:
☑ No

6. Notice for Proposed Rule:
☑ **Notice Required**
Notice of Text published on: October 15, 2025
Link to Agency notice: https://www.deq.nc.gov/about/boards-and-commissions/nc-mining-commission
Hearing on: November 18, 2025
☑ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: May 12, 2026
☐ **Notice not required under G.S.:**
Adoption by Agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)
☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:
☑ **No**

8. Fiscal impact. Check all that apply.
☑ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☑ **Approved by OSBM**
☐ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:
☑ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☑ **Other:** G.S. 150B-21.3A Periodic review and readoption

9B. Explain:
G.S. 150B-21.3A requires a periodic review and readoption of all the rules used by state agencies on at least a 10-year basis. The Mining Commission has directed the staff of the Division of Energy, Mineral and Land Resources to implement the administrative process necessary for the review of the rules in Title 15A, Chapter 05 of the North Carolina Administrative Code. The proposed rule changes are designed not only to satisfy the readoption requirement, but also to update references and terminology and to revise requirements in line with current practices and technological advancements. These updates will help ensure the rules remain accurate, relevant, and effective.

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RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Mining Commission

2. Rule citation & name (name not required for repeal):
15A NCAC 05B .0112 PERMIT APPLICATION PROCESSING FEES

3. Action:
☐ ADOPTION ☐ AMENDMENT ☐ REPEAL ☑ READOPTION ☐ REPEAL through READOPTION

4. Rule exempt from RRC review?
☐ Yes. Cite authority:
☑ No

5. Rule automatically subject to legislative review?
☐ Yes. Cite authority:
☑ No

6. Notice for Proposed Rule:
☑ Notice Required
Notice of Text published on: October 15, 2025
Link to Agency notice: https://www.deq.nc.gov/about/boards-and-commissions/nc-mining-commission
Hearing on: November 18, 2025
☑ The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.
Adoption by Agency on: May 12, 2026
☐ Notice not required under G.S.:
Adoption by Agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)
☐ Yes
Agency submitted request for consultation on:
Consultation not required. Cite authority:
☑ No

8. Fiscal impact. Check all that apply.
☑ This Rule was part of a combined analysis.
☐ State funds affected
☐ Local funds affected
☐ Substantial economic impact (≥$1,000,000)
☑ Approved by OSBM
☐ No fiscal note required

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:
☑ Agency
☐ Court order / cite:
☐ Federal statute / cite:
☐ Federal regulation / cite:
☐ Legislation enacted by the General Assembly
Cite Session Law:
☐ Petition for rule-making
☑ Other: G.S. 150B-21.3A Periodic review and readoption

9B. Explain:
G.S. 150B-21.3A requires a periodic review and readoption of all the rules used by state agencies on at least a 10-year basis. The Mining Commission has directed the staff of the Division of Energy, Mineral and Land Resources to implement the administrative process necessary for the review of the rules in Title 15A, Chapter 05 of the North Carolina Administrative Code. The proposed rule changes are designed not only to satisfy the readoption requirement, but also to update references and terminology and to revise requirements in line with current practices and technological advancements. These updates will help ensure the rules remain accurate, relevant, and effective.

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RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Mining Commission

2. Rule citation & name (name not required for repeal):
15A NCAC 05B .0113 RESPONSE DEADLINE TO DEPARTMENT'S REQUEST(S)

3. Action:
☐ ADOPTION ☐ AMENDMENT ☐ REPEAL ☑ READOPTION ☐ REPEAL through READOPTION

4. Rule exempt from RRC review?
☐ Yes. Cite authority:
☑ No

5. Rule automatically subject to legislative review?
☐ Yes. Cite authority:
☑ No

6. Notice for Proposed Rule:
☑ **Notice Required**
Notice of Text published on: October 15, 2025
Link to Agency notice: https://www.deq.nc.gov/about/boards-and-commissions/nc-mining-commission
Hearing on: November 18, 2025
☑ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: May 12, 2026
☐ **Notice not required under G.S.:**
Adoption by Agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)
☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:
☑ **No**

8. Fiscal impact. Check all that apply.
☑ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☑ **Approved by OSBM**
☐ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:
☑ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☑ **Other:** G.S. 150B-21.3A Periodic review and readoption

9B. Explain:
G.S. 150B-21.3A requires a periodic review and readoption of all the rules used by state agencies on at least a 10-year basis. The Mining Commission has directed the staff of the Division of Energy, Mineral and Land Resources to implement the administrative process necessary for the review of the rules in Title 15A, Chapter 05 of the North Carolina Administrative Code. The proposed rule changes are designed not only to satisfy the readoption requirement, but also to update references and terminology and to revise requirements in line with current practices and technological advancements. These updates will help ensure the rules remain accurate, relevant, and effective.

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Typed Name: Jennifer Everett
Title: DEQ Rulemaking Coordinator

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Mining Commission

2. Rule citation & name (name not required for repeal):
15A NCAC 05B .0114 BLASTING

3. Action:
☑ ADOPTION ☐ AMENDMENT ☐ REPEAL ☐ READOPTION ☐ REPEAL through READOPTION

4. Rule exempt from RRC review?
☐ Yes. Cite authority:
☑ No

5. Rule automatically subject to legislative review?
☐ Yes. Cite authority:
☑ No

6. Notice for Proposed Rule:
☑ Notice Required
Notice of Text published on: October 15, 2025
Link to Agency notice: https://www.deq.nc.gov/about/boards-and-commissions/nc-mining-commission
Hearing on: November 18, 2025
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Adoption by Agency on: May 12, 2026
☐ Notice not required under G.S.:
Adoption by Agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)
☐ Yes
Agency submitted request for consultation on:
Consultation not required. Cite authority:
☑ No

8. Fiscal impact. Check all that apply.
☑ This Rule was part of a combined analysis.
☐ State funds affected
☐ Local funds affected
☐ Substantial economic impact (≥$1,000,000)
☑ Approved by OSBM
☐ No fiscal note required

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:
☑ Agency
☐ Court order / cite:
☐ Federal statute / cite:
☐ Federal regulation / cite:
☐ Legislation enacted by the General Assembly
Cite Session Law:
☐ Petition for rule-making
☑ Other: G.S. 150B-21.3A Periodic review and readoption

9B. Explain:
G.S. 150B-21.3A requires a periodic review and readoption of all the rules used by state agencies on at least a 10-year basis. The Mining Commission has directed the staff of the Division of Energy, Mineral and Land Resources to implement the administrative process necessary for the review of the rules in Title 15A, Chapter 05 of the North Carolina Administrative Code. The proposed rule changes are designed not only to satisfy the readoption requirement, but also to update references and terminology and to revise requirements in line with current practices and technological advancements. These updates will help ensure the rules remain accurate, relevant, and effective.

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Typed Name: Jennifer Everett
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RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Mining Commission

2. Rule citation & name (name not required for repeal):
15A NCAC 05B .0115 MINING PERMIT TRANSFERS

3. Action:
☑ ADOPTION ☐ AMENDMENT ☐ REPEAL ☐ READOPTION ☐ REPEAL through READOPTION

4. Rule exempt from RRC review?
☐ Yes. Cite authority:
☑ No

5. Rule automatically subject to legislative review?
☐ Yes. Cite authority:
☑ No

6. Notice for Proposed Rule:
☑ **Notice Required**
Notice of Text published on: October 15, 2025
Link to Agency notice: https://www.deq.nc.gov/about/boards-and-commissions/nc-mining-commission
Hearing on: November 18, 2025
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Adoption by Agency on: May 12, 2026
☐ **Notice not required under G.S.:**
Adoption by Agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)
☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:
☑ **No**

8. Fiscal impact. Check all that apply.
☑ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☑ **Approved by OSBM**
☐ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:
☑ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☑ **Other:** G.S. 150B-21.3A Periodic review and readoption

9B. Explain:
G.S. 150B-21.3A requires a periodic review and readoption of all the rules used by state agencies on at least a 10-year basis. The Mining Commission has directed the staff of the Division of Energy, Mineral and Land Resources to implement the administrative process necessary for the review of the rules in Title 15A, Chapter 05 of the North Carolina Administrative Code. The proposed rule changes are designed not only to satisfy the readoption requirement, but also to update references and terminology and to revise requirements in line with current practices and technological advancements. These updates will help ensure the rules remain accurate, relevant, and effective.

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Typed Name: Jennifer Everett
Title: DEQ Rulemaking Coordinator

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Mining Commission

2. Rule citation & name (name not required for repeal):
15A NCAC 05B .0116 PERMIT TRANSFERS DUE TO CORPORATE NAME CHANGES

3. Action:
☑ ADOPTION ☐ AMENDMENT ☐ REPEAL ☐ READOPTION ☐ REPEAL through READOPTION

4. Rule exempt from RRC review?
☐ Yes. Cite authority:
☑ No

5. Rule automatically subject to legislative review?
☐ Yes. Cite authority:
☑ No

6. Notice for Proposed Rule:
☑ Notice Required
Notice of Text published on: October 15, 2025
Link to Agency notice: https://www.deq.nc.gov/about/boards-and-commissions/nc-mining-commission
Hearing on: November 18, 2025
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Adoption by Agency on: May 12, 2026
☐ Notice not required under G.S.:
Adoption by Agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)
☐ Yes
Agency submitted request for consultation on:
Consultation not required. Cite authority:
☑ No

8. Fiscal impact. Check all that apply.
☑ This Rule was part of a combined analysis.
☐ State funds affected
☐ Local funds affected
☐ Substantial economic impact (≥$1,000,000)
☑ Approved by OSBM
☐ No fiscal note required

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:
☑ Agency
☐ Court order / cite:
☐ Federal statute / cite:
☐ Federal regulation / cite:
☐ Legislation enacted by the General Assembly
Cite Session Law:
☐ Petition for rule-making
☑ Other: G.S. 150B-21.3A Periodic review and readoption

9B. Explain:
G.S. 150B-21.3A requires a periodic review and readoption of all the rules used by state agencies on at least a 10-year basis. The Mining Commission has directed the staff of the Division of Energy, Mineral and Land Resources to implement the administrative process necessary for the review of the rules in Title 15A, Chapter 05 of the North Carolina Administrative Code. The proposed rule changes are designed not only to satisfy the readoption requirement, but also to update references and terminology and to revise requirements in line with current practices and technological advancements. These updates will help ensure the rules remain accurate, relevant, and effective.

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Title: DEQ Rulemaking Coordinator

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Mining Commission

2. Rule citation & name (name not required for repeal):
15A NCAC 05B 05B .0117 DRAFT PERMITS

3. Action:
☑ ADOPTION ☐ AMENDMENT ☐ REPEAL ☐ READOPTION ☐ REPEAL through READOPTION

4. Rule exempt from RRC review?
☐ Yes. Cite authority:
☑ No

5. Rule automatically subject to legislative review?
☐ Yes. Cite authority:
☑ No

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Notice of Text published on: October 15, 2025
Link to Agency notice: https://www.deq.nc.gov/about/boards-and-commissions/nc-mining-commission
Hearing on: November 18, 2025
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Adoption by Agency on: May 12, 2026
☐ **Notice not required under G.S.:**
Adoption by Agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)
☐ Yes
Agency submitted request for consultation on:
Consultation not required. Cite authority:
☑ No

8. Fiscal impact. Check all that apply.
☑ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☑ **Approved by OSBM**
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9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:
☑ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly Cite Session Law:**
☐ **Petition for rule-making**
☑ **Other:** G.S. 150B-21.3A Periodic review and readoption

9B. Explain:
G.S. 150B-21.3A requires a periodic review and readoption of all the rules used by state agencies on at least a 10-year basis. The Mining Commission has directed the staff of the Division of Energy, Mineral and Land Resources to implement the administrative process necessary for the review of the rules in Title 15A, Chapter 05 of the North Carolina Administrative Code. The proposed rule changes are designed not only to satisfy the readoption requirement, but also to update references and terminology and to revise requirements in line with current practices and technological advancements. These updates will help ensure the rules remain accurate, relevant, and effective.

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Title: DEQ Rulemaking Coordinator

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Mining Commission

2. Rule citation & name (name not required for repeal):
15A NCAC 05F .0101 PURPOSE AND SCOPE

3. Action:
☐ ADOPTION ☐ AMENDMENT ☐ REPEAL ☑ READOPTION ☐ REPEAL through READOPTION

4. Rule exempt from RRC review?
☐ Yes. Cite authority:
☑ No

5. Rule automatically subject to legislative review?
☐ Yes. Cite authority:
☑ No

6. Notice for Proposed Rule:
☑ **Notice Required**
Notice of Text published on: October 15, 2025
Link to Agency notice: https://www.deq.nc.gov/about/boards-and-commissions/nc-mining-commission
Hearing on: November 18, 2025
☑ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: May 12, 2026
☐ **Notice not required under G.S.:**
Adoption by Agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)
☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:
☑ **No**

8. Fiscal impact. Check all that apply.
☑ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☑ **Approved by OSBM**
☐ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:
☑ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly Cite Session Law:**
☐ **Petition for rule-making**
☑ **Other:** G.S. 150B-21.3A Periodic review and readoption

9B. Explain:
G.S. 150B-21.3A requires a periodic review and readoption of all the rules used by state agencies on at least a 10-year basis. The Mining Commission has directed the staff of the Division of Energy, Mineral and Land Resources to implement the administrative process necessary for the review of the rules in Title 15A, Chapter 05 of the North Carolina Administrative Code. The proposed rule changes are designed not only to satisfy the readoption requirement, but also to update references and terminology and to revise requirements in line with current practices and technological advancements. These updates will help ensure the rules remain accurate, relevant, and effective.

10. Rulemaking Coordinator:
Jennifer Everett
Phone: 919-707-8595
E-Mail:
Jennifer.everett@deq.nc.gov
Additional agency contact, if any:
Adam Parr
Phone: 919-707-9207
E-Mail:
adam.parr@deq.nc.gov

11. Signature of Agency Head* or Rule-making Coordinator:
Jennifer Everett
By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Jennifer Everett
Title: DEQ Rulemaking Coordinator

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Mining Commission

2. Rule citation & name (name not required for repeal):
15A NCAC 05F .0103 WHO MAY ASSESS

3. Action:
☐ ADOPTION ☐ AMENDMENT ☐ REPEAL ☑ READOPTION ☐ REPEAL through READOPTION

4. Rule exempt from RRC review?
☐ Yes. Cite authority:
☑ No

5. Rule automatically subject to legislative review?
☐ Yes. Cite authority:
☑ No

6. Notice for Proposed Rule:
☑ **Notice Required**
Notice of Text published on: October 15, 2025
Link to Agency notice: https://www.deq.nc.gov/about/boards-and-commissions/nc-mining-commission
Hearing on: November 18, 2025
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Adoption by Agency on: May 12, 2026
☐ **Notice not required under G.S.:**
Adoption by Agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)
☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:
☑ **No**

8. Fiscal impact. Check all that apply.
☑ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☑ **Approved by OSBM**
☐ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:
☑ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☑ **Other:** G.S. 150B-21.3A Periodic review and readoption

9B. Explain:
G.S. 150B-21.3A requires a periodic review and readoption of all the rules used by state agencies on at least a 10-year basis. The Mining Commission has directed the staff of the Division of Energy, Mineral and Land Resources to implement the administrative process necessary for the review of the rules in Title 15A, Chapter 05 of the North Carolina Administrative Code. The proposed rule changes are designed not only to satisfy the readoption requirement, but also to update references and terminology and to revise requirements in line with current practices and technological advancements. These updates will help ensure the rules remain accurate, relevant, and effective.

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Typed Name: Jennifer Everett
Title: DEQ Rulemaking Coordinator

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Mining Commission

2. Rule citation & name (name not required for repeal):
15A NCAC 05F .0105 CIVIL PENALTY FOR MINING WITHOUT A PERMIT

3. Action:
☐ ADOPTION ☐ AMENDMENT ☐ REPEAL ☑ READOPTION ☐ REPEAL through READOPTION

4. Rule exempt from RRC review?
☐ Yes. Cite authority:
☑ No

5. Rule automatically subject to legislative review?
☐ Yes. Cite authority:
☑ No

6. Notice for Proposed Rule:
☑ Notice Required
Notice of Text published on: October 15, 2025
Link to Agency notice: https://www.deq.nc.gov/about/boards-and-commissions/nc-mining-commission
Hearing on: November 18, 2025
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Adoption by Agency on: May 12, 2026
☐ Notice not required under G.S.:
Adoption by Agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)
☐ Yes
Agency submitted request for consultation on:
Consultation not required. Cite authority:
☑ No

8. Fiscal impact. Check all that apply.
☑ This Rule was part of a combined analysis.
☐ State funds affected
☐ Local funds affected
☐ Substantial economic impact (≥$1,000,000)
☑ Approved by OSBM
☐ No fiscal note required

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:
☑ Agency
☐ Court order / cite:
☐ Federal statute / cite:
☐ Federal regulation / cite:
☐ Legislation enacted by the General Assembly
Cite Session Law:
☐ Petition for rule-making
☑ Other: G.S. 150B-21.3A Periodic review and readoption

9B. Explain:
G.S. 150B-21.3A requires a periodic review and readoption of all the rules used by state agencies on at least a 10-year basis. The Mining Commission has directed the staff of the Division of Energy, Mineral and Land Resources to implement the administrative process necessary for the review of the rules in Title 15A, Chapter 05 of the North Carolina Administrative Code. The proposed rule changes are designed not only to satisfy the readoption requirement, but also to update references and terminology and to revise requirements in line with current practices and technological advancements. These updates will help ensure the rules remain accurate, relevant, and effective.

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Typed Name: Jennifer Everett
Title: DEQ Rulemaking Coordinator

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Mining Commission

2. Rule citation & name (name not required for repeal):
15A NCAC 05F .0106 CIVIL PENALTY FOR VIOLATING OPERATING PERMIT

3. Action:
☐ ADOPTION ☐ AMENDMENT ☐ REPEAL ☑ READOPTION ☐ REPEAL through READOPTION

4. Rule exempt from RRC review?
☐ Yes. Cite authority:
☑ No

5. Rule automatically subject to legislative review?
☐ Yes. Cite authority:
☑ No

6. Notice for Proposed Rule:
☑ **Notice Required**
Notice of Text published on: October 15, 2025
Link to Agency notice: https://www.deq.nc.gov/about/boards-and-commissions/nc-mining-commission
Hearing on: November 18, 2025
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Adoption by Agency on: May 12, 2026
☐ **Notice not required under G.S.:**
Adoption by Agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)
☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:
☑ **No**

8. Fiscal impact. Check all that apply.
☑ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☑ **Approved by OSBM**
☐ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:
☑ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☑ **Other:** G.S. 150B-21.3A Periodic review and readoption

9B. Explain:
G.S. 150B-21.3A requires a periodic review and readoption of all the rules used by state agencies on at least a 10-year basis. The Mining Commission has directed the staff of the Division of Energy, Mineral and Land Resources to implement the administrative process necessary for the review of the rules in Title 15A, Chapter 05 of the North Carolina Administrative Code. The proposed rule changes are designed not only to satisfy the readoption requirement, but also to update references and terminology and to revise requirements in line with current practices and technological advancements. These updates will help ensure the rules remain accurate, relevant, and effective.

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Typed Name: Jennifer Everett
Title: DEQ Rulemaking Coordinator

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Mining Commission

2. Rule citation & name (name not required for repeal):
15A NCAC 05F .0111

3. Action:
☐ ADOPTION ☐ AMENDMENT ☐ REPEAL ☐ READOPTION ☑ REPEAL through READOPTION

4. Rule exempt from RRC review?
☐ Yes. Cite authority:
☑ No

5. Rule automatically subject to legislative review?
☐ Yes. Cite authority:
☑ No

6. Notice for Proposed Rule:
☑ **Notice Required**
Notice of Text published on: October 15, 2025
Link to Agency notice: https://www.deq.nc.gov/about/boards-and-commissions/nc-mining-commission
Hearing on: November 18, 2025
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Adoption by Agency on: May 12, 2026
☐ **Notice not required under G.S.:**
Adoption by Agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)
☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:
☑ **No**

8. Fiscal impact. Check all that apply.
☑ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☑ **Approved by OSBM**
☐ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:
☑ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☑ **Other:** G.S. 150B-21.3A Periodic review and readoption

9B. Explain:
G.S. 150B-21.3A requires a periodic review and readoption of all the rules used by state agencies on at least a 10-year basis. The Mining Commission has directed the staff of the Division of Energy, Mineral and Land Resources to implement the administrative process necessary for the review of the rules in Title 15A, Chapter 05 of the North Carolina Administrative Code. The proposed rule changes are designed not only to satisfy the readoption requirement, but also to update references and terminology and to revise requirements in line with current practices and technological advancements. These updates will help ensure the rules remain accurate, relevant, and effective.

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Typed Name: Jennifer Everett
Title: DEQ Rulemaking Coordinator

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Mining Commission

2. Rule citation & name (name not required for repeal):
15A NCAC 05F .0112

3. Action:
☐ ADOPTION ☐ AMENDMENT ☐ REPEAL ☐ READOPTION ☑ REPEAL through READOPTION

4. Rule exempt from RRC review?
☐ Yes. Cite authority:
☑ No

5. Rule automatically subject to legislative review?
☐ Yes. Cite authority:
☑ No

6. Notice for Proposed Rule:
☑ **Notice Required**
Notice of Text published on: October 15, 2025
Link to Agency notice: https://www.deq.nc.gov/about/boards-and-commissions/nc-mining-commission
Hearing on: November 18, 2025
☑ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: May 12, 2026
☐ **Notice not required under G.S.:**
Adoption by Agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)
☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:
☑ **No**

8. Fiscal impact. Check all that apply.
☑ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☑ **Approved by OSBM**
☐ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:
☑ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☑ **Other:** G.S. 150B-21.3A Periodic review and readoption

9B. Explain:
G.S. 150B-21.3A requires a periodic review and readoption of all the rules used by state agencies on at least a 10-year basis. The Mining Commission has directed the staff of the Division of Energy, Mineral and Land Resources to implement the administrative process necessary for the review of the rules in Title 15A, Chapter 05 of the North Carolina Administrative Code. The proposed rule changes are designed not only to satisfy the readoption requirement, but also to update references and terminology and to revise requirements in line with current practices and technological advancements. These updates will help ensure the rules remain accurate, relevant, and effective.

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Typed Name: Jennifer Everett
Title: DEQ Rulemaking Coordinator

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Mining Commission

2. Rule citation & name (name not required for repeal):
15A NCAC 05G .0103 PROCEDURES FOR OBTAINING PERMITS

3. Action:
☐ ADOPTION ☐ AMENDMENT ☐ REPEAL ☑ READOPTION ☐ REPEAL through READOPTION

4. Rule exempt from RRC review?
☐ Yes. Cite authority:
☑ No

5. Rule automatically subject to legislative review?
☐ Yes. Cite authority:
☑ No

6. Notice for Proposed Rule:
☑ Notice Required
Notice of Text published on: October 15, 2025
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Hearing on: November 18, 2025
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Adoption by Agency on: May 12, 2026
☐ Notice not required under G.S.:
Adoption by Agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)
☐ Yes
Agency submitted request for consultation on:
Consultation not required. Cite authority:
☑ No

8. Fiscal impact. Check all that apply.
☑ This Rule was part of a combined analysis.
☐ State funds affected
☐ Local funds affected
☐ Substantial economic impact (≥$1,000,000)
☑ Approved by OSBM
☐ No fiscal note required

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:
☑ Agency
☐ Court order / cite:
☐ Federal statute / cite:
☐ Federal regulation / cite:
☐ Legislation enacted by the General Assembly
Cite Session Law:
☐ Petition for rule-making
☑ Other: G.S. 150B-21.3A Periodic review and readoption

9B. Explain:
G.S. 150B-21.3A requires a periodic review and readoption of all the rules used by state agencies on at least a 10-year basis. The Mining Commission has directed the staff of the Division of Energy, Mineral and Land Resources to implement the administrative process necessary for the review of the rules in Title 15A, Chapter 05 of the North Carolina Administrative Code. The proposed rule changes are designed not only to satisfy the readoption requirement, but also to update references and terminology and to revise requirements in line with current practices and technological advancements. These updates will help ensure the rules remain accurate, relevant, and effective.

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Typed Name: Jennifer Everett
Title: DEQ Rulemaking Coordinator

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Mining Commission

2. Rule citation & name (name not required for repeal):
15A NCAC 05G .0104 ABANDONMENT PLAN: BONDING REQUIREMENTS

3. Action:
☐ ADOPTION ☐ AMENDMENT ☐ REPEAL ☑ READOPTION ☐ REPEAL through READOPTION

4. Rule exempt from RRC review?
☐ Yes. Cite authority:
☑ No

5. Rule automatically subject to legislative review?
☐ Yes. Cite authority:
☑ No

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Link to Agency notice: https://www.deq.nc.gov/about/boards-and-commissions/nc-mining-commission
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Adoption by Agency on: May 12, 2026
☐ **Notice not required under G.S.:**
Adoption by Agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)
☐ Yes
Agency submitted request for consultation on:
Consultation not required. Cite authority:
☑ No

8. Fiscal impact. Check all that apply.
☑ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☑ **Approved by OSBM**
☐ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:
☑ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☑ **Other:** G.S. 150B-21.3A Periodic review and readoption

9B. Explain:
G.S. 150B-21.3A requires a periodic review and readoption of all the rules used by state agencies on at least a 10-year basis. The Mining Commission has directed the staff of the Division of Energy, Mineral and Land Resources to implement the administrative process necessary for the review of the rules in Title 15A, Chapter 05 of the North Carolina Administrative Code. The proposed rule changes are designed not only to satisfy the readoption requirement, but also to update references and terminology and to revise requirements in line with current practices and technological advancements. These updates will help ensure the rules remain accurate, relevant, and effective.

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Typed Name: Jennifer Everett
Title: DEQ Rulemaking Coordinator

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Mining Commission

2. Rule citation & name (name not required for repeal):
15A NCAC 05G .0105 DRILLING: CASING: TESTING AND ABANDONMENT

3. Action:
☐ ADOPTION ☐ AMENDMENT ☐ REPEAL ☑ READOPTION ☐ REPEAL through READOPTION

4. Rule exempt from RRC review?
☐ Yes. Cite authority:
☑ No

5. Rule automatically subject to legislative review?
☐ Yes. Cite authority:
☑ No

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Hearing on: November 18, 2025
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Adoption by Agency on: May 12, 2026
☐ Notice not required under G.S.:
Adoption by Agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)
☐ Yes
Agency submitted request for consultation on:
Consultation not required. Cite authority:
☑ No

8. Fiscal impact. Check all that apply.
☑ This Rule was part of a combined analysis.
☐ State funds affected
☐ Local funds affected
☐ Substantial economic impact (≥$1,000,000)
☑ Approved by OSBM
☐ No fiscal note required

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:
☑ Agency
☐ Court order / cite:
☐ Federal statute / cite:
☐ Federal regulation / cite:
☐ Legislation enacted by the General Assembly
Cite Session Law:
☐ Petition for rule-making
☑ Other: G.S. 150B-21.3A Periodic review and readoption

9B. Explain:
G.S. 150B-21.3A requires a periodic review and readoption of all the rules used by state agencies on at least a 10-year basis. The Mining Commission has directed the staff of the Division of Energy, Mineral and Land Resources to implement the administrative process necessary for the review of the rules in Title 15A, Chapter 05 of the North Carolina Administrative Code. The proposed rule changes are designed not only to satisfy the readoption requirement, but also to update references and terminology and to revise requirements in line with current practices and technological advancements. These updates will help ensure the rules remain accurate, relevant, and effective.

10. Rulemaking Coordinator:
Jennifer Everett
Phone: 919-707-8595
E-Mail:
Jennifer.everett@deq.nc.gov
Additional agency contact, if any:
Adam Parr
Phone: 919-707-9207
E-Mail:
adam.parr@deq.nc.gov

11. Signature of Agency Head* or Rule-making Coordinator:
Jennifer Everett
By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Jennifer Everett
Title: DEQ Rulemaking Coordinator

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: State Board of Education

2. Rule citation & name (name not required for repeal): 16 NCAC 06C .0110 (Qualifications of School Nurses)

3. Action:
☒ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: April 1, 2026
Link to Agency notice: https://www.dpi.nc.gov/about-dpi/state-board-education/rulemaking-information#16NCAC06C0110QualificationsofSchoolNurses-7968
Hearing on: N/A
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 4, 2026
☐ **Notice not required under G.S.:**

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☐ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☒ **Legislation enacted by the General Assembly**
Cite Session Law: S.L. 2025-60, Part V
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain: Session Law 2025-60, Part V, amended G.S. 115C-315 to require the State Board of Education to adopt rules the establish the qualifications and training required to be hired or contracted for as a school nurse. The law as revised prohibits the State Board from requiring a school nurse to obtain a four-year degree, and requires a school nurse to be paid on the state salary schedule established by the State Board if the school nurse meets the following criteria:

1. The school nurse is a registered nurse licensed under Chapter 90, Article 9A of the General Statutes; and
2. The school nurse has at least two years of experience serving in a hospital or health clinic.

The proposed rule is responsive to the new law while continuing to allow school nurse candidates to qualify under the more rigorous existing State Board policy, which requires a bachelor's degree and certification from the National Board for Certification of School Nurses. In addition to these minimum qualifications, the proposed rule also includes certain training requirements that the school nurse must complete within a certain amount of time of being hired.

10. Rule-making Coordinator: Ryan M. Collins

Phone: (984) 236-2255
E-Mail: ryan.collins@dpi.nc.gov

Additional agency contact, if any:

Phone:
E-mail:

11. Signature of Agency Head* or Rule-making Coordinator:



By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Ryan M. Collins
Title: Deputy General Counsel

SUBMISSION FOR PERMANENT RULE

RRC AND OAH USE ONLY
Action taken: ☐ RRC extended period of review: ☐ RRC determined substantial changes: ☐ Withdrawn by agency ☐ Subject to Legislative Review ☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: State Board of Education

2. Rule citation & name (name not required for repeal): 16 NCAC 06E .0101 (Definitions)

3. Action:
☐ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☒ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: April 1, 2026
Link to Agency notice: https://www.dpi.nc.gov/about-dpi/state-board-education/rulemaking-information#16NCAC06E0100etseqAttendance-8558
Hearing on: N/A
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 4, 2026
☐ **Notice not required under G.S.:**

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain: G.S. 115C-379 requires the State Board of Education to adopt rules related to compulsory school attendance for children under age 16. In addition, G.S. 115C-364(d) requires the State Board to adopt guidelines for early admission to Kindergarten. The State Bord has adopted such rules in Title 16, Subchapter 6E Section .0100 of the North Carolina Administrative Code. The Administrative Procedure Act requires the State Board to review and re-adopt necessary rules once every 10 years. *See* G.S. 150B-213A. The attendance rules must be readopted by June 30, 2026.

The rules as proposed for readoption have been modernized and revised to align with current law as well as State Board of Education Policies ATND-000 and KNEC-001.

10. Rule-making Coordinator: Ryan M. Collins

Phone: (984) 236-2255
E-Mail: ryan.collins@dpi.nc.gov

Additional agency contact, if any: Amanda Fratrik

Phone: (984) 236-2258
E-mail: amanda.fratrik@dpi.nc.gov

11. Signature of Agency Head* or Rule-making Coordinator:



By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Ryan M. Collins
Title: Deputy General Counsel

RRC AND OAH USE ONLY

SUBMISSION FOR PERMANENT RULE

Action taken:

- ☐ RRC extended period of review:
- ☐ RRC determined substantial changes:
- ☐ Withdrawn by agency
- ☐ Subject to Legislative Review
- ☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: State Board of Education

2. Rule citation & name (name not required for repeal): 16 NCAC 06E .0102 (Attendance Requirements)

3. Action:
☐ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☒ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: April 1, 2026
Link to Agency notice: https://www.dpi.nc.gov/about-dpi/state-board-education/rulemaking-information#16NCAC06E0100etseqAttendance-8558
Hearing on: N/A
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 4, 2026
☐ **Notice not required under G.S.:**

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain: G.S. 115C-379 requires the State Board of Education to adopt rules related to compulsory school attendance for children under age 16. In addition, G.S. 115C-364(d) requires the State Board to adopt guidelines for early admission to Kindergarten. The State Bord has adopted such rules in Title 16, Subchapter 6E Section .0100 of the North Carolina Administrative Code. The Administrative Procedure Act requires the State Board to review and re-adopt necessary rules once every 10 years. *See* G.S. 150B-213A. The attendance rules must be readopted by June 30, 2026.

The rules as proposed for readoption have been modernized and revised to align with current law as well as State Board of Education Policies ATND-000 and KNEC-001.

10. Rule-making Coordinator: Ryan M. Collins

Phone: (984) 236-2255
E-Mail: ryan.collins@dpi.nc.gov

Additional agency contact, if any: Amanda Fratrik

Phone: (984) 236-2258
E-mail: amanda.fratrik@dpi.nc.gov

11. Signature of Agency Head* or Rule-making Coordinator:



By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Ryan M. Collins
Title: Deputy General Counsel

RRC AND OAH USE ONLY

SUBMISSION FOR PERMANENT RULE

Action taken:

- ☐ RRC extended period of review:
- ☐ RRC determined substantial changes:
- ☐ Withdrawn by agency
- ☐ Subject to Legislative Review
- ☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: State Board of Education

2. Rule citation & name (name not required for repeal): 16 NCAC 06E .0103 (Enforcement)

3. Action:
☐ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☒ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: April 1, 2026
Link to Agency notice: https://www.dpi.nc.gov/about-dpi/state-board-education/rulemaking-information#16NCAC06E0100etseqAttendance-8558
Hearing on: N/A
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 4, 2026
☐ **Notice not required under G.S.:**

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain: G.S. 115C-379 requires the State Board of Education to adopt rules related to compulsory school attendance for children under age 16. In addition, G.S. 115C-364(d) requires the State Board to adopt guidelines for early admission to Kindergarten. The State Bord has adopted such rules in Title 16, Subchapter 6E Section .0100 of the North Carolina Administrative Code. The Administrative Procedure Act requires the State Board to review and re-adopt necessary rules once every 10 years. *See* G.S. 150B-213A. The attendance rules must be readopted by June 30, 2026.

The rules as proposed for readoption have been modernized and revised to align with current law as well as State Board of Education Policies ATND-000 and KNEC-001.

10. Rule-making Coordinator: Ryan M. Collins

Phone: (984) 236-2255
E-Mail: ryan.collins@dpi.nc.gov

Additional agency contact, if any: Amanda Fratrik

Phone: (984) 236-2258
E-mail: amanda.fratrik@dpi.nc.gov

11. Signature of Agency Head* or Rule-making Coordinator:



By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Ryan M. Collins
Title: Deputy General Counsel

RRC AND OAH USE ONLY

SUBMISSION FOR PERMANENT RULE

Action taken:

- ☐ RRC extended period of review:
- ☐ RRC determined substantial changes:
- ☐ Withdrawn by agency
- ☐ Subject to Legislative Review
- ☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: State Board of Education

2. Rule citation & name (name not required for repeal): 16 NCAC 06E .0104 (Involuntary Suspension)

3. Action:
☐ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☒ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: April 1, 2026
Link to Agency notice: https://www.dpi.nc.gov/about-dpi/state-board-education/rulemaking-information#16NCAC06E0100etseqAttendance-8558
Hearing on: N/A
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 4, 2026
☐ **Notice not required under G.S.:**

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain: G.S. 115C-379 requires the State Board of Education to adopt rules related to compulsory school attendance for children under age 16. In addition, G.S. 115C-364(d) requires the State Board to adopt guidelines for early admission to Kindergarten. The State Bord has adopted such rules in Title 16, Subchapter 6E Section .0100 of the North Carolina Administrative Code. The Administrative Procedure Act requires the State Board to review and re-adopt necessary rules once every 10 years. *See* G.S. 150B-213A. The attendance rules must be readopted by June 30, 2026.

The rules as proposed for readoption have been modernized and revised to align with current law as well as State Board of Education Policies ATND-000 and KNEC-001.

10. Rule-making Coordinator: Ryan M. Collins

Phone: (984) 236-2255
E-Mail: ryan.collins@dpi.nc.gov

Additional agency contact, if any: Amanda Fratrik

Phone: (984) 236-2258
E-mail: amanda.fratrik@dpi.nc.gov

11. Signature of Agency Head* or Rule-making Coordinator:



By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Ryan M. Collins
Title: Deputy General Counsel

RRC AND OAH USE ONLY

SUBMISSION FOR PERMANENT RULE

Action taken:

- ☐ RRC extended period of review:
- ☐ RRC determined substantial changes:
- ☐ Withdrawn by agency
- ☐ Subject to Legislative Review
- ☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: State Board of Education

2. Rule citation & name (name not required for repeal): 16 NCAC 06E .0105 (Early Admission to Kindergarten)

3. Action:
☐ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☒ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: April 1, 2026
Link to Agency notice: https://www.dpi.nc.gov/about-dpi/state-board-education/rulemaking-information#16NCAC06E0100etseqAttendance-8558
Hearing on: N/A
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 4, 2026
☐ **Notice not required under G.S.:**

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain: G.S. 115C-379 requires the State Board of Education to adopt rules related to compulsory school attendance for children under age 16. In addition, G.S. 115C-364(d) requires the State Board to adopt guidelines for early admission to Kindergarten. The State Bord has adopted such rules in Title 16, Subchapter 6E Section .0100 of the North Carolina Administrative Code. The Administrative Procedure Act requires the State Board to review and re-adopt necessary rules once every 10 years. *See* G.S. 150B-213A. The attendance rules must be readopted by June 30, 2026.

The rules as proposed for readoption have been modernized and revised to align with current law as well as State Board of Education Policies ATND-000 and KNEC-001.

10. Rule-making Coordinator: Ryan M. Collins

Phone: (984) 236-2255
E-Mail: ryan.collins@dpi.nc.gov

Additional agency contact, if any: Amanda Fratrik

Phone: (984) 236-2258
E-mail: amanda.fratrik@dpi.nc.gov

11. Signature of Agency Head* or Rule-making Coordinator:



By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Ryan M. Collins
Title: Deputy General Counsel

RRC AND OAH USE ONLY

SUBMISSION FOR PERMANENT RULE

Action taken:

- ☐ RRC extended period of review:
- ☐ RRC determined substantial changes:
- ☐ Withdrawn by agency
- ☐ Subject to Legislative Review
- ☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: State Board of Education

2. Rule citation & name (name not required for repeal): 16 NCAC 06G .0602 (Technology Cost Considerations)

3. Action:
☒ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: April 1, 2026
Link to Agency notice: https://www.dpi.nc.gov/about-dpi/state-board-education/rulemaking-information#16NCAC06G0602TechnologyCostConsiderations-8559
Hearing on: N/A
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 4, 2026
☐ **Notice not required under G.S.:**

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☐ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☒ **Legislation enacted by the General Assembly**
Cite Session Law: S.L. 2025-46
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain: G.S. 115C-102.10, as enacted by S.L. 2025-46, requires the State Board of Education to adopt rules requiring all public school units to evaluate certain factors when acquiring technology, computer hardware, and software. The proposed rule is responsive to this requirement.

10. Rule-making Coordinator: Ryan M. Collins

Phone: (984) 236-2255
E-Mail: ryan.collins@dpi.nc.gov

Additional agency contact, if any: Ashley McBride

Phone: (931) 619-7941
E-mail: ashley.mcbride@dpi.nc.gov

11. Signature of Agency Head* or Rule-making Coordinator:



By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Ryan M. Collins
Title: Deputy General Counsel

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: NC State Board of Dental Examiners

2. Rule citation & name (name not required for repeal):
21 NCAC 16B .0501 DENTAL LICENSURE BY CREDENTIALS

3. Action:
☐ ADOPTION ☑ AMENDMENT ☐ REPEAL ☐ READOPTION ☐ REPEAL through READOPTION

4. Rule exempt from RRC review?
☐ Yes. Cite authority:
☑ No

5. Rule automatically subject to legislative review?
☐ Yes. Cite authority:
☑ No

6. Notice for Proposed Rule:
☑ Notice Required
Notice of Text published on: 3/16/26
Link to Agency notice: www.ncdentalboard.org
Hearing on: 4/16/26
☑ The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.
Adoption by Agency on: 6/12/26
☐ Notice not required under G.S.:
Adoption by Agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)
☐ Yes
Agency submitted request for consultation on:
Consultation not required. Cite authority:
☑ No

8. Fiscal impact. Check all that apply.
☐ This Rule was part of a combined analysis.
☐ State funds affected
☐ Local funds affected
☐ Substantial economic impact (≥$1,000,000)
☐ Approved by OSBM
☑ No fiscal note required

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:
☑ Agency
☐ Court order / cite:
☐ Federal statute / cite:
☐ Federal regulation / cite:
☐ Legislation enacted by the General Assembly
Cite Session Law:
☐ Petition for rule-making
☐ Other:

9B. Explain:
This rule is amended to provide clarification on requirements for individuals applying for licensure by credentials pursuant to G.S. 90-36(b1)(2).

10. Rulemaking Coordinator:
Whitney S. Waldenberg
Phone: 919-415-2357
E-Mail:
whitney@brockerlawfirm.com
Additional agency contact, if any:

Phone:
E-Mail:

11. Signature of Agency Head* or Rule-making Coordinator:

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Whitney S. Waldenberg
Title: Rulemaking Coordinator

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: NC State Board of Dental Examiners

2. Rule citation & name (name not required for repeal):
21 NCAC 16H .0105 DENTAL RADIOLOGY COURSE AND EXAMINATION REQUIREMENTS

3. Action:
☐ ADOPTION ☑ AMENDMENT ☐ REPEAL ☐ READOPTION ☐ REPEAL through READOPTION

4. Rule exempt from RRC review?
☐ Yes. Cite authority:
☑ No

5. Rule automatically subject to legislative review?
☐ Yes. Cite authority:
☑ No

6. Notice for Proposed Rule:
☑ Notice Required
Notice of Text published on: 3/16/26
Link to Agency notice: www.ncdentalboard.org
Hearing on: 4/16/26
☑ The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.
Adoption by Agency on: 6/12/26
☐ Notice not required under G.S.:
Adoption by Agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)
☐ Yes
Agency submitted request for consultation on:
Consultation not required. Cite authority:
☑ No

8. Fiscal impact. Check all that apply.
☐ This Rule was part of a combined analysis.
☐ State funds affected
☐ Local funds affected
☐ Substantial economic impact (≥$1,000,000)
☐ Approved by OSBM
☑ No fiscal note required

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:
☑ Agency
☐ Court order / cite:
☐ Federal statute / cite:
☐ Federal regulation / cite:
☐ Legislation enacted by the General Assembly
Cite Session Law:
☐ Petition for rule-making
☐ Other:

9B. Explain:
This rule is amended to set forth requirements for dental radiology instructors.

10. Rulemaking Coordinator:
Whitney S. Waldenberg
Phone: 919-415-2357
E-Mail:
whitney@brockerlawfirm.com
Additional agency contact, if any:

Phone:
E-Mail:

11. Signature of Agency Head* or Rule-making Coordinator:

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Whitney S. Waldenberg
Title: Rulemaking Coordinator

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: NC State Board of Dental Examiners

2. Rule citation & name (name not required for repeal):
21 NCAC 16H .0106 DENTAL RADIOLOGY INSTRUCTOR COURSE REQUIREMENTS

3. Action:
☑ ADOPTION ☐ AMENDMENT ☐ REPEAL ☐ READOPTION ☐ REPEAL through READOPTION

4. Rule exempt from RRC review?
☐ Yes. Cite authority:
☑ No

5. Rule automatically subject to legislative review?
☐ Yes. Cite authority:
☑ No

6. Notice for Proposed Rule:
☑ Notice Required
Notice of Text published on: 3/16/26
Link to Agency notice: www.ncdentalboard.org
Hearing on: 4/16/26
☑ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: 6/12/26
☐ **Notice not required under G.S.:**
Adoption by Agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)
☐ Yes
Agency submitted request for consultation on:
Consultation not required. Cite authority:
☑ No

8. Fiscal impact. Check all that apply.
☐ This Rule was part of a combined analysis.
☐ State funds affected
☐ Local funds affected
☐ Substantial economic impact (≥$1,000,000)
☐ Approved by OSBM
☑ No fiscal note required

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:
☑ Agency
☐ Court order / cite:
☐ Federal statute / cite:
☐ Federal regulation / cite:
☐ Legislation enacted by the General Assembly
Cite Session Law:
☐ Petition for rule-making
☐ Other:

9B. Explain:
This rule is adopted to set forth requirements for the dental radiology instructors course.

10. Rulemaking Coordinator:
Whitney S. Waldenberg
Phone: 919-415-2357
E-Mail:
whitney@brockerlawfirm.com
Additional agency contact, if any:

Phone:
E-Mail:

11. Signature of Agency Head* or Rule-making Coordinator:

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Whitney S. Waldenberg
Title: Rulemaking Coordinator

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: NC State Board of Dental Examiners

2. Rule citation & name (name not required for repeal):
21 NCAC 16U .0204 SETTLEMENT CONFERENCES

3. Action:
☐ ADOPTION ☑ AMENDMENT ☐ REPEAL ☐ READOPTION ☐ REPEAL through READOPTION

4. Rule exempt from RRC review?
☐ Yes. Cite authority:
☑ No

5. Rule automatically subject to legislative review?
☐ Yes. Cite authority:
☑ No

6. Notice for Proposed Rule:
☑ Notice Required
Notice of Text published on: 3/16/26
Link to Agency notice: www.ncdentalboard.org
Hearing on: 4/16/26
☑ The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.
Adoption by Agency on: 6/12/26
☐ Notice not required under G.S.:
Adoption by Agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)
☐ Yes
Agency submitted request for consultation on:
Consultation not required. Cite authority:
☑ No

8. Fiscal impact. Check all that apply.
☐ This Rule was part of a combined analysis.
☐ State funds affected
☐ Local funds affected
☐ Substantial economic impact (≥$1,000,000)
☐ Approved by OSBM
☑ No fiscal note required

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:
☑ Agency
☐ Court order / cite:
☐ Federal statute / cite:
☐ Federal regulation / cite:
☐ Legislation enacted by the General Assembly
Cite Session Law:
☐ Petition for rule-making
☐ Other:

9B. Explain:
This rule is amended to update requirements and procedures related to settlement conferences.

10. Rulemaking Coordinator:
Whitney S. Waldenberg
Phone: 919-415-2357
E-Mail:
whitney@brockerlawfirm.com
Additional agency contact, if any:

Phone:
E-Mail:

11. Signature of Agency Head* or Rule-making Coordinator:

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Whitney S. Waldenberg
Title: Rulemaking Coordinator

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: State Board of Examiners of Electrical Contractors

2. Rule citation & name (name not required for repeal):
21 NCAC 18B .0306

3. Action:
☐ ADOPTION ☑ AMENDMENT ☐ REPEAL ☐ READOPTION ☐ REPEAL through READOPTION

4. Rule exempt from RRC review?
☐ Yes. Cite authority:
☑ No

5. Rule automatically subject to legislative review?
☐ Yes. Cite authority:
☑ No

6. Notice for Proposed Rule:
☑ Notice Required
Notice of Text published on: 2/2/2026
Link to Agency notice: www.ncbeec.org
Hearing on: 3/19/2026
☑ The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.
Adoption by Agency on: 4/30/2026
☐ Notice not required under G.S.:
Adoption by Agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)
☐ Yes
Agency submitted request for consultation on:
Consultation not required. Cite authority:
☑ No

8. Fiscal impact. Check all that apply.
☐ This Rule was part of a combined analysis.
☐ State funds affected
☐ Local funds affected
☐ Substantial economic impact (≥$1,000,000)
☐ Approved by OSBM
☑ No fiscal note required

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:
☑ Agency
☐ Court order / cite:
☐ Federal statute / cite:
☐ Federal regulation / cite:
☐ Legislation enacted by the General Assembly
Cite Session Law:
☐ Petition for rule-making
☐ Other:

9B. Explain:
To provide the regulated contractors further guidance as to requirements of individuals to be classified as bona fide employees and regarding the use of labor staffing firms.

10. Rulemaking Coordinator:
Reed N. Fountain
Phone: 919-861-5122
E-Mail:
reed.fountain@youngmoorelaw.com
Additional agency contact, if any:

Phone:
E-Mail:

11. Signature of Agency Head* or Rule-making Coordinator:
Reed N. Fountain
By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name:
Title:

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Medical Board

2. Rule citation & name (name not required for repeal):
21 NCAC 32B .1362 APPLICATION FOR INTERNATIONALLY TRAINED PHYSICIAN EMPLOYEE LICENSE

3. Action:
☒ ADOPTION ☐ AMENDMENT ☐ REPEAL ☐ READOPTION ☐ REPEAL THROUGH READOPTION

4. Rule exempt from RRC review?
☐ Yes. Cite authority:
☒ No

5. Rule automatically subject to legislative review?
☐ Yes. Cite authority:
☒ No

6. Notice for Proposed Rule:
☒ Notice Required
Notice of Text published on: March 2, 2026
Link to Agency notice: https://www.ncmedboard.org/about-the-board/latest-board-activity/rule-change-tracker
Hearing on: May 1, 2026
Adoption by Agency on: May 22, 2026
☐ Notice not required under G.S.:
Adoption by Agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)
☐ Yes
Agency submitted request for consultation on:
Consultation not required. Cite authority:
☒ No

8. Fiscal impact. Check all that apply.
☐ This Rule was part of a combined analysis.
☐ State funds affected
☐ Local funds affected
☐ Substantial economic impact (≥$1,000,000)
☐ Approved by OSBM
☒ No fiscal note required

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:
☒ Agency
☐ Court order / cite:
☐ Federal statute / cite:
☐ Federal regulation / cite:
☒ Legislation enacted by the General Assembly
Cite Session Law: 2025-37
☐ Petition for rule-making
☐ Other:

9B. Explain:
In July 2025, the General Assembly enacted SL 2025-37 which created a pathway for internationally trained physicians to obtain an expedited North Carolina medical license under certain circumstances. The proposed rule implements the new law by establishing an application process for the Internationally Trained Physician Employee license.

10. Rulemaking Coordinator: Leigh Anne Satterwhite
Phone: 919.326.1109 ext 395
E-Mail:
leigh.satterwhite@ncmedboard.org
Additional agency contact, if any:
Marcus Jimison
Phone: 919.326.1109 ext 226
E-Mail: marcus.jimison@ncmedboard.org

11. Signature of Agency Head* or Rule-making Coordinator:
Leigh Anne Satterwhite
***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**
Typed Name: Leigh Anne Satterwhite
Title: Rules Coordinator

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Medical Board

2. Rule citation & name (name not required for repeal):
21 NCAC 32S .0227 TEAM-BASED SETTINGS PRACTICE

3. Action:
☒ ADOPTION ☐ AMENDMENT ☐ REPEAL ☐ READOPTION ☐ REPEAL THROUGH READOPTION

4. Rule exempt from RRC review?
☐ Yes. Cite authority:
☒ No

5. Rule automatically subject to legislative review?
☐ Yes. Cite authority:
☒ No

6. Notice for Proposed Rule:
☒ Notice Required
Notice of Text published on: March 2, 2026
Link to Agency notice: https://www.ncmedboard.org/about-the-board/latest-board-activity/rule-change-tracker
Hearing on: May 1, 2026
Adoption by Agency on: May 22, 2026
☐ Notice not required under G.S.:
Adoption by Agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)
☐ Yes
Agency submitted request for consultation on:
Consultation not required. Cite authority:
☒ No

8. Fiscal impact. Check all that apply.
☐ This Rule was part of a combined analysis.
☐ State funds affected
☐ Local funds affected
☐ Substantial economic impact (≥$1,000,000)
☐ Approved by OSBM
☒ No fiscal note required

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:
☒ Agency
☐ Court order / cite:
☐ Federal statute / cite:
☐ Federal regulation / cite:
☒ Legislation enacted by the General Assembly
Cite Session Law: SL 2025-37
☐ Petition for rule-making
☐ Other:

9B. Explain:
Last year, the Legislature enacted SL 2025-37. This new law authorizes physician assistants who have obtained 4,000 clinical hours of experience and 1,000 clinical hours in a particular specialty to work in a team-based setting without physician supervision. The proposed rules implement 2025-37 by defining certain statutory terms and establishing other requirements of team-based practice as instructed by the Legislature.

10. Rulemaking Coordinator: Leigh Anne Satterwhite
Phone: 919.326.1109 ext 395
E-Mail:
leigh.satterwhite@ncmedboard.org
Additional agency contact, if any:
Marcus Jimison
Phone: 919.326.1109 ext 226
E-Mail: marcus.jimison@ncmedboard.org

11. Signature of Agency Head* or Rule-making Coordinator:
Leigh Anne Satterwhite
***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**
Typed Name: Leigh Anne Satterwhite
Title: Rules Coordinator

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Medical Board

2. Rule citation & name (name not required for repeal):
21 NCAC 32U .0103 INFLUENZA TEST AND TREAT

3. Action:
☒ ADOPTION ☐ AMENDMENT ☐ REPEAL ☐ READOPTION ☐ REPEAL THROUGH READOPTION

4. Rule exempt from RRC review?
☐ Yes. Cite authority:
☒ No

5. Rule automatically subject to legislative review?
☐ Yes. Cite authority:
☒ No

6. Notice for Proposed Rule:
☒ **Notice Required**
Notice of Text published on: March 2, 2026
Link to Agency notice: https://www.ncmedboard.org/about-the-board/latest-board-activity/rule-change-tracker
Hearing on: 03/17/2026
Adoption by Agency on: May 22, 2026
☐ **Notice not required under G.S.:**
Adoption by Agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)
☐ Yes
Agency submitted request for consultation on:
Consultation not required. Cite authority:
☒ No

8. Fiscal impact. Check all that apply.
☐ This Rule was part of a combined analysis.
☐ State funds affected
☐ Local funds affected
☐ Substantial economic impact (≥$1,000,000)
☐ Approved by OSBM
☒ No fiscal note required

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:
☒ Agency
☐ Court order / cite:
☐ Federal statute / cite:
☐ Federal regulation / cite:
☒ Legislation enacted by the General Assembly
Cite Session Law: SL 2025-37
☐ Petition for rule-making
☐ Other:

9B. Explain:
Last year, the Legislature enacted SL 2025-37. This new law authorizes pharmacists to test for and initiate treatment for influenza. In September 2025, the State Health Director issued two standing orders implementing the new law. The Medical Board and Board of Pharmacy propose rules that adopt the standing orders of the State Health Directors as protocol.

10. Rulemaking Coordinator: Leigh Anne Satterwhite
Phone: 919.326.1109 ext 395
E-Mail:
leigh.satterwhite@ncmedboard.org
Additional agency contact, if any:
Marcus Jimison
Phone: 919.326.1109 ext 226
E-Mail: marcus.jimison@ncmedboard.org

11. Signature of Agency Head* or Rule-making Coordinator:
Leigh Anne Satterwhite
***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**
Typed Name: Leigh Anne Satterwhite
Title: Rules Coordinator

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other: