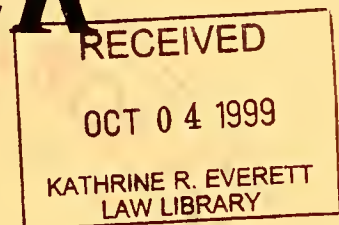


EP-17 CN, 9434, 1.42 1.07

NORTH CAROLINA REGISTER



VOLUME 14 • ISSUE 7 • Pages 510 - 573

October 1, 1999

IN THIS ISSUE

Executive Orders
Labor - OSH - Verbatim Adoption of Federal Standards
Commerce
Environment and Natural Resources
Health and Human Services
Justice
Labor
Nursing, Board of
Transportation
Rules Review Commission
Contested Case Decisions

PUBLISHED BY

*The Office of Administrative Hearings
Rules Division
PO Drawer 27447
Raleigh, NC 27611-7447
Telephone (919) 733-2678
Fax (919) 733-3462*

For those persons that have questions or concerns regarding the Administrative Procedure Act or any of its components, consult with the agencies below. The bolded headings are typical issues which the given agency can address, but are not inclusive.

Rule Notices, Filings, Register, Deadlines, Copies of Proposed Rules, etc.

Office of Administrative Hearings
Rules Division
Capehart-Crocker House
424 North Blount Street
Raleigh, North Carolina 27601-2817
(919) 733-2678
(919) 733-3462 FAX
contact: Molly Masich, Director APA Services mmasich@oah.state.nc.us
Ruby Creech, Publications Coordinator rcreech@oah.state.nc.us

Fiscal Notes & Economic Analysis

Office of State Budget and Management
116 West Jones Street
Raleigh, North Carolina 27603-8005
(919) 733-7061
(919) 733-0640 FAX
contact: Warren Plonk, Economist III wplonk@osbm.state.nc.us

Rule Review and Legal Issues

Rules Review Commission
1307 Glenwood Ave., Suite 159
Raleigh, North Carolina 27605
(919) 733-2721
(919) 733-9415 FAX
contact: Joe DeLuca Jr., Staff Director Counsel
Bobby Bryan, Staff Attorney

Legislative Process Concerning Rule-making

Joint Legislative Administrative Procedure Oversight Committee
545 Legislative Office Building
300 North Salisbury Street
Raleigh, North Carolina 27611
(919) 733-2578
(919) 715-5460 FAX
contact: Mary Shuping, Staff Liaison marys@ms.ncga.state.nc.us

County and Municipality Government Questions or Notification

NC Association of County Commissioners
215 North Dawson Street
Raleigh, North Carolina 27603
(919) 715-2893
contact: Jim Blackburn or Rebecca Troutman
NC League of Municipalities
215 North Dawson Street
Raleigh, North Carolina 27603
(919) 715-4000
contact: Paula Thomas

NORTH CAROLINA REGISTER

IN THIS ISSUE



Volume 14, Issue 7
Pages 510 - 573

October 1, 1999

This issue contains documents officially filed
through September 10, 1999.

Office of Administrative Hearings
Rules Division
424 North Blount Street (27601)
PO Drawer 27447
Raleigh, NC 27611-7447
(919) 733-2678
FAX (919) 733-3462

Julian Mann III, Director
Camille Winston, Deputy Director
Molly Masich, Director of APA Services
Ruby Creech, Publications Coordinator
Jean Shirley, Editorial Assistant
Linda Dupree, Editorial Assistant
Jessica Flowers, Editorial Assistant

I. EXECUTIVE ORDERS

Executive Orders 155 - 158 510 - 516

II. IN ADDITION

Labor

OSH - Verbatim Adoption of Federal
Standards 517

III. RULE-MAKING PROCEEDINGS

Environment and Natural Resources

Sedimentation Control Commission 520

Health and Human Services

Controller's Office 518
Mental Health, Developmental Disabilities
And Substance Abuse Services 518
Secretary of Health and Human Services 518 - 519
Social Services 519
Vocational Rehabilitation 519

Labor

Departmental Rules 519 - 520

Licensing Boards

Nursing, Board of 521

Transportation

Motor Vehicles, Division of 520 - 521

IV. PROPOSED RULES

Commerce

Cape Fear River Navigation & Pilotage 522 - 523

Environment and Natural Resources

Environmental Management Commission 524 - 544

Justice

Private Protective Services 523 - 524

V. TEMPORARY RULES

Environment and Natural Resources

Environmental Management 550 - 551
Wildlife Resources Commission 551 - 557

Health and Human Services

Medical Assistance 545 - 550

VI. RULES REVIEW COMMISSION 558 - 559

VII. CONTESTED CASE DECISIONS

Index to ALJ Decisions 560 - 564

Text of Selected Decisions

98 EDC 1796 565 - 567
99 DOJ 0453 568 - 573

VIII. CUMULATIVE INDEX 1 - 75

NORTH CAROLINA ADMINISTRATIVE CODE CLASSIFICATION SYSTEM

The North Carolina Administrative Code (NCAC) has four major subdivisions of rules. Two of these, titles and chapters, are mandatory. The major subdivision of the NCAC is the title. Each major department in the North Carolina executive branch of government has been assigned a title number. Titles are further broken down into chapters which shall be numerical in order. The other two, subchapters and sections are optional subdivisions to be used by agencies when appropriate.

TITLE/MAJOR DIVISIONS OF THE NORTH CAROLINA ADMINISTRATIVE CODE

TITLE	DEPARTMENT	LICENSING BOARDS	CHAPTER
1	Administration	Acupuncture	1
2	Agriculture and Consumer Services	Architecture	2
3	Auditor	Athletic Trainer Examiners	3
4	Commerce	Auctioneers	4
5	Correction	Barber Examiners	6
6	Council of State	Certified Public Accountant Examiners	8
7	Cultural Resources	Chiropractic Examiners	10
8	Elections	Employee Assistance Professionals	11
9	Governor	General Contractors	12
10	Health and Human Services	Cosmetic Art Examiners	14
11	Insurance	Dental Examiners	16
12	Justice	Dietetics/Nutrition	17
13	Labor	Electrical Contractors	18
14A	Crime Control & Public Safety	Electrolysis	19
15A	Environment and Natural Resources	Foresters	20
16	Public Education	Geologists	21
17	Revenue	Hearing Aid Dealers and Fitters	22
18	Secretary of State	Landscape Architects	26
19A	Transportation	Landscape Contractors	28
20	Treasurer	Marital and Family Therapy	31
*21	Occupational Licensing Boards	Medical Examiners	32
22	Administrative Procedures (Repealed)	Midwifery Joint Committee	33
23	Community Colleges	Mortuary Science	34
24	Independent Agencies	Nursing	36
25	State Personnel	Nursing Home Administrators	37
26	Administrative Hearings	Occupational Therapists	38
27	NC State Bar	Opticians	40
		Optometry	42
		Osteopathic Examination & Reg. (Repealed)	44
		Pastoral Counselors, Fee-Based Practicing	45
		Pharmacy	46
		Physical Therapy Examiners	48
		Plumbing, Heating & Fire Sprinkler Contractors	50
		Podiatry Examiners	52
		Professional Counselors	53
		Psychology Board	54
		Professional Engineers & Land Surveyors	56
		Real Estate Appraisal Board	57
		Real Estate Commission	58
		Refrigeration Examiners	60
		Sanitarian Examiners	62
		Social Work Certification	63
		Soil Scientists	69
		Speech & Language Pathologists & Audiologists	64
		Substance Abuse Professionals	68
		Therapeutic Recreation Certification	65
		Veterinary Medical Board	66

Note: Title 21 contains the chapters of the various occupational licensing boards.

NORTH CAROLINA REGISTER

Publication Schedule

(April 1999 - January 2000)

FILING DEADLINES			NOTICE OF RULE-MAKING PROCEEDINGS		NOTICE OF TEXT (either column A or column B)						TEMPORARY RULE
volume and issue number	issue date	last day for filing	earliest register issue for publication of text	earliest date for public hearing	A. non-substantial economic impact			B. substantial economic impact			270 th day from issue date
13:19	04/01/99	03/11/99	06/01/99	04/16/99	end of required comment period	deadline to submit to RRC for review at next RRC meeting	first legislative day of the next regular session	end of required comment period	deadline to submit to RRC for review at next RRC meeting	first legislative day of the next regular session	12/27/99
13:20	04/15/99	03/24/99	06/15/99	04/30/99	05/03/99	05/20/99	05/09/00	06/14/99	06/21/99	05/09/00	01/10/00
13:21	05/03/99	04/12/99	07/15/99	05/18/99	06/02/99	06/21/99	05/09/00	07/02/99	07/20/99	05/09/00	01/28/00
13:22	05/14/99	04/23/99	07/15/99	06/01/99	06/14/99	06/21/99	05/09/00	07/13/99	07/20/99	05/09/00	02/08/00
13:23	06/01/99	05/10/99	08/02/99	06/16/99	07/01/99	07/30/99	05/09/00	08/02/99	08/20/99	05/09/00	02/26/00
13:24	06/15/99	05/24/99	08/16/99	06/30/99	07/15/99	07/30/99	05/09/00	08/16/99	08/20/99	05/09/00	03/11/00
14:01	07/01/99	06/10/99	09/01/99	07/16/99	08/02/99	08/20/99	05/09/00	08/30/99	09/20/99	05/09/00	03/27/00
14:02	07/15/99	06/23/99	09/15/99	07/30/99	08/16/99	08/20/99	05/09/00	09/13/99	09/20/99	05/09/00	04/10/00
14:03	08/02/99	07/12/99	10/01/99	08/17/99	09/01/99	09/20/99	05/09/00	10/01/99	10/20/99	05/09/00	04/28/00
14:04	08/16/99	07/26/99	10/15/99	08/31/99	09/15/99	09/20/99	05/09/00	10/15/99	10/20/99	05/09/00	05/12/00
14:05	09/01/99	08/11/99	11/01/99	09/16/99	10/01/99	10/20/99	05/09/00	11/01/99	11/22/99	05/09/00	05/28/00
14:06	09/15/99	08/24/99	11/15/99	09/30/99	10/15/99	10/20/99	05/09/00	11/15/99	11/22/99	05/09/00	06/11/00
14:07	10/01/99	09/10/99	12/01/99	10/18/99	11/01/99	11/22/99	05/09/00	11/30/99	12/20/99	05/09/00	06/27/00
14:08	10/15/99	09/24/99	12/15/99	11/01/99	11/15/99	11/22/99	05/09/00	12/14/99	12/20/99	05/09/00	07/11/00
14:09	11/01/99	10/11/99	01/04/00	11/16/99	12/01/99	12/20/99	05/09/00	12/31/99	01/20/00	05/09/00	07/28/00
14:10	11/15/99	10/22/99	01/14/00	11/30/99	12/15/99	12/20/99	05/09/00	01/14/00	01/20/00	05/09/00	08/11/00
14:11	12/01/99	11/05/99	02/01/00	12/16/99	12/31/99	01/30/00	05/09/00	01/31/00	02/21/00	05/09/00	08/27/00
14:12	12/15/99	11/22/99	02/15/00	12/30/99	01/14/00	01/30/00	05/09/00	02/14/00	02/21/00	05/09/00	09/10/00
14:13	01/04/00	12/09/99	03/15/00	01/19/00	02/03/00	02/21/00	05/09/00	03/06/00	03/20/00	05/09/00	09/30/00
14:14	01/14/00	12/21/99	03/15/00	01/31/00	02/14/00	02/21/00	05/09/00	03/14/00	03/20/00	05/09/00	10/10/00

EXPLANATION OF THE PUBLICATION SCHEDULE

This Publication Schedule is prepared by the Office of Administrative Hearings as a public service and the computation of time periods are not to be deemed binding or controlling. Time is computed according to 26 NCAC 2C .0302 and the Rules of Civil Procedure, Rule 6.

GENERAL

The North Carolina Register shall be published twice a month and contains the following information submitted for publication by a state agency:

- (1) temporary rules;
- (2) notices of rule-making proceedings;
- (3) text of proposed rules;
- (4) text of permanent rules approved by the Rules Review Commission;
- (5) notices of receipt of a petition for municipal incorporation, as required by G.S. 120-165;
- (6) Executive Orders of the Governor;
- (7) final decision letters from the U.S. Attorney General concerning changes in laws affecting voting in a jurisdiction subject of Section 5 of the Voting Rights Act of 1965, as required by G.S. 120-30.9H;
- (8) orders of the Tax Review Board issued under G.S. 105-241.2; and
- (9) other information the Codifier of Rules determines to be helpful to the public.

COMPUTING TIME: In computing time in the schedule, the day of publication of the North Carolina Register is not included. The last day of the period so computed is included, unless it is a Saturday, Sunday, or State holiday, in which event the period runs until the preceding day which is not a Saturday, Sunday, or State holiday.

FILING DEADLINES

ISSUE DATE: The Register is published on the first and fifteen of each month if the first or fifteenth of the month is not a Saturday, Sunday, or State holiday for employees mandated by the State Personnel Commission. If the first or fifteenth of any month is a Saturday, Sunday, or a holiday for State employees, the North Carolina Register issue for that day will be published on the day of that month closest to (either before or after) the first or fifteenth respectively that is not a Saturday, Sunday, or holiday for State employees.

LAST DAY FOR FILING: The last day for filing for any issue is 15 days before the issue date excluding Saturdays, Sundays, and holidays for State employees.

NOTICE OF RULE-MAKING PROCEEDINGS

END OF COMMENT PERIOD TO A NOTICE OF RULE-MAKING PROCEEDINGS: This date is 60 days from the issue date. An agency shall accept comments on the notice of rule-making proceeding until the text of the proposed rules is published, and the text of the proposed rule shall not be published until at least 60 days after the notice of rule-making proceedings was published.

EARLIEST REGISTER ISSUE FOR PUBLICATION OF TEXT: The date of the next issue following the end of the comment period.

NOTICE OF TEXT

EARLIEST DATE FOR PUBLIC HEARING: The hearing date shall be at least 15 days after the date a notice of the hearing is published.

END OF REQUIRED COMMENT PERIOD

(1) **RULE WITH NON-SUBSTANTIAL ECONOMIC IMPACT:** An agency shall accept comments on the text of a proposed rule for at least 30 days after the text is published or until the date of any public hearings held on the proposed rule, whichever is longer.

(2) **RULE WITH SUBSTANTIAL ECONOMIC IMPACT:** An agency shall accept comments on the text of a proposed rule published in the Register and that has a substantial economic impact requiring a fiscal note under G.S. 150B-21.4(b1) for at least 60 days after publication or until the date of any public hearing held on the rule, whichever is longer.

DEADLINE TO SUBMIT TO THE RULES REVIEW COMMISSION: The Commission shall review a rule submitted to it on or before the twentieth of a month by the last day of the next month.

FIRST LEGISLATIVE DAY OF THE NEXT REGULAR SESSION OF THE GENERAL ASSEMBLY: This date is the first legislative day of the next regular session of the General Assembly following approval of the rule by the Rules Review Commission. See G.S. 150B-21.3, Effective date of rules.

**EXECUTIVE ORDER NO. 155
STATE OF NORTH CAROLINA PILOT
TELEWORKING PROJECT**

WHEREAS, more than half of North Carolina's residents live in counties facing stricter pollution controls under new federal clean air standards in the next few years; and

WHEREAS, under the old rules, no counties in North Carolina have violated the ozone standard since 1990, meeting the new ozone standard will be a significant challenge for citizens of North Carolina; and

WHEREAS, the majority of the carbon monoxide, ozone, and particulate pollution comes from automobile use; and

WHEREAS, the State must demonstrate leadership in reducing ground-level ozone and motor vehicles emissions through its own policies and the actions of its agencies and employees; and

WHEREAS, teleworking, a management option where selected employees work from their homes instead of driving to the traditional office, could be an essential part of a plan to control the growth in vehicle miles traveled and, as a result, reduce vehicle emissions; and

WHEREAS, teleworking has the potential to be a valuable tool in our Ozone Action Days Program and overall ozone control strategy; and

WHEREAS, teleworking programs in other states have documented not only reductions in air pollution emitted and gasoline consumed, but also increases in employee productivity and morale due to an improved work environment; and

WHEREAS, the Office of the State Auditor and the Office of State Personnel (OSP) have thoroughly researched the feasibility of implementing a telework/telecommuting program and have recommended that criteria be established for a statewide teleworking program.

NOW, THEREFORE, by the power vested in me as Governor by the laws and Constitution of the State of North Carolina, IT IS ORDERED:

Section 1. Establishment

The State of North Carolina Pilot Teleworking Program (hereinafter, the "Program") is hereby established to identify and measure the benefits derived from teleworking and to establish and test guidelines to ensure statewide consistency among agencies for common issues involved with the implementation of teleworking programs statewide. The Program will identify what does and does not work for agencies prior to a larger scale implementation of a teleworking work option.

Section 2. Role of Partnership

The Pilot Teleworking Project is a partnership between OSP, the

Air Quality Division of the Department of Environment and Natural Resources, the Energy Division of the Department of Commerce, and the Department of Transportation. The lead agency shall be OSP. The role of OSP is to develop a teleworking policy and process for the pilots, from selection of pilot organizations and participants through training and evaluation of the pilot project. The Air Quality Division, the Energy Division and the Department of Transportation shall support OSP in this effort with research, technical and contractual support to validate cost/benefit analysis, processes, procedures, and future implementation.

Section 3. Policy

The State of North Carolina Pilot Teleworking Program establishes interim guidelines for teleworking projects that are part of the pilot programs established under the auspices of the Office of State Personnel. This policy is not intended to have any effect on any existing telecommuting or teleworking activities in state agencies and will be reviewed at the conclusion of the pilots. The pilot projects, which are established under this interim policy, are designed so that a reasoned determination can be made as to the potential benefits of teleworking within North Carolina State government.

Section 4. Covered Employees

This policy applies to approved pilot projects only. Its provisions apply to employees who telework as part of such a pilot project and to the supervisors and managers who assign and review work for those employees.

Section 5. State Teleworking Advisory Committee

- a. Creation and Membership. The State Teleworking Advisory Committee is hereby created. The State Personnel Director shall appoint the committee members. The Committee shall have representation from policy areas and participating agencies. Each member shall serve a term of two years.
- b. Duties. The State Teleworking Advisory Committee shall assist the Office of State Personnel with the development of the State Teleworking Pilot Program, review its progress and make recommendations to the State Personnel Director with respect to continuation of teleworking in North Carolina State government.

Section 6. Duties of the Office of State Personnel

The Office of State Personnel will administer the State of North Carolina Pilot Teleworking Program. In carrying out this duty, OSP shall:

- a. Provide coordination for the pilot programs;
- b. Provide staff to the State Teleworking Advisory Committee;
- c. Administer or contract the orientation program for agency coordinators;
- d. Administer or contract program to train agency coordinators;
- e. Review and approve any reports on the teleworking pilot programs; and,

- f. Compile, analyze, and report pilot results.

Section 7. Duties of Each Agency

Each agency shall:

- a. Establish agency policies and procedures in conformance with the guidelines and procedures established by OSP and define teleworking jobs/tasks. Each agency participating in a pilot must identify jobs that are proposed for inclusion in the pilot and be responsible for providing documentation, evaluation, and analysis to support the selection of these jobs.
- b. Establish expected results. Each agency shall establish measurable performance standards which are results-oriented and which describe quantity and quality of work.
- c. Select a Teleworking Coordinator. Each participating agency shall select an Agency Teleworking Coordinator to be responsible for overall program organization and analysis.
- d. Identify selection criteria for employees. Each agency has the authority to determine which employees under its supervision meet the agency standard for selection.
- e. Identify selection criteria for supervisors. Each agency has the authority to determine which supervisors meet the agency standard for selection.
- f. Orient and train teleworkers and supervisors. All participants in a teleworking pilot shall attend orientation and training sessions regarding this program.
- g. Establish general policies/guidelines such as work hours, equipment, furniture, etc. Each agency shall develop a policy or set of guidelines, which are reflective of agency-specific policies, and include them in addition to the State policies which are not changeable.
- h. Require employees and supervisors to sign teleworking agreements. All teleworking relationships shall have a formal, written Teleworking Agreement.

Section 8. Duties of the Employee

In addition to the selection criteria, each employee participating in a teleworking pilot under this Executive Order shall agree to clear and measurable performance standards, attend training, sign and abide by a Teleworking Agreement, and participate in surveys and focus groups.

Section 9. Duties of The Supervisor

In addition to the selection criteria, each supervisor participating in a teleworking pilot under this Executive Order shall attend orientation sessions for managers and supervisors, establish clear and measurable performance standards, attend training sessions, sign and abide by a Teleworking Agreement, and participate in surveys, focus groups, and pilot evaluations.

Section 10. Teleworking Agreement

All teleworking relationships shall have a formal, written Teleworking Agreement. The agreement shall include and address all policy areas and shall be signed by the teleworker, supervisor,

and manager.

Section 11. Cancellation of Teleworking Agreement

Due to the voluntary nature of the pilot program, teleworkers and/or management have the right to terminate the Teleworking Agreement at any time. Although teleworking is not an employee entitlement or right, termination of employees from the program must be done in writing and with appropriate notice except in emergency situations. Termination of a Teleworking Agreement by management is not a grievable issue under personnel policies. An employee who terminates an agreement cannot be subjected to disciplinary action.

This Order is effective immediately and shall remain in effect until terminated by subsequent executive order.

Done in the Capital City of Raleigh, North Carolina, this the 20th day of July, 1999.

EXECUTIVE ORDER NO. 156 STATE GOVERNMENT ENVIRONMENTAL SUSTAINABILITY, REDUCTION OF SOLID WASTE, AND PROCUREMENT OF ENVIRONMENTALLY PREFERABLE PRODUCTS

WHEREAS, the natural resources of the State of North Carolina are the common property of all the people and the State, as trustee of these limited resources, shall preserve them for the benefit of all the people, including future generations; and

WHEREAS, the growth of North Carolina's economy and the quality of life, health, and safety of its citizens are dependent on the careful stewardship of natural resources and protection of the environment; and

WHEREAS, the daily activities and routine operations of the State have a significant impact on the quality of North Carolina's environment and use of its natural resources; and

WHEREAS, the State is a highly visible model for North Carolina's citizens, businesses, industries, and local governments; and

WHEREAS, the State can demonstrate leadership by incorporating environmentally sustainable practices into its operations that preserve natural resources, conserve energy, eliminate waste and emissions, and lessen overall environmental impact; and

WHEREAS, source reduction, reuse, and recycling constitute a key component of environmental sustainability directed at achieving the State's solid waste reduction goal of 40% by the year 2001; and

WHEREAS, the State constitutes a large consumer of goods and services, which, in the course of their manufacture, use, and

disposition impact the quality of the environment; and

WHEREAS, the procurement of environmentally sound goods and services by the State can serve to protect health and safety, reduce energy consumption, conserve natural resources, prevent pollution, and promote markets for recyclable materials.

NOW, THEREFORE, by the authority vested in me as Governor by the Constitution and laws of North Carolina, IT IS ORDERED:

Section 1. Purpose

This Executive Order shall promote all state agencies to maximize their efforts to develop and implement environmentally sustainable policies and practices. Specifically, agencies shall strive to:

- a. consider and minimize the environmental impacts associated with agency land use and acquisition, construction, facility management, and employee transportation;
- b. reduce and recycle material recoverable from solid waste originating at their facilities and from the construction and renovation of new facilities;
- c. procure goods and services that have a lesser or reduced effect on human health and the environment, including products made wholly or in part from recycled materials; and,
- d. encourage and promote conservation of energy through reducing wasteful, inefficient or uneconomical uses of energy resources.

Section 2. Responsibilities of State Agencies

- a. Each state agency shall be responsible for implementing programs to make its operations environmentally sustainable, including, but not limited to, programs to reduce and recycle solid wastes and procure environmentally preferable goods and services. Such programs shall be consistent with and as comprehensive as described in this Order.
- b. Each agency shall designate an Environmental Sustainability Officer to direct sustainability activities. Agencies shall also designate one or more individuals to coordinate and oversee its waste reduction, recycling, and environmental procurement programs, and to serve as a liaison with the Division of Pollution Prevention and Environmental Assistance of the North Carolina Department of Environment and Natural Resources.
- c. The Division of Pollution Prevention and Environmental Assistance and the Division of Energy of the North Carolina Department of Commerce shall provide technical assistance, education, and training to state agencies on these matters, and shall serve as a central point of information and coordination for all state agency environmental sustainability efforts.
- d. The Divisions of Facility Management, State Construction, State Property, and Motor Fleet Management of the North Carolina Department of Administration shall facilitate state agency

environmental sustainability efforts as part of their regular functions, which include but are not limited to: overseeing contracts for waste hauling, housekeeping services, landscaping, and facility maintenance; site leasing; capital construction projects; and fleet transportation.

- e. As provided in this Order, the Division of Purchase and Contract of the Department of Administration shall aggressively explore opportunities for procuring goods and services that have a lesser or reduced effect on human health and the environment and shall actively promote the purchase of environmentally preferable products by state agencies and others eligible to purchase items from state contracts.

Section 3. Environmentally Sustainable Operations and Practices

State agency environmental sustainability efforts shall focus primarily on the operations of state-owned facilities and leased spaces. Agencies shall assess the impacts of facility daily operations, management, and capital improvement projects as they pertain to health and safety, environmental quality, land use, and resource conservation.

a. Capital improvements

All state agencies shall seek opportunities to reduce environmental impacts associated with capital improvements throughout project planning, site and building design, and construction. Agencies shall, to the extent feasible and practicable, implement project initiatives or modifications that result in energy efficiency, water conservation, pollution prevention, solid waste reduction, and land preservation during the construction and operation of agency facilities.

b. Facilities management

State agencies shall seek to integrate into the daily operations and management of state-owned and leased facilities, practices that enhance health and safety, reduce consumption of energy and fuels, conserve water, minimize emissions, and reduce solid and hazardous wastes. Agencies shall give consideration to these practices, to the extent feasible and practicable, as criteria for entering into lease agreements or contracts for maintenance and landscaping services.

c. State Vehicle Use and Employee Transportation

- (1) To reduce air pollution, particularly ground-level ozone, resulting from state fleet vehicle usage, it shall be the goal of the State that on and after January 1, 2004, at least seventy-five percent (75%) of the new or replacement light duty cars and trucks purchased by state agencies will be alternative-fueled vehicles or low emission vehicles. The Departments of Administration, Transportation, and Environment and Natural Resources, shall jointly develop a plan to achieve this goal and to fuel and maintain these vehicles.
- (2) To the extent feasible, and within guidelines established jointly by the Office of State

Personnel, and the Departments Administration, Transportation, and Environment and Natural Resources, state agencies shall implement measures to reduce the number of vehicle miles driven by state employees in personal and state fleet vehicles resulting from job-related travel including commuting to and from work. These measures may include carpooling vanpooling, public transportation incentives, flex-time scheduling to avoid travel during peak traffic, telecommuting, teleconferencing, and other appropriate strategies.

Section 4. Source Reduction and Recycling of Solid Wastes

a. Source reduction

To encourage reduction of waste at its source, all state agencies shall review their operations to determine where solid waste can be reduced at its sources of generation. Specific measures state agencies shall employ to reduce waste at the source include but are not limited to those identified in this Section.

(1) Reduction of office paper waste

(a) Printing and photocopying

State agencies shall avoid unnecessary printing or photocopying of printed materials, and shall require two-sided copying on all documents when feasible and practicable. To the extent feasible, all new and re-manufactured photocopy machines and laser printers purchased shall have duplexing capabilities.

(b) Use of electronic communication

State agencies shall, to the extent feasible, use electronic media such as voice mail, e-mail, and the Internet to circulate or distribute routine announcements, memoranda, documents, reports, forms, manuals, and publications.

(2) Product necessity, durability, packaging, and recyclability

State agencies shall discourage the use of disposable products where reusable products are available and economically viable for use. Furthermore, state agencies shall assess their waste generation with regard to purchasing decisions and make every attempt to purchase items only when needed and in amounts that are not excessive. When purchases are necessary, state agencies shall, to the extent feasible and practicable, acquire items that are more durable, have minimal packaging, or are readily recyclable when discarded.

b. Collection programs for recyclable materials

(1) As set forth in North Carolina General Statute 130A-309.14, all state agencies shall ensure that employees have access to containers for recycling (at a minimum) aluminum cans, high-grade office paper, and corrugated cardboard. All state employees are required to separate identified recyclable materials generated in the course of agency operations and place them in the appropriate recycling containers. The provisions of this section shall not apply in those situations where the agency head makes a written determination that their implementation is not feasible.

(2) State agencies facilities that routinely host the general public, such as highway rest areas, state parks and recreation areas, employment security offices, state historic sites, etc., shall implement programs for the collection of recyclable materials discarded by the public at all such locations (e.g., aluminum, glass, and plastic beverage containers) when feasible and practicable. State agencies shall work closely with the appropriate local government agencies when developing and implementing these recycling programs.

(3) Agencies that operate or contract for the operation of food service establishments, such as snack bars, cafeterias, dining halls, etc., are encouraged to implement programs to recover and recycle leftover food when practicable and feasible.

c. Education of agency employees

It shall be the duty of each state agency to educate and encourage employee participation in agency waste reduction and recycling programs. The Division of Pollution Prevention and Environmental Assistance shall assist agencies in developing and implementing educational programs. Each agency shall establish a network of assistant coordinators to assist the lead coordinator with carrying out this responsibility. The assistant coordinators shall disseminate information about recycling and waste reduction policies and procedures; monitor participation; and report any problems, suggestions, or other feedback to the agency's designated lead coordinator.

Section 5. Purchase and Use of Environmentally Preferable Products

As a component of their environmental sustainability efforts and to help develop markets for recyclable materials, state agencies shall procure and use environmentally preferable goods and services, including products made wholly or in part from recycled materials, whenever feasible and practicable. Environmentally preferable products have a lesser or reduced effect on human health and the environment in their manufacture, use, and disposal when compared with other products that serve the same purpose.

agencies shall give consideration to environmentally preferable products that are more energy efficient, less toxic, less polluting, and which generate less waste overall.

a. Purchases of environmentally preferable and recycled-content products

- (1) In cooperation with the Division of Pollution Prevention and Environmental Assistance, the Division of Purchase and Contract shall make every effort to identify environmentally preferable goods and services and products made from recycled materials that meet appropriate standards for use by state agencies. When environmentally preferable and recycled-content products are offered that are comparable in quality, availability, and price to products not having recycled content or similar environmental attributes, term contracts shall carry only the environmentally preferable products.
- (2) To enable agencies to readily identify the availability of these products, term contracts shall be written in a format that prominently identifies environmentally preferable and recycled-content products, and these products shall be listed in conjunction with any comparable products not having recycled content or similar environmental attributes. The Division of Purchase and Contract shall prepare an electronic listing of all environmentally preferable and recycled-content products available on state contracts and make it available to all state agency purchasers.
- (3) State agencies that have delegated purchasing authority shall develop product specifications to encourage vendors to offer environmentally preferable and recycled-content products. Specifications shall be written to ensure that they do not contain restrictive language or other barriers to purchasing environmentally preferable or recycled-content products, unless such specifications are necessary to protect public health, safety, or welfare.
- (4) All electronic office equipment, including but not limited to, computers, monitors, printers, scanners, photocopy machines, facsimile machines, and other such equipment purchased by state agencies shall be Energy Star® compliant.
- (5) State agencies shall give priority consideration to the purchase of re-manufactured and used equipment, including, but not limited to, such equipment as photocopiers and other office equipment.
- (6) State agencies shall give priority consideration to the purchase of fleet vehicles that use less-polluting fuels and that have the highest available miles-per-gallon rating.

b. Purchases of recycled paper

- (1) State agencies are directed to purchase and use

recycled paper for all letterhead stationery, reports, memoranda, and other documents when feasible and practicable. All new and re-manufactured photocopy machines and laser printers purchased shall have the ability to use xerographic paper having at least 50% recycled content, 30% of which should be post-consumer content.

- (2) State agencies shall attempt to meet the goal that, as of Fiscal Year 2000-01, 100% of the total dollar value of expenditures for paper and paper products be toward purchases of paper and paper products with recycled content. In addition, state agencies shall attempt, to the extent feasible and practicable, to purchase recycled paper and paper products with the highest percentage of post consumer content.

c. Guidelines and criteria

The Division of Purchase and Contract in cooperation with the Division of Pollution Prevention and Environmental Assistance shall develop criteria for determining the environmental preferability of goods and services and establish minimum content standards for recycled-content products purchased by state agencies.

Section 6. Reporting

a. State agency annual reports on solid waste reduction and procurement of recycled products

By the first of October annually, each state agency shall report to the Division of Pollution Prevention and Environmental Assistance for the previous fiscal year the following information, at a minimum: activities or programs implemented to reduce the amount of solid waste generated by the agency; quantities and types of materials collected for recycling by the agency; and the dollar amounts and types of recycled products purchased.

b. Annual progress report to the Governor

The Division of Pollution Prevention and Environmental Assistance, in conjunction with the Department of Administration, shall provide guidance to agencies in preparing their annual reports. The Division of Pollution Prevention and Environmental Assistance shall compile the agency reports and provide to the Governor an annual progress report on state agency efforts to reduce waste at the source, collect recyclable materials, and procure recycled products.

c. Tracking recycled products procurement

The Division of Purchase and Contract shall review its sales report procedures and determine any changes needed to facilitate tracking of environmentally preferable and recycled products purchased by state agencies and others from term contracts.

Section 7. Effect of Other Executive Orders

Executive Order Number 8 is hereby rescinded. All other Executive Orders or portions of Executive Orders inconsistent

herewith are hereby rescinded.

Section 8. Effective Date

This Executive Order is effective immediately and shall remain in effect until rescinded.

Done in the Capital City of Raleigh, North Carolina, this the 20th day of July, 1999.

**EXECUTIVE ORDER NO. 157
MENTORING COUNCIL**

WHEREAS, all children should have a positive adult role model to help them succeed in school and in life; and,

WHEREAS, too many young people in North Carolina still fail to reach their potential because of family issues, crime and drugs, teen pregnancy, and educational failure; and,

WHEREAS, North Carolina supports America's Promise and accepts the goals and message as crucial; and,

WHEREAS, North Carolina knows that mentoring is a positive and important way to influence the lives of children by helping them stay away from crime and drugs and form goals like attending college; and,

WHEREAS, mentoring is a key component of the juvenile crime prevention strategy; and,

WHEREAS, the NC Promise initiative has mobilized unprecedented numbers of volunteers for mentoring programs; and,

WHEREAS, existing mentoring programs have been shown to reduce juvenile crime, increase school attendance, increase academic performance and help young people develop positive attitudes; and,

WHEREAS, North Carolina can do even more to assure the success of these children; and,

WHEREAS, Governor Hunt has pledged that 40,000 children will receive mentors by the end of 2000; and,

WHEREAS, North Carolina has tremendous resources to be organized and mobilized to encourage adults to become mentors; and,

WHEREAS, North Carolina has committed to being First In America in education.

NOW, THEREFORE, by the power vested in me as Governor by the Constitution and laws of the State of North Carolina, IT IS ORDERED:

Section 1. Governor's Council on Mentoring Established

The Governor's Council on Mentoring is hereby established. The Council shall be located in the Office of the Governor for organizational, budgetary, and administrative purposes.

The Council shall consist of 32 members with other members appointed as appropriate and shall reflect the geographic and cultural diversity of the state. The membership may include:

- Representatives from the business community;
- Representatives from the faith community;
- Representatives from colleges/universities, community colleges;
- Representatives from military or law enforcement;
- Representatives from the student population;
- Representatives from school administrators;
- Representatives from civic groups;
- Representatives from state government;
- Representatives from local government;
- Representatives from the mentoring program leaders;
- At Large members.

The Governor may also appoint non-voting ex officio members of the Council as necessary.

Section 2. Chair, Vice Chair, and Honorary Co-Chairs

The Governor shall appoint a Chair From the membership of the Council, and may name such honorary co-chairs as he may deem necessary. The Council shall elect from its members a Vice Chair and other officers as are determined necessary.

Section 3. Duties and Responsibilities

The Council shall raise public awareness and recruit mentors to meet the goal of providing mentors to 40,000 youth by the end of 2000 by:

- Using its position to encourage and galvanize volunteers around mentoring;
- Encouraging colleagues/members to recruit mentors from their organizations and communities;
- Developing innovative initiatives to get more North Carolinians involved in mentoring;
- Helping to increase the organizational capacity of mentoring organizations;
- Helping to coordinate between state and local mentoring programs;
- Providing staff to help with program development so that new programs can be developed and existing programs expanded;
- Developing training programs for mentors so that they can be well prepared to help North Carolina's youth;
- Providing staff for training mentors;
- Providing information and assistance as requested by companies, faith communities, schools, and other mentor suppliers;
- Making specific recommendations to the Governor on how to expand and improve mentoring initiatives; and,
- Aligning efforts to support statewide initiatives such as First In America in education.

Section 4. Council Meetings

The Council shall meet quarterly and at the call of the Chair. The Chair shall set the agenda of the Council's meetings. The Council may establish such committees or working groups as are necessary to assist in performing its duties and carrying out the Council's responsibilities.

Section 5. Per Diem, Travel, and Subsistence

Members of the Council shall serve without compensation but, subject to the availability of funds, shall be eligible for per diem, travel, and subsistence as provided by North Carolina law and policy.

Section 6. Reporting Requirements

The Council shall present an annual report of its findings and recommendations to the Governor. The Council's first report shall be presented no later than December 31, 1999.

Section 7. Staff Support

Support staff for the Council shall be provided by the Director of NC Promise.

Section 8. Effective Date

This order is effective immediately, and shall remain in effect until rescinded by the Governor.

Done in the Capital City of Raleigh, North Carolina, this the 30th day of August, 1999.

**EXECUTIVE ORDER NO. 158
EMERGENCY RELIEF FOR DAMAGE
CAUSED BY HURRICANE DENNIS**

WHEREAS, I have proclaimed that a state of emergency and threatened disaster exists in North Carolina due to Hurricane Dennis; and

WHEREAS, the North Carolina Department of Transportation has declared a State emergency justifying an exemption from 49 C.F.R. 390-397 (Federal Motor Carrier Safety Regulations); and

WHEREAS, under the provisions of N.C.G.S. 166A-4(3) and 166A-6(c)(3), the Governor, with the concurrence of the Council of State, may regulate and control the flow of vehicular traffic and the operation of transportation services;

WHEREAS, with the concurrence of the Council of State, I have found that if utility vehicles bearing equipment and supplies to relieve our hurricane-stricken counties must adhere to the registration requirements of N.C.G.S. 20-86 and 20-382, fuel tax requirements of N.C.G.S. 105-449.47 citizens in those counties will likely suffer losses and, therefore, invoke an imminent threat of widespread damage within the meaning of N.C.G.S. 166A-4(3);

THEREFORE, pursuant to the authority vested in me as Governor by the Constitution and the laws of this State, and with the concurrence of the Council of State, IT IS ORDERED:

Section 1.

The Division of Motor Vehicles shall waive certain registration requirements and penalties therefore arising under N.C.G.S. 20-86, 20-382 and 105-49.47 and 105-449.49 for utility vehicles transporting equipment and supplies along our highways to North Carolina's hurricane-stricken counties. Waivers from registration requirements apply only to those exemptions specifically listed under Sections 2 and 3.

Section 2.

- (A) Upon request, qualified exempted vehicles will be required to produce identification sufficient to establish that its load will be used for restoration efforts associated with Hurricane Dennis.
- (B) The \$50.00 fee listed in N.C.G.S. 105-449.49 for a temporary trip permit is waived for the vehicles described above. The penalties described in N.C.G.S. 20-382.2 concerning insurance registration are waived also. Finally, no quarterly fuel tax is required because the exception in N.C.G.S. 105-449.45(a)(1) applies.
- (C) The vehicles will be allowed on all routes designated by the North Carolina Department of Transportation.
- (D) This order shall not be in effect on bridges posted pursuant to N.C.G.S. 136-72.
- (E) This order does not allow operation above the statutory gross and axle weight limits.

Section 3. Vehicles described in Section 1 which are non-participants in North Carolina's International Registration Plan will be permitted into North Carolina in accordance with the spirit of the exemptions identified by this Executive Order.

Section 4. The waiver of regulations under 49 C.F.R. 390-397 (Federal Motor Carrier Safety Regulations) do not apply to the CDL and Insurance Requirements.

Section 5. The North Carolina Department of Transportation shall enforce the conditions set forth in Sections 1, 2, and 3 in a manner which would best accomplish the implementation of this rule without endangering motorists in North Carolina.

This Executive Order shall be effective immediately and shall remain in effect for 30 days.

Executed in the Capital City of Raleigh, North Carolina this 30th day of August, 1999.

This Section contains public notices that are required to be published in the Register or have been approved by the Codifier of Rules for publication.

North Carolina Department of Labor
Division of Occupational Safety and Health
4 West Edenton Street
Raleigh, NC 27603

(919) 733-0368

NOTICE OF VERBATIM ADOPTION OF FEDERAL STANDARDS

The Occupational Safety and Health Division of the North Carolina Department of Labor hereby gives notice that in accordance with GS 150B-21.5(c) it has amended 13 NCAC 07F .0101 to adopt verbatim final federal OSHA standards regarding dipping and coating operations published at 64 FR 13897-13912, March 23, 1999 and powered industrial truck operation training published at 64 FR 22552-22553, April 27, 1999.

For additional information regarding this verbatim adoption, please contact:

Jack Forshey
Division of Occupational Safety and Health
4 West Edenton Street
Raleigh, NC 27601
(919) 807-2881

A Notice of Rule-making Proceedings is a statement of subject matter of the agency's proposed rule making. The agency must publish a notice of the subject matter for public comment at least 60 days prior to publishing the proposed text of a rule. Publication of a temporary rule serves as a Notice of Rule-making Proceedings and can be found in the Register under the section heading of Temporary Rules. A Rule-making Agenda published by an agency serves as Rule-making Proceedings and can be found in the Register under the section heading of Rule-making Agendas. Statutory reference: G.S. 150B-21.2.

TITLE 10 - DEPARTMENT OF HEALTH AND HUMAN SERVICES

CHAPTER 1 - DEPARTMENTAL RULES

Notice of Rule-making Proceedings is hereby given by the DHHS - Controller's Office in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.

Citation to Existing Rules Affected by this Rule-Making: 10 NCAC 1B .0501-.0502. Other rules may be proposed in the course of the rule-making process.

Authority for the rule-making: G.S. 143B-10

Statement of the Subject Matter:

10 NCAC 1B .0501 - Rate Setting Methods for Facilities that serve State/County Special Assistance Residents.

10 NCAC 1B .0502 - Cost Reporting for facilities that serve State/County Special Assistance Residents.

Reason for Proposed Action:

10 NCAC 1B .0501 - With passage of S.L. 1999-334 rates for family care homes shall be based on market rate data. The market rate for family care homes shall be the statewide rate established for adult care homes.

10 NCAC 1B .0502 - With passage of S.L. 1999-334, family care homes that serve state/county special assistance residents will not have to submit an annual cost report to establish their rates. The family care home rate shall be the statewide rate established for adult care homes.

Comment Procedures: Comments should be submitted to Joyce Johnson, DHHS-Controller's Office, 2019 Mail Service Center, 6160 Oberlin Road, Raleigh, NC 27699-2019.

CHAPTER 14 - MENTAL HEALTH: GENERAL

SUBCHAPTER 14V - RULES FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE FACILITIES AND SERVICES

Notice of Rule-making Proceedings is hereby given by the Commission for MHDDSAS in accordance with G.S.

150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.

Citation to Existing Rules Affected by this Rule-Making: 10 NCAC 14V .3600. Other rules may be proposed in the course of the rule-making process.

Authority for the rule-making: G.S. 122C-26; 143B-147; 21 C.F.R. Part 2, 291.505; 21 C.F.R. Part 1300

Statement of the Subject Matter: To require all licensed Outpatient Narcotic Addiction Treatment facilities, which dispense Methadone, LAAM, or any other pharmacological agent approved by the Food and Drug Administration for the treatment of narcotic addiction subsequent to November 1, 1998 to participate in a computerized Central Registry and a computerized Capacity Management and Waiting List Management System established by the NC State Authority for Narcotic Addiction Treatment.

Reason for Proposed Action: The proposed rule changes will create a new regulatory system based on an accreditation model (outcome-based) which transfers oversight from the Food and Drug Administration to the Substance Abuse Mental Health Services Administration. This change is a reflection of the evolution of methadone treatment from that of an emerging new drug therapy to a widely accepted and well-understood treatment modality.

Comment Procedures: Comments should be submitted to Charlotte F. Hall, Division of Mental Health, Developmental Disabilities and Substance Abuse Services, 325 N. Salisbury Street, Albemarle Building, Suite 1156, Raleigh, NC 27603-5906.

CHAPTER 14 - MENTAL HEALTH: GENERAL

SUBCHAPTER 14V - RULES FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE FACILITIES AND SERVICES

Notice of Rule-making Proceedings is hereby given by the Secretary of Health and Human Services in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.

Citation to Existing Rules Affected by this Rule-Making: 10 NCAC 14V .7000. Other rules may be proposed in the course of the rule-making process.

Authority for the rule-making: G.S. 122C-3; 122C-112; 122C-194; 122C-195; 122C-196; 122C-197; 122C-198; 122C-199; 122C-200

Statement of the Subject Matter: To clarify rules and remove references to Willie M. population due to termination of the Willie M. Class Action Court oversight.

Reason for Proposed Action: Since this population is now referred to as assaultive and violent children and adolescents, the term Willie M. is no longer necessary.

Comment Procedures: Comments should be submitted to Charlotte F. Hall, Division of Mental Health, Developmental Disabilities and Substance Abuse Services, 325 N. Salisbury Street, Albemarle Building, Suite 1156, Raleigh, NC 27603-5906.

CHAPTER 20 - VOCATIONAL REHABILITATION

Notice of Rule-making Proceedings is hereby given by the NDHHS - Division of Vocational Rehabilitation Services in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.

Citation to Existing Rules Affected by this Rule-Making: 10 NCAC 20A .0101-.0102; 20B .0102-.0103, .0105, .0108, .0201-.0204, .0206, .0208, .0210, .0217, .0225; 20C .0101, .0120, .0122-.0123, .0201-.0206, .0301-.0308, .0310-.0311, .0313-.0316, .0401, .0408, .0502, .0601, .0603-.0604; 20D .0101, .0201, .0301. Other rules may be proposed in the course of the rule-making process.

Authority for the rule-making: G.S. 143-545.1; 143-546.1; 34 C.F.R. 361.26; 34 C.F.R. 361.38; 34 C.F.R. 361.48; 34 C.F.R. 361.50; 34 C.F.R. 361-54; 34 C.F.R. 361-57; P.L. 105-220

Statement of the Subject Matter: Definitions; Rule-making Procedures; Administrative Reviews and Appeals; Client Records and Confidentiality; Eligibility; Application Process and Services Subject to Financial Needs Test; Scope and Nature of Services; Nondiscrimination; Supported Employment Services; Order of Selection for Services; Standards for Facilities and Providers of Services.

Reason for Proposed Action: Most of these rules are being amended to reflect changes made to the Rehabilitation Act by the U.S. Congress in August 1998. These changes include new terminology such as "most significant" disabilities, "trial work experiences," and "individual plan for employment;" mediation

procedures in the appeals process; and eligibility related to disability determinations under the Social Security Act. Other changes will include modifications in the financial needs test policy, criteria for order of selection for some independent living services, the time frames for the appeals process, and standards for providers of services. Technical corrections in reference to federal regulations, addresses, and position title will also be made.

Comment Procedures: Written comments should be mailed to Jackie Stalnaker, 2801 Mail Service Center, Raleigh, NC 27699-2801.

CHAPTER 47 - STATE/COUNTY SPECIAL ASSISTANCE FOR ADULTS

SUBCHAPTER 47B - ELIGIBILITY DETERMINATION

Notice of Rule-making Proceedings is hereby given by the Social Services Commission in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.

Citation to Existing Rules Affected by this Rule-Making: 10 NCAC 47B - Other rules may be proposed in the course of the rule-making process.

Authority for the rule-making: G.S. 143B-153

Statement of the Subject Matter: The rules in 10 NCAC 47B govern eligibility for the State/County Special Assistance for Adults program.

Reason for Proposed Action: Legislation enacted by the 1999 session of the General Assembly (SL 1999-237) requires county departments of social services to implement a resident evaluation program for applicants and recipients of the State/County Special Assistance for Adults program. A resident evaluation is now required for eligibility determination and re-determination for this program. Rules need to be adopted and amended to implement this legislation effective January 1, 2000.

Comment Procedures: Anyone wishing to comment should contact Sharnese Ransome, APA Coordinator, Social Services Commission, NC Division of Social Services, 325 N. Salisbury Street, 2401 Mail Service Center, Raleigh, NC 27603, phone (919) 733-3055.

TITLE 13 - DEPARTMENT OF LABOR

CHAPTER 1 - DEPARTMENTAL RULES

SUBCHAPTER 1A - GENERAL PROVISIONS AND ORGANIZATION

NCAC 4B .0126 - Other rules may be proposed in the course of the rule-making process.

SUBCHAPTER 1B - RULE-MAKING AND ADMINISTRATIVE HEARING PROCEDURES

Authority for the rule-making: *G.S. 113A-54(b)*

SUBCHAPTER 1C - PERSONNEL RULES

Statement of the Subject Matter: *The proposed rule change will increase the erosion and sediment control plan review fee to \$40.00 per acre disturbed from \$30.00 for the first acre disturbed and \$20.00 for each additional acre disturbed. Removes the requirement for the Director to prorate fees if more than one-third cap.*

Notice of Rule-making Proceedings is hereby given by the North Carolina Department of Labor in accordance with G.S. 50B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.

Reason for Proposed Action: *The General Assembly during the 1999 session removed the one-third cap on the collection of review fees. This allowed the Sedimentation Control Commission to increase the review fee. The Commission determined that an increase in the fee was needed to provide additional resources for the Sediment Program. These additional resource needs were identified in the Commission's Plan of Action adopted on November 19, 1997.*

Citation to Existing Rules Affected by this Rule-Making: *13 NCAC 1A .0100 - 13 NCAC 1C .0500 - Other rules may be proposed in the course of the rule-making process.*

Authority for the rule-making: *G.S. 95-4(2)*

Statement of the Subject Matter: *General departmental rules.*

Comment Procedures: *Written comments may be submitted to Mell Nevils, Section Chief, Division of Land Resources - Land Quality Section, 1612 Mail Service Center, Raleigh, NC 27699-1612, Phone (919) 733-4574 (ext) 701.*

Reason for Proposed Action: *In the decade since the rules were last revised, there have been many changes in the Department, the Administrative Procedures Act and other laws affecting the work of the Department. The purpose of this rulemaking is to update the rules, as necessary, by the addition of new rules, revision and/or deletion of existing rules.*

Comment Procedures: *The purpose of this announcement is to encourage all interested and potentially affected persons or parties to make known their views regarding the proposed rulemaking. Written comments, data, or other information relevant to this proposal must be submitted within 30 days (11/1/99). Written comments may be submitted to Ann B. Wall, Agency Legal Specialist, Department of Labor, Legal Affairs Division, 4 West Edenton Street, Raleigh, NC 27601-1092.*

TITLE 15A - DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

CHAPTER 4 - SEDIMENTATION CONTROL

SUBCHAPTER 4B - EROSION AND SEDIMENT CONTROL

Notice of Rule-making Proceedings is hereby given by the Sedimentation Control Commission in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.

Citation to Existing Rules Affected by this Rule-Making: *15A*

TITLE 19A - DEPARTMENT OF TRANSPORTATION

CHAPTER 3 - DIVISION OF MOTOR VEHICLES

SUBCHAPTER 3G - SCHOOL BUS AND TRAFFIC SAFETY SECTION

Notice of Rule-making Proceedings is hereby given by the Division of Motor Vehicles in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.

Citation to Existing Rules Affected by this Rule-Making: *19A NCAC 3G .0203, .0205 - .0207, 0209, .0213 - Other rules may be proposed in the course of the rule-making process.*

Authority for the rule-making: *G.S. 20-39(b); 20-218*

Statement of the Subject Matter: *Rules state conditions, requirement, and eligibility for School Bus Driver Certification.*

Reason for Proposed Action: *Rules are proposed for amendment to reflect the requirements of a Settlement Agreement between the NC Division of Motor Vehicles and the US Department of Justice. The terms of the agreement required DMV to amend rules and include the concepts of individualized assessment and reasonable accommodation in certification of school bus drivers.*

Comment Procedures: Any interested person may submit written comments on the proposed rules by mailing the comments to Emily Lee, NC DOT, PO Box 25201, Raleigh, NC 27611, within 30 days after the proposed rule is published or until the date of any public hearing held on the proposed rule, whichever is longer.

TITLE 21 - OCCUPATIONAL LICENSING BOARDS

CHAPTER 36 - BOARD OF NURSING

Notice of Rule-making Proceedings is hereby given by the North Carolina Board of Nursing in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.

Citation to Existing Rules Affected by this Rule-Making: 21 NCAC 36 .0227 Other rules may be proposed in the course of the rule-making process.

Authority for the rule-making: G.S. 90-6; 90-18(c)(13)(14); 90-18.2; 90-171.20(4); 90-171.20(7); 90-171.23(b); 90-171.36; 90-171.37; 90-171.42

Statement of the Subject Matter: Describes the nurse practitioner qualifications for approval to practice and the practice requirements.

Reason for Proposed Action: To bring the NP requirements into compliance with national standards and continuing education requirements for those NPs who have been out of practice for an extended period of time.

Comment Procedures: Comments regarding this action should be directed to Jean H. Stanley, APA Coordinator, North Carolina Board of Nursing, PO Box 2129, Raleigh, NC 27602-2129.

CHAPTER 36 - BOARD OF NURSING

Notice of Rule-making Proceedings is hereby given by the North Carolina Board of Nursing in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) it proposes to adopt as a result of this notice

of rule-making proceedings and any comments received on this notice.

Citation to Existing Rules Affected by this Rule-Making: 21 NCAC 36 .0404 Other rules may be proposed in the course of the rule-making process.

Authority for the rule-making: G.S. 90-171.55

Statement of the Subject Matter: Renewal listing requirements on the Nurse Aide II Registry.

Reason for Proposed Action: Need to revise requirements for reinstatement of Nurse Aide II Listing.

Comment Procedures: Comments regarding this action should be directed to Jean H. Stanley, APA Coordinator, North Carolina Board of Nursing, PO Box 2129, Raleigh, NC 27602-2129.

CHAPTER 36 - BOARD OF NURSING

Notice of Rule-making Proceedings is hereby given by the North Carolina Board of Nursing in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.

Citation to Existing Rules Affected by this Rule-Making: 21 NCAC 36 .0701 - .0705 Other rules may be proposed in the course of the rule-making process.

Authority for the rule-making: G.S. 90, Article 9G; 90-171.80-90 through 171.94

Statement of the Subject Matter: Section of rule for the implementation and administration of the Nurse Licensure Compact for each state party to the compact.

Reason for Proposed Action: New General Statutes by the 1999 Legislature Session.

Comment Procedures: Comments regarding this action should be directed to Jean H. Stanley, APA Coordinator, North Carolina Board of Nursing, PO Box 2129, Raleigh, NC 27602-2129.

This Section contains the text of proposed rules. At least 60 days prior to the publication of text, the agency published a Notice of Rule-making Proceedings. The agency must accept comments on the proposed rule for at least 30 days from the publication date, or until the public hearing, or a later date if specified in the notice by the agency. The required comment period is 60 days for a rule that has a substantial economic impact of at least five million dollars (\$5,000,000). Statutory reference: G.S. 150B-21.2.

TITLE 4 - DEPARTMENT OF COMMERCE

Notice is hereby given in accordance with G.S. 150B-21.2 that the Cape Fear River Navigation and Pilotage Commission intends to amend rules cited as 4 NCAC 15 .0119 - .0121. Notice of Rule-making Proceedings was published in the Register on August 1, 1999.

Proposed Effective Date: August 1, 2000

A Public Hearing will be conducted at 7:00 p.m. on November 5, 1999 at the Second Floor Meeting Room, NC State Ports Authority Building, 2202 Burnett Boulevard, Wilmington, NC.

Reason for Proposed Action: Agency was approached by the members of the Wilmington - Cape Fear Pilots Association to consider the following amendments to 4 NCAC 15:

4 NCAC 15 .0119(a) - to insert a formula which would increase or decrease the number of pilots according to the number of ships calling the port. This is a result of a loss of about 25% of their business over the past few years without a corresponding reduction in the number of pilots.

4 NCAC 15 .0119(b) - to insert language clarifying the definition of an "extreme emergency".

4 NCAC 15 .0120 - to limit the term for which a "limited" license may be issued.

4 NCAC 15 .0121(e) - to include the term limit in the discussion of limited licenses.

4 NCAC 15 .0121(h) - to assure an apprentice pilot who has completed his training when no vacancy in the number of pilots exists that he will fill the next vacancy.

Comment Procedures: Written comments may be submitted to Mr. Louis K. Newton, Chairman, 508 Princess Street, Wilmington, NC 28402. All comments must be received before the end of the public hearing.

Fiscal Impact

State Local Sub. None

✓

CHAPTER 15 - COMMISSION OF NAVIGATION AND PILOTAGE FOR THE CAPE FEAR RIVER AND BAR

.0119 NUMBER OF PILOTS

(a) The maintenance of efficient pilot service for the river and bar requires ten pilots: a number of pilots in accordance with the following: The commission shall license ten pilots a number of pilots not to exceed one pilot per 98 piloted vessel arrivals annually or fraction thereof. Piloted vessel arrivals annually shall

be determined by a five consecutive calendar year average and can be calculated at any time using the five previous calendar years. The then current active pilots shall continue to serve with the Commission's power of reduction to be effective only in the case of natural attrition except as proved in G.S. 76A-15, to assist the navigation of vessels requiring the assistance of such pilots:

(b) The apprentice system established in Rule .0019 .0121 of this Chapter shall be used to fill vacancies in the association except in the case of extreme emergency: emergency, such as incapacity by accident, sickness or death. In such emergency, the Commission may issue, upon recommendation of a majority vote of the association, one or more limited licenses for such term as may be necessary.

Authority G.S. 76A-1; 76A-5; 76A-13; 76A-14.

.0120 ANNUAL RENEWAL OF LICENSE

Each pilot who desires to renew his license shall present a written application for renewal to the Commission at its regular meeting immediately preceding May 1 of each year. That application shall include the results of a physical examination conducted within 60 days prior to the date of the application and a bond in the amount of five hundred dollars (\$500.00) from two freehold sureties. The results of the physical examination shall be reported on the form required by the Coast Guard for the issuance of an original federal pilot's license. If the application is satisfactory, the Commission shall issue a license effective May 1. No limited license issued under G.S. 76A-6(2) shall be renewed for more than the original year, except for limited licenses issued under the provisions of 4 NCAC 15 .0119(b).

Authority G.S. 76A-1; 76A-5.

.0121 APPRENTICESHIP

(a) In order to be considered for an appointment as an apprentice pilot, an applicant shall:

- (1) provide satisfactory evidence of graduation from a maritime college or accredited four-year college or university or hold a valid Third Mate's Unlimited Ocean License;
- (2) be of good moral character;
- (3) provide satisfactory evidence of 20/20 visual acuity uncorrected or corrected by lens;
- (4) provide satisfactory evidence of being able to distinguish colors by means of the Stilling Test or other equivalent test accepted by the Coast Guard;
- (5) provide satisfactory evidence of having good natural hearing;
- (6) provide satisfactory evidence of passing a complete physical examination in the form required by the Coast Guard for the issuance of an original federal pilot's

license;

- (7) be a citizen and resident of North Carolina; and
- (8) provide satisfactory evidence of such other physical and mental qualifications as the Commission may require.

(b) If recommended by a majority vote of the association and approved by a majority vote of the Commission, the applicant shall be issued an Apprentice Pilot's Certificate. He shall be known as an apprentice pilot during his apprenticeship.

(c) Under the direct supervision of a pilot, an apprentice pilot shall become proficient in all matters appertaining to the duties of a pilot including, but not limited to:

- (1) rules of the road,
- (2) use of compass and all navigation aids,
- (3) set of various currents,
- (4) boarding of vessels in heavy weather,
- (5) bearings of noted objects,
- (6) numbers, shapes, and colors of buoys,
- (7) use of radar and ranges, and
- (8) such other matters as the Commission shall require or a majority of the association may recommend.

(d) An apprentice pilot shall make such boardings and trips and perform such duties as directed by a pilot in order to master the waters of the river and bar and to master the handling of the various vessels traversing the same.

(e) A limited license may be issued to an apprentice pilot by the Commission upon a recommendation by a majority of the association. Prior to advancing from one limited license to the next, a majority of the association must sign the limited license, thus certifying its successful completion. The Commission may issue the next limited license upon a recommendation by a majority of the association. The time limitation applying to the issuance of limited licenses established in Rule .0120 of this chapter applies to limited licenses issued under this Rule.

(f) An apprenticeship may be terminated at any time there is a finding by the Commission that satisfactory progress is not being made or other just cause exists to end the apprenticeship. A majority of the association may recommend termination of an apprenticeship.

(g) In order to be considered for an appointment as a pilot:

- (1) an applicant must satisfy all statutory requirements for a Full License;
- (2) an applicant must hold a Pilot's License issued by the Coast Guard;
- (3) an applicant must be of good moral character;
- (4) an applicant must be recommended by a majority of the association and approved by a majority vote of the Commission;
- (5) there must be a vacancy in the association; and
- (6) the applicant is not an immediate family member of a pilot.

(h) Upon the successful completion of the apprentice pilot training program and the requirements for a full licensed pilot, the apprentice pilot shall then be placed on the apprentice pilots waiting list in the order in which they complete all such requirements. When a vacancy occurs in the number of full licensed pilots, the apprentice next in line shall be appointed to that

vacancy. If he declines, his name shall be stricken from the waiting list. During this interim, between the expiration of the limited license and waiting for a vacancy, the apprentice shall be required to make an average of two boardings per month under the supervision of a full licensed pilot.

Authority G.S. 76A-1; 76A-5; 76A-6; 76A-12; 76A-13.

TITLE 12 - DEPARTMENT OF JUSTICE

Notice is hereby given in accordance with G.S. 150B-21.2 that the NC Private Protective Services Board intends to amend rule cited as 12 NCAC 7D .0807. Notice of Rule-making Proceedings was published in the Register on January 15, 1999.

Proposed Effective Date: June 9, 2000

A Public Hearing will be conducted at 2:00 p.m. on October 18, 1999 at 3320 Old Garner Road, Raleigh, NC.

Reason for Proposed Action: The Board has determined that the public health, safety, and welfare will be better protected if the course content is modified and the amount of training for armed security officers is increased from eight to twenty hours. Further, the Board has determined that in the interest of safety on the firing line during firearms range training, a ratio of instructor to firearms student should not exceed one instructor to six students.

Comment Procedures: Written comments should be directed to W. Wayne Woodard, Administrator, NC Private Protective Services Board, 3320 Old Garner Road, Raleigh, NC 27626. Comments must be received no later than November 1, 1999.

Fiscal Impact

State Local Sub. None

✓

CHAPTER 7 - PRIVATE PROTECTIVE SERVICES

SUBCHAPTER 7D - PRIVATE PROTECTIVE SERVICES BOARD

SECTION .0800 - ARMED SECURITY GUARD FIREARM REGISTRATION PERMIT

.0807 TRAINING REQUIREMENTS FOR ARMED SECURITY GUARDS

(a) Applicants for an armed security guard firearm registration permit shall complete a basic training course for armed security guards which consists of at least eight 20 hours of classroom instruction including:

- (1) legal limitations on the use of handguns and on the powers and authority of an armed security guard; guard, including but not limited to, familiarity with rules and regulations relating to armed security guards (minimum

of four hours);

- (2) familiarity with rules and regulations relating to armed security guards: handgun safety, including but not limited to, range firing procedures (minimum of one hour);
- (3) ~~range firing procedures, handgun safety, and maintenance; and handgun operation and maintenance (minimum of three hours);~~
- (4) any other topics of armed security guard training which the Board and the Attorney General deem necessary: handgun fundamentals (minimum of eight hours); and
- (5) night firing (minimum of four hours).

(b) Applicants shall attain an 80 percent score on a firearms course approved by the Board and the Attorney General, a copy of which is on file in the administrator's office.

(c) All armed security guard training required by 12 NCAC 7D shall be administered by a certified trainer and shall be successfully completed no more than 90 days prior to the date of issuance of the armed security guard firearm registration permit.

(d) All applicants for an armed security guard firearm registration permit must obtain training under the provisions of this Section using their duty weapon and their duty ammunition.

(e) No more than six new or renewal armed security guard applicants per one instructor shall be placed on the firing line at any one time during firearms range training.

Authority G.S. 74C-5; 74C-13.

TITLE 15A - DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

Notice is hereby given in accordance with G.S. 150B-21.2 that the DENR-Environmental Management Commission intends to adopt the rules cited as 15A NCAC 2D .0958, .2101-.2104; amend the rules cited as 15A NCAC 2D .0902, .0909, .0948-.0949, .0951, .1703, .1708-.1709; 2Q .0102-.0103, .0202, .0502-.0503, .0507-.0508 and repeal the rules cited as 15A NCAC 2D .0518, .0950. Notice of Rule-making Proceedings was published in the Register on January 2, 1997, August 14, 1998, October 15, 1998, February 15, 1999, June 15, 1999.

Proposed Effective Date: July 1, 2000

A Public Hearing will be conducted at 7:00 p.m. on October 26, 1999 at the Archdale Building, Groundfloor Hearing Room, 512 N. Salisbury Street, Raleigh, NC.

Reason for Proposed Action: The rules concerning volatile organic compound emissions are being modified as a result of DAQ Staff's desire to update the State's requirements for these emissions and remove antiquated rules. The Title V permitting rules are being modified in order to correct deficiencies previously identified by the EPA so that the State can gain final EPA approval of its Title V program. The Municipal Solid Waste Landfill rules are being modified to correct deficiencies and meet the

requirements of federal landfill rules. The accidental release program is being proposed for adoption as a result of the federal requirements contained in 40 CFR Part 68. 15A NCAC 2Q .0102 is being further modified to achieve consistency in the State's air quality rules for volatile organic liquid storage vessels. Finally, the permit content rule is proposed for modification in order to remove unnecessary and redundant language.

Comment Procedures: Any person desiring to comment for more than three minutes is requested to submit a written statement for inclusion in the record of proceedings at the public hearing. The hearing officer may limit oral presentation lengths to five minutes if many people want to speak. For everything covered in this notice except for the risk management program rules, the hearing record will remain open until November 1, 1999, to receive additional written comments. For the risk management program rules, the hearing record will remain open until November 30, 1999, to receive additional written comments. Comments should be sent to and additional information concerning the hearings or the proposals may be obtained by contacting Mr. Thomas C. Allen, Division of Air Quality, 1641 Mail Service Center, Raleigh, NC 27699-1641, telephone (919) 733-1489, fax (919) 715-7476.

FISCAL IMPACT

State	Local	Sub.	None
	✓		
		✓	
✓			

15A NCAC 2D .2101-.2104
15A NCAC 2Q .0502
15A NCAC 2D .0518, .0902, .0909, .0948, .0949, .0950, .0951, .0958, .1703, .1708, .1709
15A NCAC 2Q .0102-.0103, .0202, .0503, .0507, .0508

CHAPTER 2 - ENVIRONMENTAL MANAGEMENT

SUBCHAPTER 2D - AIR POLLUTION CONTROL REQUIREMENTS

SECTION .0500 - EMISSION CONTROL STANDARDS

.0518 MISCELLANEOUS VOLATILE ORGANIC COMPOUND EMISSIONS

(a) This Rule shall be applicable to all sources of volatile organic compound emissions for which no other volatile organic compound emission control standards are applicable, including those standards found in Section .0900 of this Subchapter as well as Rules .0524, .1110, or .1111 of this Subchapter, or 40 CFR Part 63.

(b) A person shall not place, store or hold in any stationary tank, reservoir, or other container with a capacity greater than 50,000 gallons, any liquid compound containing carbon and hydrogen or containing carbon and hydrogen in combination with any other element which has a vapor pressure of 1.5 pounds per square inch absolute or greater under actual storage conditions unless such tank, reservoir, or other container:

- (1) is a pressure tank, capable of maintaining working pressures sufficient at all times to prevent vapor gas loss into the atmosphere; or
- (2) is designed and equipped with one of the following vapor loss control devices:

- (A) a floating pontoon, double deck type floating roof or internal pan type floating roof equipped with closure seals to enclose any space between the cover sedge and compartment wall; this control equipment shall not be permitted if the compound is a photochemically reactive material having a vapor pressure of 11.0 pounds per square inch absolute or greater under actual storage conditions; all tank gauging or sampling devices shall be gas-tight except when tank gauging or sampling is taking place;

- (B) a vapor recovery system or other equipment or means of air pollution control as approved by the Director which reduces the emission of organic materials into the atmosphere by at least 90 percent by weight; all tank gauging or sampling devices shall be gas-tight except when tank gauging or sampling is taking place.

(c) A person shall not load in any one day more than 20,000 gallons of any volatile organic compound into any tank truck, trailer, or railroad tank car from any loading facility unless the loading uses submerged loading through boom loaders that extend down into the compartment being loaded or by other methods demonstrated to the Director to be at least as efficient.

(d) With the exemptions of Paragraphs (g) and (h) of this Rule, a person shall not discharge from all sources at any one plant site more than a total of 40 pounds of photochemically reactive solvent into the atmosphere in any one day, from any article, machine, equipment or other contrivance used for employing, applying, evaporating or drying any photochemically reactive solvent or substance containing such solvent unless the discharge has been reduced by at least 85 percent by weight. Photochemically reactive solvents include any solvent with an aggregate of more than 20 percent of its total volume composed of the chemical compounds classified in this Paragraph, or which exceed any of the following percentage composition limitations, referred to the total volume of the solvent:

- (1) a combination of hydrocarbons, alcohols, aldehydes, esters, ethers, or ketones having an olefinic or cyclo-olefinic type of unsaturation --five percent;
- (2) a combination of aromatic hydrocarbons with eight or more carbon atoms to the molecule except ethylbenzene--eight percent;
- (3) a combination of ethylbenzene, ketones having branched hydrocarbon structure, trichloroethylene, or toluene--20 percent.

Whenever any photochemically reactive solvent, or any constituent of any photochemically reactive solvent may be classified from its chemical structure into more than one of the groups of chemical compounds in this Paragraph, it shall be considered as a member of the most reactive chemical compound group, that is: that group

having the least allowable percent of the total volume of solvents: Diacetone alcohol and perchloroethylene are not considered photochemically reactive under this Rule. Compounds that are not volatile organic compounds as defined under 40 CFR 51.100 are also not considered photochemically reactive under this Rule.

(e) A source need not comply with Paragraphs (b), (c), or (d) of this Rule if it complies with otherwise applicable rules in Section .0900 of this Subchapter. However, the source shall not comply with Rules .0902 through .0911, .0950, .0951(c), and .0952 of this Subchapter. This Paragraph shall not apply to sources subject to the requirements of Section .0900 of this Subchapter because of Rule .0902(e), (f), or (g) of this Subchapter.

(f) Any source to which this Rule applies shall be exempted from the requirements of Paragraphs (b), (c), or (d) if control equipment is installed and operated which meets the requirements of best available control technology as defined in and determined by procedures of Rule .0530 of this Section. A new best available control technology determination and procedure need not be performed if in the judgement of the Director a previous best available control technology determination is applicable.

(g) Sources at a plant site with emission limits established by Paragraphs (e) or (f) of this Rule, Rules .0524, .1110 or .1111 of this Subchapter, or 40 CFR Part 63 shall be excluded from consideration when determining the compliance of any remaining sources with Paragraph (d) of this Rule.

(h) Recycled solvents shall be considered non-photochemically reactive if:

- (1) The solvents are recycled on-site;
- (2) The solvents were originally non-photochemically reactive; and
- (3) All make-up solvents added to the recycled solvents are non-photochemically reactive.

Authority G.S. 143-215.3(a)(1); 143-215.107(a)(5).

SECTION .0900 - VOLATILE ORGANIC COMPOUNDS

.0902 APPLICABILITY

(a) The following Rules of this Section apply statewide:

- (1) .0925, Petroleum Liquid Storage in Fixed Roof Tanks, for fixed roof tanks at gasoline bulk plants and gasoline bulk terminals;
- (2) .0926, Bulk Gasoline Plants;
- (3) .0927, Bulk Gasoline Terminals;
- (4) .0928, Gasoline Service Stations Stage I;
- (5) .0932, Gasoline Truck Tanks and Vapor Collection Systems; and
- (6) .0933, Petroleum Liquid Storage in External Floating Roof Tanks, for external floating roof tanks at bulk gasoline plants and bulk gasoline terminals; terminal;
- (7) .0948, VOC Emissions from Transfer Operations;
- (8) .0949, Storage of Miscellaneous Volatile Organic Compounds; and
- (9) .0958, Work Practices for Sources of Volatile Organic Compounds.

(b) Rule .0953, Vapor Return Piping for Stage II Vapor

Recovery, of this Section applies in Davidson, Durham, Forsyth, Gaston, Guilford, Mecklenburg, Wake, Dutchville Township in Granville County, and that part of Davie County bounded by the Yadkin River, Dutchmans Creek, North Carolina Highway 801, Fulton Creek and back to Yadkin River in accordance with provisions set out in that Rule.

(c) All sources located in Mecklenburg County that were required to comply with any of these Rules:

- (1) .0917 through .0938 of this Section, or
- (2) .0943 through .0946 of this Section,

before July 5, 1995, shall continue to comply with these Rules.

(d) With the exceptions stated in Paragraphs (a), (b), (c), or (h) of this Rule, this Section applies to:

- (1) Charlotte/Gastonia, consisting of Mecklenburg and Gaston Counties in accordance with Paragraph (e) of this Rule;
- (2) Greensboro/Winston-Salem/High Point, consisting of Davidson, Forsyth, and Guilford Counties and that part of Davie County bounded by the Yadkin River, Dutchmans Creek, North Carolina Highway 801, Fulton Creek and back to Yadkin River in accordance with Paragraph (f) of this Rule; or
- (3) Raleigh/Durham, consisting of Durham and Wake Counties and Dutchville Township in Granville County in accordance with Paragraph (g) of this Rule.

(e) If a violation of the ambient air quality standard for ozone is measured in accordance with 40 CFR 50.9 in Cabarrus, Gaston, Iredell, Lincoln, Mecklenburg, Rowan, or Union County, North Carolina or York County, South Carolina, the Director shall initiate analysis to determine the control measures needed to attain and maintain the ambient air quality standard for ozone. By the following May 1, the Director shall implement the specific stationary source control measures contained in this Section that are required as part of the control strategy necessary to bring the area into compliance and to maintain compliance with the ambient air quality standard for ozone. The Director shall implement the rules in this Section identified as being necessary by the analysis by notice in the North Carolina Register. The notice shall identify the rules that are to be implemented and shall identify whether the rules implemented are to apply in Gaston or Mecklenburg County or in both counties. At least one week before the scheduled publication date of the North Carolina Register containing the Director's notice implementing rules in this Section, the Director shall send written notification to all permitted facilities within the county in which the rules are being implemented that are or may be subject to the requirements of this Section informing them that they are or may be subject to the requirements of this Section. (For Mecklenburg County, "Director" means for the purpose of notifying permitted facilities in Mecklenburg County, the Director of the Mecklenburg County local air pollution control program.) Compliance shall be in accordance with Rule .0909 of this Section.

(f) If a violation of the ambient air quality standard for ozone is measured in accordance with 40 CFR 50.9 in Davidson, Forsyth, or Guilford County or that part of Davie County bounded by the Yadkin River, Dutchmans Creek, North Carolina Highway 801, Fulton Creek and back to Yadkin River, the Director shall initiate analysis to determine the control measures needed to attain and

maintain the ambient air quality standard for ozone. By the following May 1, the Director shall implement the specific stationary source control measures contained in this Section that are required as part of the control strategy necessary to bring the area into compliance and to maintain compliance with the ambient air quality standard for ozone. The Director shall implement the rules in this Section identified as being necessary by the analysis by notice in the North Carolina Register. The notice shall identify the rules that are to be implemented and shall identify whether the rules implemented are to apply in Davidson, Forsyth, or Guilford County or that part of Davie County bounded by the Yadkin River, Dutchmans Creek, North Carolina Highway 801, Fulton Creek and back to Yadkin River or any combination thereof. At least one week before the scheduled publication date of the North Carolina Register containing the Director's notice implementing rules in this Section, the Director shall send written notification to all permitted facilities within the county in which the rules are being implemented that are or may be subject to the requirements of this Section informing them that they are or may be subject to the requirements of this Section. (For Forsyth County, "Director" means for the purpose of notifying permitted facilities in Forsyth County, the Director of the Forsyth County local air pollution control program.) Compliance shall be in accordance with Rule .0909 of this Section.

(g) If a violation of the ambient air quality standard for ozone is measured in accordance with 40 CFR 50.9 in Durham or Wake County or Dutchville Township in Granville County, the Director shall initiate analysis to determine the control measures needed to attain and maintain the ambient air quality standard for ozone. By the following May 1, the Director shall implement the specific stationary source control measures contained in this Section that are required as part of the control strategy necessary to bring the area into compliance and to maintain compliance with the ambient air quality standard for ozone. The Director shall implement the rules in this Section identified as being necessary by the analysis by notice in the North Carolina Register. The notice shall identify the rules that are to be implemented and shall identify whether the rules implemented are to apply in Durham or Wake County or Dutchville Township in Granville County or any combination thereof. At least one week before the scheduled publication date of the North Carolina Register containing the Director's notice implementing rules in this Section, the Director shall send written notification to all permitted facilities within the county in which the rules are being implemented that are or may be subject to the requirements of this Section informing them that they are or may be subject to the requirements of this Section. Compliance shall be in accordance with Rule .0909 of this Section.

(h) This Section does not apply to:

- (1) sources whose emissions of volatile organic compounds are not more than 15 pounds per day, except that this Section does apply to the manufacture and use of cutback asphalt and to gasoline service stations or gasoline dispensing facilities regardless of levels of emissions of volatile organic compounds;
- (2) sources used exclusively for chemical or physical analysis or determination of product quality and commercial acceptance provided:

- (A) The operation of the source is not an integral part of the production process;
 - (B) The emissions from the source do not exceed 800 pounds per calendar month; and
 - (C) The exemption is approved in writing by the Director as meeting the requirements of this Subparagraph; or
- (3) emissions of volatile organic compounds during startup or shutdown operations from sources which use incineration or other types of combustion to control emissions of volatile organic compounds whenever the off-gas contains an explosive mixture during the startup or shutdown operation if the exemption is approved by the Director as meeting the requirements of this Subparagraph.
- (i) Sources whose emissions of volatile organic compounds are not subject to limitation under this Section may still be subject to emission limits on volatile organic compounds in Rules .0518, .0524, .1110, or .1111 of this Subchapter.

Authority G.S. 143-215.3(a)(1); 143-215.107(a)(5).

.0909 COMPLIANCE SCHEDULES FOR SOURCES IN NEW NONATTAINMENT AREAS

(a) With the exceptions in Paragraph (b) of this Rule, this Rule applies to all sources covered by Paragraphs (e), (f), or (g) of Rule .0902 of this Section.

(b) This Rule does not apply to:

- (1) sources in Mecklenburg County required to comply with the requirements of this Section under Rule .0902(c) of this Section;
- (2) sources covered under Rule .0953 or .0954 of this Section; or
- (3) sources required to comply with the requirements of this Section under Rule .0902(a) of this Section.

(c) The owner or operator of any source subject to this Rule because of the application of Paragraphs (e), (f), or (g) of Rule .0902 of this Section shall adhere to the following increments of progress and schedules:

- (1) if compliance is to be achieved by installing emission control equipment, replacing process equipment, or modifying existing process equipment:
 - (A) A permit application and a compliance schedule shall be submitted within six months after the Director notices in the North Carolina Register that an area is in violation of the ambient air quality standard for ozone;
 - (B) The compliance schedule shall contain the following increments of progress:
 - (i) a date by which contracts for the emission control system and process equipment shall be awarded or orders shall be issued for purchase of component parts;
 - (ii) a date by which on-site construction or installation of the emission control and process equipment shall begin; and

- (iii) a date by which on-site construction or installation of the emission control and process equipment shall be completed;
 - (C) Final compliance shall be achieved within three years after the Director notices in the North Carolina Register that the area is in violation of the ambient air quality standard for ozone.
- (2) if compliance is to be achieved by using low solvent content coating technology:
- (A) A permit application and a compliance schedule shall be submitted within six months after the Director notices in the North Carolina Register that an area is in violation of the ambient air quality standard for ozone;
 - (B) The compliance schedule shall contain the following increments:
 - (i) a date by which research and development of low solvent content coating shall be completed if the Director determines that low solvent content coating technology has not been sufficiently researched and developed;
 - (ii) a date by which evaluation of product quality and commercial acceptance shall be completed;
 - (iii) a date by which purchase orders shall be issued for low solvent content coatings and process modifications;
 - (iv) a date by which process modifications shall be initiated; and
 - (v) a date by which process modifications shall be completed and use of low solvent content coatings shall begin;
 - (C) Final compliance shall be achieved within three years after the Director notices in the North Carolina Register that the area is in violation of the ambient air quality standard for ozone.

(d) The owner or operator shall certify to the Director within five days after the deadline, for each increment of progress in Paragraph (c) of this Rule, whether the required increment of progress has been met.

(e) If the Director requires a test to demonstrate that compliance has been achieved the owner or operator of sources subject to this Rule shall conduct a test and submit a final test report within six months after the stated date of final compliance.

(f) With such exception as the Director may allow, the owner or operator of any source subject to this Rule shall continue to comply with 15A NCAC 2D .0518 until such time as the source complies with applicable rules in this Section or until the final compliance date set forth in this Rule, whichever comes first. The Director may allow the following exceptions:

- (1) testing coating materials;
 - (2) making or testing equipment or process modifications; or
 - (3) adding or testing control devices;
- (g)(f) The owner or operator of any new source of volatile

organic compounds not in existence or under construction as of the date that the Director notices in the North Carolina Register in accordance with Paragraphs (c), (f), or (g) of Rule .0902 of this Section that the area is in violation of the ambient air quality standard for ozone, shall comply with all applicable rules in this Section upon start-up of the source.

~~(h)(g)~~ Paragraphs (c), (d), and (f) (c) and (d) of this Rule will shall not apply to sources that are in compliance with all applicable rules of this Section when the Director notices in the North Carolina Register that the area is in violation of the ambient air quality standard for ozone and that have determined and certified compliance to the satisfaction of the Director within six months after the Director notices in the North Carolina Register that the area is in violation.

Authority G.S. 143-215.3(a)(1); 143-215.107(a)(5).

.0948 VOC EMISSIONS FROM TRANSFER OPERATIONS

(a) This Rule applies to operations that transfer volatile organic compounds from a storage tank to tank-trucks, trailers, or railroad tank car cars that are not covered by Rule .0926, .0927, or .0928 of this Section.

(b) The owner or operator of a source facility to which this Rule applies shall not load in any one day more than 20,000 gallons of any volatile organic compounds compound with a vapor pressure of 1.5 pounds per square inch or greater under actual conditions into any tank-truck, trailer, or railroad tank car from any loading facility operation unless the loading operation uses submerged loading through boom loaders that extend down into the compartment being loaded or by other methods demonstrated to the Director to be that are at least as efficient: efficient based on source testing or engineering calculations.

Authority G.S. 143-215.3(a)(1); 143-215.107(a)(5).

.0949 STORAGE OF MISCELLANEOUS VOLATILE ORGANIC COMPOUNDS

(a) This Rule applies to the storage of volatile organic compounds in stationary tanks, reservoirs, or other containers with a capacity greater than 50,000 gallons that are not covered by Rule .0925 or .0933.

(b) The owner or operator of any source to which this Rule applies shall not place, store, or hold in any stationary tank, reservoir, or other container with a capacity greater than 50,000 gallons, any liquid volatile organic compound that has a vapor pressure of 1.5 pounds per square inch absolute or greater under actual storage conditions unless such tank, reservoir, or other container:

- (1) is a pressure tank capable of maintaining working pressures sufficient at all times to prevent vapor gas loss into the atmosphere; or
- (2) is designed and equipped with one of the following vapor loss control devices:
 - (A) a floating pontoon, double deck type floating roof or internal pan type floating roof equipped with closure seals to enclose any space between the

cover's edge and compartment wall; this control equipment shall not be permitted for volatile organic compounds with a vapor pressure of 11.0 pounds per square inch absolute or greater under actual storage conditions; all tank gauging or sampling devices shall be gas-tight except when tank gauging or sampling is taking place;

- (B) a vapor recovery system or other equipment or means of air pollution control as approved by the Director which that reduces the emission of organic materials into the atmosphere by at least 90 percent by weight; all tank gauging or sampling devices shall be gas-tight except when tank gauging or sampling is taking place.

Authority G.S. 143-215.3(a)(1); 143-215.107(a)(5).

.0950 INTERIM STANDARDS FOR CERTAIN SOURCE CATEGORIES

(a) This Rule applies to the following types of sources:

- (1) tobacco processing;
- (2) textile dyeing;
- (3) wastewater treatment operations at beer brewers;
- (4) fiberglass yacht manufacturing;
- (5) soybean processing;
- (6) paint and coating manufacturing;
- (7) synthetic organic chemical manufacturing industry distillation and reactors;
- (8) synthetic organic chemical manufacturing industry batch operations;
- (9) petroleum and industrial wastewater treatment plants;
- (10) wood furniture finishing;
- (11) plastic parts coating operations;
- (12) web offset lithography;
- (13) autobody refinishing;
- (14) industrial cleanup solvents;
- (15) aerospace; and
- (16) marine coatings;

(b) The owner or operator of a source to which this Rule applies shall not emit volatile organic compounds into the atmosphere in any one day from all sources at the plant site at which the source is located more than a total of 40 pounds of photochemically reactive solvent from any article, machine, equipment or other contrivance used for employing, applying, evaporating or drying any photochemically reactive solvent or substance containing such solvent unless the discharge has been reduced by at least 85 percent by weight. Photochemically reactive solvents include any solvent with an aggregate of more than 20 percent of its total volume composed of the chemical compounds classified in this Paragraph, or which exceed any of the following percentage composition limitations: referred to the total volume of the solvent:

- (1) a combination of hydrocarbons, alcohols, aldehydes, esters, ethers, or ketones having an olefinic or cyclo-olefinic type of unsaturation--five percent;
- (2) a combination of aromatic hydrocarbons with eight or more carbon atoms to the molecule except ethylbenzene--eight percent;

- (3) a combination of ethylbenzene, ketones having branched hydrocarbon structure, trichloroethylene, or toluene=20 percent.

Whenever any photochemically reactive solvent, or any constituent of any photochemically reactive may be classified from its chemical structure into more than one of the groups in this Paragraph of chemical compounds, it shall be considered as a member of the most reactive chemical compound group, that is, that group having the least allowable percent of the total volume of solvents. Diacetone alcohol and perchloroethylene are not considered photochemically reactive under this Rule.

Authority G.S. 143-215.3(a)(1); 143-215.107(a)(5).

.0951 MISCELLANEOUS VOLATILE ORGANIC COMPOUND EMISSIONS

(a) This Rule applies to all facilities that use volatile organic compounds as solvents, carriers, material processing media, or industrial chemical reactants, or in other similar uses or that mix, blend, or manufacture volatile organic compounds for which there is no other applicable emissions control rule in this Section: Section except Rule .0958 of this Section.

(b) This Rule does not apply to architectural or maintenance coating.

(c) Facilities with potential emissions of volatile organic compounds less than 100 tons per year shall comply with 15A NCAC 2D .0518.

(d)(c) With the exception of Paragraph (b) of this Rule, the owner or operator of any facility to which this Rule applies with the potential to emit 100 tons per year or more of volatile organic compounds shall:

- (1) install and operate reasonable available control technology; or
install and operate control equipment which meets the requirements of best available control technology as defined in and determined by procedures of Rule .0530 of this Section (A new best available control technology determination and procedure need not be performed if in the judgement of the Director a previous best available control technology determination is applicable.);
- (2) limit emissions of volatile organic compounds from coating lines not covered by Rules .0917 through .0924, .0934, or .0935 to no more than 6.7 pounds of volatile organic compounds per gallon of solids delivered to the coating applicator, applicator; or
- (3) reduce the emissions of volatile organic compounds from all sources at the plant site that are not covered by Subparagraphs (d)(1) or (2) of this Paragraph or another rule in this Section by at least 85 percent by weight or down to 40 pounds per day by destruction or by capture of volatile organic compounds in the emission stream: (Calculation of capture efficiency shall be adjusted to reflect eventual emission to the atmosphere as volatile organic compounds except for material reused, burned, or reprocessed for reuse.)

(d) If the owner or operator of a facility chooses to install reasonable available control technology under Subparagraph (c)(1) of this Rule, the owner or operator shall submit:

- (1) the name and location of the facility;
- (2) information identifying the source for which a reasonable available control technology limitation or standard is being proposed;
- (3) a demonstration that shows the proposed reasonable available control technology limitation or standard satisfies the requirements for reasonable available control technology; and
- (4) a proposal for demonstrating compliance with the proposed reasonable control technology limitation or standard.

Authority G.S. 143-215.3(a)(1); 143-215.107(a)(5).

.0958 WORK PRACTICES FOR SOURCES OF VOLATILE ORGANIC COMPOUNDS

(a) This Rule applies to all facilities that use volatile organic compounds as solvents, carriers, material processing media, or industrial chemical reactants, or in other similar uses or that mix, blend, or manufacture volatile organic compounds, or emit volatile organic compounds as a product of chemical reactions.

(b) This Rule does not apply to architectural or maintenance coating.

(c) The owner or operator of any facility subject to this Rule shall:

- (1) store all material, including waste material, containing volatile organic compounds in containers covered with a tightly fitting lid that is free of cracks, holes, or other defects, when not in use,
- (2) clean up spills within 30 minutes,
- (3) store wipe rags in closed containers,
- (4) not clean sponges, fabric, wood, paper products, and other absorbent materials,
- (5) drain solvents used to clean supply lines and other painting equipment into closable containers and close containers immediately after each use,
- (6) clean mixing, blending, and manufacturing vats and containers by adding cleaning solvent, closing the vat or container before agitating the cleaning solvent. The spent cleaning solvent shall then be poured into a closed container,
- (7) minimize over application and over spray of all material containing volatile organic compounds.

(d) When cleaning parts, the owner or operator of any facility subject to this Rule shall:

- (1) flush parts in the freeboard area,
- (2) take all reasonable precautions to reduce the pooling of solvent on and in the parts,
- (3) tilt or rotate parts to drain as much solvent as possible and allow a minimum of 15 seconds for drying or until all dripping has stopped, whichever is longer,
- (4) not fill cleaning machines above the fill line,
- (5) not agitate solvent to the point of causing splashing.

(e) The owner or operator of a source on which a control device has been installed to comply with 15A NCAC 2D .0518(d) shall continue to maintain and operate the control device unless the Director determines that the removal of the control device shall not cause or contribute to a violation of the ozone ambient air quality standard (15A NCAC 2D .0405).

(f) The owner or operator of a source that has complied with 15A NCAC 2D .0518 by complying with a rule in this Section, shall continue to comply with that rule unless the Director determines that if the source ceases to comply with that rule, it shall not cause or contribute to a violation of the ozone ambient air quality standard (15A NCAC .0405).

(g) All sources at a facility subject to this Rule shall be permitted unless they are exempted from permitting by 15A NCAC 2Q .0102, Activities Exempted From Permit Requirements.

Authority G.S. 143-215.3(a)(1); 143-215.107(a)(5).

SECTION .1700 - MUNICIPAL SOLID WASTE LANDFILLS

.1703 EMISSION STANDARDS

(a) Any MSW landfill subject to this Section and meeting the following two conditions shall meet the gas collection and control requirements of Paragraph (b) of this Rule:

- (1) The landfill has a design capacity greater than or equal to 2.75 million tons or and 2.5 million cubic meters. The owner or operator of the landfill may calculate the design capacity in either tons or cubic meters for comparison with the exemption values. Any density conversion shall be documented and submitted along with the initial reporting requirements of Rule .1708(a) of this Section; and
- (2) The landfill has a non-methane organic compound (NMOC) emission rate of 55 tons per year or more. The NMOC emission rate shall be calculated by following the procedures outlined in 40 CFR 60.754.

(b) Each owner or operator of a MSW landfill meeting the conditions of Paragraph (a) of this Rule shall:

- (1) submit to the Director a site-specific design plan for the gas collection and control system that meets the requirements of 40 CFR 60.752(b)(2)(i);
- (2) install a gas collection system that meets the requirements of 40 CFR 60.752(b)(2)(ii); and
- (3) control the collected emissions of MSW landfill gas through the use of one or more of the following control devices:
 - (A) An open flare designed and operated in accordance with the parameters established in 40 CFR 60.18;
 - (B) A control system designed and operated to reduce NMOC by 98 weight percent; or
 - (C) An enclosed combustor designed and operated to reduce the outlet NMOC concentration to 20 parts per million as hexane by volume, on a dry basis at three percent oxygen, or less.

(c) The gas collection and control system required under

Paragraph (b) of this Rule may be capped or removed provided that all the conditions of 40 CFR 60.752(b)(2)(v)(A), (B) and (C) are met.

Authority G.S. 143-215.3(a)(1); 143-215.107(a)(5), (10).

.1708 REPORTING REQUIREMENTS

(a) The owner or operator of a MSW landfill subject to this Rule according to Rule .1702 of this Section shall submit an initial design capacity report to the Director in accordance with the following:

- (1) The initial design capacity report shall fulfill the requirements of the notification of the date construction is commenced as required under 40 CFR 60.7(a)(1) and shall be submitted no later than the earliest of the day from the dates given in 40 CFR 60.757(a)(1)(i) through 40 CFR 60.757(a)(1)(iii);
- (2) The initial design capacity report shall contain the information given in 40 CFR 60.757(a)(2)(i) and 40 CFR 60.757(a)(2)(ii); and
- (3) An amended design capacity report shall be submitted to the Director in accordance with 40 CFR 60.757(a)(3) whenever an increase in the design capacity of the landfill results in the design capacity of the landfill to exceed 2.5 million cubic meters or and 2.75 million tons.

(b) The owner or operator of a MSW landfill subject to this Section shall submit a NMOC emission report to the Director initially and annually thereafter, except as provided for in 40 CFR 60.757(b)(1)(ii) or (b)(3). The initial NMOC emission rate report shall be submitted within 90 days of the day waste acceptance commences and may be combined with the initial design capacity report required in Paragraph (a) of this Section. The NMOC emission rate report shall:

- (1) contain an annual or five-year estimate of the NMOC emission rate calculated using the formula and procedures provided in 40 CFR 60.754(a) or (b), as applicable; and
- (2) include all the data, calculations, sample reports and measurements used to estimate the annual or five-year emissions.

(c) The owner or operator of a MSW landfill subject to Rule .1703(b) of this Section shall submit a collection and control system design plan to the Director within one year of the first report, required under Paragraph (b) of this Rule, in which the emission rate exceeds 55 tons per year, except as provided for in 40 CFR 60.757(c)(1) and (2).

(d) The owner or operator of a controlled landfill shall submit a closure report to the Director within 30 days of cessation of waste acceptance. If a closure report has been submitted to the Director, no additional waste shall be placed into the landfill without first filing a notification of modification as described under 40 CFR 60.7(a)(4). The Director may request such additional information as may be necessary to verify that permanent closure of the MSW landfill has taken place in accordance with the requirements of 40 CFR 258.60.

(e) The owner or operator of a controlled MSW landfill shall

submit an equipment removal report 30 days prior to removal or cessation of operation of the control equipment according to Rule .1703(c) of this Section. The report shall contain the items listed in 40 CFR 60.757(e)(1). The Director may request such additional information as may be reasonably necessary to verify that all the conditions for removal in 40 CFR 60.752(b)(2)(v) have been met.

(f) The owner or operator of a MSW landfill seeking to comply with Rule .1703(b)(2) of this Section using an active collection system designed in accordance with 40 CFR 60.752(b)(2)(ii) shall submit annual reports of the recorded information in 40 CFR 60.757(f)(1) through (f)(6). The initial annual report shall be submitted within 180 days of installation and start-up of the collection and control system, and shall include the initial performance test report required under 40 CFR 60.8.

(g) The owner or operator of a MSW landfill seeking to comply with Rule .1703(b)(3) of this Section using an enclosed combustion device or flare shall report the excess as defined in 40 CFR 60.758(c)(1).

(h) The owner or operator of a MSW landfill required to comply with Rule .1703(b)(1) of this Section shall include the information given in 40 CFR 60.757(g)(1) through (6) with the initial performance test report required under 40 CFR 60.8.

Authority G.S. 143-215.3(a)(1); 143-215.65; 143-215.66; 143-215.107(a)(5)(10).

.1709 RECORDKEEPING REQUIREMENTS

(a) The owner or operator of a MSW landfill subject to this Section and having a maximum design capacity equal to or greater than 2.5 million cubic meters or and 2.75 million tons shall keep on-site for at least five years records of the information listed in 40 CFR 60.758(a). Off-site records may be maintained if they are retrievable within four hours. Either paper copy or electronic formats of the records shall be acceptable.

(b) The owner or operator of a controlled landfill shall keep up-to-date, readily accessible records for the life of the control equipment of the data listed in 40 CFR 60.757(b)(1) through (b)(4) as measured during the initial performance test or compliance determination. Records of subsequent tests or monitoring shall be maintained for a minimum of five years. Records of the control device vendor specifications shall be maintained until removal.

(c) Each owner or operator of a MSW landfill subject to this Section shall keep for five years up-to-date, readily accessible continuous records of the equipment operating parameters specified to be monitored in Rule .1707 of this Section and records for periods of operation during which the parameter boundaries established during the most recent performance test are exceeded. The parameter boundaries considered in excess of those established during the performance test are defined in 40 CFR 60.757(c)(1)(i) and (ii) and are also required to be reported under Rule .1708(g) of this Section.

(d) The owner or operator of a MSW landfill subject to Rule .1703(b) of this Section shall keep for the life of the collection system an up-to-date, readily accessible plot map showing existing and planned collectors in the system and provide unique identification location labels for each collector. Records of newly

installed collectors shall be maintained in accordance with 40 CFR 60.758(d)(1) and documentation of asbestos-containing or nondegradable waste excluded from collection shall be kept in accordance with 40 CFR 60.758(d)(2).

(e) The owner or operator of a MSW landfill subject to Rule .1703(b) of this Section shall keep for at least five years records of emissions from the collection and control system exceeding the emission standards in accordance with 40 CFR 60.758(e).

(f) The owner or operator of MSW landfill subject to Rule .1703(b) of this Section shall keep up-to-date, readily accessible continuous records of the indication of flow to the control device or the indication of bypass flow or records of monthly inspections of car-seals or lock-and-key configurations used to seal bypass lines, specified under 40 CFR 60.756.

(g) The owner or operator of MSW landfill subject to Rule .1703(b) of this Section who uses a boiler or process heater with a design heat input capacity of 44 megawatts or greater to comply with 40 CFR 60.752(b)(2)(iii) shall keep an up-to-date, readily accessible record of all periods of operation of the boiler or process heater.

(h) The owner or operator of MSW landfill seeking to comply with the provisions of Rule .1703(b) of this Section by use of an open flare shall keep up-to-date, readily accessible continuous records of the flame or flare pilot flame monitoring specified under 40 CFR 60.756(c), and up-to-date, readily accessible records of all periods of operation in which the flame or flare pilot flame in absent.

Authority G.S. 143-215.3(a)(1); 143-215.65; 143-215.66; 143-215.107(a)(4)(5)(10).

SECTION .2100 - RISK MANAGEMENT PROGRAM

.2101 APPLICABILITY

(a) This Section applies to any facility that has more than a threshold quantity of a regulated substance listed in 40 CFR 68.130 in a process as determined under 40 CFR 68.115. The facility shall comply with this Section no later than the latest of the following dates:

- (1) July 1, 2000 [NOTE: Before the effective date of the rules in this Section, the U. S. Environmental Protection Agency is the implementing agency of 40 CFR Part 68. Under 40 CFR 68.10(a)(1) the facility is required to comply by June 21, 1999.];
- (2) three years after the date on which a regulated substance is first listed under 40 CFR 68.130; or
- (3) the date on which a regulated substance is first present above a threshold quantity in a process.

(b) A covered process that meets all the requirements of 40 CFR 68.10(b) is eligible for Program 1 requirements.

(c) A covered process that meets the requirements of 40 CFR 68.10(c) is subject to Program 2 requirements.

(d) A covered process that meets the requirements of 40 CFR 68.10(d) is subject to Program 3 requirements.

(e) If at any time a covered process no longer meets the eligibility criteria of its Program level, the owner or operator of the

facility shall comply with the requirements of the new Program level that applies to the process and update the risk management plan as provided in 40 CFR 68.190.

Authority G.S. 143-215.3(a)(1); 143-215.107(a)(10).

.2102 DEFINITIONS

For the purpose of this Section the definitions contained in 40 CFR 68.3 shall apply with the following exceptions:

- (1) "Designated agency" means the Division of Air Quality.
- (2) "Implementing agency" means the Division of Air Quality.

Authority G.S. 143-215.3(a)(1); 143-215.107(a)(10).

.2103 REQUIREMENTS

The owner or operator of any facility covered under this Section shall comply with all the applicable requirements in:

- (1) 40 CFR 68.12, General Requirements.
- (2) 40 CFR 68.15, Management.
- (3) 40 CFR Part 68, Subpart B, Hazard Assessment, including 40 CFR Part 68, Appendix A, Table of Toxic Endpoints.
- (4) 40 CFR Part 68, Subpart C, Program 2 Prevention Program.
- (5) 40 CFR Part 68, Subpart D, Program 3 Prevention Program.
- (6) 40 CFR Part 68, Subpart E, Emergency Response.
- (7) 40 CFR Part 68, Subpart G, Risk Management Plan, and
- (8) 40 CFR 68.200, Recordkeeping.

Authority G.S. 143-215.3(a)(1); 143-215.107(a)(10).

.2104 IMPLEMENTATION

(a) The owner or operator of each facility covered under this Section shall:

- (1) submit a risk management plan or a revised plan when required by this Section to the Division of Air Quality; and
- (2) submit a source certification or, in its absence, submit a compliance schedule consistent with 15A NCAC 2Q .0508(g)(2).

(b) The Division may initiate enforcement action against any facility that fails to comply with the requirements of this Section or any provision of its plan submitted pursuant to this Section.

(c) The Division may conduct completeness checks, source audits, record reviews, or facility inspections to ensure that facilities covered under this Section are in compliance with the requirements of this Section. In addition, the Division may conduct periodic audits following the audit procedures of 40 CFR 68.220. The Division may take enforcement action based on the results of an audit.

Authority G.S. 143-215.3(a)(1); 143-215.107(a)(10).

SUBCHAPTER 2Q - AIR QUALITY PERMIT

PROCEDURES

SECTION .0100 - REQUIRED AIR QUALITY PERMITS

.0102 ACTIVITIES EXEMPTED FROM PERMIT REQUIREMENTS

(a) This Rule does not apply to facilities required to have a permit under Section .0500 of this Subchapter. This Rule applies only to permits issued under Section .0300 of this Subchapter.

(a) (b) If a source is subject to any of the following rules, then the source is not exempted from permit requirements, and the exemptions in Paragraph (b) of this Rule do not apply:

- (1) new source performance standards under 15A NCAC 2D .0524 or 40 CFR Part 60, except:
 - (A) 40 CFR Part 60, Subpart Dc, industrial, commercial, and institutional steam generating units; units located at a facility not required to be permitted under Section .0500 of this Subchapter;
 - (B) 40 CFR Part 60, Subpart Subpart K, Ka, or Kb, volatile organic liquid storage vessels; vessels located at a facility not required to be permitted under Section .0500 of this Subchapter;
 - (C) 40 CFR Part 60, Subpart AAA, new residential wood heaters; or
 - (D) 40 CFR Part 60, Subpart WWW, municipal solid waste landfills; landfills not required to be permitted under Section .0500 of this Subchapter;
 - (2) national emission standards for hazardous air pollutants under 15A NCAC 2D .1110 or 40 CFR Part 61, except asbestos demolition and renovation activities;
 - (3) prevention of significant deterioration under 15A NCAC 2D .0530;
 - (4) new source review under 15A NCAC 2D .0531 or .0532;
 - (5) sources of volatile organic compounds subject to the requirements of 15A NCAC 2D .0900 that are located in Mecklenburg County in accordance with 15A NCAC 2D .0902;
 - (6) sources required to apply maximum achievable control technology (MACT) for hazardous air pollutants under 15A NCAC 2D .1109, .1111, .1112, or 40 CFR Part 63 that are required to have a permit under Section .0500 of this Subchapter; or
 - (7) sources at facilities subject to 15A NCAC 2D .1100. (If a source does not emit a toxic air pollutant for which the facility at which it is located has been modeled, it shall be exempted from needing a permit if it qualifies for one of the exemptions in Paragraph (b) of this Rule).
- (b) (c) The following activities do not need a permit or permit modification under Section .0300 of this Subchapter; however, the Director may require the owner or operator of these activities to register them under 15A NCAC 2D .0200:

- (1) activities exempted because of category: category (These activities shall not be included on the permit application or in the permit.):
 - (A) maintenance, upkeep, and replacement:

- (i) maintenance, structural changes, or repairs which do not change the capacity of such process, fuel-burning, refuse-burning, or control equipment, and do not involve any change in quality or nature or increase in quantity of emission of regulated air pollutants;
- (ii) housekeeping activities or building maintenance procedures, including painting buildings, resurfacing floors, roof repair, washing, portable vacuum cleaners, sweeping, use and associated storage of janitorial products, or insulation removal;
- (iii) use of office supplies, supplies to maintain copying equipment, or blueprint machines; ~~machines~~;
- (iv) use of fire fighting equipment;
- (v) paving parking lots; or
- (vi) replacement of existing equipment with equipment of the same size, type, and function that does not result in an increase to the actual or potential emission of regulated air pollutants and that does not affect the compliance status, and with replacement equipment that fits the description of the existing equipment in the permit, including the application, such that the replacement equipment can be operated under that permit without any changes in the permit;
- (B) air conditioning or ventilation: comfort air conditioning or comfort ventilating systems which do not transport, remove, or exhaust regulated air pollutants to the atmosphere;
- (C) laboratory activities:
 - (i) bench-scale, on-site equipment used exclusively for chemical or physical analysis for quality control purposes, staff instruction, water or wastewater analyses, or non-production environmental compliance assessments;
 - (ii) bench-scale experimentation, chemical or physical analyses, training or instruction from not-for-profit, non-production educational laboratories;
 - (iii) bench-scale experimentation, chemical or physical analyses, training or instruction from hospitals or health laboratories pursuant to the determination or diagnoses of illness; or
 - (iv) research and development laboratory activities that are not required to be permitted under Section .0500 of this Subchapter provided the activity produces no commercial product or feedstock material;
- (D) storage tanks:
 - (i) storage tanks used solely to store fuel oils, kerosene, diesel, crude oil, used motor oil, lubricants, cooling oils, natural gas or liquefied petroleum gas;
 - (ii) storage tanks used to store gasoline for which there are no applicable requirements except Stage I controls under 15A NCAC 2D .0928;
 - (iii) storage tanks used solely to store inorganic liquids; or
 - (iv) storage tanks or vessels used for the temporary containment of materials resulting from an emergency response to an unanticipated release of hazardous materials;
- (E) combustion and heat transfer equipment:
 - (i) space heaters burning distillate oil, kerosene, natural gas, or liquefied petroleum gas operating by direct heat transfer and used solely for comfort heat;
 - (ii) residential wood stoves, heaters, or fireplaces;
 - (iii) hot water heaters which are used for domestic purposes only and are not used to heat process water;
- (F) wastewater treatment processes: industrial wastewater treatment processes or municipal wastewater treatment processes for which there are no applicable requirements;
- (G) gasoline distribution:
 - (i) gasoline service stations or gasoline dispensing facilities; ~~facilities that are not required to be permitted under Section .0500 of this Subchapter; or~~
 - (ii) gasoline dispensing equipment at facilities ~~required to be permitted under Section .0500 of this Subchapter if the equipment is used solely to refuel facility equipment;~~
- (H) dispensing equipment: equipment used solely to dispense diesel fuel, kerosene, lubricants or cooling oils;
- (I) solvent recycling: portable solvent distillation systems used for on-site solvent recycling if:
 - (i) The portable solvent distillation system is not:
 - (I) owned by the facility, and
 - (II) operated at the facility for more than seven consecutive days; and
 - (ii) The material recycled is: is
 - (H) recycled at the site of origin; ~~origin;~~
 - (H) ~~the original material is non-photochemically reactive in accordance with 15A NCAC 2D .0518; Miscellaneous Volatile Organic Compound Emissions; and~~

- (HH) ~~all make up material is non-photochemically reactive in accordance with 15A NCAC 2D .0518;~~
- (J) processes:
- (i) small electric motor burn-out ovens with secondary combustion chambers or afterburners;
 - (ii) small electric motor bake-on ovens;
 - (iii) burn-off ovens for paint-line hangers with afterburners;
 - (iv) hosiery knitting machines and associated lint screens, hosiery dryers and associated lint screens, and hosiery dyeing processes where bleach or solvent dyes are not used;
 - (v) blade wood planers planing only green wood;
- (K) solid waste landfills: municipal solid waste landfills ~~not required to be permitted under Section .0500 of this Subchapter~~ (This Part does not apply to flares and other sources of combustion at solid waste landfills.);
- (L) miscellaneous:
- (i) motor vehicles, aircraft, marine vessels, locomotives, tractors or other self-propelled vehicles with internal combustion engines;
 - (ii) non-self-propelled non-road engines, except generators, regulated by rules adopted under Title II of the federal Clean Air Act;
 - (iii) equipment used for the preparation of food for direct on-site human consumption;
 - (iv) a source whose emissions are regulated only under Section 112(r) or Title VI of the federal Clean Air Act; ~~Act that is not required to be permitted under Section .0500 of this Subchapter;~~
 - (v) exit gases from in-line process analyzers;
 - (vi) stacks or vents to prevent escape of sewer gases from domestic waste through plumbing traps;
 - (vii) refrigeration equipment that is consistent with Section 601 through 618 of Title VI (Stratospheric Ozone Protection) of the federal Clean Air Act, 40 CFR Part 82, and any other regulations promulgated by EPA under Title VI for stratospheric ozone protection, except those units used as or in conjunction with air pollution control equipment;
 - (viii) equipment not vented to the outdoor atmosphere with the exception of equipment that emits volatile organic compounds;
 - (ix) equipment that does not emit any regulated air pollutants;
- (x) facilities subject only to a requirement under 40 CFR Part 63 that ~~are not required to be permitted under Section .0500 of this Subchapter~~ (This Subpart does not apply when a control device is used to meet a MACT or GACT emission standard.);
- (xi) ~~sources for which there are no applicable requirements; requirements and that are at a facility not required to be permitted under Section .0500 of this Subchapter; or~~
- (xii) ~~sources for which there are no applicable requirements and that are at a facility required to be permitted under Section .0500 of this Subchapter following the procedures in Paragraph (c) of this Rule;~~
- (xiii) (xii) animal operations not required to have control technology under 15A NCAC 2D .1800 ~~or not required to be permitted under Section .0500 of this Subchapter. (If an animal operation is required to have control technology, it shall be required to have a permit under this Subchapter.)~~ Subchapter).
- (2) activities exempted because of size or production rate: ~~rate (These activities shall not be included in the permit. If the facility is subject to the permitting procedures under Section .0500 of this Subchapter, these activities shall be listed on the permit application; otherwise, these activities shall not be listed on the permit application.)~~
- (A) storage tanks:
- (i) above-ground storage tanks with a storage capacity of no more than 1100 gallons storing organic liquids with a true vapor pressure of no more than 10.8 pounds per square inch absolute at 70°F; or
 - (ii) underground storage tanks with a storage capacity of no more than 2500 gallons storing organic liquids with a true vapor pressure of no more than 10.8 psi absolute at 70°F;
- (B) combustion and heat transfer equipment: ~~equipment located at a facility not required to be permitted under Section .0500 of this Subchapter;~~
- (i) fuel combustion equipment, except for internal combustion engines, firing exclusively kerosene, No. 1 fuel oil, No. 2 fuel oil, equivalent unadulterated fuels, or a mixture of these fuels or one or more of these fuels mixed of with natural gas or liquefied petroleum gas with a heat input of less than:
 - (I) 10 million BTU Btu per hour for which construction, modification, or reconstruction commenced after June 9, 1989; or
 - (II) 30 million BTU Btu per hour for which construction, modification,

- or reconstruction commenced before June 10, 1989;
- (ii) fuel combustion equipment, except for internal combustion engines, firing exclusively natural gas or liquefied petroleum gas or a mixture of these fuels with a heat input rating less than 65 million BTU Btu per hour;
- (iii) space heaters burning waste oil if:
 - (I) The heater burns only oil that the owner or operator generates or used oil from do-it-yourself oil changers who generate used oil as household wastes;
 - (II) The heater is designed to have a maximum capacity of not more than 500,000 Btu per hour; and
 - (III) The combustion gases from the heater are vented to the ambient air;
- (iv) emergency use generators and other internal combustion engines not regulated by rules adopted under Title II of the federal Clean Air Act, except self-propelled vehicles, that have a rated capacity of no more than:
 - (I) 310 kilowatts (electric) or 460 horsepower for natural gas-fired engines,
 - (II) 830 kilowatts (electric) or 1150 horsepower for liquefied petroleum gas-fired engines,
 - (III) 270 kilowatts (electric) or 410 horsepower for diesel-fired or kerosene-fired engines, or
 - (IV) 21 kilowatts (electric) or 31 horsepower for gasoline-fired engines;
- (v) portable generators and other portable equipment with internal combustion engines not regulated by rules adopted under Title II of the federal Clean Air Act, except self-propelled vehicles, that operate at the facility no more than a combined 350 hours for any 365-day period provided the generators or engines have a rated capacity of no more than 750 kilowatt (electric) or 1100 horsepower each and provided records are maintained to verify the hours of operation;
- (vi) peak shaving generators that produce no more than 325,000 kilowatt-hours of electrical energy for any 12-month period provided records are maintained to verify the energy production on a monthly basis and on a 12-month basis;
- (C) gasoline distribution: bulk gasoline plants with an

- average daily throughput of less than 4000 ~~gallons; gallons that is not required to be permitted under Section .0500 of this Subchapter;~~
- (D) processes:
 - (i) ~~printing; graphic arts operations,~~ paint spray booths or other painting or coating operations without air pollution control devices (water wash and filters that are an integral part of the paint spray booth are not considered air pollution control devices) ~~devices), and solvent cleaning operations~~ located at a facility whose facility-wide actual emissions of:
 - (I) ~~Volatile~~ volatile organic compounds are less than five tons per year; ~~year~~ and
 - (II) ~~Photochemically reactive solvent emissions under 15A NCAC 2D .0518~~ are less than 30 pounds per day;

provided the facility is not required to be permitted under Section .0500 of this Subchapter; ~~(Graphic arts operations, coating operations, and solvent cleaning operations are defined in 15A NCAC 2Q .0803);~~
 - (ii) sawmills that saw no more than 2,000,000 board feet per year provided only green wood is sawed;
 - (iii) perchloroethylene dry cleaners that ~~emits~~ emit less than 13,000 pounds of perchloroethylene per year;
 - (iv) electrostatic dry powder coating operations with filters or powder recovery systems including electrostatic dry powder coating operations equipped with curing ovens with a heat input of less than 10,000,000 BTU Btu per hour;
- (E) miscellaneous:
 - (i) any source whose emissions would not violate any applicable emissions standard and whose potential emissions of particulate, sulfur dioxide, nitrogen oxides, volatile organic compounds, and carbon monoxide before air pollution control devices, i.e., potential uncontrolled emissions, are each no more than five tons per year and whose potential emissions of hazardous air pollutants are below their lesser quantity cutoff except:
 - (I) storage tanks,
 - (II) ~~fuel combustion equipment, excluding fuel combustion equipment at facilities required to have a permit under Section .0500 of this Subchapter, firing~~

~~exclusively kerosene, No. 1 fuel oil, No. 2 fuel oil, equivalent unadulterated fuels, natural gas, liquefied petroleum gas, or a mixture of these fuels;~~

- (III) ~~space heaters burning waste oil,~~
- (IV) ~~generators, excluding emergency generators, or other non-self-propelled internal combustion engines,~~
- (V) ~~bulk gasoline plants,~~
- (VI) ~~printing, paint spray booths, or other painting or coating operations,~~
- (VII) ~~sawmills,~~
- (VIII) ~~perchloroethylene dry cleaners, or~~
- (IX) ~~electrostatic dry powder coating operations,~~

provided that the total potential emissions of particulate, sulfur dioxide, nitrogen oxides, volatile organic compounds, and carbon monoxide from the facility are each less than 40 tons per year and the total potential emissions of all hazardous air pollutants are below their lesser quantity cutoff emission rates or provided that the facility has an air quality permit;

- (ii) any facility whose actual emissions of particulate, sulfur dioxide, nitrogen oxides, volatile organic compounds, or carbon monoxide before air pollution control devices, i.e., uncontrolled emissions, are each less than five tons per year, whose potential emissions of all hazardous air pollutants are below their lesser quantity cutoff emission ~~rate~~ rates; and which is not required to have a permit under Section .0500 of this Subchapter;
- (iii) any source that only emits hazardous air pollutants that are not also a particulate or a volatile organic compound and whose potential emissions of hazardous air pollutants are below their lesser quantity cutoff emission rates; or
- (iv) any incinerator covered under Subparagraph (c)(4) of 15A NCAC 2D .1201;

(F) case-by-case exemption:

- (i) ~~for activities located at facilities not required to have a permit under Section .0500 of this Subchapter; activities that the applicant demonstrates to the satisfaction of the Director:~~
 - (H) (ii) to be negligible in their air quality impacts,
 - (H) (iii) not to have any air pollution control device, and

(H) (iv) not to violate any applicable emission control standard when operating at maximum design capacity or maximum operating rate, whichever is greater, greater; or

- (ii) ~~for activities located at facilities required to have a permit under Section .0500 of this Subchapter; activities that the applicant demonstrates to the satisfaction of the Director:~~

- (H) to be negligible in their air quality impacts;
- (H) not to have any air pollution control device;
- (H) not to violate any applicable emission control standard when operating at maximum design capacity or maximum operating rate, whichever is greater;
- (IV) the potential emissions of each criteria pollutant is less than five tons per year; and
- (V) the potential emissions of each hazardous air pollutant is less than 1000 pounds per year.

(c) The Director shall exempt a source for which there are no applicable requirements at a facility required to have a permit under Section .0500 of this Subchapter from needing a permit if:

- (1) The Director finds that emissions from the source are not likely to cause or contribute to any violation of an ambient air quality standard under Section 15A NCAC 2D .0400, or 40 CFR Part 50; and
- (2) The proposed permit exemption is noticed along with the initial draft permit or the next draft permit revision requiring public notice or draft permit renewal, whichever occurs first, and is subject to public comment procedures in Section .0500 of this Subchapter.

If during the comment period EPA or any other person provides a satisfactory explanation to the Director of why the source should be permitted, the Director shall include the source in the facility's permit; otherwise, the Director shall not include the source in the facility's permit.

(d) (c) Because an activity is exempted from being required to have a permit does not mean that the activity is exempted from any applicable requirement or that the owner or operator of the source is exempted from demonstrating compliance with any applicable requirement.

(e) (d) Emissions from stationary source activities identified in Paragraph (b) of this Rule shall be included in determining compliance with the toxic air pollutant requirements under 15A NCAC 2D .1100 or 2Q .0700 according to 15A NCAC 2Q .0702 (exemptions from air toxic permitting).

(f) (e) The owner or operator of a facility or source claiming an exemption under Paragraph (b) of this Rule shall provide the Director documentation upon request that the facility or source is qualified for that exemption.

Authority G.S. 143-215.3(a)(1); 143-215.107(a)(4); 143-215.108.

.0103 DEFINITIONS

For the purposes of this Subchapter, the definitions in G.S. 143-212 and 143-213 and the following definitions apply:

- (1) "Air Pollutant" means an air pollution agent or combination of such agents, including any physical, chemical, biological, radioactive substance or matter which is emitted into or otherwise enters the ambient air. Water vapor is not considered to be an air pollutant.
- (2) "Allowable emissions" mean the maximum emissions allowed by the applicable rules contained in 15A NCAC 2D or by permit conditions if the permit limits emissions to a lesser amount.
- (3) "Alter or change" means to make a modification.
- (4) "Applicable requirements" means:
 - (a) any requirement of Section .0500 of this Subchapter;
 - (b) any standard or other requirement provided for in the implementation plan approved or promulgated by EPA through rulemaking under Title I of the federal Clean Air Act that implements the relevant requirements of the federal Clean Air Act including any revisions to 40 CFR Part 52;
 - (c) any term or condition of a construction permit for a facility covered under 15A NCAC 2D .0530, .0531, or .0532;
 - (d) any standard or other requirement under Section 111 or 112 of the federal Clean Air Act, but not including the contents of any risk management plan required under Section 112 of the federal Clean Air Act;
 - (e) any standard or other requirement under Title IV;
 - (f) any standard or other requirement governing solid waste incineration under Section 129 of the federal Clean Air Act;
 - (g) any standard or other requirement under Section 183(e), 183(f), or 328 of the federal Clean Air Act;
 - (h) any standard or requirement under Title VI of the federal Clean Air Act unless a permit for such requirement is not required under this Section;
 - (i) any requirement under Section 504(b) or 114(a)(3) of the federal Clean Air Act; or
 - (j) any national ambient air quality standard or increment or visibility requirement under Part C of Title I of the federal Clean Air Act, but only as it would apply to temporary sources permitted pursuant to 504(e) of the federal Clean Air Act.
- (5) "Applicant" means the person who is applying for an air quality permit from the Division.
- (6) "Application package" means all elements or documents needed to make an application complete.
- (7) "CFR" means Code of Federal Regulations.
- (8) "Construction" means change in the method of operation

or any physical change (including on-site fabrication, erection, installation, replacement, demolition, or modification of a source) that results in a change in emissions or affects the compliance status.

- (9) "Director" means the Director of the Division of Air Quality.
- (10) "Division" means the Division of Air Quality.
- (11) "EPA" means the United States Environmental Protection Agency or the Administrator of the Environmental Protection Agency.
- (12) "EPA approves" means full approval, interim approval, or partial approval by EPA.
- (13) "Equivalent unadulterated fuels" means used oils that have been refined such that the content of toxic additives or contaminants in the oil are no greater than those in unadulterated fossil fuels.
- (14) "Facility" means all of the pollutant emitting activities, except transportation facilities as defined under Rule .0802 of this Subchapter, that are located on one or more adjacent properties under common control.
- (15) "Federally enforceable" or "federal-enforceable" means enforceable by EPA.
- (16) "Fuel combustion equipment" means any fuel burning source covered under 15A NCAC 2D .0503, .0504, .0536, or 40 CFR Part 60 Subpart D, Da, Db, or Dc.
- (17) "Green wood" means wood with a moisture content of 18 percent or more.
- (18) "Hazardous air pollutant" means any pollutant which has been listed pursuant to Section 112(b) of the federal Clean Air Act. Pollutants listed only in 15A NCAC 2D .1104 (Toxic Air Pollutant Guidelines), but not pursuant to Section 112(b), are not included in this definition.
- (19) "Insignificant activities" means activities defined as insignificant activities because of category or as insignificant activities because of size or production rate under Rule .0503 of this Subchapter, any activity exempted under Rule .0102 of this Section.
- (20) "Irrevocable contract" means a contract that cannot be revoked without substantial penalty.
- (21) "Lesser quantity cutoff" means:
 - (a) for a source subject to the requirements of Section 112(d) or (j) of the federal Clean Air Act, the level of emissions of hazardous air pollutants below which the following are not required:
 - (i) maximum achievable control technology (MACT) or generally available control technology (GACT), including work practice standards, requirement under Section 112(d) of the federal Clean Air Act;
 - (ii) substitute MACT or GACT adopted under Section 112(l) of the federal Clean Air Act; or
 - (iii) a MACT standard established under Section 112(j) of the federal Clean Air Act;

- (b) for modification of a source subject to, or may be subject to, the requirements of Section 112(g) of the federal Clean Air Act, the level of emissions of hazardous air pollutants below which MACT is not required to be applied under Section 112(g) of the federal Clean Air Act; or
- (c) for all other sources, potential emissions of each hazardous air pollutant below 10 tons per year and the aggregate potential emissions of all hazardous air pollutants below 25 tons per year.
- (22) "Major facility" means a major source as defined under 40 CFR 70.2.
- (23) "Modification" means any physical change or change in method of operation that results in a change in emissions or affects compliance status of the source or facility.
- (24) "Owner or operator" means any person who owns, leases, operates, controls, or supervises a facility, source, or air pollution control equipment.
- (25) "Peak shaving generator" means a generator that is located at a facility and is used only to serve that facility's on-site electrical load during peak demand periods for the purpose of reducing the cost of electricity; it does not generate electricity for resale. A peak shaving generator may also be used for emergency backup.
- (26) "Permit" means the legally binding written document, including any revisions thereto, issued pursuant to G.S. 143-215.108 to the owner or operator of a facility or source that emits one or more air pollutants and that allows that facility or source to operate in compliance with G.S. 143-215.108. This document specifies the requirements applicable to the facility or source and to the permittee.
- (27) "Permittee" means the person who has received an air quality permit from the Division.
- (28) "Potential emissions" means the rate of emissions of any air pollutant that would occur at the facility's maximum capacity to emit any air pollutant under its physical and operational design. Any physical or operational limitation on the capacity of a facility to emit an air pollutant shall be treated as a part of its design if the limitation is federally enforceable. Such physical or operational limitations include air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed. Potential emissions include fugitive emissions as specified in the definition of major source in 40 CFR 70.2. Potential emissions do not include a facility's secondary emissions such as those from motor vehicles associated with the facility and do not include emissions from insignificant activities because of category as defined under Rule .0503 listed in Rule .0102(b)(1) of this Subchapter. If a rule in 40 CFR Part 63 uses a different methodology to calculate potential emissions, that methodology shall be used for sources and pollutants covered under that rule.
- (29) "Portable generator" means a generator permanently mounted on a trailer or a frame with wheels.
- (30) "Regulated air pollutant" means:
 - (a) nitrogen oxides or any volatile organic compound as defined under 40 CFR 51.100;
 - (b) any pollutant for which there is an ambient air quality standard under 40 CFR Part 50;
 - (c) any pollutant regulated under 15A NCAC 2D .0524, .1110, or .1111 or 40 CFR Part 60, 61, or 63;
 - (d) any pollutant subject to a standard promulgated under Section 112 of the federal Clean Air Act or other requirements established under Section 112 of the federal Clean Air Act, including Section 112(g) (but only for the facility subject to Section 112(g)(2) of the federal Clean Air Act), (j), or (r) of the federal Clean Air Act; or
 - (e) any Class I or II substance listed under Section 602 of the federal Clean Air Act.
- (31) "Sawmill" means a place or operation where logs are sawed into lumber consisting of one or more of these activities: debarking, sawing, and sawdust handling. Activities that are not considered part of a sawmill include chipping, sanding, planing, routing, lathing, and drilling.
- (32) "Source" means any stationary article, machine, process equipment, or other contrivance, or combination thereof, from which air pollutants emanate or are emitted, either directly or indirectly.
- (33) "Toxic air pollutant" means any of the carcinogens, chronic toxicants, acute systemic toxicants, or acute irritants that are listed in 15A NCAC 2D .1104.
- (34) "Transportation facility" means a complex source as defined at G.S. 143-213(22) that is subject to the requirements of 15A NCAC 2D .0800.
- (35) "Unadulterated fossil fuel" means fuel oils, coal, natural gas, or liquefied petroleum gas to which no toxic additives have been added that could result in the emissions of a toxic air pollutant listed under 15A NCAC 2D .1104.

Authority G.S. 143-215.3(a)(1); 143-212; 143-213.

SECTION .0200 - PERMIT FEES

.0202 DEFINITIONS

For the purposes of this Section, the following definitions apply:

- (1) "Actual emissions" means the actual rate of emissions in tons per year of any air pollutant emitted from the facility over the preceding calendar year. Actual emissions shall be calculated using the sources' actual operating hours, production rates, in-place control equipment, and types of materials processed, stored, or combusted during the preceding calendar year. Actual emissions include fugitive emissions as specified in the definition of major source in 40 CFR 70.2. For fee applicability and calculation purposes under Rule .0201

or .0203 of this Section and emissions reporting purposes under Rule .0207 of this Section, actual emissions do not include emissions beyond the normal emissions during violations, malfunctions, start-ups, and shut-downs, do not include a facility's secondary emissions such as those from motor vehicles associated with the facility, and do not include emissions from insignificant activities because of category as defined under Rule .0503 listed in Rule .0102(b)(1) of this Subchapter.

- (2) "Title V facility" means a facility that:
 - (a) has or shall have potential emissions of:
 - (i) 10 tons per year or more of at least one hazardous air pollutant;
 - (ii) 25 tons per year or more of all hazardous air pollutants combined; or
 - (iii) 100 tons per year or more of at least one regulated air pollutant except any pollutant that is regulated solely because it is subject to a regulation or standard under Section 112(r) of the federal Clean Air Act (accidental releases). If a facility has portions of the facility classified under different Major Groups as described in the Standard Industrial Classification Manual, 1987, the portions will be evaluated separately with regard to this threshold; or
 - (b) is a facility required to have a permit under Section .0500 of this Subchapter because the facility was a major facility on or after the first compliance date of any requirement in 40 CFR Part 61 or 63.
- (3) "Synthetic minor facility" means a facility that would be a Title V facility except that the potential emissions are reduced below the thresholds in Item (2) of this Rule by one or more physical or operational limitations on the capacity of the facility to emit an air pollutant. Such limitations must be enforceable by EPA and may include air pollution control equipment and restrictions on hours of operation, the type or amount of material combusted, stored, or processed.
- (4) "General facility" means a facility obtaining a permit under Rule .0310 or .0509 of this Subchapter.
- (5) "Small facility" means a facility that is not a Title V facility, a synthetic minor facility, a general facility, nor solely a transportation facility.
- (6) "Before Title V program" means before complete, interim, or partial approval by EPA of the North Carolina program to implement Title V.
- (7) "After Title V program" means after complete, interim, or partial approval by EPA of the North Carolina program to implement Title V.

Authority G.S. 143-215.3(a)(1), (1a), (1b), (1d); 150B-21.6.

SECTION .0500 - TITLE V PROCEDURES

.0502 APPLICABILITY

(a) Except as provided in Paragraph (b) of this Rule, the following facilities are required to obtain a permit under this Section:

- (1) major facilities;
- (2) facilities with a source subject to 15A NCAC 2D .0524 or 40 CFR Part 60, except new residential wood heaters;
- (3) facilities with a source subject to 15A NCAC 2D .1110 or 40 CFR Part 61, except asbestos demolition and renovation activities;
- (4) facilities with a source subject to 15A NCAC 2D .1111 or 40 CFR Part 63 or any other standard or other requirement under Section 112 of the federal Clean Air Act, except that a source is not required to obtain a permit solely because it is subject to rules or requirements under Section 112(r) of the federal Clean Air Act;
- (5) facilities to which 15A NCAC 2D .0517(2), .0528, .0529, or .0534 applies;
- (6) facilities with a source subject to Title IV or 40 CFR Part 72; or
- (7) facilities in a source category designated by EPA as subject to the requirements of 40 CFR Part 70.

(b) This Section does not apply to minor facilities with sources subject to requirements of 15A NCAC 2D .0524, .1110, or .1111 or 40 CFR Part 60, 61, or 63 until EPA requires these facilities to have a permit under 40 CFR Part 70.

~~(c) Research and development operations located at manufacturing facilities shall be considered as a separate and discrete facility for the purposes of determining whether such operations constitute a major facility subject to the permitting requirements of this Section. Except where such research and development operations by themselves constitute a major facility, they shall be exempted from the permitting requirements of this Section.~~

(d) (c) Once a facility is subject to this Section because of emissions of one pollutant, the owner or operator of that facility shall submit an application that includes all sources of all regulated air pollutants located at the facility except for insignificant activities exempted because of category, category under Rule .0102(b)(1) of this Subchapter.

Authority G.S. 143-215.3(a)(1); 143-215.107(a)(10); 143-215.108.

.0503 DEFINITIONS

For the purposes of this Section, the definitions in G.S. 143-212 and 143-213 and the following definitions apply:

- (1) "Affected States" means all states or local air pollution control agencies whose areas of jurisdiction are:
 - (a) contiguous to North Carolina and located less than $D=Q/12.5$ from the facility, where:
 - (i) Q = emissions of the pollutant emitted at the highest permitted rate in tons per year, and
 - (ii) D = distance from the facility to the

- contiguous state or local air pollution control agency in miles
- unless the applicant can demonstrate to the satisfaction of the Director that the ambient impact in the contiguous states or local air pollution control agencies is less than the incremental ambient levels in 15A NCAC 2D .0532(c)(5); or
- (b) within 50 miles of the permitted facility.
- (2) "Complete application" means an application that provides all information described under 40 CFR 70.5(c) and such other information that is necessary to determine compliance with all applicable requirements.
- (3) "Draft permit" means the version of a permit that the Division offers public participation under Rule .0521 of this Section or affected State review under Rule .0522 of this Section.
- (4) "Emissions allowable under the permit" means a federally enforceable permit term or condition determined at issuance to be an applicable requirement that establishes an emissions limit (including a work practice standard) or a federally enforceable emissions cap that the facility has assumed to avoid an applicable requirement to which the facility would otherwise be subject.
- (5) "Final permit" means the version of a permit that the Director issues that has completed all review procedures required under this Section if the permittee does not file a petition under Article 3 of G.S. 150B.
- (6) "Fugitive emissions" means those emissions which could not reasonably pass through a stack, chimney, vent, or other functionally-equivalent opening.
- (7) "Insignificant activities" means any activity exempted under Rule .0102 of this Subchapter.
- (8) (7) "Insignificant activities exempted because of category" means any activity exempted under 15A NCAC 2Q .0102(b)(1); means:
- (a) mobile sources;
- (b) air-conditioning units used for human comfort that are not subject to applicable requirements under Title VI of the federal Clean Air Act and do not exhaust air pollutants into the ambient air from any manufacturing or other industrial process;
- (c) ventilating units used for human comfort that do not exhaust air pollutants into the ambient air from any manufacturing or other industrial process;
- (d) heating units used for human comfort that do not provide heat for any manufacturing or other industrial process;
- (e) noncommercial food preparation;
- (f) consumer use of office equipment and products;
- (g) janitorial services and consumer use of janitorial products;
- (h) internal combustion engines used for landscaping purposes;
- (i) new residential wood heaters subject to 40 CFR Part 60, Subpart AAA; and
- (j) demolition and renovation activities covered solely under 40 CFR Part 61, Subpart M.
- (9) (8) "Insignificant activities exempted because of size or production rate" means any activity exempted under 15A NCAC 2Q .0102(b)(2); whose emissions would not violate any applicable emissions standard and whose potential emission of particulate, sulfur dioxide, nitrogen oxides, volatile organic compounds, and carbon monoxide before air pollution control devices, i.e., potential uncontrolled emissions, are each no more than five tons per year and whose potential emissions of hazardous air pollutants before air pollution control devices, are each below 1000 pounds per year.
- (10) (9) "Minor facility" means any facility that is not a major facility.
- (11) (10) "Operation" means the utilization of equipment that emits regulated pollutants.
- (12) (11) "Permit renewal" means the process by which a permit is reissued at the end of its term.
- (13) (12) "Permit revision" means any permit modification under Rule .0515, .0516, or .0517 of this Section or any administrative permit amendment under Rule .0514 of this Section.
- (14) (13) "Proposed permit" means the version of a permit that the Director proposes to issue and forwards to EPA for review under Rule .0522 of this Section.
- (15) (14) "Relevant source" means only those sources that are subject to applicable requirements.
- (16) (15) "Responsible official" means a responsible official as defined under 40 CFR 70.2.
- (17) (16) "Section 502(b)(10) changes" means changes that contravene an express permit term or condition. Such changes do not include changes that would violate applicable requirements or contravene federally enforceable permit terms and conditions that are monitoring (including test methods), recordkeeping, reporting, or compliance certification requirements.
- (18) (17) "Synthetic minor facility" means a facility that would otherwise be required to follow the procedures of this Section except that the potential to emit is restricted by one or more federally enforceable physical or operational limitations, including air pollution control equipment and restrictions on hours or operation, the type or amount of material combusted, stored, or processed, or similar parameters.
- (19) (18) "Timely" means:
- (a) for initial permit submittals under Rule .0506 of this Section, before the end of the time period specified for submittal of an application for the respective Standard Industrial Classification;
- (b) for a new facility, one year after commencing operation;
- (c) for renewal of a permit previously issued under this Section, nine months before the expiration of that permit;

- (d) for a minor modification under Rule .0515 of this Section, before commencing the modification;
- (e) for a significant modification under Rule .0516 of this Section where the change would not contravene or conflict with a condition in the existing permit, 12 months after commencing operation;
- (f) for reopening for cause under Rule .0517 of this Section, as specified by the Director in the request for additional information by the Director;
- (g) for requests for additional information, as specified by the Director in the request for additional information by the Director; or
- (h) for modifications made under Section 112(j) of the federal Clean Air Act, 18 months after EPA fails to promulgate a standard for that category of source under Section 112 of the federal Clean Air Act by the date established pursuant to Section 112(e)(1) or (3) of the federal Clean Air Act.

Authority G.S. 143-215.3(a)(1); 143-212; 143-213.

.0507 APPLICATION

(a) Except for:

- (1) minor permit modifications covered under Rule .0515 of this Section,
- (2) significant modifications covered under Rule .0516(c) of this Section, or
- (3) permit applications submitted under Rule .0506 of this Section,

the owner or operator of a source shall have one year from the date of beginning of operation of the source to file a complete application for a permit or permit revision. However, the owner or operator of the source shall not begin construction or operation until he has obtained a construction and operation permit pursuant to Rule .0501(c) or (d) and Rule .0504 of this Section.

(b) The application shall include all the information described in 40 CFR 70.3(d) and 70.5(c), including a list of insignificant activities ~~exempted because of size or production rate; rate under Rule .0102(b)(2) of this Subchapter; but not including insignificant activities exempted because of category; category under Rule .0102(b)(1) of this Subchapter.~~ The application form shall be certified by a responsible official for truth, accuracy, and completeness. In the application submitted pursuant to this Rule, the applicant may attach copies of applications submitted pursuant to Section .0400 of this Subchapter or 15A NCAC 2D .0530 or .0531, provided the information in those applications contains information required in this Section and is current, valid, and complete.

(c) Application for a permit, permit revision, or permit renewal shall be made in accordance with Rule .0104 of this Subchapter on official forms of the Division and shall include plans and specifications giving all necessary data and information as required by the application form. Whenever the information provided on these forms does not describe the source or its air pollution

abatement equipment to the extent necessary to evaluate the application, the Director may request that the applicant provide any other information that the Director considers necessary to evaluate the source and its air pollution abatement equipment.

(d) Along with filing a complete application form, the applicant shall also file the following:

- (1) for a new facility or an expansion of existing facility, a consistency determination in accordance with G.S. 143-215.108(f) that:
 - (A) bears the date of receipt entered by the clerk of the local government, or
 - (B) consists of a letter from the local government indicating that all zoning or subdivision ordinances are met by the facility;
- (2) for a new facility or modification of an existing facility, a written description of current and projected plans to reduce the emissions of air contaminants by source reduction and recycling in accordance with G.S. 143-215.108(g); the description shall include:
 - (A) for an existing facility, a summary of activities related to source reduction and recycling and a quantification of air emissions reduced and material recycled during the previous year and a summary of plans for further source reduction and recycling; or
 - (B) for a new facility, a summary of activities related to and plans for source reduction and recycling; and
- (3) if required by the Director, information showing that:
 - (A) The applicant is financially qualified to carry out the permitted activities, or
 - (B) The applicant has substantially complied with the air quality and emissions standards applicable to any activity in which the applicant has previously been engaged, and has been in substantial compliance with federal and state environmental laws and rules.

(e) The applicant shall submit copies of the application package as follows:

- (1) for sources subject to the requirements of 15A NCAC 2D .0530, .0531, or .1200, six copies plus one additional copy for each affected state that the Director has to notify;
- (2) for sources not subject to the requirements of 15A NCAC 2D .0530, .0531, or .1200, four copies plus one additional copy for each affected state that the Director has to notify.

The Director may at any time during the application process request additional copies of the complete application package from the applicant.

(f) Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, submit, as soon as possible, such supplementary facts or corrected information. In addition, an applicant shall provide additional information as necessary to address any requirements that become

applicable to the source after the date he filed a complete application but prior to release of a draft permit.

(g) The applicant shall submit the same number of copies of additional information as required for the application package.

(h) The submittal of a complete permit application shall not affect the requirement that any facility have a preconstruction permit under 15A NCAC 2D .0530, .0531, or .0532 or under Section .0400 of this Subchapter.

(i) The Director shall give priority to permit applications containing early reduction demonstrations under Section 112(i)(5) of the federal Clean Air Act. The Director shall take final action on such permit applications as soon as practicable after receipt of the complete permit application.

(j) With the exceptions specified in Rule .0203 (i) of this Subchapter, a non-refundable permit application processing fee shall accompany each application. The permit application processing fees are defined in Section .0200 of this Subchapter. Each permit or renewal application is incomplete until the permit application processing fee is received.

(k) The applicant shall retain for the duration of the permit term one complete copy of the application package and any information submitted in support of the application package.

Authority G.S. 143-215.3(a)(1); 143-215.107(a)(10); 143-215.108.

.0508 PERMIT CONTENT

(a) The permit shall specify and reference the origin and authority for each term or condition and shall identify any differences in form as compared to the applicable requirement on which the term or condition is based.

(b) The permit shall specify emission limitations and standards, including operational requirements and limitations, that assure compliance with all applicable requirements at the time of permit issuance.

(c) Where an applicable requirement of the federal Clean Air Act is more stringent than an applicable requirement of rules promulgated pursuant to Title IV, both provisions shall be placed in the permit. The permit shall state that both provisions are enforceable by EPA.

(d) The permit for sources using an alternative emission limit established under 15A NCAC 2D .0501(f) or 15A NCAC 2D .0952 shall contain provisions to ensure that any resulting emissions limit has been demonstrated to be quantifiable, accountable, enforceable, and based on replicable procedures.

(e) The expiration date contained in the permit shall be for a fixed term of five years for sources covered under Title IV and for a term of no more than five years from the date of issuance for all other sources including solid waste incineration units combusting municipal waste subject to standards under Section 129(e) of the federal Clean Air Act.

(f) The permit shall contain monitoring and related recordkeeping and reporting requirements as specified in 40 CFR 70.6(a)(3) and 70.6(c)(1) including conditions requiring:

- (1) the permittee to retain records of all required monitoring data and supporting information for a period of at least five years from the date of the monitoring sample, measurement, report, or application (Supporting

information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring information, and copies of all reports required by the permit.);

- (2) the permittee to submit reports of any required monitoring at least every six months. The permittee shall submit reports:

- (A) on official forms obtained from the Division at the address in Rule .0104 of this Subchapter,
- (B) in a manner as specified by a permit condition, or
- (C) on such other forms as approved by the Director; and

- (3) the permittee to report malfunctions, emergencies, and other upset conditions as prescribed in 15A NCAC 2D .0524, .0535, .1110, or .1111 and to report by the next business day deviations from permit requirements or any excess emissions not covered under 15A NCAC 2D .0524, .0535, .1110, or .1111. The permittee shall report in writing to either the Director or Regional Supervisor all other deviations from permit requirements not covered under 15A NCAC 2D .0535 within two business days after becoming aware of the deviation. The permittee shall include the probable cause of such deviation and any corrective actions or preventive measures taken. All deviations from permit requirements shall be certified by a responsible official.

Where appropriate, the Director may allow records to be maintained in computerized form. Monitoring, recordkeeping, and reporting shall not be required for insignificant activities except to the extent necessary to comply with Rule .0207 of this Subchapter.

(g) If the facility is required to develop and register a risk management plan pursuant to Section 112(r) of the federal Clean Air Act, the permit need only specify that the owner or operator of the facility will comply with the requirement to register such a plan. The permit for facilities covered under 15A NCAC 2D .2100, Risk Management Program, shall contain:

- (1) a statement listing 15A NCAC 2D .2100 as an applicable requirement;
- (2) conditions that require the owner or operator of the facility to submit:
 - (A) a compliance schedule for meeting the requirements of 15A NCAC 2D .2100 by the dates provided in 15A NCAC 2D .2101(a); or
 - (B) as part of the compliance certification under Paragraph (t) of this Rule, a certification statement that the source is in compliance with all requirements of 15A NCAC 2D .2100, including the registration and submission of the risk management plan.

The content of the risk management plan need not itself be incorporated as a permit term or condition.

(h) The permit shall contain a condition prohibiting emissions exceeding any allowances that a facility lawfully holds under Title IV. The permit shall not limit the number of allowances held by a permittee, but the permittee may not use allowances as a defense to noncompliance with any other applicable requirement.

- (i) The permit shall contain a severability clause so that various

permit requirements will continue to be valid in the event of a challenge to any other portion of the permit.

(j) The permit shall state that noncompliance with any condition of the permit is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

(k) The permit shall state that the permittee may not use as a defense in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit.

(l) The permit shall state that the Director may reopen, modify, revoke and reissue, or terminate the permit for reasons specified in Rule .0517 or .0519 of this Section. The permit shall state that the filing of a request by the permittee for a permit revision, revocation and reissuance, or termination, notification of planned changes, or anticipated noncompliance does not stay any permit condition.

(m) The permit shall state that the permit does not convey any property rights of any sort, or any exclusive privileges.

(n) The permit shall state that the permittee shall furnish to the Division, in a timely manner, any reasonable information that the Director may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. The permit shall state that the permittee shall furnish the Division copies of records required to be kept by the permit when such copies are requested by the Director. For information claimed to be confidential, the permittee may furnish such records directly to EPA along with a claim of confidentiality.

(o) The permit shall contain a provision to ensure that the permittee pays fees required under Section .0200 of this Subchapter.

(p) The permit shall state the terms and conditions for reasonably anticipated operating scenarios identified by the applicant in the application. These terms and conditions shall:

- (1) require the permittee, contemporaneously with making a change from one operating scenario to another, to record in a log at the permitted facility a record of the operating scenario under which it is operating;
- (2) extend the permit shield described in Rule .0512 of this Section to all terms and conditions under each such operating scenario; and
- (3) ensure that each operating scenario meets all applicable requirements of Subchapter 2D of this Chapter and of this Section.

(q) The permit shall identify which terms and conditions are enforceable by:

- (1) both EPA and the Division;
- (2) the Division only;
- (3) EPA only; and
- (4) citizens under the federal Clean Air Act.

(r) The permit shall state that the permittee shall allow personnel of the Division to:

- (1) enter the permittee's premises where the permitted facility is located or emissions-related activity is conducted, or where records are kept under the conditions of the permit;

(2) have access to and copy, at reasonable times, any records that are required to be kept under the conditions of the permit;

(3) inspect at reasonable times and using reasonable safety practices any source, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and

(4) sample or monitor substances or parameters, using reasonable safety practices, for the purpose of assuring compliance with the permit or applicable requirements at reasonable times.

(s) When a compliance schedule is required under 40 CFR 70.5(c)(8) or under a rule contained in Subchapter 2D of this Chapter, the permit shall contain the compliance schedule and shall state that the permittee shall submit at least semiannually, or more frequently if specified in the applicable requirement, a progress report. The progress report shall contain:

- (1) dates for achieving the activities, milestones, or compliance required in the compliance schedule, and dates when such activities, milestones, or compliance were achieved; and
- (2) an explanation of why any dates in the compliance schedule were not or will not be met, and any preventive or corrective measures adopted.

(t) The permit shall contain requirements for compliance certification with the terms and conditions in the permit, including emissions limitations, standards, or work practices. The permit shall specify:

- (1) the frequency (not less than annually or more frequently as specified in the applicable requirements or by the Director) of submissions of compliance certifications;
- (2) a means for monitoring the compliance of the source with its emissions limitations, standards, and work practices;
- (3) a requirement that the compliance certification include:
 - (A) the identification of each term or condition of the permit that is the basis of the certification;
 - (B) the compliance status as shown by monitoring data and other information reasonably available to the permittee;
 - (C) whether compliance was continuous or intermittent;
 - (D) the method(s) used for determining the compliance status of the source, currently and over the reporting period; and
 - (E) such other facts as the permit may specify to determine the compliance status of the source;
- (4) that all compliance certifications be submitted to EPA as well as to the Division; and
- (5) such additional requirements as may be specified under Sections 114(a)(3) or 504(b) of the federal Clean Air Act.

(u) The permit shall contain a condition that authorizes the permittee to make Section 502(b)(10) changes, off-permit changes, or emission trades in accordance with Rule .0523 of this Section.

(v) The permit shall include all applicable requirements for all

sources covered under the permit.

(w) The permit shall specify the conditions under which the permit shall be reopened before the expiration of the permit.

(x) If regulated, fugitive emissions shall be included in the permit in the same manner as stack emissions.

(y) The permit shall contain a condition requiring annual reporting of actual emissions as required under Rule .0207 of this Subchapter.

(z) The permit shall not include sources for which there are no

applicable requirements:

(aa) (z) The permit shall not include all sources including insignificant activities.

(bb) (aa) The permit may contain such other provisions as the Director considers appropriate.

Authority G.S. 143-215.3(a)(1); 143-215.65; 143-215.66; 143-215.107(a)(10); 143-215.108.

The Codifier of Rules has entered the following temporary rule(s) in the North Carolina Administrative Code. Pursuant to G.S. 150B-21.1(e), publication of a temporary rule in the North Carolina Register serves as a notice of rule-making proceedings unless this notice has been previously published by the agency.

**TITLE 10 - DEPARTMENT OF HEALTH AND
HUMAN SERVICES**

CHAPTER 50 - MEDICAL ASSISTANCE

SUBCHAPTER 50B - ELIGIBILITY DETERMINATION

SECTION .0100 - COVERAGE GROUPS

Rule-making Agency: DHHS - Division of Medical Assistance

Rule Citation: 10 NCAC 50B .0101, .0311, .0403, .0408

Effective Date: September 13, 1999

Findings Reviewed and Approved by: Beecher R. Gray

Authority for the rule-making:

10 NCAC 50B .0101 - G.S. 198A-54; 42 U.S.C. 1396(a)(10); 42 U.S.C. 1396a(e)(4); 42 U.S.C. 1396a(f); 42 C.F.R. 435.110

10 NCAC 50B .0311 - G.S. 108A-54; 108A-55; 108A-58; 42 U.S.C. 703, 704 1396; 42 C.F.R. 435.121; 42 C.F.R. 435-210; 42 C.F.R. 435.711; 42 C.F.R. 435.712; 42 C.F.R. 734; 42 C.F.R. 435.823; 42 C.F.R. 840; 42 C.F.R. 435-841; 42 C.F.R. 435-845; 42 C.F.R. 445.850; 42 C.F.R. 435.851; 45 C.F.R. 233.20; 45 C.F.R. 233.51

10 NCAC 50B .0403 - G.S. 108A-54; 108A-55; S.L. 1983, c. 1116; 42 U.S.C. 1396r-5; 42 U.S.C. 1396a(a)(17); 42 U.S.C. 1396(a)(51); 42 C.F.R. 435.602; 42 C.F.R. 435.711; 42 C.F.R. 435.712; 42 C.F.R. 435.723; 42 C.F.R. 435.734; 42 C.F.R. 435.821; 42 C.F.R. 435.822; 42 C.F.R. 435.823; 42 C.F.R. 435.845; 45 C.F.R. 233.20; 45 C.F.R. 233.51; Deficit Reduction Act of 1984 (P.L. 98-369), Section 2373; Correll v. DSS/DMA/DHR, No. 406PA91 (North Carolina Supreme Court); Schweiker v. Gray Panthers, 453 U.S. 34, 101 S.Ct 2633, 69 L. Ed2d 460 (1981)

10 NCAC 50B .0408 - G.S. 108A-54; 42 C.F.R. 435.2; 42 C.F.R. 435

Reason for Proposed Action:

10 NCAC 50B .0101 and .0408 - Federal welfare reform legislation changed the definition of mandatory coverage groups for Family and children's related cases. AFDC/Work First recipients are no longer required to be automatically eligible for Medicaid. Coverage is mandatory for individuals who would have been eligible under rules in place 7/16/96.

10 NCAC 50B .0311 and .0403 - Methodologies for determining countable resources for both categorically and medically needy family and children's related cases are changed. The new methodologies conform to Work First to maintain the link between Work First and Medicaid.

Comment Procedures: Written comments concerning these rule-making actions must be submitted to Portia W. Rochelle, Rule-making Coordinator, Division of Medical Assistance, 1985 Umstead Drive, Raleigh, NC 27603.

.0101 MANDATORY

The following groups required by 42 U.S.C. 1396a (a)(10) or 1396u-1 shall be eligible for Medicaid:

- (1) Recipients receiving AFDC. Individuals who meet the requirements under 42 U.S.C. 1396u-1.
- (2) Deemed recipients of AFDC including: The following individuals who meet the requirements in Item (1) of this Rule but who do not receive a cash payment:
 - (a) Individuals denied AFDC solely because the payment amount would be less than ten dollars (\$10.00).
 - (b) Participants in AFDC work supplementation programs approved in the AFDC State Plan.
 - (b) (c) Individuals deemed to be AFDC recipients for receiving four months following termination of AFDC due continued Medicaid when eligibility under 42 U.S.C. 1396u-1 is lost due to collection or increased collection of child support.
 - (c) (d) Individuals receiving transitional Medicaid as described in 42 U.S.C. 1396s when AFDC eligibility under 42 U.S.C. 1396u-1 is lost due to increased earnings.
 - (d) (e) Individuals for whom an adoption assistance agreement is in effect or foster care maintenance payments are being made under Title IV E of the Social Security Act as described at 42 U.S.C. 673 (b).
- (3) Qualified pregnant women as defined at 42 U.S.C. 1396d(n)(1).
- (4) Qualified children as defined at 42 U.S.C. 1396d(n)(2).
- (5) Pregnant women, during a 60 day period following termination of the pregnancy, for pregnancy related and post partum services if they applied for Medicaid prior to termination of the pregnancy and were eligible on the date pregnancy is terminated.
- (6) Children, born to a woman who was eligible for and receiving Medicaid on the date of the child's birth, for up to one year from the date of birth; as described at 42 U.S.C. 1396a(e)(4).
- (7) Individuals receiving SSI under Title XVI of the Social Security Act.
- (8) Individuals who meet the requirements under 42 U.S.C. 1382b(a) or (b)(1).
- (9) Blind or disabled individuals who were eligible in

December 1973 as blind or disabled and who for each consecutive month since December 1973 continue to meet December 1973 eligibility criteria.

- (10) Individuals who were eligible in December 1973 as aged, or blind, or disabled with an essential spouse and who, for each consecutive month since December 1973, continue to live with the essential spouse and meet December 1973 eligibility criteria.
- (11) Individuals who in December 1973 were eligible as the essential spouse of an aged, or blind, or disabled individual and who for each consecutive month since December 1973, have continued to live with that individual who has met December 1973 eligibility criteria.
- (12) Qualified Medicare Beneficiaries described at 42 U.S.C. 1396d(p).
- (13) Pregnant women whose countable income does not exceed the percent of the income official poverty line, established at 42 U.S.C. 1396a(1)(2), for pregnancy related services including labor and delivery.
- (14) Children born after September 30, 1983 and who are under age 19 who are described at 42 U.S.C. 1396a(1).
- (15) Qualified Disabled and Working Individuals described at 42 U.S.C. 1396d(s).
- (16) Individuals as described at 42 U.S.C. 1396a(a)(10)(E)(iii).
- (17) Individuals who would continue to be eligible for SSI except for specific Title II benefits or cost-of-living adjustments as described at 42 U.S.C. 1383c.

History Note: Authority G.S. 108A-54; 42 U.S.C. 1396a(a)(10); 42 U.S.C. 1396a(e)(4); 42 U.S.C. 1396a(f); 42 C.F.R. 435.110; 42 C.F.R. 435.112; 42 C.F.R. 435.113; 42 C.F.R. 435.114; 42 C.F.R. 435.115; 42 C.F.R. 435.116; 42 C.F.R. 435.117; 42 C.F.R. 435.118; 42 C.F.R. 435.121; 42 C.F.R. 435.131; 42 C.F.R. 435.132; 42 C.F.R. 435.133;

Eff. September 1, 1984;

Amended Eff. January 1, 1995; March 1, 1993; January 4, 1993; April 1, 1992;

Temporary Amendment Eff. September 13, 1999.

SECTION .0300 - CONDITIONS FOR ELIGIBILITY

.0311 RESERVE

North Carolina has contracted with the Social Security Administration under Section 1634 of the Social Security Act to provide Medicaid to all SSI recipients. Resource eligibility for individuals under any Aged, Blind, and Disabled coverage group is determined based on standards and methodologies in Title XVI of the Social Security Act except as specified in Items (4) and (5) of this Rule. Applicants for and recipients of Medicaid shall use their own resources to meet their needs for living costs and medical care to the extent that such resources can be made available. Certain resources shall be protected to meet specific needs such as burial and transportation and a limited amount of resources shall be protected for emergencies.

- (1) The value of resources currently available to any budget

unit member shall be considered in determining financial eligibility. A resource shall be considered available when it is actually available and when the budget unit member has a legal interest in the resource and he, or someone acting in his behalf, can take any necessary action to make it available.

- (a) Resources shall be excluded in determining financial eligibility when the budget unit member having a legal interest in the resources is incompetent unless:

- (i) A guardian of the estate, a general guardian or an interim guardian has been lawfully appointed and is able to act on behalf of his ward in North Carolina and in any state in which such resources are located; or
- (ii) A durable power of attorney, valid in North Carolina and in any state in which such resource is located, has been granted to a person who is authorized and able to exercise such power.

- (b) When there is a guardian, an interim guardian, or a person holding a valid, durable power of attorney for a budget unit member, but such person is unable, fails, or refuses to act promptly to make the resources actually available to meet the needs of the budget unit member, a referral shall be made to the county department of social services for a determination of whether the guardian or attorney in fact is acting in the best interests of the member and if not, the county department of social services shall contact the clerk of court for intervention. The resources shall be excluded in determining financial eligibility pending action by the clerk of court.
- (c) When a Medicaid application is filed on behalf of an individual who:

- (i) is alleged to be mentally incompetent,
- (ii) has or may have a legal interest in a resource that affects the individual's eligibility, and
- (iii) does not have a representative with legal authority to use or dispose of the individual's resources, the individual's representative or family member shall be instructed to file within 30 calendar days a judicial proceeding to declare the individual incompetent and appoint a guardian. If the representative or family member either fails to file such a proceeding within 30 calendar days or fails to timely conclude the proceeding, a referral shall be made to the services unit of the county department of social services for guardianship services. If the allegation of incompetence is supported by a physician's certification or other

competent evidence from sources including but not limited to physicians, nurses, social workers, psychologists, relatives, friends or others with knowledge of the condition of the individual, the resources shall be excluded except as provided in Sub-items (1)(d) or (e) of this Rule.

- (d) The budget unit member's resources shall be counted in determining his eligibility for Medicaid beginning the first day of the month following the month a guardian of the estate, general guardian or interim guardian is appointed, provided that after the appointment, property which cannot be disposed of or used except by order of the court shall continue to be excluded until completion of the applicable procedures for disposition specified in Chapters 1 or 35A of the North Carolina General Statutes.
- (e) When the court rules that the budget unit member is competent or no ruling is made because of the death or recovery of the member, his resources shall be counted except for periods of time for which it can be established by competent evidence from sources including but not limited to physicians, nurses, social workers, psychologists, relatives, friends or others with knowledge of the condition of the individual that the member was in fact incompetent. Any such showing of incompetence is subject to rebuttal by competent evidence as specified herein and in Sub-item (1)(c) of this Rule.
- (2) The limitation of resources held for reserve for the budget unit shall be as follows:
 - (a) For Family and Children's related categorically and medically needy cases, ~~one three thousand dollars (\$1,000)~~ (\$3,000) per budget unit;
 - (b) ~~For Family and Children's related medically needy cases, one thousand five hundred dollars (\$1,500) for a budget unit of one person, two thousand two hundred fifty dollars (\$2,250) for a budget unit of two persons and increases of one hundred dollars (\$100.00) for each additional person in the budget unit over two, not to exceed a total of three thousand, fifty dollars (\$3,050);~~
 - (c) (b) For aged, blind, and disabled cases, two thousand dollars (\$2000) for a budget unit of one and three thousand dollars (\$3000) for a budget unit of two.
- (3) If the value of countable resources of the budget unit exceeds the reserve allowance for the unit, the case shall be ineligible:
 - (a) For Family and Children's related cases and aged, blind or disabled cases protected by grandfathered provisions, and medically needy cases not protected by grandfathered provision,

eligibility shall begin on the day countable resources are reduced to allowable limits or excess income is spent down, whichever occurs later;

- (b) For categorically needy aged, blind or disabled cases not protected by grandfathered provisions, eligibility shall begin no earlier than the month countable resources are reduced to allowable limits as of the first moment of the first day of the month.
- (4) Resources counted in the determination of financial eligibility for categorically needy aged, blind and disabled cases is based on resource standards and methodologies in Title XVI of the Social Security Act except for the following methodologies:
 - (a) The value of personal effects and household goods are not counted.
 - (b) Value of tenancy in common interest in real property is not counted.
 - (c) Value of life estate interest in real property is not counted.
- (5) Resources counted in the determination of financial eligibility for medically needy aged, blind and disabled cases is based on resource standards and methodologies in Title XVI of the Social Security Act except for the following methodologies:
 - (a) The value of personal effects and household goods are not counted.
 - (b) Personal property is not a countable resource if it:
 - (i) is used in a trade or a business; or
 - (ii) is used to produce goods and services for personal use; or
 - (iii) produces a net annual income.
 - (c) Real property not exempted under homesite rules is not a countable resource if it:
 - (i) is used in a trade or business; or
 - (ii) is used to produce goods and services for personal use; or
 - (iii) is non-business income producing property that produces net annual income after operational expenses of at least six percent of equity value per methodologies under Title XVI of the Social Security Act. For purposes of this Sub-item equity of agricultural land, horticultural land, and forestland is the present use value of the land, as defined by G.S. 105-277.1A., et seq., less the amount of debts, liens or other encumbrances.
 - (d) Value of tenancy in common interest in real property is not counted.
 - (e) Value of life estate interest in real property is not counted.
 - (f) Individuals with resources in excess of the resource limit at the first moment of the month may become eligible at the point that resources

are reduced to the allowable limit.

- (6) Resources counted in the determination of financial eligibility for categorically needy Family and Children's related cases are:

- (a) Cash on hand;
- (b) The balance of savings accounts, including savings of a student saving his earnings for school expenses;
- (c) The balance of checking accounts less the current monthly income which had been deposited to meet the budget unit's monthly needs when reserve was verified;
- (d) The portion of lump sum payments remaining after the month of receipt;
- (e) Cash value of life insurance policies owned by the budget unit;
- (f) ~~Revocable trust funds;~~
- (g) ~~(f)~~ Stocks, bonds, mutual fund shares, certificates of deposit and other liquid assets;
- (h) ~~Negotiable and salable promissory notes and loans;~~
- (i) ~~Revocable pre-paid burial contracts;~~
- (j) ~~(g)~~ Patient accounts in long term care facilities;
- (k) ~~Individual Retirement Accounts or other retirement accounts or plans;~~
- (h) ~~(h)~~ Equity in non-essential personal property limited to:
 - (i) Mobile homes not used as home,
 - (ii) Boats, boat trailers and boat motors,
 - (iii) Campers,
 - (iv) Farm and business equipment;
 - (v) Equity in vehicles in excess of one thousand five hundred dollars (\$1,500) in one motor vehicle per adult, determined to be essential under Rule .0403 of this Subchapter;
 - (vi) Equity in motor vehicles determined to be non-essential under Rule .0403 of this Subchapter;
- (m) Equity in real property is limited to interest in real estate other than that used as the budget unit's homesite and is limited to:
 - (i) Fee simple interest,
 - (ii) Tenancy by the entireties interest only,
 - (iii) Salable remainder interest,
 - (iv) Value of burial plots;

- (7) Resources counted in the determination of financial eligibility for medically needy Family and Children's related cases are:

- (a) Cash on hand;
- (b) The balance of savings accounts, including savings of a student saving his earnings for school expenses;
- (c) The balance of checking accounts less the currently current monthly income which had been deposited to meet the budget unit's monthly needs when reserve was verified or lump sum

income from self-employment deposited to pay annual expenses;

- (d) Cash value of life insurance policies when the total face value of all policies that accrue cash value exceeds one thousand five hundred dollars (\$1,500);
- (e) ~~Trust funds;~~
- (f) ~~(e)~~ Stocks, bonds, mutual fund shares, certificates of deposit and other liquid assets;
- (g) ~~Negotiable and salable promissory notes and loans;~~
- (h) ~~Revocable prepaid burial contracts;~~
- (i) ~~(f)~~ Patient accounts in long term care facilities;
- (j) ~~Individual Retirement Accounts or other retirement accounts or plans;~~
- (k) ~~(g)~~ Equity in non-essential, non-income producing personal property limited to:
 - (i) Mobile home not used as home,
 - (ii) Boats, boat trailers and boat motors,
 - (iii) Campers,
 - (iv) Farm and business equipment,
 - (v) Equity in motor vehicles determined to be non-essential under Rule .0403 of this Subchapter; in excess of one vehicle per adult if not income-producing.
- (h) Equity in real property is limited to interest in real estate other than that used as the budget unit's homesite and is limited to:
 - (i) Fee simple interest,
 - (ii) Tenancy by the entireties interest only,
 - (iii) Salable remainder interest,
 - (iv) Value of burial plots;

History Note: Authority G.S. 108A-54; 108A-55; 108A-58; 42 U.S.C. 703, 704 1396; 42 C.F.R. 435.121; 42 C.F.R. 435.210; 42 C.F.R. 435.711; 42 C.F.R. 435.712; 42 C.F.R. 435.734; 42 C.F.R. 435.823; 42 C.F.R. 435.840; 42 C.F.R. 435.841; 42 C.F.R. 435-845; 42 C.F.R. 445.850; 42 C.F.R. 435.851; 45 C.F.R. 233.20; 45 C.F.R. 233.51;

Eff. September 1, 1984;

Filed as a Temporary Amendment Eff. September 1, 1985, for a period of 92 days to expire on December 1, 1985;

Amended Eff. January 1, 1995; November 1, 1994; September 1, 1993; March 1, 1993;

Temporary Amendment Eff. September 13, 1999.

SECTION .0400 - BUDGETING PRINCIPALS

.0403 RESERVE

(a) The value of resources held by the client or by a financially responsible person shall be considered available to the client in determining countable reserve for the budget unit.

(b) Jointly owned resources shall be counted as follows:

- (1) The value of resources owned jointly with a non-financially responsible person who is a recipient of another public assistance budget unit shall be divided equally between the budget units;

- (2) The value of liquid assets and personal property owned jointly with a non-financially responsible person who is not a client of another public assistance budget unit shall be available to the budget unit member if he can dispose of the resource without the consent and participation of the other owner or the other owner consents to and, if necessary, participates in the disposal of the resource;
- (3) The client's share of the value of real property owned jointly with a non-financially responsible person who is not a member of another public assistance budget unit shall be available to the budget unit member if he can dispose of his share of the resource without the consent and participation of the other owner or the other owner consents to and, if necessary, participates in the disposal of the resource.

(c) The terms of a separation agreement, divorce decree, will, deed or other legally binding agreement or legally binding order shall take precedence over ownership of resources as stated in (a) and (b) of this Rule, except as provided in Paragraph (n) of this Rule.

(d) For all aged, blind, and disabled cases, the resource limit, financial responsibility, and countable and non-countable assets are based on standards and methodology in Title XVI of the Social Security Act except as specified in Items (4) and (5) in Rule .0311 of this Subchapter.

(e) Countable resources for Family and Children's related cases shall be determined as follows:

- (1) The resources of a spouse, who is not a stepparent, shall be counted in the budget unit's reserve allowance if the spouses live together or one spouse is temporarily absent in long term care and the spouse is not a member of another public assistance budget unit;
- (2) The resources of a client and a financially responsible parent or parents shall be counted in the budget unit's reserve limit if the parents live together or one parent is temporarily absent in long term care and the parent is not a member of another public assistance budget unit;
- (3) The resources of the parent or parents shall not be considered if a child under age 21 requires care and treatment in a medical institution and his physician certifies that the care and treatment are expected to exceed 12 months.

(f) ~~The homesite~~ Real property shall be excluded from countable resources for Family and Children's related cases, cases as follows:

- (1) ~~The homesite is the client's principal place of residence; which includes the house and in the city the lot on which the house sits and all the buildings on the lot; or in a rural area the land on which the house sits; up to one acre; and all buildings on the acre; and, the homesite also includes up to twelve thousand dollars (\$12,000) tax value in real property contiguous to the principal place of residence; regardless of whether the principal place of residence is owned by the client.~~
- (2) ~~Additional value in real property contiguous to the principal place of residence shall be a countable~~

resource:

(g) ~~For medically needy Families and Children cases if the client or any member of the budget unit has ownership in a probated estate, the value of the individual's proportionate share of the countable property shall be a countable resource unless the property can be excluded as the homesite or as income producing property, as stated in Paragraphs (e) and (f) of this Rule.~~

(h) ~~For family and children's related cases the equity in non-excluded real property shall be counted toward the reserve level of the budget unit.~~

(i) ~~(g) A One motor vehicle per adult shall be determined an essential vehicle excluded for medically needy Family and Children's related cases, cases, when it must be specially equipped for use by a handicapped individual, used to obtain regular medical treatment, or used to retain employment.~~

(h) For medically needy family and children's related cases, income producing vehicles and personal property shall be excluded from countable resources.

(j) ~~(i) For family and children's related cases the value of non-excluded motor vehicles is the Current Market Value, less encumbrances. If the applicant/recipient disagrees with the assigned value, he has the right to rebut the value.~~

(k) ~~For family and children's related cases the current market value of a remainder interest in life estate shall be determined by applying the remainder interest percentage from G.S. 8-46 and 8-47 to the tax value of the property. A lower current market value for remainder interest may be established by offering the interest for sale and the highest offer received, if any, is less than the value determined by application of the values chart to the tax value.~~

(l) ~~(j) For a married individual:~~

- (1) Resources available to the individual are available to his or her spouse who is a noninstitutionalized applicant or recipient and who is either living with the individual or temporarily absent from the home, irrespective of the terms of any will, deed, contract, antenuptial agreement, or other agreement, and irrespective of whether or not the individual actually contributed the resources to the applicant or recipient. All resources available to an applicant or recipient under this Section must be considered when determining his or her countable reserve.
- (2) For an institutionalized spouse as defined in 42 U.S.C. 1396r-5(h), available resources shall be determined in accordance with 42 U.S.C. 1396r-5(c), except as specified in Paragraph (m) of this Rule.

(m) ~~(k) For an institutionalized individual, the availability of resources are determined in accordance with 42 U.S.C. 1396r-5. Resources of the community spouse are not counted for the institutionalized spouse when:~~

- (1) Resources of the community spouse cannot be determined or cannot be made available to the institutionalized spouse because the community spouse cannot be located; or
- (2) The couple has been continuously separated for 12 months at the time the institutionalized spouse enters the institution.

History Note: Authority G.S. 108A-54; 108A-55; S.L. 1983, c. 1116; 42 U.S.C. 1396r-5; 42 U.S.C. 1396a(a)(17); 42 U.S.C. 1396a(a)(51); 42 C.F.R. 435.602; 42 C.F.R. 435.711; 42 C.F.R. 435.712; 42 C.F.R. 435.723; 42 C.F.R. 435.734; 42 C.F.R. 435.821; 42 C.F.R. 435.822; 42 C.F.R. 435.823; 42 C.F.R. 435.845; 45 C.F.R. 233.20; 45 C.F.R. 233.51; *Deficit Reduction Act of 1984 (P.L. 98-369), Section 2373; Correll v. DSS/DMA/DHR, No. 406PA91 (North Carolina Supreme Court); Schweiker v. Gray Panthers, 453 U.S. 34, 101 S.Ct. 2633, 69 L. Ed.2d 460 (1981);*

Eff. September 1, 1984;

Amended Eff. January 1, 1995; November 1, 1994; September 1, 1993; April 1, 1993;

Temporary Amendment Eff. September 13, 1999.

.0408 CLASSIFICATION

(a) The following individuals shall be classified as categorically needy:

- (1) Individuals who receive cash payments under programs of public assistance: described in Item (1) of Rule .0101 of this Subchapter.
- (2) Deemed recipients of SSI described in Item (17) of Rule .0101 of this Subchapter; and individuals who are eligible for public assistance cash payments but who choose not to apply for cash payments;
- (3) Individuals Deemed recipients of AFDC described in Sub-item (2)(b) of Rule .0101 of this Subchapter;
- (4) Pregnant women described in:
 - (A) Item (3) or (13) of Rule .0101 of this Subchapter; or
 - (B) Sub-item (1)(d) of Rule .0102 of this Subchapter;
- (5) Individuals under 21 described in:
 - (A) Item (4) or (14) of Rule .0101 of this Subchapter; or
 - (B) Sub-item (1)(a) of Rule .0102 of this Subchapter; or
 - (C) Sub-item (1)(d) of Rule .0102 of this Subchapter who meet the eligibility requirements for categorically needy in this Subchapter;
- (6) Qualified Medicare Beneficiaries described in Item (1) of Rule .0101 of this Subchapter;
- (7) Individuals described in Item (9), (10) or (11) of Rule .0101 of this Subchapter who were receiving cash assistance payments in December 1973;
- (8) Individuals described in Item (5) of Rule .0101 of this Subchapter who were classified categorically needy when pregnancy terminated;
- (9) Individuals described in Item (6) of Rule .0101 of this Subchapter whose mother is classified as categorically needy;
- (10) Individuals described in Sub-item (1)(c) of Rule .0102 of this Subchapter; or
- (11) Individuals described in Sub-item (1)(d) of Rule .0102 of this Subchapter.

(b) The following individuals who are not eligible as categorically needy and meet the requirements for medically needy set forth in this Subchapter shall be classified medically needy:

- (1) Pregnant women described in:
 - (A) Item (5) of Rule .0101 of this Subchapter who were classified medically needy when their pregnancy terminated; or
 - (B) Sub-item (4)(b) of Rule .0102 of this Subchapter;
- (2) Individuals under age 21;
- (3) Caretaker relatives of eligible dependent children; or
- (4) Aged, blind or disabled individuals not eligible for a public assistance cash payment.

History Note: Filed as a Temporary Amendment Eff. October 1, 1994, for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;

Filed as a Temporary Amendment Eff. September 12, 1994, for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;

Authority G.S. 108A-54; 42 C.F.R. 435.2; 42 C.F.R. 435.4;

Eff. September 1, 1984;

Amended Eff. January 1, 1995; August 1, 1990;

Temporary Amendment Eff. September 13, 1999.

**TITLE 15A - DEPARTMENT OF
ENVIRONMENT AND NATURAL RESOURCES**

Rule-making Agency: *Environmental Management Commission*

Rule Citation: *15A NCAC 2P .0402*

Effective Date: *October 1, 1999*

Findings Approved and Reviewed by: *Beecher R. Gray*

Authority for the rule-making: *G.S. 143-215.94E(e2); S.L. 1998, c.161, s. 5*

Reason for Proposed Action: *In House Bill 1483 (S.L. 1998, c. 161, s. 5), the General Assembly mandated that the Environmental Management Commission may require an underground storage tank owner, operator, or landowner to obtain approval from the Department before proceeding with any task that will result in a cost that is eligible to be paid or reimbursed under G.S. 143-215.94B(b), 143-215.94B(b1), or 143-215.94D(b1). The General Assembly further stipulated that the Commission shall specify by rule those tasks for which preapproval is required. In Section 12 of House Bill 1483, the General Assembly authorized that the Commission may adopt temporary rules to implement this act until 1 October 1999.*

Comment Procedures: *Comments submitted to: George C. Matthis, Jr., DENR, Division of Waste Management, UST Section, 1637 Mail Service Center, Raleigh, NC 27699-1637, Telephone (919) 733-1332.*

CHAPTER 2 - ENVIRONMENTAL MANAGEMENT

**SUBCHAPTER 2P - LEAKING PETROLEUM
UNDERGROUND STORAGE TANK CLEANUP FUNDS**

SECTION .0400 - REIMBURSEMENT PROCEDURE

.0402 CLEANUP COSTS

(a) In determining whether costs expended by an owner or operator or landowner are reasonable and necessary, the Division shall consider the following:

- (1) Adequacy and cost-effectiveness of any work performed and technical activity utilized by the owner or operator or landowner in performing release response, site assessment and corrective action.
- (2) Typical billing rates of engineering, geological, or other environmental consulting firms providing similar services in the State as determined by the Division.
- (3) Typical rental rates for any necessary equipment as determined by the Division. The amount reimbursed for equipment rental shall not exceed the typical purchase price of such equipment.
- (4) Typical costs or rates of any other necessary service, labor or expense as determined by the Division.
- (5) Whether costs expended for corrective action were required by 15A NCAC 2L.

(b) Expenditures not eligible for reimbursement shall include the following:

- (1) Costs of the removal and disposal of noncommercial underground storage tanks and contents removed on or after July 3, 1991, and of commercial underground storage tanks and contents removed on or after January 1, 1992;
- (2) Costs of the replacement of any underground storage tank, piping, fitting, or ancillary equipment;
- (3) Costs incurred in preparation of any proposals or bid by a provider of service for the purpose of soliciting or bidding for the opportunity to perform an environmental investigation or cleanup, even if that provider is ultimately selected to provide the service solicited;
- (4) Interest on any accounts, loans, etc.;
- (5) Expenses charged by the owner or operator or landowner in the processing and management of a reimbursement application or subsequent claims;
- (6) Attorney's fees;
- (7) Penalties, fees, and fines assessed by any court or agency;
- (8) Loss of profits, fees, and wages incurred by the owner or operator or landowner;
- (9) Costs incurred during cleanup if preapproval of the cleanup tasks and associated costs was not obtained from the Division. Preapproval is not required for assessment activities or for costs determined by the Division to be related to emergency response actions;

(9)(10) Any other expenses not specifically related to environmental cleanup, or implementation of a cost effective environmental cleanup, or third party bodily injury or property damage.

History Note: Authority G.S. 143-215.3; 143-215.94B; 143-215.94D; 143-215.94E; 143-215.94L; 143-215.94T; 143-215.94V; 143B-282;

Eff. February 1, 1993;

Amended Eff. September 1, 1993;

Temporary Amendment Eff. January 2, 1998; January 2, 1996;

Amended Eff. October 29, 1998;

Temporary Amendment Eff. October 1, 1999.

Rule-making Agency: *North Carolina Wildlife Resources Commission*

Rule Citation: *15A NCAC 10D .0103*

Effective Date: *October 1, 1999*

Findings Reviewed and Approved by: *Beecher R. Gray*

Authority for the rule-making: *G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-305*

Reason for Proposed Action: *The NC Wildlife Resources Commission initiated this temporary rule to efficiently operate and manage hunting on public game lands. A permanent rule will be filed for this temporary rule.*

Comment Procedures: *The NC Wildlife Resources Commission has the authority to adopt temporary rules pursuant to G.S. 150B-21.1(a1). This temporary rule is adopted following public hearings and was held on July 22, 1999 for the permanent rule and the record of hearing for public comment was closed on August 2, 1999. A permanent rule will be filed with the Rules Review Commission.*

**CHAPTER 10 - WILDLIFE RESOURCES AND WATER
SAFETY**

SUBCHAPTER 10D - GAME LANDS REGULATIONS

SECTION .0100 - GENERAL REGULATIONS

.0103 HUNTING ON GAME LANDS

(a) Safety Requirements. No person while hunting on any designated game land shall be under the influence of alcohol or any narcotic drug, or fail to comply with special restrictions enacted by the National Park Service regarding the use of the Blue Ridge Parkway where it adjoins game lands listed in this Rule.

(b) Traffic Requirements. No person shall park a vehicle on game lands in such a manner as to block traffic, gates or otherwise prevent vehicles from using any roadway.

(c) Tree Stands. It is unlawful to erect or to occupy, for the purpose of hunting, any tree stand or platform attached by nails, screws, bolts or wire to a tree on any game land designated herein. This prohibition shall not apply to lag-screw steps or portable

stands that are removed after use with no metal left remaining in or attached to the tree.

(d) Time and Manner of Taking. Except where closed to hunting or limited to specific dates by this Chapter, hunting on game lands is permitted during the open season for the game or furbearing species being hunted. On managed waterfowl impoundments, hunters shall not enter the posted impoundment areas earlier than 4:00 a.m. on the permitted hunting dates, and hunting is prohibited after 1:00 p.m. on such hunting dates; decoys shall not be set out prior to 4:00 a.m. and must be removed by 3:00 p.m. each day. No person shall operate any vessel or vehicle powered by an internal combustion engine on a managed waterfowl impoundment. No person shall attempt to obscure the sex or age of any bird or animal taken by severing the head or any other part thereof, or possess any bird or animal which has been so mutilated. No person shall place, or cause to be placed on any game land, salt, grain, fruit, or other foods without prior written authorization of the commission or its agent. A decision to grant or deny authorization shall be made based on the best management practices for the wildlife species in question. No person shall take or attempt to take any game birds or game animals attracted to such foods. No live wild animals or wild birds shall be removed from any game land.

(e) Definitions:

- (1) For purposes of this Section "Eastern" season refers to seasons set for those counties or parts of counties listed in 15A NCAC 10B .0203(b)(1)(A); "Central" season refers to seasons set for those counties or parts of counties listed in 15A NCAC 10B .0203(b)(1)(D); "Northwestern" season refers to seasons set for those counties or parts of counties listed in 15A NCAC 10B .0203(b)(1)(B); "Western" season refers to seasons set for those counties or parts of counties listed in 15A NCAC 10B .0203(b)(1)(C).
- (2) For purposes of this Section, "Dove Only Area" refers to a Game Land on which doves may be taken and dove hunting is limited to Mondays, Wednesdays, Saturdays and to Thanksgiving, Christmas and New Year's Days within the federally-announced season.
- (3) For purposes of this Section, "Three Days per Week Area" refers to a Game Land on which any game may be taken during the open seasons and hunting is limited to Mondays, Wednesdays, Saturdays and Thanksgiving, Christmas and New Year's Days. These "open days" also apply to either-sex hunting seasons listed under each game land. Raccoon and opossum hunting may continue until 7:00 a.m. on Tuesdays, until 7:00 a.m. on Thursdays, and until midnight on Saturdays.
- (4) For purposes of this Section, "Six Days per Week Area" refers to a Game Land on which any game may be taken during the open seasons, except that:
 - (A) Bears shall not be taken on lands designated and posted as bear sanctuaries;
 - (B) Wild boar shall not be taken with the use of dogs on such bear sanctuaries, and wild boar may be hunted only during the bow and arrow seasons, the muzzle-loading deer season and the regular

gun season on male deer on bear sanctuaries;

- (C) On game lands open to deer hunting located in or west of the counties of Rockingham, Guilford, Randolph, Montgomery and Anson, the following rules apply to the use of dogs during the regular season for hunting deer with guns:
 - (i) Except for the counties of Cherokee, Clay, Graham, Jackson, Macon, Madison, Polk, and Swain, game birds may be hunted with dogs.
 - (ii) In the counties of Cherokee, Clay, Graham, Jackson, Macon, Madison, Polk, and Swain, small game in season may be hunted with dogs on all game lands except on bear sanctuaries.
- (D) On bear sanctuaries in and west of Madison, Buncombe, Henderson and Polk counties dogs shall not be trained or allowed to run unleashed between March 1 and the Monday on or nearest October 15;
- (f) Game Lands Seasons and Other Restrictions:
 - (1) Alcoa Game Land in Davidson, Davie, Montgomery, Rowan and Stanly counties
 - (A) Six Days per Week Area
 - (B) Deer of either sex may be taken the first six open days and the last six open days of the applicable Deer With Visible Antlers Season.
 - (2) Angola Bay Game Land in Duplin and Pender counties
 - (A) Six Days per Week Area
 - (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.
 - (3) Anson Game Land in Anson County
 - (A) Six Days per Week Area
 - (B) Deer of either sex may be taken the first six open days and the last six open days of the applicable Deer With Visible Antlers Season.
 - (4) Bachelors Bay Game Land in Bertie and Washington counties
 - (A) Six Days per Week Area
 - (B) Deer of either sex may be taken the first six open days and the last six open days of the applicable Deer With Visible Antlers Season.
 - (5) Bertie County Game Land in Bertie County
 - (A) Six Days per Week Area
 - (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.
 - (6) Bladen Lakes State Forest Game Land in Bladen County
 - (A) Three Days per Week Area
 - (B) Deer of either sex may be taken the first six open days and the last six open days of the applicable Deer With Visible Antlers Season. Deer of either sex may also be taken the Saturday preceding Eastern bow season with bow and arrow and the Friday preceding the Eastern muzzle-loading season with any legal weapon (with weapons

- exceptions described in this Paragraph) by participants in the Disabled Sportsman Program.
- (C) Handguns shall not be carried and, except for muzzle-loaders, rifles larger than .22 caliber rimfire shall not be used or possessed.
 - (D) On the Breece Tract and the Singletary Tract deer and bear may be taken only by still hunting.
 - (E) Wild turkey hunting is by permit only.
- (7) Brushy Mountains Game Land in Caldwell County
 - (A) Six Days per Week Area
 - (B) Deer of either sex may be taken the last six open days of the applicable Deer With Visible Antlers Season.
 - (8) Bullard and Branch Hunting Preserve Game Lands in Robeson County
 - (A) Three Days per Week Area
 - (B) Deer of either sex may be taken the last six open days of the applicable Deer With Visible Antlers Season.
 - (9) Butner - Falls of Neuse Game Land in Durham, Granville and Wake counties
 - (A) Six Days per Week Area
 - (B) Deer of either sex may be taken the last six open days of the applicable Deer With Visible Antlers Season.
 - (C) Waterfowl may be taken only on Tuesdays, Thursdays and Saturdays, Christmas and New Year's Days, and on the opening and closing days of the applicable waterfowl seasons. Waterfowl shall not be taken after 1:00 p.m. On the posted waterfowl impoundments a special permit is required for all waterfowl hunting after November 1.
 - (D) Horseback riding, including all equine species, is prohibited.
 - (E) Target shooting is prohibited
 - (F) Wild turkey hunting is by permit only.
 - (10) Cape Fear Game Land in Pender County
 - (A) Six Days per Week Area
 - (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.
 - (C) Turkey Hunting is by permit only on that portion known as the Roan Island Tract.
 - (11) Caswell Game Land in Caswell County
 - (A) Three Days per Week Area
 - (B) Deer of either sex may be taken the last six open days of the applicable Deer With Visible Antlers Season. Deer of either sex may also be taken the Friday preceding the Central muzzle-loading season by participants in the Disabled Sportsman Program.
 - (C) Horseback riding is allowed only during June, July, and August and on Sundays during the remainder of the year except during open turkey and deer seasons. Horseback riding is allowed only on roads opened to vehicular traffic. Participants must obtain a game lands license prior to engaging in such activity.
 - (12) Caswell Farm Game Land in Lenoir County
 - (A) Dove-Only Area
 - (13) Catawba Game Land in Catawba and Iredell counties
 - (A) Three Days per Week Area
 - (B) Deer of either sex may be taken the last open day of the applicable Deer With Visible Antlers Season.
 - (C) Deer may be taken with bow and arrow only from the tract known as Molly's Backbone.
 - (14) Chatham Game Land in Chatham County
 - (A) Six Days per Week Area
 - (B) Deer of either sex may be taken the first six open days and the last six open days of the applicable Deer With Visible Antlers Season.
 - (15) Cherokee Game Land in Ashe County
 - (A) Six Days per Week Area
 - (B) Deer of either sex may be taken the last six open days of the applicable Deer With Visible Antlers Season.
 - (16) Cherry Farm Game Land in Wayne County
 - (A) Three Days per Week Area
 - (B) Deer of either sex may be taken the last six open days of the applicable Deer With Visible Antlers Season.
 - (C) The use of centerfire rifles and handguns is prohibited.
 - (17) Chowan Game Land in Chowan County
 - (A) Six Days per Week Area
 - (B) Deer of either sex may be taken the first six open days, open days the week of Thanksgiving, and the last six open days of the applicable Deer With Visible Antlers Season. In addition, one antlerless deer may be taken anytime during the Deer With Visible Antlers season.
 - (18) Chowan Swamp Game Land in Gates County
 - (A) Six Days per Week Area
 - (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.
 - (19) Columbus County Game Land in Columbus County.
 - (A) Three Days per Week Area
 - (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.
 - (20) Croatan Game Land in Carteret, Craven and Jones counties
 - (A) Six Days per Week Area
 - (B) Deer of either sex may be taken the first six open days and the last six open days of the applicable Deer With Visible Antlers Season.
 - (C) Waterfowl may be taken only on Mondays, Wednesdays, Saturdays; on Thanksgiving, Christmas and New Year's Days; and on the

opening and closing days of the applicable waterfowl seasons.

(21) Currituck Banks Game Land in Currituck County

- (A) Six Days per Week Area
- (B) Permanent waterfowl blinds in Currituck Sound adjacent to these game lands shall be hunted by permit only after November 1.
- (C) Licensed hunting guides may accompany the permitted individual or party provided the guides do not possess or use a firearm.
- (D) The boundary of the Game Land shall extend 5 yards from the edge of the marsh or shoreline.

(21) (22) Dare Game Land in Dare County

- (A) Six Days per Week Area
- (B) Deer of either sex may be taken the last six open days of the applicable Deer With Visible Antlers Season.
- (C) No hunting on posted parts of bombing range.
- (D) The use and training of dogs is prohibited from March 1 through June 30.

(22) (23) Dupont State Forest Game Lands in Henderson and Transylvania counties

- (A) Hunting is by Permit only.
- (B) The training and use of dogs for hunting except during scheduled small game permit hunts for squirrel, grouse, rabbit, or quail is prohibited.
- (C) Participants of the Disabled Sportsman Program may also take deer of either sex with any legal weapon on the Saturday prior to the first segment of the Western bow and arrow season.

(23) (24) Dysartsville Game Land in McDowell and Rutherford counties

- (A) Six Days per Week Area
- (B) Deer of either sex may be taken the last six open days of the applicable Deer With Visible Antlers Season.

(24) (25) Elk Knob Game Land in Ashe and Watauga counties

- (A) Six Days per Week Area
- (B) Deer of either sex may be taken the last six open days of the applicable Deer With Visible Antlers Season.

(25) (26) Gardner-Webb Game Land in Cleveland County

- (A) Six Days per Week Area
- (B) Deer of either sex may be taken the last six open days of the applicable Deer With Visible Antlers Season.

(26) (27) Goose Creek Game Land in Beaufort and Pamlico counties

- (A) Six Days per Week Area
- (B) Deer of either sex may be taken the first six open days and the last six open days of the applicable Deer With Visible Antlers Season.
- (C) On posted waterfowl impoundments waterfowl may be taken only on Mondays, Wednesdays, Saturdays; on Thanksgiving, Christmas and New Year's Days; and on the opening and closing days of the applicable waterfowl seasons. After

November 1, on the Pamlico Point, Campbell Creek, Hunting Creek and Spring Creek impoundments, a special permit is required for hunting on opening and closing days of the duck seasons, Saturdays of the duck seasons, and on Thanksgiving and New Year's day.

(27) (28) Green River Game Land in Henderson, Polk and Rutherford counties

- (A) Six Days per Week Area
- (B) Deer of either sex may be taken the last six open days of the applicable Deer With Visible Antlers Season in that portion in Rutherford County; and deer of either sex may be taken the last open day of the applicable Deer With Visible Antlers Season in that portion in Polk and Henderson counties.

(28) (29) Green Swamp Game Land in Brunswick County

- (A) Six Days per Week Area
- (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.

(29) (30) Gull Rock Game Land in Hyde County

- (A) Six Days per Week Area
- (B) Deer of either sex may be taken the first six open days and the last six open days of the applicable Deer With Visible Antlers Season.
- (C) On the posted waterfowl impoundments of Gull Rock Game Land hunting of any species of wildlife is limited to Mondays, Wednesdays, Saturdays; Thanksgiving, Christmas, and New Year's Days; and the opening and closing days of the applicable waterfowl seasons.

(30) (31) Hickorynut Mountain Game Land in McDowell County

- (A) Six Days per Week Area
- (B) Deer of either sex may be taken the last six open days of the applicable Deer With Visible Antlers Season.

(31) (32) Hofmann Forest Game Land in Jones and Onslow counties

- (A) Six Days per Week Area
- (B) Deer of either sex may be taken the first six open days and the last six open days of the applicable Deer With Visible Antlers Season.

(32) (33) Holly Shelter Game Land in Pender County

- (A) Three Days per Week Area
- (B) Deer of either sex may be taken the last six open days of the applicable Deer With Visible Antlers Season. Deer of either sex may also be taken the Friday preceding the Eastern muzzle-loading season with any legal weapon and the Saturday preceding Eastern bow season with bow and arrow by participants in the Disabled Sportsman Program

- (C) Waterfowl may be taken on the opening and closing days of the applicable waterfowl seasons regardless of the day of the week on which they occur.

- (33)(34) Huntsville Community Farms Game Land in Yadkin County
- (A) Three Days per Week Area
 - (B) Deer of either sex may be taken the last open day of the applicable Deer With Visible Antlers Season.
- (34)(35) Hyco Game land in Person County
- (A) Six Days per Week Area
 - (B) Deer of either sex may be taken the first six open days and the last six open days of the applicable Deer With Visible Antlers Season.
- (35)(36) Jordan Game Land in Chatham, Durham, Orange and Wake counties
- (A) Six Days per Week Area
 - (B) Deer of either sex may be taken the first six open days and the last six open days of the applicable Deer With Visible Antlers Season.
 - (C) Waterfowl may be taken only on Mondays, Wednesdays, Saturdays; on Thanksgiving, Christmas and New Year's Days; and on the opening and closing days of the applicable waterfowl seasons.
 - (D) Horseback riding, including all equine species, is prohibited.
 - (E) Target shooting is prohibited.
 - (F) Wild turkey hunting is by permit only.
- (36)(37) Lantern Acres Game Land in Tyrrell and Washington counties
- (A) Six Days per Week Area
 - (B) Deer of either sex may be taken the first six open days, open days the week of Thanksgiving, and the last six open days of the applicable Deer With Visible Antlers Season. In addition, one antlerless deer may be taken anytime during the Deer With Visible Antlers season.
- (37)(38) Lee Game Land in Lee County
- (A) Six Days per Week Area
 - (B) Deer of either sex may be taken the first six open days and the last six open days of the applicable Deer With Visible Antlers Season.
- (38)(39) Linwood Game Land in Davidson County
- (A) Six Days per Week Area
 - (B) Deer of either sex may be taken the first six open days and the last six open days of the applicable Deer With Visible Antlers Season.
- (39)(40) Moore Game Land in Moore County
- (A) Six Days per Week Area
 - (B) Deer of either sex may be taken the first six open days and the last six open days of the applicable Deer With Visible Antlers Season.
- (40)(41) Nantahala Game Land in Cherokee, Clay, Graham, Jackson, Macon, Swain and Transylvania counties
- (A) Six Days per Week Area
 - (B) Deer of either sex may be taken the last open day of the applicable Deer With Visible Antlers Season in that portion located in Transylvania
- County.
- (C) Raccoon and opossum may be hunted only from sunset Friday until sunrise on Saturday and from sunset until 12:00 midnight on Saturday on Fires Creek Bear Sanctuary in Clay County and in that part of Cherokee County north of US 64 and NC 294, east of Persimmon Creek and Hiwassee Lake, south of Hiwassee Lake and west of Nottely River; in the same part of Cherokee County dog training is prohibited from March 1 to the Monday on or nearest October 15.
- (41)(42) Neuse River Game Land in Craven County
- (A) Six Days per Week Area
 - (B) Deer of either sex may be taken the first six open days and the last six open days of the applicable Deer With Visible Antlers Season.
- (42)(43) New Lake Game Land in Hyde County
- (A) Six Days per Week Area
 - (B) Deer of either sex may be taken the first six open days and the last six open days of the applicable Deer With Visible Antlers Season.
- (43)(44) North River Game Land in Currituck County
- (A) Six Days per Week Area
 - (B) Deer of either sex may be taken the first six open days, open days the week of Thanksgiving, and the last six open days of the applicable Deer With Visible Antlers Season. In addition, one antlerless deer may be taken anytime during the Deer With Visible Antlers season.
- (C) The boundary of the Game Land shall extend 5 yards from the edge of the marsh or shoreline.
- (44)(45) Northwest River Marsh Game Land in Currituck County
- (A) Six Days per Week Area
 - (B) Deer of either sex may be taken the first six open days, open days the week of Thanksgiving, and the last six open days of the applicable Deer With Visible Antlers Season. In addition, one antlerless deer may be taken anytime during the Deer With Visible Antlers season.
- (C) The boundary of the Game Land shall extend 5 yards from the edge of the marsh or shoreline.
- (45)(46) Pee Dee River Game Land in Anson, Montgomery, Richmond and Stanly counties
- (A) Six Days per Week Area
 - (B) Deer of either sex may be taken the first six open days and the last six open days of the applicable Deer With Visible Antlers Season.
 - (C) Use of centerfire rifles prohibited in that portion in Anson and Richmond counties North of US-74.
- (46)(47) Perkins Game Land in Davie County
- (A) Three Days per Week Area
 - (B) Deer of either sex may be taken the last open day of the applicable Deer With Visible Antlers Season.
- (47)(48) Person Game Land in Person County

- (A) Six Days per Week Area
- (B) Deer of either sex may be taken the first six open days and the last six open days of the applicable Deer With Visible Antlers Season.
- (C) Waterfowl may be taken only on Tuesdays, Thursdays and Saturdays, Christmas and New Year's Days, and on the opening and closing days of the applicable waterfowl seasons.

(48) (49) Pisgah Game Land in Avery, Buncombe, Burke, Caldwell, Haywood, Henderson, Madison, McDowell, Mitchell, Transylvania, Watauga and Yancey counties

- (A) Six Days per Week Area
- (B) Deer of either sex may be taken the last open day of the applicable Deer With Visible Antlers Season except on that portion of Avery County north of the Blue Ridge Parkway and that portion in Haywood County encompassed by US 276 on the north, US 74 on the west, and the Blue Ridge Parkway on the south and east.
- (C) Harmon Den and Sherwood Bear Sanctuaries in Haywood County are closed to hunting raccoon, opossum and wildcat. Training raccoon and opossum dogs is prohibited from March 1 to the Monday on or nearest October 15 in that part of Madison County north of the French Broad River, south of US 25-70 and west of SR 1319.

(49) (50) Pungo River Game Land in Hyde County

- (A) Six Days per Week Area
- (B) Deer of either sex may be taken the first six open days and the last six open days of the applicable Deer With Visible Antlers Season.

(50) (51) Roanoke River Wetlands in Bertie, Halifax and Martin counties

- (A) Hunting is by Permit only. Vehicles are prohibited on roads or trails except those operated on official Commission business or by permit holders.

(51) (52) Robeson Game Land in Robeson County

- (A) Three Days per Week Area
- (B) Deer of either sex may be taken the last six open days of the applicable Deer With Visible Antlers Season.

(52) (53) Sampson Game Land in Sampson County

- (A) Three Days per Week Area
- (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.

(53) (54) Sandhills Game Land in Moore, Richmond and Scotland counties

- (A) Three Days per Week Area
- (B) The Deer With Visible Antlers season for deer consists of the open hunting dates from the second Monday before Thanksgiving through the third Saturday after Thanksgiving except on the field trial grounds where the gun season is from the second Monday before Thanksgiving through the Saturday following Thanksgiving. Deer may

be taken with bow and arrow on all open hunting dates during the bow and arrow season, as well as during the regular gun season. Deer may be taken with muzzle-loading firearms on Monday, Wednesday and Saturday of the second week before Thanksgiving week, and during the Deer With Visible Antlers season.

- (C) Gun either-sex deer hunting is by permit only the Thursday and Friday before Thanksgiving Week. For participants in the Disabled Sportsman Program, either-sex deer hunting with any legal weapon is permitted on all areas the Thursday and Friday prior to the muzzle-loading season described in the preceding paragraph. Except for the deer seasons indicated in the preceding paragraph and the managed either-sex permit hunts, the field trial grounds are closed to all hunting during the period October 22 to March 31.

(D) In addition to the regular hunting days, waterfowl may be taken on the opening and closing days of the applicable waterfowl seasons

(E) Wild turkey hunting is by permit only.

(F) Dove hunting on the field trial grounds will be prohibited from the second Sunday in September through the remainder of the hunting season.

(G) No all terrain vehicles shall be used on the J. Robert Gordon Field Trial Area except by licensed hunters during deer and dove open seasons pursuant to 15A NCAC 10D .0102(m).

(54) (55) Sauratown Plantation Game Land in Stokes County

- (A) Three Days per Week Area
- (B) Deer of either sex may be taken the last open day of the applicable Deer With Visible Antlers Season.

(55) (56) Scuppernon Game Land in Tyrrell and Washington counties

- (A) Six Days per Week Area
- (B) Deer of either sex may be taken the first six open days, open days the week of Thanksgiving, and the last six open days of the applicable Deer With Visible Antlers Season. In addition, one antlerless deer may be taken anytime during the Deer With Visible Antlers season.

(56) (57) Shearon Harris Game Land in Chatham and Wake counties

- (A) Six Days per Week Area
- (B) Deer of either sex may be taken the first six open days and the last six open days of the applicable Deer With Visible Antlers Season.

(C) Waterfowl may be taken only on Tuesdays, Fridays, Saturdays; on Thanksgiving, Christmas and New Year's Days; and on the opening and closing days of the applicable waterfowl seasons.

(D) The use or construction of permanent hunting blinds is prohibited.

(57) (58) South Mountains Game Land in Burke, Cleveland,

McDowell and Rutherford counties

- (A) Six Days per Week Area
- (B) Deer of either sex may be taken the last six open days of the applicable Deer With Visible Antlers Season.

(58) (59) Suggs Mill Pond Game Land in Bladen County: Hunting is by Permit only.

- (59) (60) Sutton Lake Game Land in New Hanover County
- (A) Six Days per Week Area
- (B) Deer of either sex may be taken the last six open days of the applicable Deer With Visible Antlers Season.

- (60) (61) Three Top Mountain Game Land in Ashe County
- (A) Six Days per Week Area
- (B) Deer of either sex may be taken the last six open days of the applicable Deer With Visible Antlers Season.

- (61) (62) Thurmond Chatham Game Land in Wilkes County
- (A) Six Days per Week Area
- (B) Deer of either sex may be taken the last six open days of the applicable Deer With Visible Antlers Season. Participants of the Disabled Sportsman Program may also take either-sex deer with bow and arrow on the Saturday prior to Northwestern bow and arrow season.

- (C) Horseback riding is only allowed during June, July, and August and on Sundays during the remainder of the year except during open turkey and deer seasons. Horseback riding is allowed only on roads opened to vehicular traffic. Participants must obtain a game lands license prior to horseback riding on this area.

- (62) (63) Toxaway Game Land in Transylvania County
- (A) Six Days per Week Area
- (B) Deer of either sex may be taken the last open day of the applicable Deer With Visible Antlers Season. Participants of the Disabled Sportsman Program may also take deer of either sex with any legal weapon on the Saturday prior to the first segment of the Western bow and arrow season.

- (63) (64) Uwharrie Game Land in Davidson, Montgomery and Randolph counties
- (A) Six Days per Week Area
- (B) Deer of either sex may be taken the first six open days and the last open six days of the applicable Deer With Visible Antlers Season.

- (64) (65) Vance Game Land in Vance County
- (A) Six Days per Week Area
- (B) Deer of either sex may be taken all the open days

of the applicable Deer With Visible Antlers Season.

- (C) The use of dogs, centerfire rifles and handguns for hunting deer is prohibited on the Nutbush Peninsula tract.

(65) (66) White Oak River Impoundment Game Land in Onslow County

- (A) Three Days per Week Area
- (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.
- (C) Waterfowl may be taken on the opening and closing days of the applicable waterfowl seasons regardless of the day of the week on which they occur.

(66) (67) Yadkin Game Land in Caldwell County

- (A) Six Days per Week Area
- (B) Deer of either sex may be taken the last six open days of the applicable Deer With Visible Antlers Season.

(g) On permitted type hunts deer of either sex may be taken on the hunt dates indicated on the permit. Completed applications must be received by the Commission not later than the first day of September next preceding the dates of hunt. Permits shall be issued by random computer selection, shall be mailed to the permittees prior to the hunt, and shall be nontransferable. A hunter making a kill must tag the deer and report the kill to a wildlife cooperator agent or by phone.

(h) The following game lands and refuges shall be closed to all hunting except to those individuals who have obtained a valid and current permit from the Wildlife Resources Commission:

- Bertie, Halifax and Martin counties--Roanoke River Wetlands;
- Bertie County--Roanoke River National Wildlife Refuge.
- Burke County--John's River Waterfowl Refuge
- Dare County--Dare Game Lands (Those parts of bombing range posted against hunting)
- Davie--Hunting Creek Swamp Waterfowl Refuge
- Gaston, Lincoln and Mecklenburg counties--Cowan's Ford Waterfowl Refuge.
- Henderson and Transylvania counties--Dupont State Forest Game Lands

History Note: Temporary Amendment Eff. October 3, 1991; Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-305; Eff. February 1, 1976;
Amended Eff. July 1, 1998; July 1, 1997; July 1, 1996; September 1, 1995; July 1, 1995; September 1, 1994; July 1, 1994;
Temporary Amendment Eff. October 1, 1999; July 1, 1999.

This Section contains the agenda for the next meeting of the Rules Review Commission on Thursday, September 16, 1999, 10:00 a.m., at 1307 Glenwood Ave., Assembly Room, Raleigh, NC. Anyone wishing to submit written comment on any rule before the Commission should submit those comments to the RRC staff, the agency, and the individual Commissioners by Monday, September 13, 1999, at 5:00 p.m. Specific instructions and addresses may be obtained from the Rules Review Commission at 919-733-2721. Anyone wishing to address the Commission should notify the RRC staff and the agency at least 24 hours prior to the meeting.

RULES REVIEW COMMISSION MEMBERS

Appointed by Senate

Teresa L. Smallwood, Vice Chairman
 John Arrowood
 Laura Devan
 Jim Funderburke
 David Twiddy

Appointed by House

Paul Powell, Chairman
 Walter Futch
 Jennie J. Hayman
 George Robinson
 R. Palmer Sugg

RULES REVIEW COMMISSION MEETING DATES

November 18, 1999

December 16, 1999

LOG OF FILINGS

RULES SUBMITTED: AUGUST 20, 1999 THROUGH SEPTEMBER 20, 1999

AGENCY/DIVISION	RULE NAME	RULE	ACTION
DENR/ENVIRONMENTAL MANAGEMENT COMMISSION			
	Exemptions	15 NCAC 2Q .0702	Amend
DENR/WILDLIFE RESOURCES COMMISSION			
	Accident Reports	15 NCAC 10F .0202	Amend
DENR/COMMISSION FOR HEALTH SERVICES			
	Covered Services	15 NCAC 16A .1104	Amend
	Medical Eligibility	15 NCAC 16A .1106	Amend
DENR/COMMISSION FOR HEALTH SERVICES			
	Responsibilities	15 NCAC 18A .1938	Amend
	Septic Tank, Effluent Filter Dosing Tank	15 NCAC 18A .1952	Amend
	Prefabricated Septic Tanks/Pump Tanks	15 NCAC 18A .1953	Amend
	Min. Stds./Precast Reinforced Concrete	15 NCAC 18A .1954	Amend
	Design and Installation Criteria	15 NCAC 18A .1955	Amend
	Modifications to Septic Tank Systems	15 NCAC 18A .1956	Amend
DENR/DHHS			
	Dosage and Age Req. for Immunization	15 NCAC 19A .0401	Amend
	Medical Exemptions from Immunization	15 NCAC 19A .0404	Amend
	Access to Immunization Information	15 NCAC 19A .0406	Amend
	Vaccine for Providers	15 NCAC 19A .0502	Amend

DENR

Medical Examiner Fee	15 NCAC 23 .0201	Amend
Pathology Fee	15 NCAC 23 .0202	Amend
Hospital Fee	15 NCAC 23 .0204	Amend
Invest. Before Cremation/Burial at Sea	15 NCAC 23 .0501	Amend

EDUCATION, STATE BOARD OF

Definitions	16 NCAC 6H .0101	Amend
Administration of Special Ed. Programs	16 NCAC 6H .0105	Amend
Special Ed. Assessment/Placement Proc	16 NCAC 6H .0107	Amend
Surrogate Parents/Children/Special Needs	16 NCAC 6H .0108	Amend
Confid.: Access/Special Ed. Record	16 NCAC 6H .0109	Amend
Special Ed. Due Process Procedures	16 NCAC 6H .0110	Amend

DEPARTMENT OF ADMINISTRATION/STATE PERSONNEL COMMISSION

Time Frame/Raising Allegation/Violations	25 NCAC 1B .0354	Adopt
Situations/Which Attorney's Fees Awarded	25 NCAC 1B .0414	Amend
Discrimination	25 NCAC 1B .0434	Amend
Appeal to the State Personnel Commission	25 NCAC 1B .0437	Amend
Unlawful Workplace Harassment	25 NCAC 1C .0214	Amend
Posting and Announcement of Vacancies	25 NCAC 1H .0602	Amend
Special Applicant Considerations	25 NCAC 1H .0605	Amend
Selection of Applicants	25 NCAC 1H .0606	Amend
Minimum Procedural Requirements	25 NCAC 1J .0503	Amend
Discrimination	25 NCAC 1J .0506	Amend
Violations	25 NCAC 1J .0512	Adopt
Appeals	25 NCAC 1J .0603	Amend
Appeals	25 NCAC 1J .0603	Amend

OFFICE OF ADMINISTRATIVE HEARINGS

Location	26 NCAC 1 .0101	Amend
Employee Insurance Committee	26 NCAC 1 .0104	Amend

OFFICE OF ADMINISTRATIVE HEARINGS

Availability of the N.C. Register	26 NCAC 2C .0303	Amend
-----------------------------------	------------------	-------

OFFICE OF ADMINISTRATIVE HEARINGS

Content and Procedure	26 NCAC 4 .0102	Amend
Notification of Investigation	26 NCAC 4 .0103	Amend
Additional Information	26 NCAC 4 .0104	Amend
Content and Filing Procedures	26 NCAC 4 .0202	Amend

This Section contains the full text of some of the more significant Administrative Law Judge decisions along with an index to all recent contested cases decisions which are filed under North Carolina's Administrative Procedure Act. Copies of the decisions listed in the index and not published are available upon request for a minimal charge by contacting the Office of Administrative Hearings, (919) 733-2698. Also, the Contested Case Decisions are available on the Internet at the following address: <http://www.state.nc.us/OAH/hearings/decision/caseindex.htm>.

OFFICE OF ADMINISTRATIVE HEARINGS

Chief Administrative Law Judge
JULIAN MANN, III

Senior Administrative Law Judge
FRED G. MORRISON JR.

ADMINISTRATIVE LAW JUDGES

Sammie Chess Jr.
Beecher R. Gray
Melissa Owens

Meg Scott Phipps
Robert Roosevelt Reilly Jr.
Beryl E. Wade

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
ADMINISTRATION				
Britthaven, Inc. v. Department of Administration and Priva-Trends, Inc.	98 DOA 0811	Chess	06/10/99	
Laidlaw Transit Svcs. Inc. v. Katie G. Dorsett, Sec'y/Dept/Administration	99 DOA 0102	Morrison	06/11/99	14:02 NCR 115
OFFICE OF ADMINISTRATIVE HEARINGS				
Ted Murrell, Zarn, Inc. v. Office of Administrative Hearings	99 OAH 0665	Chess	07/14/99	
Samuel Lee Ferguson v. Office of Administrative Hearings	99 OAH 0718	Chess	07/16/99	
AGRICULTURE				
Archie McLean v. Department of Agriculture	98 DAG 1770	Reilly	07/12/99	14:04 NCR 349
ALCOHOLIC BEVERAGE CONTROL COMMISSION				
Alcoholic Beverage Control Commission v. Keyland, Inc., T/A Cloud 9	98 ABC 1099	Overby	01/17/99	
Alcoholic Beverage Control Commission v. Food Lion, Inc., Store #1351	98 ABC 1270	Gray	03/31/99	14:04 NCR 347
Alcoholic Beverage Control Commission v. Beech Mountain Resort, Inc.	99 ABC 0287	Reilly	08/11/99	
Alcoholic Beverage Control Commission v. Jaeson Nyung Kim	99 ABC 0407	Morrison	07/09/99	
Alcoholic Beverage Control Commission v. Lilian Sarah Clary	99 ABC 0615	Phipps	09/01/99	
Delores Ann Holley v. Alcoholic Beverage Control Commission	99 ABC 0876	Gray	08/10/99	
CRIME CONTROL AND PUBLIC SAFETY				
Ray Anthony Breeding v. Crime Control & Public Safety	93 CPS 0695	Gray	09/13/99	
Paul Richard Mull v. Crime Victims Compensation Commission	98 CPS 0342	Chess	07/26/99	
Bobby Mills v. Crime Victims Compensation Commission	98 CPS 1412	Wade	08/06/99	
William Samuel McCraw v. Crime Victims Compensation Commission	98 CPS 1626	Morrison	06/09/99	
Anson D. Looney v. Crime Victims Compensation Commission	99 CPS 0096	Morrison	05/25/99	
Elvin Williams, Jr. v. Crime Victims Compensation Commission	99 CPS 0118	Owens	08/03/99	
Michael Anthony Powell v. Crime Victims Compensation Commission	99 CPS 0426	Reilly	08/03/99	
Mary Elizabeth Peoples Hogan v. Crime Victims Compensation Comm	99 CPS 0504	Reilly	07/29/99	
Lemuel Ray Jenkins v. Crime Victims Compensation Commission	99 CPS 0521	Gray	09/08/99	
Annabell B. McCormick v. Crime Victims Compensation Commission	99 CPS 0564	Phipps	08/04/99	
ENVIRONMENT AND NATURAL RESOURCES				
J. Reynolds Tobacco Co. v. Dept. of Environment & Natural Resources	98 EHR 1315	Wade	06/04/99	14:02 NCR 110
Wilhe Setzer v. Department of Environment & Natural Resources	99 EHR 0166	Chess	06/28/99	

CONTESTED CASE DECISIONS

AGENCY	CASE NUMBER	ALJ	DATE OF DECISION	PUBLISHED DECISION REGISTER CITATION
Charles H. Jordan v. Brunswick County Health Department	99 EHR 0201	Morrison	06/28/99	
Mazzella's Restaurant, Peter D. Mazzella v. Carteret County Env. Health	99 EHR 0692	Reilly	08/19/99	
Roadway Express v. Department of Environment and Natural Resources	99 EHR 0745	Morrison	07/27/99	
Shell Island Homeowners' Association v. DENR, Div. of Env. Health	99 EHR 0814	Owens	08/18/99	
Division of Air Quality				
Terrance W. Bache, Pres., Terhane Group, Inc. v. DENR, Div/Air Quality	98 EHR 1790	Mann	06/23/99	
XVIII Airborne Corps & Fort Bragg, Dept. of the Army, USA v. Environment and Natural Resources, Div. of Air Quality	99 EHR 0283	Wade	08/11/99	
J.D. Owen v. Environment and Natural Resources, Div. of Air Quality	99 EHR 0642	Mann	08/10/99	
Environmental Management				
Allen Raynor v. Environmental Management Commission	99 EHR 0127	Gray	07/27/99	
Division of Land Resources				
Buel B. Barker, Jr. and Hubbard Realty of Winston-Salem, a NC Corp., jointly and severally v. Dept. of Environment and Natural Resources, Div. of Land Resources	98 EHR 1457	Morrison	06/09/99	
Division of Marine Fisheries				
Alton Chadwick v. Division of Marine Fisheries	99 EHR 0553	Reilly	08/19/99	
Division of Water Quality				
York Oil Company v. DENR, Division of Water Quality	97 EHR 1026	Phipps	07/26/99	14-04 NCR 343
J. Todd Yates and Teresa B. Yates v. DENR, Div. of Water Quality	98 EHR 1456	Wade	06/22/99	
N G Purvis Farms, Inc. v. DENR, Division of Water Quality	99 EHR 0696	Chess	08/27/99	
BOARD OF GEOLOGISTS				
Andrew M. Raring, Ph.D v. Board for the Licensing of Geologists	99 BOG 0150	Mann	06/16/99	
HEALTH AND HUMAN SERVICES				
Eardley "JR" Stephens v. St. Bd. of Nurse's Aides and Practitioners	98 DHR 0155	Phipps	08/25/99	
Ernest Clyde Absher and Dianna B. Absher v. Health & Human Resources	98 DHR 1622	Reilly	06/17/99	
Andrew Ganey v. Office of the Chief Medical Examiner	98 DHR 1761	Owens	05/12/99	14-01 NCR 69
J.P. Lynch v. Department of Health & Human Services	99 DHR 0111	Reilly	05/25/99	
Paul Walker, Thomas Walker & Mary Walker v. Mecklenburg Area Mental Health	99 DHR 0155	Morrison	08/19/99	
New Hope Living Centers, Eric D. Lewis v. Health & Human Services	99 DHR 0170	Owens	05/25/99	
Frank McKoy v. Department of Health & Human Services	99 DHR 0226	Wade	07/06/99	
Joan Marie McDaniel v. Department of Health & Human Services	99 DHR 0305	Reilly	08/05/99	
Lonnie Herring v. Department of Health & Human Services	99 DHR 0350	Reilly	06/03/99	
Robert H. Riley v. Office of the Governor, Office of Citizen Services	99 DHR 0356	Wade	07/21/99	
Division of Child Development				
Shaw Speaks Child Dev. Ctr v. Health & Human Svcs., Child Dev.	99 DHR 0042	Gray	07/22/99	
Lachelle L. Parsons v. Health & Human Svcs., Div. of Child Dev.	99 DHR 0445	Reilly	07/19/99	
In The Beginning, Inc. v. Health & Human Svcs., Div. of Child Dev.	99 DHR 0575	Mann	07/19/99	
Dulatown Outreach Center, Inc. v. Health & Human Svcs., Child Dev.	99 DHR 0688	Owens	07/21/99	
Michele Denoff v. Health & Human Services, Div. of Child Dev.	99 DHR 0695	Owens	08/05/99	
Division of Facility Services				
Kelly M. Poole v. Health & Human Services, Div. of Facility Services	97 DHR 0629	Chess	06/14/99	
Norma Faye Lewis v. Health & Human Svcs., Div. of Facility Services	98 DHR 1274 *	Phipps	07/02/99	
Della C. Jones v. Health & Human Services, Div. of Facility Services	98 DHR 1680	Gray	06/09/99	
Effie Ruth Smith v. Health & Human Svcs., Div. of Facility Services	98 DHR 1774	Chess	07/14/99	
Vivienne Gelona Marshall v. DHHS, Div. of Facility Services	98 DHR 1786	Phipps	09/02/99	
Doris Lavinier Moser v. Health & Human Services, Div. of Facility Svcs.	99 DHR 0074	Wade	08/06/99	
Norma Faye Lewis v. Health & Human Svcs., Div. of Facility Services	99 DHR 0144 *1	Phipps	07/02/99	
Carolyn Grant v. Health & Human Services, Div. of Facility Services	99 DHR 0145	Mann	06/11/99	
Marion Moser Thompson v. Health & Human Svcs., Facility Services	99 DHR 0216	Gray	08/13/99	
Rose Marie Hadley v. Health & Human Svcs., Div. of Facility Services	99 DHR 0218	Wade	08/06/99	
Sarah Frances Alford v. Health & Human Svcs., Div. of Facility Svcs	99 DHR 0220	Phipps	06/08/99	
Alvin L. Phynon Jr v. Health & Human Svcs., Dept. of Facility	99 DHR 0230	Mann	07/07/99	
Barbara Rhue v. D.F.S	99 DHR 0401 *3	Wade	07/30/99	
Barbara Rhue v. D.F.S	99 DHR 0414 *3	Wade	07/30/99	

* Consolidated Cases.

CONTESTED CASE DECISIONS

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
Esther Nieves v. Health & Human Services, Div. of Facility Services	99 DHR 0766	Phipps	07/21/99	
<i>Division of Medical Assistance</i>				
Interim HealthCare - Morris Group, Inc., Lisa B. Morris, RN, BSN v. DHHS, Division of Medical Assistance	99 DHR 0552	Mann	09/01/99	
Companion Health Care, Inc. v. Div. of Medical Assistance, DHR	99 DHR 0762	Owens	07/29/99	
<i>Division of Mental Health, Developmental Disabilities and Substance Abuse Services</i>				
S.S. by her parents and next friends, D.S. & A.S. v. DMH/DD/SAS	99 DHR 0538	Gray	08/02/99	
<i>Division of Social Services</i>				
Robert H. Riley v. Iredell County DSS	99 DHR 0354	Wade	07/21/99	
Robert H. Riley v. Health & Human Svcs., Div. of Social Services	99 DHR 0355	Wade	07/21/99	
Joanna Price v. Caldwell County Social Services	99 DHR 0520	Morrison	06/10/99	
Veronica Owens v. Dept. of Social Services Union County	99 MIS 0677	Mann	08/17/99	
<i>Child Support Enforcement Section</i>				
Lindy Teachout v. Department of Health & Human Services	98 CRA 0727	Reilly	06/24/99	
Thomas Ashley Stewart II v. Department of Health & Human Services	99 CRA 0628	Reilly	06/14/99	
Floyd W. Hubbard v. Department of Human Resources	96 CSE 1725	Reilly	09/02/99	
Richard Arnold Collins v. Jones County DSS	96 CSE 1810	Reilly	06/28/99	
David S. Blackwelder v. Department of Human Resources	97 CSE 0416	Morrison	08/24/99	
Kenneth Wayne Adair v. Department of Human Resources	98 CSE 0229	Morrison	06/30/99	
Huri G. Stokes v. Department of Health & Human Services	98 CSE 0898	Gray	07/23/99	
G.S. Hall v. Department of Health & Human Services	98 CSE 1392	Reilly	06/24/99	
Kenneth A. McCrone v. Department of Human Resources	98 CSE 1435	Gray	08/04/99	
Donald Edward Law II v. Department of Human Resources	98 CSE 1586	Morrison	06/25/99	
Robert M. Chandler Jr. v. Department of Health & Human Services	98 CSE 1789	Phipps	05/27/99	
Grady L. Chosewood v. Department of Health & Human Services	99 CSE 0301	Mann	07/01/99	
Fulton Allen Tillman v. Department of Health & Human Services	99 CSE 0311	Reilly	06/30/99	
Nathamel Alston v. Department of Health & Human Services	99 CSE 0317	Mann	07/01/99	
Bret Burtrum v. Department of Health & Human Services	99 CSE 0318	Wade	07/14/99	
Cedric A. Hurst v. Department of Human Resources	99 CSE 0330	Chess	08/10/99	
Dane Wesley Ware v. Department of Health & Human Services	99 CSE 0359	Gray	06/28/99	
Oscar William Willoughby Sr. v. Dept. of Health & Human Services	99 CSE 0371	Morrison	06/28/99	
Kelvin E. Townsend v. Department of Health & Human Services	99 CSE 0373	Phipps	07/12/99	
Billy J. Young v. Department of Health & Human Services	99 CSE 0374	Reilly	06/14/99	
Adelheide J. Cooper v. Department of Health & Human Services	99 CSE 0428	Phipps	07/19/99	
Beverly K. Thompson v. Department of Health & Human Services	99 CSE 0435	Reilly	06/14/99	
Michael L. Tunmer v. Department of Health & Human Services	99 CSF 0437	Wade	06/08/99	
Elizabeth F. West v. Department of Health & Human Services	99 CSE 0451	Morrison	05/25/99	
Troy Gibson v. Department of Health & Human Services	99 CSE 0462	Owens	07/19/99	
Roy D. Washington v. Department of Health & Human Services	99 CSE 0481	Reilly	06/25/99	
Corey Antoine Johnson v. Department of Health & Human Services	99 CSE 0486	Gray	09/13/99	
Larry Lowell Dixon v. Department of Health & Human Services	99 CSE 0518	Morrison	08/24/99	
Calvin D. Alston v. Department of Health & Human Services	99 CSE 0539	Owens	08/10/99	
Marquel Simmons v. Department of Health & Human Services	99 CSE 0547	Wade	08/06/99	
Anthony Vincente Battista v. Department of Health & Human Services	99 CSE 0551	Chess	08/31/99	
Gerald Scott Saucier v. Department of Health & Human Services	99 CSE 0576	Mann	06/09/99	
Lawrence Gordon Soles v. Department of Health & Human Services	99 CSE 0581	Morrison	06/09/99	
Mohamed Moustafa v. Department of Health & Human Services	99 CSE 0582	Owens	08/05/99	
Charlie James White v. Department of Health & Human Services	99 CSE 0690	Morrison	07/20/99	
Larie Bolton v. Department of Health & Human Services	99 CSE 0735	Phipps	08/06/99	
Earl C. Jones, Sr. v. Department of Health & Human Services	99 CSE 0801	Gray	08/30/99	
Naon V. Pride v. Department of Health & Human Services	99 CSE 0825	Phipps	08/20/99	
Kathryn P. Fagan v. Department of Health & Human Services	98 DCS 1769	Morrison	06/25/99	
Robert Dwayne Kennedy v. Department of Health & Human Services	99 DCS 0482	Wade	09/10/99	
Deborah Seegars v. Department of Health & Human Services	99 DCS 0505	Phipps	06/30/99	
Lillian Anne Darroch v. Department of Health & Human Services	99 DCS 0555	Gray	07/06/99	
Evelyn C. Pratt v. Department of Health & Human Services	99 DCS 0813	Owens	08/25/99	

JUSTICE

Alarm Systems Licensing Board

Terry Allen Brickey v. Alarm Systems Licensing Board	99 DOJ 0097	Wade	05/21/99
Travis Eric Reardon v. Alarm Systems Licensing Board	99 DOJ 0446	Phipps	07/28/99
Brian Anthony Bartimac v. Alarm Systems Licensing Board	99 DOJ 0487	Morrison	05/25/99
Paul Luke Walczak v. Alarm Systems Licensing Board	99 DOJ 0489	Owens	08/03/99
Melvin T. Lohr v. Alarm Systems Licensing Board	99 DOJ 0490	Morrison	05/24/99
Bradford D. Penny v. Alarm Systems Licensing Board	99 DOJ 0522	Morrison	06/08/99

CONTESTED CASE DECISIONS

AGENCY	CASE NUMBER	ALJ	DATE OF DECISION	PUBLISHED DECISION REGISTER CITATION
Benny L. Shaw v. Alarm Systems Licensing Board	99 DOJ 0523	Morrison	06/08/99	
Donald Eugene Boger v. Alarm Systems Licensing Board	99 DOJ 0715	Owens	07/29/99	
Kajur Washburn v. Alarm Systems Licensing Board	99 DOJ 0716	Owens	07/29/99	
Education and Training Standards Division				
Rock Steven Edwards v. Criminal Justice Ed. & Training Stds. Comm.	98 DOJ 0906	Chess	05/13/99	
Anthony Scott Hughes v. Sheriffs' Ed. & Training Standards Comm.	98 DOJ 1530	Chess	05/12/99	
Hal Pilgreen v. Criminal Justice Ed. & Training Stds. Comm.	98 DOJ 1775	Chess	06/09/99	
Emma J. Kiser v. Sheriffs' Ed. & Training Standards Comm.	98 DOJ 1793	Gray	06/07/99	
Keith Allen Norris v. Sheriffs' Ed. & Training Standards Comm.	99 DOJ 0045	Mann	07/29/99	14:04 NCR 351
Sherry Davis Kenney v. Criminal Justice Ed. & Training Stds. Comm.	99 DOJ 0067	Wade	06/08/99	
Russell Lee Yelverton v. Criminal Justice Ed. & Training Stds. Comm.	99 DOJ 0131	Phipps	08/11/99	
Mark E. Narron v. Sheriffs' Ed. & Training Stds. Commission	99 DOJ 0453	Morrison	09/08/99	14:07 NCR 568
Private Protective Services Board				
Tri-City Securities and James G. Hutcherson v. Private Protective Svcs. Bd.	98 DOJ 1749*	Phipps	09/02/99	
Tri-City Securities and James G. Hutcherson v. Private Protective Svcs. Bd.	98 DOJ 1752*	Phipps	09/02/99	
Thomas E. Mewborn v. Private Protective Services Board	99 DOJ 0101	Owens	07/30/99	
Michael Lynn Arter v. Private Protective Services Board	99 DOJ 0262	Wade	05/25/99	
Jeffrey S. Moore v. Private Protective Services Board	99 DOJ 0488	Morrison	05/24/99	
Bonnie Marie Keller v. Private Protective Services Board	99 DOJ 0491	Morrison	05/24/99	
Shawn E. Alexander v. Private Protective Services Board	99 DOJ 0492	Owens	07/19/99	
Ronald E. Solloway v. Private Protective Services Board	99 DOJ 0493	Morrison	05/24/99	
Raymond Solomon v. Private Protective Services Board	99 DOJ 0494	Morrison	05/25/99	
Charles E. Evans, Jr. v. Private Protective Services Board	99 DOJ 0496	Morrison	05/25/99	
William E. Ellis, Sr. v. Private Protective Services Board	99 DOJ 0527	Morrison	06/08/99	
Bobby James Nicholson v. Private Protective Services Board	99 DOJ 0528	Phipps	08/17/99	
PUBLIC INSTRUCTION				
S.H. Hy and through her guardian and custodian, H.H. and H.H. v. Henderson County Board of Education	98 EDC 1124	Mann	06/11/99	
S.L.F. and S.F.F. v. Charlotte-Mecklenburg Board of Education	98 EDC 1649	Mann	06/04/99	
Marshall Scott Brannan v. Department of Public Instruction	98 EDC 1796	Owens	07/13/99	14:07 NCR 565
Matthew Weber, and his father and next friend, Brian Weber, and Brian Weber v. Wilkes County Schools	99 EDC 0291	Mann	09/07/99	
STATE PERSONNEL				
Department of Agriculture				
H.C. Troxler, Jr. v. Dept. of Agriculture and Consumer Services	99 OSP 0659	Chess	07/27/99	
Community Colleges				
Thomas Michael Chamberlin v. Department of Community Colleges	99 OSP 0286	Phipps	06/25/99	
Correction				
E. Wayne Irvin v. Department of Correction	94 OSP 1791	Morrison	05/18/99	14:01 NCR 60
Pershield DeLoatch v. Department of Correction	98 OSP 1026	Gray	08/11/99	
Deborah Smith v. Department of Correction	98 OSP 1126	Chess	06/22/99	
Maydean L. Taylor v. Department of Correction	98 OSP 1272	Chess	05/14/99	
Ann McMillian v. Morrison Youth Institution, Department of Correction	98 OSP 1275	Chess	05/12/99	
Edward Alan Roper v. DOC, Div. of Prisons, Western Youth Institute	98 OSP 1644	Gray	08/11/99	
Sean R. Dillard v. Dept. of Correction, Pasquotank Correctional Inst.	98 OSP 1800	Gray	08/26/99	
DeCarlos Stanley v. Department of Correction	99 OSP 0027	Morrison	06/22/99	
Steve A. Matthews v. Department of Correction	99 OSP 0162	Morrison	08/20/99	
Harry E. Kenan v. Capt. B.F. Lewis, Polk Youth Institution	99 OSP 0257	Phipps	06/07/99	
Richmond Fulmore v. Department of Correction, Wake Correctional	99 OSP 0416	Mann	06/04/99	
Jerry D. Crawford v. Department of Correction	99 OSP 0577	Reilly	06/02/99	
Charles Creegan v. Department of Correction	99 OSP 0765	Reilly	08/03/99	
Crime Control and Public Safety				
Thomas Michael Chamberlin v. DCCPS, Center for Missing Persons	99 OSP 0596*	Gray	08/16/99	
North Carolina School for the Deaf				
Eric Arden Hurley v. North Carolina School for the Deaf	99 OSP 0087	Reilly	06/24/99	
Employment Security Commission				
Russell J. Suga v. Employment Security Commission	96 OSP 1122	Reilly	05/26/99	

Health and Human Services

Vera Crenshaw v. DHHS, Julian F. Kerth Alc. & Drug Abuse Trtmt. Ctr.	98 OSP 0456	Gray	08/05/99
Ivey G. Rhodes v. Pitt County Mental Health Center	98 OSP 0924	Phipps	07/09/99
Adessa D. Gwynn v. Caswell County Health Department	98 OSP 1299	Gray	08/25/99
Foris Virginia Wearing v. Durham County Health Department	98 OSP 1432	Reilly	06/18/99
Julia A. Cameron v. John Umstead Hospital, Health & Human Services	99 OSP 0053	Morrison	06/22/99
Jency Abrams v. Department of Health & Human Services	99 OSP 0147	Owens	08/11/99
Carlos D. Burks, Sr. v. North Carolina Special Care Center	99 OSP 0325	Owens	08/25/99
Bryan Benson v. Durham Cty. Area MH/DD/SAS Program	99 OSP 0516	Gray	08/31/99
Odell Hudson v. Health & Human Svcs., Dorothea Dix Hospital	99 OSP 0609	Gray	07/07/99
Erica Joynes v. Durham County Department of Social Services	99 OSP 0671	Gray	07/13/99
Thomas Michael Chamberlin v. Off. of Juvenile Justice, Juvenile Services Division, 14 th District Court Division	99 OSP 0673*4	Gray	08/16/99
Cheryl Highsmith v. DHHS, Youth Svcs., New Hanover Reg. Juvenile Detention Center	99 OSP 0763	Owens	09/03/99

Johnston County

Lili Romane Lee v. County of Johnston	99 OSP 0456	Morrison	06/02/99
---------------------------------------	-------------	----------	----------

Justice

Thomas Michael Chamberlin v. Justice, Justice Academy	99 OSP 0308	Phipps	06/11/99
---	-------------	--------	----------

Labor

Robert C. Adams v. Department of Labor	99 OSP 0667	Gray	07/28/99
--	-------------	------	----------

Department of Public Instruction

Billy McEachern v. Schools of Robeson County	99 OSP 0189	Wade	09/04/99
John Lee Herbin v. Smarckand Manor Training School	99 OSP 0273	Gray	08/04/99
Linda D. Chapman v. Lenoir County Public Schools	99 OSP 0691	Reilly	08/16/99

Transportation

Charles W. McAdams v. Dept. of Transportation, Div/Motor Vehicles	99 OSP 0034	Mann	06/23/99
Larry R. Lane v. Department of Transportation	99 OSP 0105	Mann	06/11/99
Ronald Roberson v. Dept. of Transportation, Right-of-Way Branch	99 OSP 0142	Morrison	06/08/99
Shelvia Davis v. Department of Transportation	99 OSP 0156	Owens	06/23/99
Marialita Daniels v. Department of Transportation	99 OSP 0264	Gray	08/20/99

University of North Carolina

Wanda Troxler v. A & T State University and Dr. Ray J. Davis	97 OSP 0819	Phipps	08/02/99
Vivian Smith Hammel, Ling-Chih C. Hsu and Joel A. Williams v. East Carolina University	97 OSP 1268*2	Phipps	07/06/99
Vivian Smith Hammel, Ling-Chih C. Hsu and Joel A. Williams v. East Carolina University	97 OSP 1269*2	Phipps	07/06/99
Vivian Smith Hammel, Ling-Chih C. Hsu and Joel A. Williams v. East Carolina University	97 OSP 1270*2	Phipps	07/06/99
Jackie S. Flowers v. East Carolina University	98 OSP 1618	Reilly	06/24/99
Rex A. Coughenour v. University of North Carolina at Chapel Hill	99 OSP 0517*^	Reilly	08/27/99
Anna Anita Huff v. Dr. Lonnie Sharpe/Dr. Reza Salami-Coll./Engineering	99 OSP 0599	Chess	07/16/99
Rex A. Coughenour v. University of North Carolina at Chapel Hill	99 OSP 0623*^	Reilly	08/27/99
Thomas Michael Chamberlin v. UNC @ Chapel Hill, Dept. of University Housing, Division of Student Affairs	99 OSP 0674*4	Gray	08/16/99
Halycon Tudie Blake v. University of North Carolina at Chapel Hill	99 OSP 0686	Gray	07/08/99
Bridgette R. Booker v. Winston-Salem State University	99 OSP 0731	Chess	09/03/99
Rex A. Coughenour v. University of North Carolina at Chapel Hill	99 OSP 0830*^	Reilly	08/27/99
Temperance T. Tobe v. North Carolina Central University	99 OSP 0865	Chess	08/24/99

DEPARTMENT OF TRANSPORTATION

Peter Kay., Stern v. Department of Transportation	99 DOT 0668	Owens	07/29/99
---	-------------	-------	----------

UNIVERSITY OF NORTH CAROLINA

Stephanie A. Payne v. UNC Hospitals	99 UNC 0375	Morrison	06/21/99
Barbara A. Russell v. UNC Hospitals	99 UNC 0540	Gray	08/11/99
Robin Perkins Stephens v. UNC Hospitals	99 UNC 0563	Owens	07/21/99
Rita Jo Kincaid v. UNC Hospitals	99 UNC 0746*5	Reilly	08/09/99
Rita Jo Kincaid v. UNC Hospitals	99 UNC 0747*5	Reilly	08/09/99

STATE OF NORTH CAROLINA

IN THE OFFICE OF
ADMINISTRATIVE HEARINGS
98 EDC 1796

COUNTY OF GUILFORD

MARSHALL SCOTT BRANNAN
Petitioner,

v.

NORTH CAROLINA DEPARTMENT OF PUBLIC
INSTRUCTION
Respondent.

RECOMMENDED DECISION

On June 16, 1999, Administrative Law Judge Melissa C. Owens heard this contested cases in High Point, North Carolina.

STATUTE AND RULE AT ISSUE

N.C. Gen. Stat. § 115C-325 (o) and (p)
16 NCAC 6C .0312

ISSUE

Whether Respondent acted erroneously, arbitrarily or capriciously, exceeded its authority and/or jurisdiction, failed to act as required by law, deprived Petitioner of property or otherwise substantially prejudiced Petitioner's rights by revoking Petitioner's teaching license for the 1998-99 school year?

FINDINGS OF FACT

1. The parties are properly before the Office of Administrative Hearings and the Office of Administrative Hearings has jurisdiction over this contested case.
2. Petitioner holds teaching license No. 243-43-1740, issued by the N.C. State Board of Education.
3. Pursuant to an interim employment contract, Petitioner taught in the Guilford County Schools of Southwest High and Middle Schools as a probationary music teacher for the 1997-98 school year.
4. By letter dated May 28, 1998, Guilford County Schools advised Petitioner that his interim employment contract was terminated at the conclusion of the 1997-98 school year.
5. By letter dated July 17, 1998, Guilford County Schools offered Petitioner the position of music teacher at Southwest High School for the 1998-99 school year, effective August 17, 1998. Accompanying such letter was an employment contract that stated "FAILURE TO RETURN SIGNED CONTRACT WITHIN 15 DAYS FROM DATE OF RECEIPT SHALL RENDER THIS CONTRACT VOID."
6. Petitioner did not sign and return this contract to Guilford County Schools.
7. During the last week of July and the first week of August 1998, Petitioner conducted a summer band camp for the Southwest High School band. Petitioner had arranged the band's music show for the upcoming 1998-99 school year. Petitioner taught the band to play and march to the music in preparation for the upcoming 1998-99 school year and football season.
8. August 17, 1998 was the first day Guilford County school teachers were required to report to work for the 1998-99 school year.
9. Petitioner reported to work at Southwest High School on August 17, 1998.

10. On August 17, 1998, Principal Wayne R. Tuggle, Sr. questioned Petitioner about a rumor that Petitioner was not returning as band director. Petitioner did not indicate to the principal that he would not be returning to Southwest High as band director/music teacher for the 1998-99 school year. Petitioner and Principal Tuggle discussed Petitioner's duties as band director for the 1998-99 school year.

11. By letter dated August 19, 1998, Petitioner advised Principal Tuggle that he would not be returning as Southwest's band director for the 1998-99 school year. On August 20, 1999, Principal Tuggle received Petitioner's letter.

12. On August 21, 1998, Southwest High's band performed at the first football game without any leadership from a band director and did not have any band director leadership for two weeks.

13. Conducting summer band camp is an expected and implied responsibility of a band director for Guilford County Schools, including Southwest High School.

14. Petitioner performed a service for Guilford County Schools when he planned and conducted the 1998 summer band camp for Southwest High School's band.

15. Petitioner is eligible for compensation for conducting summer band camp and Guilford County Schools is willing to compensate Petitioner for such services.

16. By conducting the band camp, reporting to work on August 17, 1998, and based upon his August 17th conversation with the principal, Petitioner led Principal Tuggle and Guilford County Schools to believe that he was returning as band director at Southwest High for the 1998-99 school year.

17. Based upon Petitioner's actions, Principal Tuggle reasonably believed and expected that Petitioner would teach as band director at Southwest High School for the 1998-99 school year.

18. At the administrative hearing, Petitioner admitted he understood Southwest High and Guilford County Schools expected him to teach for the 1998-99 school year.

19. There is no dispute that Petitioner gave less than thirty days' notice that he would not be returning as band director at Southwest High School for the 1998-99 school year.

20. On October 13, 1998, the Guilford County Board of Education voted to recommend that the State Board of Education revoke Petitioner's license for the remainder of the 1998-99 school year for resigning without proper notice in violation of N.C. Gen. Stat. § 115C-325(o). Based upon a review of the facts, the State Superintendent initiated a revocation of Petitioner's license for the remainder of the 1998-99 school year.

21. As of the date of this administrative hearing, the 1998-99 school year has concluded. Given that fact, Respondent asked that a copy of such revocation remain in Petitioner's personnel file, pursuant to N.C. Gen. Stat. § 115C-325(o).

CONCLUSIONS OF LAW

1. N.C. Gen. Stat. § 115C-325 (o) provides :

Resignation: Nonrenewal of Contract. – A teacher, career or probationary, should not resign without the consent of the superintendent unless he has given at least 30 days' notice. If the teacher does resign without giving at least 30 days' notice, the board may request that the State Board of Education revoke the teacher's certificate for the remainder of that school year. A copy of the request shall be placed in the teacher's personnel file.

2. N.C. Gen. Stat. § 115C-325 (p) provides in pertinent part:

Section Applicable to Certain Institutions. – Notwithstanding any law or regulation to the contrary, this section shall apply to all persons *employed* in teaching.... (Emphasis added)

3. "Employ" is defined as "to put to use or service . . . to engage in services of." The American Heritage Dictionary, Second College Edition (1985).

4. An "employee" is defined as "a person who works for another in return for financial or other compensation." The American Heritage Dictionary, Second Edition (1985). An "employee" is also "a person in the service of another under any contract of hire, express or implied, oral or written, where the employer has the right to control and direct the employee in the material details of how the work is to be performed." Black's Law Dictionary, Fifth Edition (1979).

5. On August 19, 1998, Petitioner was "employed" by Guilford County Schools and as such, was subject to the provisions in N.C. Gen. Stat. § 115C-325(o) and (p).

6. Petitioner violated N.C. Gen. Stat. § 115C-325(o) by failing to give the required thirty days' notice of resignation.

7. Respondent acted properly, without error, arbitrariness or capriciousness, within its authority and/or jurisdiction, as required by law, and did not deprive Petitioner of property or otherwise substantially prejudice Petitioner's rights by notifying Petitioner it was revoking his teaching license for the 1998-99 school year.

RECOMMENDED DECISION

Based upon the following Findings of Fact and Conclusions of Law, the undersigned recommends the Respondent's decision to revoke Petitioner's teaching license be upheld. As the 1998-99 school year has concluded, a copy of such revocation should be placed and kept in Petitioner's personnel file.

ORDER

It is hereby ordered that the agency making the final decision in this matter serve a copy of that decision on the Office of Administrative Hearings, P.O. Drawer 27447, Raleigh, N.C. 27611-7447, in accordance with N.C. Gen. Stat. § 150B-36(a).

NOTICE

The agency making the final decision in this contested case is required to give each party an opportunity to file exceptions to this recommended decision and to present written arguments to those in the agency who will make the final decision. N.C. Gen. Stat. § 150B-36(a).

The agency is required by N.C. Gen. Stat. § 150B-36 to serve a copy of the final decision on all parties and to furnish a copy to the parties' attorney of record and to the Office of Administrative Hearings. The agency that will make the final decision in this matter is the North Carolina State Board of Education.

This the 13th day of July, 1999.

Melissa C. Owens
Administrative Law Judge

CONTESTED CASE DECISIONS

STATE OF NORTH CAROLINA

IN THE OFFICE OF
ADMINISTRATIVE HEARINGS
99 DOJ 0453

COUNTY OF PERSON

MARK E. NARRON,
Petitioner,

v.

NORTH CAROLINA SHERIFFS' EDUCATION AND
TRAINING STANDARDS COMMISSION
Respondent.

PROPOSED DECISION

THIS MATTER came on for hearing before the undersigned Administrative Law Judge by request of the respondent, pursuant to N.C. Gen. Stat. § 150B-40(e), for the designation of an Administrative Law Judge to preside at the hearing of a contested case under Article 3A, Chapter 150B of the North Carolina General Statutes. This case was heard before the undersigned Administrative Law Judge on August 23, 1999, in Raleigh, North Carolina.

APPEARANCES

Petitioner: Mark E. Narron, Pro se

Respondent: Jeffrey C. Sugg, Associate Attorney General
Attorney for Respondent

ISSUE

Should the petitioner be denied certification as a justice officer by the North Carolina Sheriffs' Education and Training Standards Commission on the basis of the petitioner's plea of guilty on May 26, 1998, to the offense of selling a malt beverage to a person who at the time was under the age of twenty-one (21)?

RULES AT ISSUE

12 NCAC 10B .0103(2)(a)
12 NCAC 10B .0103(10)(b)
12 NCAC 10B .0204(d)(2)
12 NCAC 10B .0205(3)(d)

FINDINGS OF FACT

Stipulated Facts

1. Both parties are properly before this Administrative Law Judge in that jurisdiction and venue are proper, both parties received notice of hearing, and the petitioner received the Notification of Deferral of Certification - Justice Officer letter mailed by the respondent on March 1, 1999.
2. The North Carolina Sheriffs' Education and Training Standards Commission has the authority granted under Chapter 17E of the North Carolina General Statutes and Title 12 of the North Carolina Administrative Code, Chapter 10, to certify justice officers and to revoke, suspend, or deny such certification.
3. Petitioner was charged by means of a citation issued on March 26, 1998, with the offense of selling a malt beverage to a person who at the time was less than twenty-one (21) years old in violation of N.C.G.S. § 18B-302(a).
4. Petitioner entered a plea of guilty on May 26, 1998, in Person County District Court (98 CR 01573) to the charge of selling a malt beverage to a person who at the time was less than twenty-one (21) years old in violation of N.C.G.S. § 18B-302(a).
5. The offense of selling a malt beverage to a person who at the time was less than twenty-one (21) years old is listed as a Class B misdemeanor in the Class B Misdemeanor Manual (1996 Second Edition) which is published by the North Carolina Department

of Justice.

6. Pursuant to 12 NCAC 10B .0204(d)(2), the Respondent may deny the certification of a justice officer when the Commission finds that the applicant for certification has been convicted of an offense defined as a Class B misdemeanor within the five (5) year period prior to the applicant's date of appointment.

7. Pursuant to 12 NCAC 10B .0205(3)(d), when the Commission denies the certification of a justice officer on the basis of 12 NCAC 10B .0204(d)(2), the period of sanction shall be for an indefinite period, but continuing so long as the deficiency, infraction, or impairment continues to exist.

8. Petitioner's date of employment as a part-time Detention Officer for the Person County Sheriff's Office was January 22, 1999.

9. Petitioner's application for certification was received by the respondent on January 29, 1999.

Adjudicated Facts

10. Ms. Julia Lohman, Director of the North Carolina Sheriffs' Education and Training Standards Commission, testified that the Sheriffs' Education and Training Standards Commission (hereinafter the Commission or respondent) received a Report of Appointment (Form F-4) for Mr. Mark E. Narron (hereinafter the petitioner) on January 29, 1999. At the time of the receipt of this form, Ms. Lohman held the position of Acting Director of the Commission.

11. This Report of Appointment indicated that the petitioner began his employment as a detention officer with the Person County Sheriff's Office on January 22, 1999. Accordingly, this form was submitted to the respondent as part of the petitioner's efforts to obtain certification from the respondent as a detention officer.

12. Along with this Report of Appointment, the petitioner submitted a Personal History Statement (Form F-3). Ms. Lohman testified that the Form F-3 is a document which must be submitted by applicants seeking probationary certification from the Commission.

13. In his Personal History Statement, the petitioner answered "yes" to question number forty-seven (47) which asked, "Have you ever been arrested by a law enforcement officer or otherwise charged with a criminal offense?" The petitioner subsequently listed a worthless check charge in 1994 and a charge of selling alcohol to an underage person in April 1998 as the charges which prompted him to answer yes in response to question number forty-seven (47). Furthermore, the petitioner answered the inquiries on the Form F-3 about the disposition of the charges by writing that the worthless check charge was resolved by means of the payment of restitution. In regard to the charge of selling alcohol to an underage person, the petitioner wrote that the charge was resolved when he received a prayer for judgment.

14. Ms. Lohman further testified that the petitioner submitted, along with his other application materials, two (2) certified true copies of documents maintained in the Office of the Clerk of Superior Court for Person County. One of these documents was a Criminal Summons for a Simple Misdemeanor Worthless Check charge with a date of offense of August 9, 1994. This document confirmed that the disposition of the charge consisted of the petitioner paying restitution in the amount of \$94.00 for a check which was originally written for the amount of \$11.00.

15. The second document submitted by the petitioner was a certified true copy of the North Carolina Uniform Citation which was used to charge the petitioner on March 26, 1998, with the offense of selling a malt beverage to a person who at the time was less than twenty-one (21) years old in violation of N.C.G.S. § 18B-302(a). According to this document, the case against the petitioner in the District Court of Person County was assigned the file number of 98 CR 01573. Additionally, this document indicates that, on May 26, 1998, the petitioner entered a plea of guilty to the offense as charged on the citation. The judge presiding at this term of District Court accepted the guilty plea and entered a prayer for judgment continued upon payment of the court costs.

16. This copy of the North Carolina Uniform Citation also indicates that the offense of selling a malt beverage to a person who at the time was less than twenty-one (21) years old is classified as a Class 1 misdemeanor under the provisions of the North Carolina General Statutes.

17. Ms. Lohman testified that the Commission utilizes a classification system for misdemeanors which classifies misdemeanors as either Class A or Class B misdemeanors. In order to identify offenses which are classified as Class B misdemeanors for the purpose of applying the Commission's rules, a manual, the Class B Misdemeanor Manual, has been compiled by the North Carolina

Department of Justice. The offense of selling a malt beverage to person who at the time was less than 21 years old is listed in this manual as a Class B misdemeanor.

18. 12 NCAC 10B .0103(2)(a) provides:

In addition to the definitions set forth in G.S. 17E-2, the following definitions apply throughout this Chapter, unless the context clearly requires otherwise:

- (2) "Convicted" or "Conviction" means and includes, for purposes of this Chapter, the entry of:
 - " (a) a plea of guilty.

19. 12 NCAC 10B .0103(10)(b) provides:

In addition to the definitions set forth in G.S. 17E-2, the following definitions apply throughout this Chapter, unless the context clearly requires otherwise:

- (10) "Misdemeanor" means those criminal offenses not classified by the North Carolina General Statutes, the United States Code, the common law, or the courts as felonies. Misdemeanor offenses are classified by the Commission as follows:
 - (b) "Class B Misdemeanor" means an act committed or omitted in violation of any common law, criminal statute, or criminal traffic code of this state which is classified as a Class B Misdemeanor as set forth in the "Class B Misdemeanor Manual" as published by the North Carolina Department of Justice and shall automatically include any later amendments and editions of the incorporated material as provided by G.S. 150B-21.6.

20. 12 NCAC 10B .0204(d)(2) provides:

- (d) The Commission may revoke, suspend, or deny the certification of a justice officer when the Commission finds that the applicant for certification or the certified officer has committed or been convicted of:
 - (2) a crime or unlawful act defined in 12 NCAC 10B .0103(10)(b) as a Class B misdemeanor within the five-year period prior to the date of appointment.

21. 12 NCAC 10B .0205(3)(d) provides:

When the Commission suspends, revokes, or denies the certification of a justice officer, the period of sanction shall be:

- (3) for an indefinite period, but continuing so long as the stated deficiency, infraction, or impairment continues to exist, where the cause of sanction is:
 - (d) commission or conviction of offenses as specified in 12 NCAC 10B .0204(d)(2), (3), (5), and (6).

22. The petitioner testified that he is currently twenty-seven (27) years old, and he is presently employed as a detention officer by the Person County Sheriff's Office. The petitioner has no children. He successfully completed a GED program in 1998 since he did not originally progress past the eleventh grade in high school. After dropping out of high school, the petitioner began to work full-time at a mill.

23. On March 26, 1998, the petitioner was working as a cashier at the Colony Convenience Store which was located at 730 Durham Road in Roxboro, North Carolina. He had worked for this employer for approximately two and a half years as of March 26, 1998.

24. The petitioner further testified that, on this date in March 1998, he was responsible for running the main cash register and attending to the drive-thru window at the store. According to the petitioner, one of the duties associated with working the cash register

was verifying the age of individuals who attempted to purchase alcoholic beverages and appeared to be under the age of twenty-one (21). While the employees at the store had received no formal training on this subject, the petitioner testified that the employees were instructed to check the birth date on an individual's driver's license in order to verify the age of a customer purchasing alcoholic beverages.

25. The petitioner testified that on March 26, 1998, he was busy working both the main and drive-thru cash registers. He was busy because there were three (3) people waiting at the main cash register and another customer at the drive-thru window. During that time period, a customer approached the petitioner in order to make a purchase of twenty-two (22) ounces of Icehouse Beer. Since he was busy, the transaction was completed without the customer ever having his driver's license or identification card examined by the petitioner. The petitioner testified that, in his eyes, the customer appeared to be over twenty-one (21) years of age due to the large frame of the customer. However, in actuality, the customer was twenty (20) years old.

26. The petitioner further testified that he has consistently admitted that he committed a wrongful act when he sold the beer to the twenty (20) year old without checking the identification of the customer. Consequently, the petitioner did not obtain an attorney to provide representation for the petitioner at the time of the trial for the offense of selling a malt beverage to a person under the age of twenty-one (21). Instead, the petitioner pled guilty to the charge. In fact, Mr. Narron used the administrative hearing for this matter as a forum to once again apologize for an act which he characterized as a "mistake." While the petitioner admits that his actions in concluding the sale with the twenty (20) year old constituted a mistake, the petitioner consistently denied that he had any intent to sell a malt beverage to a person under the age of twenty-one (21).

27. The petitioner testified that he had not sold alcoholic beverages to minors on any other occasions.

28. When questioned about the identity of the agency responsible for conducting the operation which led to the charges against him, the petitioner responded by stating that the undercover operation was a joint effort of the Person County Sheriff's Office and North Carolina Alcohol Law Enforcement.

29. Sheriff Dennis M. Oakley, Sheriff of Person County, testified on behalf of the petitioner. Sheriff Oakley confirmed that his department had worked with North Carolina Alcohol Law Enforcement to set up the operation which led to the petitioner receiving a citation for selling a malt beverage to a person who at the time was less than twenty-one (21) years old. In regard to the twenty (20) year old person who bought the malt beverage from the petitioner, Sheriff Oakley testified that he selected the twenty (20) year old used in this undercover operation because the undercover operative's age appeared to be approximately twenty-five (25) years of age.

30. Furthermore, Sheriff Oakley testified that he had received no complaints about the sale of alcoholic beverages to underage persons at the Colony Convenience Store prior to this operation. The impetus for this undercover operation had come from complaints against other businesses in Person County. The sheriff has never received any information that the petitioner sold alcoholic beverages to underage persons other than on the one occasion where a charge was filed against the petitioner.

31. Sheriff Oakley testified that he believes the petitioner is a good detention officer, and the sheriff wants to see certification granted to the petitioner so that the sheriff can retain the petitioner as an employee. Sheriff Oakley described the petitioner as an honest and thorough employee who works well with the inmates as a detention officer. As an example of the petitioner's honesty, the sheriff testified about an incident where the petitioner overcame the temptation to remain silent and reported the misconduct of two fellow officers. Specifically, the petitioner reported the mishandling by two other employees of money taken from a suspected drug dealer. As a result of the petitioner's honesty during that incident, Sheriff Oakley terminated the employment of a detention officer and a deputy.

32. While Sheriff Oakley supports the petitioner's application for certification, the sheriff testified that he does agree with the assertion that the Commission can appropriately determine the eligibility of an individual for certification as a justice officer on the basis of an individual's criminal history record and the Commission's rules.

33. In addition to Sheriff Oakley, the petitioner called three other character witnesses on his behalf. The first such witness to be called was Deputy Cheryl Purnell who works in the Person County Sheriff's Office. Deputy Purnell stated that she has worked as a deputy since 1992. The deputy described the petitioner as a good friend. Furthermore, Deputy Purnell testified about the petitioner's determination to become a law enforcement officer as evidenced by his successful completion of a GED course in order to remove an initial barrier to his employment as a law enforcement officer. In describing the petitioner's work habits, Deputy Purnell described the petitioner as thorough to the point of trying to be too perfect.

34. The petitioner next called Lieutenant Ollie Purnell as a character witness. Lt. Purnell has been employed by the Roxboro Police Department for twenty-seven (27) years, and he is the father of Deputy Cheryl Purnell. Lt. Purnell testified that he is familiar with the petitioner and the petitioner's reputation. The lieutenant testified that the petitioner enjoys a very good reputation in Roxboro. The

lieutenant was "shocked" when he heard about the charge which had been filed as a result of the March 26, 1998, incident at the Colony Convenience Store. During his testimony, Lt. Purnell acknowledged that he is certified as a law enforcement officer through the North Carolina Criminal Justice Education and Training Standards Commission. Accordingly, the lieutenant testified that he recognized the importance of the Sheriffs' Education and Training Standards Commission's efforts to enforce the standards imposed by the Commission's rules concerning applicants for certification as justice officers.

35. The final character witness called by the petitioner was Ms. Elizabeth Clark. Ms. Clark has been the Jail Administrator for the Person County Sheriff's Office since January 1993. Ms. Clark testified that the petitioner is a dependable employee with a positive attitude. Ms. Clark also described the petitioner as a person who displays an enthusiasm to learn. Consequently, the petitioner has demonstrated to Ms. Clark the ability to develop in a rapid manner the skills which are required of a good detention officer. Based on these factors, Ms. Clark believes that the petitioner should receive certification as a justice officer from the Commission.

CONCLUSIONS OF LAW

1. Both parties are properly before this Administrative Law Judge in that jurisdiction is proper and both parties received notice of hearing.

2. On March 26, 1998, the petitioner in his capacity as a cashier for the Colony Convenience Store in Roxboro sold a malt beverage (22 ounces of Icehouse Beer) to a person who at the time was twenty (20) years of age.

3. On May 26, 1998, the petitioner entered a plea of guilty under file number 98 CR 01573 in the District Court of Person County to the charge of selling a malt beverage to a person who at the time was less than twenty-one (21) years old in violation of N.C.G.S. § 18B-302(a)(1).

4. Pursuant to 12 NCAC 10B .0103(2)(a), this entry of a plea of guilty constitutes a conviction under the rules adopted by the Commission.

5. Pursuant to 12 NCAC 10B .0103(10)(b) and the Class B Misdemeanor Manual published by the North Carolina Department of Justice, the offense of selling a malt beverage to a person who at the time was less than twenty-one (21) years old is classified as a Class B misdemeanor.

6. Thus, the petitioner's entry of a plea of guilty on May 26, 1998, constituted a conviction of a Class B misdemeanor under the rules adopted by the Commission.

7. The petitioner was appointed as a detention officer for the Person County Sheriff's Office on January 22, 1999.

8. Pursuant to 12 NCAC 10B .0204(d)(2), the petitioner's conviction of a Class B misdemeanor within the five (5) year period prior to his appointment as a detention officer provides a proper basis on which the Commission may rely to deny the petitioner's application for certification as a justice officer.

9. Pursuant to 12 NCAC 10B .0205(3)(d), when the Commission denies the certification of a justice officer, the period of sanction shall be for an indefinite period, but continuing so long as the stated deficiency, infraction, or impairment continues to exist where the cause of sanction is the applicant's conviction of a Class B misdemeanor within the five (5) year period prior to the applicant's date of appointment.

10. Pursuant to 12 NCAC 10B .0204(d)(2), the Commission may exercise discretion in determining whether or not to deny a particular individual's application for certification as a justice officer. In exercising this discretion, the Commission may utilize its inherent powers to impose a sanction which does not rise to the level of the full sanction authorized by 12 NCAC 10B .0204(d)(2).

11. In the case presently under consideration, the Commission should consider the following factors as proper grounds to invoke a lesser sanction: a) the petitioner has been truthful about his criminal history record throughout the process of applying for certification as a justice officer; b) the evidence does not demonstrate any intent on the part of the petitioner to sell an alcoholic beverage to an underage person; c) both the petitioner and the sheriff in charge of the undercover operation testified that the customer who bought the malt beverage in question appeared to be over the age of twenty-one (21); d) no evidence has been presented to indicate that the petitioner has ever sold or given alcoholic beverages to underage persons on any other occasions; and e) Sheriff Oakley, the Sheriff of Person County, testified that the petitioner is a valued employee who the sheriff wishes to retain.

Based upon the above Findings of Fact and Conclusions of Law, the undersigned makes the following:

PROPOSAL FOR DECISION

It is hereby proposed that the petitioner's justice officer certification be granted on the condition that the petitioner successfully complete a period of probation which will have a duration of five (5) years from the date of the petitioner's conviction of the Class B misdemeanor. During this period of probation, the petitioner must not violate any federal or state laws, excluding infractions, or the Commission's rules.

NOTICE

The agency making the Final Decision in this contested case is required to give each party an opportunity to file exceptions to this Proposal For Decision, to submit proposed findings of fact, and to present oral and written arguments to the agency. N.C. Gen. Stat. § 150B-40(e). The agency is required by N.C. Gen. Stat. § 150B-36(b) to serve a copy of the final decision on all parties and to furnish a copy to the parties' attorney of record and to the Office of Administrative Hearings.

The agency that will make the final decision in this contested case is the North Carolina Sheriffs' Education and Training Standards Commission.

This the 3rd day of September 1999.

Fred G. Morrison Jr.
Senior Administrative Law Judge

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				

This index provides information related to notices, rules and other documents published in the Register. It includes information about rules for which Notice of Rule-Making Proceedings or Notice of Text have been published, rules submitted to the Rules Review Commission and rules codified since the last session of the General Assembly. For assistance contact the Rules Division at 919/733-2678.

Fiscal Note: S = Rule affects the expenditure or distribution of state funds. L = Rule affects the expenditure or distribution of local government funds. SE = Rule has a substantial economic impact of at least \$5,000,000 in a 12-month period. * = Rule-making agency has determined that the rule does not impact state or local funds and does not have a substantial economic impact. See G.S. 150B-21.4.

ACUPUNCTURE, LICENSING BOARD

21 NCAC 01 .0101 13-22 NCR 1820 14-03 NCR 243 *

ADMINISTRATION

Council for Women, North Carolina

1 NCAC 17 13-19 NCR 1606

Indian Affairs, Commission of

1 NCAC 15 .0201 13-02 NCR 175
 1 NCAC 15 .0205 13-02 NCR 175
 1 NCAC 15 .0206 13-02 NCR 175
 1 NCAC 15 .0212 13-02 NCR 175
 1 NCAC 15 .0213 13-02 NCR 175

Non-Public Education

1 NCAC 40 .0101 13-05 NCR 521 Temp Expired 05/29/99
 1 NCAC 40 .0102 14-04 NCR 311 13-05 NCR 521 Temp Expired 05/29/99
 1 NCAC 40 .0103 14-04 NCR 311 13-05 NCR 521 Temp Expired 05/29/99
 13-13 NCR 1057 Temp Expired 05/29/99
 1 NCAC 40 .0201 14-04 NCR 311 13-05 NCR 521 Temp Expired 05/29/99
 13-13 NCR 1057 Temp Expired 05/29/99
 1 NCAC 40 .0202 14-04 NCR 311 13-05 NCR 521 Temp Expired 05/29/99
 13-13 NCR 1057 Temp Expired 05/29/99
 1 NCAC 40 .0203 14-04 NCR 311 13-05 NCR 521 Temp Expired 05/29/99
 13-13 NCR 1057 Temp Expired 05/29/99
 14-04 NCR 311

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
1 NCAC 40.0204		13.05 NCR 521 13.13 NCR 1057 14.04 NCR 311	Temp Expired 05/29/99 Temp Expired 05/29/99							
Purchase and Contract Division										
1 NCAC 05C	13.04 NCR 360									
1 NCAC 05D	13.04 NCR 360									
State Employees Combined Campaign										
1 NCAC 35.0101	13.04 NCR 360		13.08 NCR 647	*						
1 NCAC 35.0103	13.04 NCR 360		13.08 NCR 647	*						
1 NCAC 35.0202	13.04 NCR 360		13.08 NCR 647	*						
1 NCAC 35.0304	13.04 NCR 360		13.08 NCR 647	*						
1 NCAC 35.0308	13.04 NCR 360		13.08 NCR 647	*						
AGRICULTURE										
2 NCAC 20B.0104	13.13 NCR 1040		13.18 NCR 1503	*	Object	07/15/99				
					Approve	08/19/99	*			
2 NCAC 43L.0309	13.14 NCR 1109		13.20 NCR 1718	*	Object	07/15/99				
					Approve	08/19/99	*			
Consumer Services										
2 NCAC 54.0101	13.14 NCR 1119	13.14 NCR 1119	13.20 NCR 1718	*	Approve	07/15/99			14.06 NCR 490	
2 NCAC 54.0102	13.14 NCR 1119	13.14 NCR 1119	13.20 NCR 1718	*	Approve	07/15/99			14.06 NCR 490	
2 NCAC 54.0103	13.14 NCR 1119	13.14 NCR 1119 Temp Expired 10/12/99	13.20 NCR 1718	*	Agcy Withdraw	07/15/99				
2 NCAC 54.0104	13.14 NCR 1119	13.14 NCR 1119	13.20 NCR 1718	*	Approve	07/15/99	*		14.06 NCR 490	
2 NCAC 54.0105	13.14 NCR 1119	13.14 NCR 1119 Temp Expired 10/12/99	13.20 NCR 1718	*	Agcy Withdraw	07/15/99				
Pesticide Board										
2 NCAC 09K.0214	13.14 NCR 1109		13.20 NCR 1717	*	Approve	07/15/99	*		14.06 NCR 490	
2 NCAC 09L.0502	14.01 NCR 4		14.05 NCR 374	*						
2 NCAC 09L.1201	14.01 NCR 4		14.05 NCR 374	*						
Veterinary Board										

Notice of Public Hearing on Proposed Temporary Rules

14:05 NCR 368

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
2 NCAC 52B 0207	13 23 NCR 1946	13 23 NCR 1946	14 03 NCR 128	*						
2 NCAC 52B 0302	13 23 NCR 1901	13 23 NCR 1901	14 03 NCR 128	*						
2 NCAC 52E 0209	13 23 NCR 1901	13 23 NCR 1901	14 03 NCR 128	*						
APPRAISAL BOARD										
21 NCAC 57A 0305	13 01 NCR 3		13 05 NCR 513	*	Object Approve	11/19/98 03/18/99	*		14 01 NCR 48	
CHIROPRACTIC										
21 NCAC 10 0203		12 23 NCR 2098	13 14 NCR 1117	*	Approve	04/15/99	*		14 02 NCR 84	
COMMERCE										
4 NCAC 01E 0104	11 09 NCR 569		13 08 NCR 652	*	Object Approve	12/17/98 01/21/99	*		13 22 NCR 1868	
4 NCAC 01F	11 09 NCR 569									
4 NCAC 01H	11 09 NCR 569									
4 NCAC 01I 0101	11 09 NCR 569	13 15 NCR 1224	13 08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01I 0101	11 09 NCR 569	Temp. Expired 10/29/99	13 20 NCR 1719	L/S	Return to Agcy	08/19/99				
4 NCAC 01I 0102	11 09 NCR 569	13 15 NCR 1224	13 08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01I 0102	11 09 NCR 569	Temp. Expired 10/29/99	13 20 NCR 1719	*	Return to Agcy	08/19/99				
4 NCAC 01I 0201	11 09 NCR 569	13 15 NCR 1224	13 08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01I 0201	11 09 NCR 569	Temp. Expired 10/29/99	13 20 NCR 1719	*	Return to Agcy	08/19/99				
4 NCAC 01I 0202	11 09 NCR 569	13 15 NCR 1224	13 08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01I 0202	11 09 NCR 569	Temp. Expired 10/29/99	13 20 NCR 1719	L/S	Return to Agcy	08/19/99				
4 NCAC 01I 0301	11 09 NCR 569	13 15 NCR 1224	13 08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01I 0301	11 09 NCR 569	Temp. Expired 10/29/99	13 20 NCR 1719	*	Return to Agcy	08/19/99				
4 NCAC 01I 0302	11 09 NCR 569	13 15 NCR 1224	13 08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01I 0302	11 09 NCR 569	Temp. Expired 10/29/99	13 20 NCR 1719	*	Return to Agcy	08/19/99				
4 NCAC 01I 0303	11 09 NCR 569	13 15 NCR 1224	13 08 NCR 652	L/S	Agcy withdrew	12/17/98				
4 NCAC 01I 0303	11 09 NCR 569	Temp. Expired 10/29/99	13 20 NCR 1719	*	Return to Agcy	08/19/99				
4 NCAC 01I 0304	11 09 NCR 569	13 15 NCR 1224	13 08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01I 0304	11 09 NCR 569	Temp. Expired 10/29/99	13 20 NCR 1719	*	Return to Agcy	08/19/99				
4 NCAC 01I 0401	11 09 NCR 569	13 15 NCR 1224	13 08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01I 0401	11 09 NCR 569	Temp. Expired 10/29/99	13 20 NCR 1719	*	Return to Agcy	08/19/99				
4 NCAC 01I 0402	11 09 NCR 569	13 15 NCR 1224	13 08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01I 0402	11 09 NCR 569	Temp. Expired 10/29/99	13 20 NCR 1719	L/S	Return to Agcy	08/19/99				
4 NCAC 01I 0403	11 09 NCR 569	13 15 NCR 1224	13 08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01I 0403	11 09 NCR 569	Temp. Expired 10/29/99	13 20 NCR 1719	*	Return to Agcy	08/19/99				
4 NCAC 01I 0404	11 09 NCR 569	13 15 NCR 1224	13 08 NCR 652	*	Agcy withdrew	12/17/98				

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
4 NCAC 01H 0404		Temp. Expired 10/29/99	13.20 NCR 1719	*	Return to Agency	08/19/99				
4 NCAC 01H 0405	11.09 NCR 569	13.15 NCR 1224	13.08 NCR 652	*	Agency withdrew	12/17/98				
4 NCAC 01H 0405		Temp. Expired 10/29/99	13.20 NCR 1719	*	Return to Agency	08/19/99				
4 NCAC 01H 0501	11.09 NCR 569	13.15 NCR 1224	13.08 NCR 652	*	Agency withdrew	12/17/98				
4 NCAC 01H 0501		Temp. Expired 10/29/99	13.20 NCR 1719	L/S	Return to Agency	08/19/99				
4 NCAC 01H 0502	11.09 NCR 569	13.15 NCR 1224	13.08 NCR 652	*	Agency withdrew	12/17/98				
4 NCAC 01H 0502		Temp. Expired 10/29/99	13.20 NCR 1719	L/S	Return to Agency	08/19/99				
4 NCAC 01H 0503	11.09 NCR 569	13.15 NCR 1224	13.08 NCR 652	*	Agency withdrew	12/17/98				
4 NCAC 01H 0503		Temp. Expired 10/29/99	13.20 NCR 1719	L/S	Return to Agency	08/19/99				
4 NCAC 01H 0601	11.09 NCR 569	13.15 NCR 1224	13.08 NCR 652	*	Agency withdrew	12/17/98				
4 NCAC 01H 0601		Temp. Expired 10/29/99	13.20 NCR 1719	*	Return to Agency	08/19/99				
4 NCAC 01H 0701	11.09 NCR 569	13.15 NCR 1224	13.08 NCR 652	*	Agency withdrew	12/17/98				
4 NCAC 01H 0701		Temp. Expired 10/29/99	13.20 NCR 1719	*	Return to Agency	08/19/99				
4 NCAC 01H 0801	11.09 NCR 569	13.15 NCR 1224	13.20 NCR 1719	*	Return to Agency	08/19/99				
4 NCAC 01J	11.09 NCR 569	Temp. Expired 10/29/99	13.20 NCR 1719							
4 NCAC 01K 0102	11.09 NCR 569		13.08 NCR 652	*	Object	12/17/98			13.22 NCR 1868	
4 NCAC 01K 0103	11.09 NCR 569		13.08 NCR 652	*	Object	12/17/98	*			
4 NCAC 01K 0302	11.09 NCR 569		13.08 NCR 652	*	Approve	01/21/99	*		13.22 NCR 1868	
4 NCAC 01K 0302			13.08 NCR 652	*	Object	12/17/98	*		13.22 NCR 1868	
4 NCAC 01K 0402	11.09 NCR 569		13.08 NCR 652	*	Approve	01/21/99	*		13.22 NCR 1868	
Banking Commission										
4 NCAC 03B 0101	N/A		N/A	N/A	Object	10/22/98			14.01 NCR 48	
4 NCAC 03B 0102	N/A		N/A	N/A	Approve	03/18/99			14.01 NCR 48	
4 NCAC 03B 0103	N/A		N/A	N/A	Object	10/22/98			14.01 NCR 48	
4 NCAC 03H 0102	N/A		N/A	N/A	Approve	03/18/99			14.01 NCR 48	
4 NCAC 03L 0101	13.24 NCR 1997		14.04 NCR 274	*	Object	10/22/98			14.01 NCR 48	
4 NCAC 03L 0102	13.24 NCR 1997		14.04 NCR 274	*	Approve	03/18/99			14.01 NCR 48	
4 NCAC 03L 0201	13.24 NCR 1997		14.04 NCR 274	*	Object	10/22/98			14.01 NCR 48	
4 NCAC 03L 0202	13.24 NCR 1997		14.04 NCR 274	*	Approve	03/18/99			14.01 NCR 48	
4 NCAC 03L 0301	13.24 NCR 1997		14.04 NCR 274	*	Object	10/22/98			14.01 NCR 48	

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
4 NCAC 03L 0302	13 24 NCR 1997		14 01 NCR 274	*						
4 NCAC 03L 0303	13 24 NCR 1997		14 01 NCR 274	*						
4 NCAC 03L 0401	13 24 NCR 1997		14 01 NCR 274	*						
4 NCAC 03L 0402	13 24 NCR 1997		14 01 NCR 274	*						
4 NCAC 03L 0403	13 24 NCR 1997		14 01 NCR 274	*						
4 NCAC 03L 0404	13 24 NCR 1997		14 01 NCR 274	*						
4 NCAC 03L 0405	13 24 NCR 1997		14 01 NCR 274	*						
4 NCAC 03L 0501	13 24 NCR 1997		14 01 NCR 274	*						
4 NCAC 03L 0502	13 24 NCR 1997		14 01 NCR 274	*						
4 NCAC 03L 0601	13 24 NCR 1997		14 01 NCR 274	*						
4 NCAC 03L 0602	13 24 NCR 1997		14 01 NCR 274	*						
4 NCAC 03L 0603	13 24 NCR 1997		14 01 NCR 274	*						
4 NCAC 03L 0604	13 24 NCR 1997		14 01 NCR 274	*						
4 NCAC 03L 0701	13 24 NCR 1997		14 01 NCR 274	*						
4 NCAC 03L 0702	13 24 NCR 1997		14 01 NCR 274	*						
Cape Fear River Navigation and Pilotage Commission										
4 NCAC 15 0119	14 03 NCR 125		14 07 NCR 522	*						
4 NCAC 15 0120	14 03 NCR 125		14 07 NCR 522	*						
4 NCAC 15 0121	14 03 NCR 125		14 07 NCR 522	*						
Industrial Commission										
Public Notice - Hospital Fees for Workers' Compensation Cases										
COMMUNITY COLLEGES										
23 NCAC 02B 0104	13 10 NCR 804		13 22 NCR 1849	*						14 01 NCR 2
23 NCAC 02C 0307	13 05 NCR 524		Temp Expired 05/29/99							
23 NCAC 02C 0503	13 10 NCR 815		13 22 NCR 1849	*						
23 NCAC 02C 0504	13 10 NCR 815		13 22 NCR 1849	*						
23 NCAC 02C 0505	13 10 NCR 815		13 22 NCR 1849	*						

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
23 NCAC 02D .0323	13.19 NCR 1609		14-04 NCR 304	*						
23 NCAC 02D .0324	13.19 NCR 1609		14-04 NCR 304	*						
COSMETIC ART EXAMINERS										
21 NCAC 14A .0101	13.14 NCR 1114	13.14 NCR 1157	13.19 NCR 1652	*	Approve	06/17/99	*		14-05 NCR 402	
21 NCAC 14A .0103	13.14 NCR 1114		13.19 NCR 1652	*	Approve	06/17/99	*		14-05 NCR 402	
21 NCAC 14A .0104	13.14 NCR 1114									
21 NCAC 14A .0105		13.14 NCR 1157	13.19 NCR 1652	*	Approve	06/17/99			14-05 NCR 402	
21 NCAC 14C .0202	13.14 NCR 1114		13.19 NCR 1652	*	Approve	06/17/99	*		14-05 NCR 402	
21 NCAC 14F .0101	13.14 NCR 1114		13.19 NCR 1652	*	Approve	06/17/99	*		14-05 NCR 402	
21 NCAC 14F .0105	13.14 NCR 1114		13.19 NCR 1652	*	Approve	06/17/99	*		14-05 NCR 402	
21 NCAC 14G .0103		13.14 NCR 1157	13.19 NCR 1652	*	Approve	06/17/99	*		14-05 NCR 402	
21 NCAC 14G .0113	N/A		N/A	N/A	Approve	03/18/99			14-01 NCR 48	
21 NCAC 14H .0112		13.16 NCR 1263	13.21 NCR 1794	*	Approve	07/15/99	*		14-06 NCR 490	
21 NCAC 14H .0118		13.16 NCR 1263	13.21 NCR 1794	*	Approve	07/15/99			14-06 NCR 490	
21 NCAC 14I .0104	13.14 NCR 1114		13.19 NCR 1652	*	Object	06/17/99	*			
21 NCAC 14I .0107	13.14 NCR 1114		13.19 NCR 1652	*	Approve	08/19/99				
21 NCAC 14I .0109	13.14 NCR 1114		13.19 NCR 1652	*	Object	06/17/99	*			
21 NCAC 14I .0103	13.14 NCR 1114		13.19 NCR 1652	*	Approve	08/19/99	*		14-05 NCR 402	
21 NCAC 14J .0208	13.14 NCR 1114	13.14 NCR 1157	13.19 NCR 1652	*	Approve	06/17/99			14-05 NCR 402	
21 NCAC 14J .0501	13.14 NCR 1114		13.19 NCR 1652	*	Approve	06/17/99				
21 NCAC 14K .0102		13.14 NCR 1157	13.19 NCR 1652	*	Object	06/17/99	*			
21 NCAC 14K .0107		13.14 NCR 1157	13.19 NCR 1652	*	Approve	08/19/99	*			
21 NCAC 14L .0101	13.14 NCR 1114		13.19 NCR 1652	*	Approve	06/17/99	*		14-05 NCR 402	
21 NCAC 14L .0105	13.14 NCR 1114	13.14 NCR 1157	13.19 NCR 1652	*	Approve	06/17/99	*		14-05 NCR 402	
21 NCAC 14L .0109		13.14 NCR 1157	13.19 NCR 1652	*	Object	06/17/99	*			
21 NCAC 14L .0210	N/A		N/A	N/A	Approve	03/18/99			14-01 NCR 48	

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
21 NCAC 14L 0214	N/A		N/A	N/A	Approve	03/18/99			14-01 NCR 48	
21 NCAC 14L 0216		13-14 NCR 1157	13-19 NCR 1652	*	Approve	06/17/99	*		14-05 NCR 402	
21 NCAC 14L 0303	13-14 NCR 1114		13-19 NCR 1652	*	Agcy Withdraw	06/17/99				
21 NCAC 14N 0101	13-14 NCR 1114		13-19 NCR 1652	*	Approve	06/17/99	*		14-05 NCR 402	
21 NCAC 14N 0102	13-14 NCR 1114		13-19 NCR 1652	*	Approve	06/17/99	*		14-05 NCR 402	
21 NCAC 14N 0103	13-14 NCR 1114	13-14 NCR 1157	13-19 NCR 1652	*	Approve	06/17/99	*		14-05 NCR 402	
21 NCAC 14N 0104		13-14 NCR 1157	13-19 NCR 1652	*	Approve	06/17/99	*		14-05 NCR 402	
21 NCAC 14N 0105	13-14 NCR 1114		13-19 NCR 1652	*	Approve	06/17/99	*		14-05 NCR 402	
21 NCAC 14N 0108	13-14 NCR 1114		13-19 NCR 1652	*	Approve	06/17/99			14-05 NCR 402	
21 NCAC 14N 0110		13-14 NCR 1157	13-19 NCR 1652	*	Approve	06/17/99	*		14-05 NCR 402	
21 NCAC 14N 0112	13-14 NCR 1114		13-19 NCR 1652	*	Approve	06/17/99	*		14-05 NCR 402	
21 NCAC 14N 0113	13-14 NCR 1114	13-14 NCR 1157	13-19 NCR 1652	*	Object	06/17/99	*		14-05 NCR 402	
21 NCAC 14N 0601		13-14 NCR 1157	13-19 NCR 1652	*	Approve	08/19/99			14-05 NCR 402	
21 NCAC 14N 0602		13-14 NCR 1157	13-19 NCR 1652	*	Approve	06/17/99			14-05 NCR 402	
21 NCAC 14N 0701		13-14 NCR 1157	13-19 NCR 1652	*	Approve	06/17/99			14-05 NCR 402	
21 NCAC 14N 0702		13-14 NCR 1157	13-19 NCR 1652	*	Approve	06/17/99	*		14-05 NCR 402	
21 NCAC 14O 0101		13-14 NCR 1157	13-19 NCR 1652	*	Object	06/17/99			14-05 NCR 402	
21 NCAC 14O 0102		13-14 NCR 1157	13-19 NCR 1652	*	Approve	08/19/99	*		14-05 NCR 402	
21 NCAC 14O 0103		13-14 NCR 1157	13-19 NCR 1652	*	Approve	06/17/99	*		14-05 NCR 402	
21 NCAC 14O 0104		13-14 NCR 1157	13-19 NCR 1652	*	Approve	06/17/99	*		14-05 NCR 402	
21 NCAC 14O 0105		13-14 NCR 1157	13-19 NCR 1652	*	Object	06/17/99			14-05 NCR 402	
21 NCAC 14O 0106		13-14 NCR 1157	13-19 NCR 1652	*	Approve	08/19/99	*		14-05 NCR 402	
21 NCAC 14O 0107		13-14 NCR 1157	13-19 NCR 1652	*	Agcy Withdraw	06/17/99			14-05 NCR 402	
21 NCAC 14P 0101		13-14 NCR 1157	13-19 NCR 1652	*	Approve	06/17/99	*		14-05 NCR 402	
21 NCAC 14P 0102		13-14 NCR 1157	13-19 NCR 1652	L	Approve	06/17/99	*		14-05 NCR 402	
21 NCAC 14P 0103		13-14 NCR 1157	13-19 NCR 1652	L	Approve	06/17/99	*		14-05 NCR 402	

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
21 NCAC 14P .0104		13.14 NCR 1157	13.19 NCR 1652	L	Approve	06/17/99	*		14.05 NCR 402	
21 NCAC 14P .0105		13.14 NCR 1157	13.19 NCR 1652	L	Object	06/17/99				
21 NCAC 14P .0106		13.14 NCR 1157	13.19 NCR 1652	L	Approve	08/19/99	*		14.05 NCR 402	
21 NCAC 14P .0107		13.14 NCR 1157	13.19 NCR 1652	L	Approve	06/17/99			14.05 NCR 402	
21 NCAC 14P .0108		13.14 NCR 1157	13.19 NCR 1652	L	Approve	06/17/99			14.05 NCR 402	
21 NCAC 14P .0109		13.14 NCR 1157	13.19 NCR 1652	L	Approve	06/17/99			14.05 NCR 402	
21 NCAC 14P .0110		13.14 NCR 1157	13.19 NCR 1652	L	Approve	06/17/99	*		14.05 NCR 402	
21 NCAC 14P .0111		13.14 NCR 1157	13.19 NCR 1652	L	Object	06/17/99			14.05 NCR 402	
21 NCAC 14P .0112		13.14 NCR 1157	13.19 NCR 1652	L	Approve	08/19/99	*			
21 NCAC 14P .0113		13.14 NCR 1157	13.19 NCR 1652	L	Object	06/17/99	*			
21 NCAC 14P .0114		13.14 NCR 1157	13.19 NCR 1652	L	Approve	08/19/99				
21 NCAC 14P .0115		13.14 NCR 1157	13.19 NCR 1652	L	Object	06/17/99	*			
21 NCAC 14P .0116		13.14 NCR 1157	13.19 NCR 1652	L	Approve	08/19/99	*		14.05 NCR 402	

CULTURAL RESOURCES

7 NCAC 04S .0101	14.05 NCR 370
7 NCAC 04S .0102	14.05 NCR 370
7 NCAC 04S .0103	14.05 NCR 370
7 NCAC 04S .0104	14.05 NCR 370
7 NCAC 04S .0105	14.05 NCR 370
7 NCAC 04S .0106	14.05 NCR 370
7 NCAC 04S .0107	14.05 NCR 370
7 NCAC 04S .0108	14.05 NCR 370
7 NCAC 04S .0109	14.05 NCR 370

DENTAL EXAMINERS

21 NCAC 16G .0101	13.10 NCR 804
	13.15 NCR 1218

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status			Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date					
21 NCAC 16G .0102	13-10 NCR 804		13-15 NCR 1218	*							
21 NCAC 16G .0103	13-10 NCR 804		13-15 NCR 1218	*							
21 NCAC 16H .0101	12-24 NCR 2203										
21 NCAC 16H .0102	12-24 NCR 2203										
21 NCAC 16H .0103	12-24 NCR 2203		13-15 NCR 1218	*							
21 NCAC 16H .0104	12-24 NCR 2203		13-15 NCR 1218	*							
21 NCAC 16H .0201	12-24 NCR 2203		13-15 NCR 1218	*							
21 NCAC 16H .0202	12-24 NCR 2203		13-15 NCR 1218	*							
21 NCAC 16H .0203	12-24 NCR 2203		13-15 NCR 1218	*							
21 NCAC 16H .0204	12-24 NCR 2203		13-15 NCR 1218	*							
21 NCAC 16H .0205	12-24 NCR 2203		13-15 NCR 1218	*							
21 NCAC 16H .0206	12-24 NCR 2203		13-15 NCR 1218	*							
21 NCAC 16I .0004	11-20 NCR 1538										
21 NCAC 16I .0005	11-20 NCR 1538										
21 NCAC 16M .0101		13-11 NCR 910	13-15 NCR 1218	*	Object Approve	06/17/99 07/15/99	*			14-06 NCR 490	
21 NCAC 16M .0102	14-06 NCR 487	14-06 NCR 487									
21 NCAC 16P .0101	13-10 NCR 804										
21 NCAC 16P .0102	13-10 NCR 804										
21 NCAC 16P .0103	13-10 NCR 804										
21 NCAC 16P .0104	13-10 NCR 804										
21 NCAC 16P .0105	13-10 NCR 804										
21 NCAC 16Q .0101	12-24 NCR 2203										
21 NCAC 16Q .0201	12-24 NCR 2203		13-15 NCR 1218	*							
21 NCAC 16Q .0202	12-24 NCR 2203		13-15 NCR 1218	*							
21 NCAC 16Q .0301	12-24 NCR 2203		13-15 NCR 1218	*							
21 NCAC 16Q .0302	12-24 NCR 2203		13-15 NCR 1218	*							
21 NCAC 16R .0002	11-20 NCR 1538										

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
21 NCAC 16R 0003	11 20 NCR 1538									
21 NCAC 16R 0005	11 20 NCR 1538									
21 NCAC 16S 0101	14 06 NCR 487	14 06 NCR 487								
21 NCAC 16S 0102	14 06 NCR 487	14 06 NCR 487								
21 NCAC 16S 0201	14 06 NCR 487	14 06 NCR 487								
21 NCAC 16S 0203	14 06 NCR 487	14 06 NCR 487								
21 NCAC 16S 0205	13 10 NCR 804		13 15 NCR 1218	*						
21 NCAC 16S 0205	14 06 NCR 487	14 06 NCR 487								
21 NCAC 16V 0101	13 10 NCR 804		13 15 NCR 1218	*						
21 NCAC 16V 0102	13 10 NCR 804		13 15 NCR 1218	*						
ELECTRICAL CONTRACTORS, BOARD OF EXAMINERS										
21 NCAC 18B 0208	N/A		N/A	N/A	Object Approve	06/17/99 07/15/99			14 06 NCR 490	
21 NCAC 11 0101	12 19 NCR 1764	12 21 NCR 1884	13 03 NCR 313	S/L	Approve	01/21/99	*		13 22 NCR 1868	
21 NCAC 11 0102	12 19 NCR 1764	12 21 NCR 1884	13 03 NCR 313	S/L	Agcy. withdrew					
21 NCAC 11 0103	12 19 NCR 1764	12 21 NCR 1884	13 03 NCR 313	S/L	Agcy. withdrew					
21 NCAC 11 0104	12 19 NCR 1764	12 21 NCR 1884	13 03 NCR 313	S/L	Approve	01/21/99	*		13 22 NCR 1868	
21 NCAC 11 0105	12 19 NCR 1764	12 21 NCR 1884	13 03 NCR 313	S/L	Approve	01/21/99	*		13 22 NCR 1868	
21 NCAC 11 0106	12 19 NCR 1764	12 21 NCR 1884	13 03 NCR 313	S/L	Approve	01/21/99	*		13 22 NCR 1868	
21 NCAC 11 0107	12 19 NCR 1764	12 21 NCR 1884	13 03 NCR 313	S/L	Approve	01/21/99	*		13 22 NCR 1868	
21 NCAC 11 0108	12 19 NCR 1764	12 21 NCR 1884	13 03 NCR 313	S/L	Approve	01/21/99	*		13 22 NCR 1868	
21 NCAC 11 0109	12 19 NCR 1764	12 21 NCR 1884	13 03 NCR 313	S/L	Object	01/21/99				
21 NCAC 11 0110	12 19 NCR 1764	12 21 NCR 1884	13 03 NCR 313	S/L	Approve	02/18/99	*		13 24 NCR 2037	
21 NCAC 11 0111	12 19 NCR 1764	12 21 NCR 1884	13 03 NCR 313	S/L	Approve	01/21/99	*		13 22 NCR 1868	
21 NCAC 11 0112	12 19 NCR 1764	12 21 NCR 1884	13 03 NCR 313	S/L	Approve	01/21/99	*		13 22 NCR 1868	
ENVIRONMENT AND NATURAL RESOURCES										
21 NCAC 11 0112	12 19 NCR 1764	12 21 NCR 1884	13 03 NCR 313	S/L	Approve	01/21/99	*		13 22 NCR 1868	

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
15A NCAC 01J 0101		13-18 NCR 1528	13-22 NCR 1827	*						
15A NCAC 01J 0102		13-18 NCR 1528	13-22 NCR 1827	S/L						
15A NCAC 01J 0202		13-18 NCR 1528	13-22 NCR 1827	S/L						
15A NCAC 01J 0303		13-18 NCR 1528	13-22 NCR 1827	S/L						
15A NCAC 01J 0402		13-18 NCR 1528	13-22 NCR 1827	S/L						
15A NCAC 01J 0502		13-18 NCR 1528	13-22 NCR 1827	S/L						
15A NCAC 01J 0504		13-18 NCR 1528	13-22 NCR 1827	*						
15A NCAC 01J 0601		13-18 NCR 1528	13-22 NCR 1827	*						
15A NCAC 01J 0604		13-18 NCR 1528	13-22 NCR 1827	*						
15A NCAC 01J 0701		13-18 NCR 1528	13-22 NCR 1827	S/L						
15A NCAC 01J 0703		13-18 NCR 1528	13-22 NCR 1827	S/L						
15A NCAC 01J 0803		13-18 NCR 1528	13-22 NCR 1827	S/L						
15A NCAC 01J 0903		13-18 NCR 1528	13-22 NCR 1827	S/L						
15A NCAC 01J 0904		13-18 NCR 1528	13-22 NCR 1827	*						
15A NCAC 01K	10-19 NCR 2506									
15A NCAC 01L 0101		13-18 NCR 1528	13-22 NCR 1827	*						
15A NCAC 01L 0102		13-18 NCR 1528	13-22 NCR 1827	S/L						
15A NCAC 01L 0203		13-18 NCR 1528	13-22 NCR 1827	*						
15A NCAC 01L 0303		13-18 NCR 1528	13-22 NCR 1827	*						
15A NCAC 01L 0501		13-18 NCR 1528	13-22 NCR 1827	S/L						
15A NCAC 01L 0503		13-18 NCR 1528	13-22 NCR 1827	*						
15A NCAC 01L 0601		13-18 NCR 1528	13-22 NCR 1827	*						
15A NCAC 01L 0604		13-18 NCR 1528	13-22 NCR 1827	*						
15A NCAC 01L 0701		13-18 NCR 1528	13-22 NCR 1827	*						
15A NCAC 01L 0801		13-18 NCR 1528	13-22 NCR 1827	S/L						
15A NCAC 01L 0902		13-18 NCR 1528	13-22 NCR 1827	S/L						
15A NCAC 01L 1003		13-18 NCR 1528	13-22 NCR 1827	*						

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
15A NCAC 01L .1004		13:18 NCR 1528	13:22 NCR 1827	*						
Coastal Resources Commission										
15A NCAC 07	11:04 NCR 183									
15A NCAC 07H 0200	13:22 NCR 1818									
15A NCAC 07H 0201	12:21 NCR 1873		13:23 NCR 1937	*						14:02 NCR 74
15A NCAC 07H 0203	12:21 NCR 1873		13:23 NCR 1937	*						14:02 NCR 74
15A NCAC 07H 0208	11:19 NCR 1408		11:27 NCR 2058	*						
15A NCAC 07H 0208	12:21 NCR 1873									
15A NCAC 07H 0209	12:21 NCR 1873		13:23 NCR 1937	S/L						14:02 NCR 74
15A NCAC 07H 0210	12:02 NCR 52									
15A NCAC 07H 0300	13:05 NCR 436									
15A NCAC 07H 0306	11:04 NCR 183		11:11 NCR 907	*						
15A NCAC 07H 0306	12:19 NCR 1763									
15A NCAC 07H 0309	13:05 NCR 436		13:13 NCR 1044	S	Object Approve	07/15/99 08/19/99	*			
15A NCAC 07H .1100	12:21 NCR 1873									
15A NCAC 07H 1100	14:06 NCR 428									
15A NCAC 07H 1200	12:21 NCR 1873									
15A NCAC 07H 1200	14:06 NCR 428									
15A NCAC 07H 1300	14:06 NCR 428									14:02 NCR 74
15A NCAC 07H .1301	12:21 NCR 1873		13:23 NCR 1937	*						
15A NCAC 07H .1400	12:21 NCR 1873									
15A NCAC 07H .1400	14:06 NCR 428									
15A NCAC 07H .1500	12:21 NCR 1873									
15A NCAC 07H 1500	14:06 NCR 428									
15A NCAC 07H 1600	14:06 NCR 428									
15A NCAC 07H .1601	12:21 NCR 1873		13:23 NCR 1937	*						14:02 NCR 74
15A NCAC 07H .1600	11:15 NCR 1200									

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
15A NCAC 07H 1700	12-21 NCR 1873									
15A NCAC 07H 1800	14-06 NCR 428									
15A NCAC 07H 1805		13-07 NCR 593	13-16 NCR 1259	*	Object	07/15/99				
15A NCAC 07H 1901	12-21 NCR 1873		13-23 NCR 1937	*	Object	08/19/99				14-02 NCR 74
15A NCAC 07H 1900	14-06 NCR 428									
15A NCAC 07H 2000	14-06 NCR 428									
15A NCAC 07H 2100	14-06 NCR 428									
15A NCAC 07H 2101	13-05 NCR 436		13-13 NCR 1044	S	Approve	07/15/99	*		14-06 NCR 490	
15A NCAC 07H 2102	13-05 NCR 436		13-13 NCR 1044	S	Approve	07/15/99	*		14-06 NCR 490	
15A NCAC 07H 2105	13-05 NCR 436		13-13 NCR 1044	S	Object	07/15/99	*			
					Approve	08/19/99				
15A NCAC 07H 2200	14-06 NCR 428									
15A NCAC 07H 2300	14-06 NCR 428									
15A NCAC 07H 2301	12-21 NCR 1873		13-23 NCR 1937	*						14-02 NCR 74
15A NCAC 07H 2401	13-05 NCR 436		13-13 NCR 1044	S	Approve	05/20/99	*		14-04 NCR 330	
15A NCAC 07H 2402	13-05 NCR 436		13-13 NCR 1044	S	Approve	05/20/99	*		14-04 NCR 330	
15A NCAC 07H 2403	13-05 NCR 436		13-13 NCR 1044	S	Approve	05/20/99			14-04 NCR 330	
15A NCAC 07H 2404	13-05 NCR 436		13-13 NCR 1044	S	Object	05/20/99	*		14-05 NCR 402	
15A NCAC 07H 2405	13-05 NCR 436		13-13 NCR 1044	S	Approve	06/17/99	*		14-04 NCR 330	
15A NCAC 07H 2405	13-05 NCR 436		13-13 NCR 1044	S	Approve	05/20/99	*			
15A NCAC 07J 0200	12-24 NCR 2202									
15A NCAC 07J 0204		13-07 NCR 593	Temp Expired 06/28/99							
15A NCAC 07J 0204	14-06 NCR 428									
15A NCAC 07J 0404	14-06 NCR 428									
15A NCAC 07J 0405	12-24 NCR 2202									
15A NCAC 07J 0405	14-06 NCR 428									
15A NCAC 07J 0406	14-06 NCR 428									
15A NCAC 07K 0203	12-21 NCR 1873		13-23 NCR 1937	*						14-02 NCR 74

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Role	Other
					Action	Date				
15A NCAC 07K 0203	14-06 NCR 428									
15A NCAC 07K 0208	12-21 NCR 1873									
15A NCAC 07K 0208	14-06 NCR 428									
15A NCAC 07K 0209	12-21 NCR 1873		13-23 NCR 1937	*						14-02 NCR 74
15A NCAC 07L 0202	12-21 NCR 1874									
15A NCAC 07L 0203	12-21 NCR 1874									
15A NCAC 07L 0206	12-21 NCR 1874									
15A NCAC 07L 0302	12-21 NCR 1874									
15A NCAC 07L 0304	12-21 NCR 1874									
15A NCAC 07L 0401	12-21 NCR 1874									
15A NCAC 07L 0405	12-21 NCR 1874									
15A NCAC 07M 0300	12-24 NCR 2202									
15A NCAC 07M 0307	13-22 NCR 1818									
15A NCAC 07M 0401	13-04 NCR 361	13-12 NCR 976	13-16 NCR 1259	*						
15A NCAC 07M 0401	14-01 NCR 44	14-01 NCR 44								
15A NCAC 07M 0402	13-04 NCR 361	13-12 NCR 976	13-16 NCR 1259	*						
15A NCAC 07M 0402	14-01 NCR 44	14-01 NCR 44								
15A NCAC 07M 0403	13-04 NCR 361	13-12 NCR 976	13-16 NCR 1259	*						
15A NCAC 07M 0403	14-01 NCR 44	14-01 NCR 44								
Environmental Management Commission										
Notice of Intent to Adopt Temporary Rules (Tar-Pamlico River Basin)										
15A NCAC 02	10-24 NCR 3045									14-05 NCR 369
15A NCAC 02	11-04 NCR 183									
15A NCAC 02	11-19 NCR 1408									
15A NCAC 02B 0100	13-08 NCR 621									
15A NCAC 02B 0101	11-24 NCR 1818		11-30 NCR 2303	*						
15A NCAC 02B 0110	13-08 NCR 621		14-06 NCR 434	*						

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
15A NCAC 02B 0200	13-08 NCR 621									
15A NCAC 02B 0202	11-24 NCR 1818		11-30 NCR 2303	*						
15A NCAC 02B 0211	13-08 NCR 621		14-06 NCR 434	*						
15A NCAC 02B 0220	13-08 NCR 621		14-06 NCR 434	*						
15A NCAC 02B 0223	11-02 NCR 75									
15A NCAC 02B 0223	11-03 NCR 109									
15A NCAC 02B 0223	13-08 NCR 621		14-06 NCR 434	*						
15A NCAC 02B 0225	13-08 NCR 621		14-06 NCR 434	*						
15A NCAC 02B 0225	13-19 NCR 1606		13-23 NCR 1929	*						
15A NCAC 02B 0227	10-18 NCR 2400		11-12 NCR 973	*						
15A NCAC 02B 0230	11-24 NCR 1818		11-30 NCR 2303	*						
15A NCAC 02B 0231	11-02 NCR 75		11-10 NCR 824 11-14 NCR 1136	L/SE						
15A NCAC 02B 0233	11-02 NCR 75	12-02 NCR 77 12-14 NCR 1348 12-20 NCR 1836 13-24 NCR 2017	11-10 NCR 824 11-14 NCR 1136	L	Object Approve	01/15/98 02/19/98	*		12-22 NCR 2012	Disapproved (HB 1402)
15A NCAC 02B 0241	14-03 NCR 125	13-24 NCR 2017	14-04 NCR 287	*						
15A NCAC 02B 0242			13-04 NCR 368	*						
15A NCAC 02B 0245	12-23 NCR 2088		13-04 NCR 368	*						
15A NCAC 02B 0246	12-23 NCR 2088		13-04 NCR 368	*						
15A NCAC 02B 0247	12-23 NCR 2088		13-04 NCR 368	L/SE						
15A NCAC 02B 0255	13-23 NCR 1901		14-03 NCR 162	SE						
15A NCAC 02B 0256	13-23 NCR 1901		14-03 NCR 162	SE						
15A NCAC 02B 0257	13-23 NCR 1901		14-03 NCR 162	SE						
15A NCAC 02B 0258	13-23 NCR 1901		14-03 NCR 162	L/SE						
15A NCAC 02B 0259	13-23 NCR 1901		14-03 NCR 162	L/SE						

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
15A NCAC 02B .0260	13.23 NCR 1901		14.03 NCR 162	SE						
15A NCAC 02B .0261	13.23 NCR 1901		14.03 NCR 162	SE						
15A NCAC 02B .0262	13.23 NCR 1901			*						
15A NCAC 02B .0303	13.14 NCR 1111		13.20 NCR 1727	*						
15A NCAC 02B .0304	13.14 NCR 1111		13.20 NCR 1727	*						
15A NCAC 02B .0306	13.14 NCR 1111		13.20 NCR 1727	*						
15A NCAC 02B .0306	13.19 NCR 1606		13.23 NCR 1929	*						14.02 NCR 73
15A NCAC 02B .0308	12.16 NCR 1489									
15A NCAC 02B .0308	13.14 NCR 1111		13.20 NCR 1727	*						
15A NCAC 02B .0310	13.19 NCR 1606		13.23 NCR 1929	*						
15A NCAC 02B .0316	11.26 NCR 1976		12.01 NCR 6	*	Approve	01/15/98	*		12.21 NCR 1886	Disapproved (HB 1402)
15A NCAC 02B .0317	13.19 NCR 1606		13.23 NCR 1929	*						
15A NCAC 02D	13.12 NCR 943									
15A NCAC 02D .0101	12.02 NCR 52									
15A NCAC 02D .0101	12.16 NCR 1482									
15A NCAC 02D .0108	11.15 NCR 1200									
15A NCAC 02D .0307	11.15 NCR 1200									
15A NCAC 02D .0501	11.15 NCR 1200									
15A NCAC 02D .0501	11.04 NCR 183									
15A NCAC 02D .0501	13.16 NCR 1252									
15A NCAC 02D .0506	14.04 NCR 265									
15A NCAC 02D .0518	11.19 NCR 1408		14.07 NCR 524	*						
15A NCAC 02D .0521	11.15 NCR 1200									
15A NCAC 02D .0521	14.04 NCR 265									
15A NCAC 02D .0523	13.12 NCR 943		14.03 NCR 162	*						
15A NCAC 02D .0524	11.15 NCR 1200									
15A NCAC 02D .0524	13.08 NCR 621		14.03 NCR 162	*						

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
15A NCAC 02D .0525	11 15 NCR 1200									
15A NCAC 02D .0540	13 04 NCR 356									
15A NCAC 02D .0541	13 08 NCR 621									
15A NCAC 02D .0541	13 16 NCR 1252		14 03 NCR 162	*						
15A NCAC 02D .0542	13 24 NCR 1994									
15A NCAC 02D .0610	11 15 NCR 1200									
15A NCAC 02D .0611	11 15 NCR 1200									
15A NCAC 02D .0612	11 15 NCR 1200									
15A NCAC 02D .0613	11 15 NCR 1200									
15A NCAC 02D .0614	11 15 NCR 1200									
15A NCAC 02D .0615	11 15 NCR 1200									
15A NCAC 02D .0806	11 26 NCR 1976									
15A NCAC 02D .0902	11 19 NCR 1408		14 07 NCR 524	*						
15A NCAC 02D .0903	11 15 NCR 1200									
15A NCAC 02D .0909	11 19 NCR 1408		14 07 NCR 524	*						
15A NCAC 02D .0912	11 15 NCR 1200									
15A NCAC 02D .0917	11 19 NCR 1408									
15A NCAC 02D .0918	11 19 NCR 1408									
15A NCAC 02D .0919	11 19 NCR 1408									
15A NCAC 02D .0920	11 19 NCR 1408									
15A NCAC 02D .0921	11 19 NCR 1408									
15A NCAC 02D .0922	11 19 NCR 1408									
15A NCAC 02D .0923	11 19 NCR 1408									
15A NCAC 02D .0924	11 19 NCR 1408									
15A NCAC 02D .0926	13 16 NCR 1252									
15A NCAC 02D .0927	13 16 NCR 1252									
15A NCAC 02D .0932	13 16 NCR 1252									

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
15A NCAC 02D .0934	11-19 NCR 1408									
15A NCAC 02D .0948	11-19 NCR 1408		14-07 NCR 524	*						
15A NCAC 02D .0949	11-19 NCR 1408		14-07 NCR 524	*						
15A NCAC 02D .0950	11-19 NCR 1408		14-07 NCR 524	*						
15A NCAC 02D .0951	11-19 NCR 1408		14-07 NCR 524	*						
15A NCAC 02D .0952	12-16 NCR 1482									
15A NCAC 02D .0954	11-15 NCR 1200									
15A NCAC 02D .0958	11-19 NCR 1408		14-07 NCR 524	*						
15A NCAC 02D .1005	14-04 NCR 265									
15A NCAC 02D .1100	11-08 NCR 442									
15A NCAC 02D .1103	13-04 NCR 356									
15A NCAC 02D .1103	14-04 NCR 265									
15A NCAC 02D .1104	13-04 NCR 356									
15A NCAC 02D .1104	13-16 NCR 1252									
15A NCAC 02D .1105	11-15 NCR 1200									
15A NCAC 02D .1106	11-26 NCR 1976									
15A NCAC 02D .1200	14-04 NCR 265									
15A NCAC 02D .1201	13-12 NCR 943		14-03 NCR 162	*						
15A NCAC 02D .1202	13-12 NCR 943		14-03 NCR 162	*						
15A NCAC 02D .1203	13-12 NCR 943		14-03 NCR 162	*						
15A NCAC 02D .1204	13-12 NCR 943		14-03 NCR 162	*						
15A NCAC 02D .1205	13-12 NCR 943		14-03 NCR 162	*						
15A NCAC 02D .1206	13-12 NCR 943		14-03 NCR 162	*						
15A NCAC 02D .1207	13-12 NCR 943		14-03 NCR 162	*						
15A NCAC 02D .1208	13-12 NCR 943		14-03 NCR 162	*						
15A NCAC 02D .1209	13-12 NCR 943		14-03 NCR 162	*						
15A NCAC 02D .1201	13-16 NCR 1252		14-03 NCR 162	*						

CUMULATIVE INDEX (Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
15A NCAC 02D .1202	13:16 NCR 1252		14:03 NCR 162	*						
15A NCAC 02D .1203	13:16 NCR 1252		14:03 NCR 162	*						
15A NCAC 02D .1204	13:16 NCR 1252		14:03 NCR 162	*						
15A NCAC 02D .1205	13:16 NCR 1252		14:03 NCR 162	*						
15A NCAC 02D .1206	13:16 NCR 1252		14:03 NCR 162	*						
15A NCAC 02D .1207	13:16 NCR 1252		14:03 NCR 162	*						
15A NCAC 02D .1208	13:16 NCR 1252		14:03 NCR 162	*						
15A NCAC 02D .1209	13:16 NCR 1252		14:03 NCR 162	*						
15A NCAC 02D .1400	13:24 NCR 1994									
15A NCAC 02D .1404	11:15 NCR 1200									
15A NCAC 02D .1700	12:02 NCR 52									
15A NCAC 02D .1703	13:16 NCR 1252		14:07 NCR 524	*						
15A NCAC 02D .1708	13:16 NCR 1252		14:07 NCR 524	*						
15A NCAC 02D .1709	13:16 NCR 1252		14:07 NCR 524	*						
15A NCAC 02D .1801		13:18 NCR 1545	14:03 NCR 162	SE						
15A NCAC 02D .1802		13:22 NCR 1860	14:03 NCR 162	SE						
15A NCAC 02D .1803		13:18 NCR 1545	14:03 NCR 162	SE						
15A NCAC 02D .1804		13:22 NCR 1860	14:03 NCR 162	SE						
15A NCAC 02D .1805		13:18 NCR 1545	14:03 NCR 162	SE						
15A NCAC 02D .1903	12:16 NCR 1482	13:18 NCR 1545								
15A NCAC 02D .1903	13:12 NCR 943	13:24 NCR 2017								
15A NCAC 02D .1904	12:16 NCR 1482									
15A NCAC 02D .2101	13:04 NCR 356		14:07 NCR 524	L						
15A NCAC 02D .2102	13:04 NCR 356		14:07 NCR 524	L						
15A NCAC 02D .2103	13:04 NCR 356		14:07 NCR 524	L						
15A NCAC 02D .2104	13:04 NCR 356		14:07 NCR 524	L						

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
15A NCAC 02D .2200	11-26 NCR 1976									
15A NCAC 02E .0102	13-20 NCR 1715		13-24 NCR 1998	*						14-01 NCR 3
15A NCAC 02E .0103	13-20 NCR 1715		13-24 NCR 1998	*						14-01 NCR 3
15A NCAC 02E .0106	13-20 NCR 1715		13-24 NCR 1998	*						14-01 NCR 3
15A NCAC 02E .0107	13-20 NCR 1715		13-24 NCR 1998	*						14-01 NCR 3
15A NCAC 02E .0201	13-20 NCR 1715		13-24 NCR 1998	*						14-01 NCR 3
15A NCAC 02E .0202	13-20 NCR 1715		13-24 NCR 1998	*						14-01 NCR 3
15A NCAC 02E .0205	13-20 NCR 1715		13-24 NCR 1998	*						14-01 NCR 3
15A NCAC 02E .0501	13-20 NCR 1715		13-24 NCR 1998	*						14-01 NCR 3
15A NCAC 02E .0502	13-20 NCR 1715		13-24 NCR 1998	S/L/SE						14-01 NCR 3
15A NCAC 02E .0503	13-20 NCR 1715		13-24 NCR 1998	*						14-01 NCR 3
15A NCAC 02E .0504	13-20 NCR 1715		13-24 NCR 1998	*						14-01 NCR 3
15A NCAC 02H .0226	12-20 NCR 1817	13-04 NCR 426 Temp Expired 05/11/99	13-05 NCR 491	*						14-01 NCR 3
15A NCAC 02H .0806	13-04 NCR 356		14-02 NCR 80	L						14-01 NCR 3
15A NCAC 02H .0800	13-08 NCR 621									
15A NCAC 02H .1202	11-15 NCR 1200									
15A NCAC 02H .1203	11-15 NCR 1200									
15A NCAC 02H .1204	11-15 NCR 1200									
15A NCAC 02H .1205	11-15 NCR 1200									
15A NCAC 02L .0202	13-04 NCR 356									
15A NCAC 02N	11-15 NCR 1200									
15A NCAC 02N	11-15 NCR 1204									
15A NCAC 02P	11-15 NCR 1200									
15A NCAC 02P .0402	13-24 NCR 1994	14-07 NCR 550								
15A NCAC 02Q .0102	12-16 NCR 1482									
15A NCAC 02Q .0102	13-08 NCR 621		14-03 NCR 162	*						
15A NCAC 02Q .0102	13-12 NCR 943		14-03 NCR 162	*						

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
15A NCAC 02Q .0102		13-18 NCR 1545	14-03 NCR 162	*						
15A NCAC 02Q .0102	13-24 NCR 1994		14-07 NCR 524	*						
15A NCAC 02Q .0102	14-04 NCR 265									
15A NCAC 02Q .0103	13-24 NCR 1994		14-07 NCR 524	*						
15A NCAC 02Q .0109	14-04 NCR 265									
15A NCAC 02Q .0202	13-24 NCR 1994		14-07 NCR 524	*						
15A NCAC 02Q .0304	14-04 NCR 265									
15A NCAC 02Q .0305	14-04 NCR 265									
15A NCAC 02Q .0306	13-12 NCR 943		14-03 NCR 162	*						
15A NCAC 02Q .0401	14-04 NCR 265									
15A NCAC 02Q .0502	13-24 NCR 1994		14-07 NCR 524	S						
15A NCAC 02Q .0503	13-24 NCR 1994		14-07 NCR 524	*						
15A NCAC 02Q .0507	13-24 NCR 1994		14-07 NCR 524	*						
15A NCAC 02Q .0508	13-08 NCR 621		14-07 NCR 524	*						
15A NCAC 02Q .0508	14-04 NCR 265									
15A NCAC 02Q .0700	11-08 NCR 442									
15A NCAC 02Q .0702	13-12 NCR 943		13-20 NCR 1727	*						
15A NCAC 02Q .0703	13-04 NCR 356		14-03 NCR 162	*						
15A NCAC 02Q .0703	14-04 NCR 265									
15A NCAC 02Q .0711	13-04 NCR 356									
15A NCAC 02Q .0711	13-16 NCR 1252									
15A NCAC 02Q .0800	14-04 NCR 265									
15A NCAC 02R .0204	12-02 NCR 52		12-14 NCR 1267	S						
15A NCAC 02R .0205	12-02 NCR 52		12-14 NCR 1267	S						
15A NCAC 02R .0600	12-02 NCR 52									
15A NCAC 02S	14-04 NCR 272									

Health Services, Commission for

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
15A NCAC 13A 0101	1-4-04 NCR 265									
15A NCAC 13A 0102	1-4-05 NCR 370									
15A NCAC 13A 0103	1-4-04 NCR 265									
15A NCAC 13A 0104	1-4-05 NCR 370									
15A NCAC 13A 0106	1-4-04 NCR 265									
15A NCAC 13A 0108	1-4-05 NCR 370									
15A NCAC 13A 0110	1-4-04 NCR 265									
15A NCAC 13A 0112	1-4-05 NCR 370									
15A NCAC 13A 0113	1-4-04 NCR 265									
15A NCAC 13A 0118	1-4-05 NCR 370									
15A NCAC 13B 1627	11-08 NCR 442		11-13 NCR 1055	*						
15A NCAC 13B 1800	11-08 NCR 442									
15A NCAC 13B 1800	11-26 NCR 1976									
15A NCAC 18A 0432	11-04 NCR 183	12-14 NCR 1352								
15A NCAC 18A 1000	13-16 NCR 1252									
15A NCAC 18A 1300	13-16 NCR 1252									
15A NCAC 18A 1600	13-16 NCR 1252									
15A NCAC 18A 1601		12-21 NCR 1882	Temp Expired 01/26/99							
15A NCAC 18A 1611		12-21 NCR 1882	Temp Expired 01/26/99							
		13-12 NCR 979	13-20 NCR 1738	*	Approve	08/19/99				
		Temp Expired 01/26/99								
15A NCAC 18A 1700	13-16 NCR 1252									
15A NCAC 18A 1720	12-16 NCR 1482	12-18 NCR 1713	Temp Expired 12/11/98							
		12-21 NCR 1882	Temp Expired 01/26/99							
		12-24 NCR 2228	Temp Expired 03/12/99							

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
15A NCAC 18A 1808	13 08 NCR 621		13 13 NCR 1047	*	Approve	04/15/99	*		14 02 NCR 84	
15A NCAC 18A 1810		12 24 NCR 2228 13 20 NCR 1740	13 13 NCR 1047	*	Approve	04/15/99			14 02 NCR 84	
15A NCAC 18A 1812	13 08 NCR 621		13 13 NCR 1047	*	Approve	04/15/99	*		14 02 NCR 84	
15A NCAC 18A 1952		13 12 NCR 979	14 03 NCR 234	*						
15A NCAC 18A 1953		13 12 NCR 979	14 03 NCR 234	*						
15A NCAC 18A 1954		13 12 NCR 979	14 03 NCR 234	*						
15A NCAC 18A 1955		13 12 NCR 979	14 03 NCR 234	*						
15A NCAC 18A 2515	14 04 NCR 265									
15A NCAC 18A 2400	13 16 NCR 1252									
15A NCAC 18A 2515	14 06 NCR 428									
15A NCAC 18A 2600	12 04 NCR 240									
15A NCAC 18A 2618	N/A	N/A	N/A	N/A	Approve	08/19/99				
15A NCAC 18A 2805	12 16 NCR 1482									
15A NCAC 18A 2806	12 16 NCR 1482									
15A NCAC 18A 2807	12 16 NCR 1482									
15A NCAC 18A 2809	12 16 NCR 1482									
15A NCAC 18A 2811	12 16 NCR 1482									
15A NCAC 18A 2814	12 16 NCR 1482									
15A NCAC 18A 2816	12 16 NCR 1482									
15A NCAC 18A 2818	12 16 NCR 1482									
15A NCAC 18A 2821	12 16 NCR 1482									
15A NCAC 18A 2826	12 16 NCR 1482									
15A NCAC 18A 2835	12 16 NCR 1482									
15A NCAC 18A 2836	12 16 NCR 1482									
15A NCAC 18C 0301	13 04 NCR 356	14 03 NCR 247	14 03 NCR 247	S/L						
15A NCAC 18C 0302	13 04 NCR 356	14 03 NCR 247	14 03 NCR 247	S/L						
15A NCAC 18C 0303	13 04 NCR 356	14 03 NCR 247	14 03 NCR 247	S/L						

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
15A NCAC 18C .0304	13-04 NCR 356	14-03 NCR 247	14-03 NCR 247	S/L						
15A NCAC 18C .0305	13-04 NCR 356	14-03 NCR 247	14-03 NCR 247	S/L						
15A NCAC 18C .0306	13-04 NCR 356	14-03 NCR 247	14-03 NCR 247	*						
15A NCAC 18C .0307	13-04 NCR 356	14-03 NCR 247	14-03 NCR 247	S/L						
15A NCAC 18C .0308	13-04 NCR 356	14-03 NCR 247	14-03 NCR 247	S/L						
15A NCAC 18C .0309	13-04 NCR 356	14-03 NCR 247	14-03 NCR 247	S/L						
15A NCAC 18C .1304	13-04 NCR 356	14-03 NCR 247	14-03 NCR 247	*						
15A NCAC 18C .1538	14-05 NCR 370									
15A NCAC 18C .2007	14-05 NCR 370									
15A NCAC 18C .2008	14-05 NCR 370									
15A NCAC 18D .0201	13-23 NCR 1928		14-06 NCR 468	S/L						
15A NCAC 18D .0203	13-23 NCR 1928		14-06 NCR 468	S/L						
15A NCAC 18D .0205	13-23 NCR 1928		14-06 NCR 468	S/L						
15A NCAC 18D .0206	13-23 NCR 1928		14-06 NCR 468	S/L						
15A NCAC 18D .0304	13-23 NCR 1928		14-06 NCR 468	S/L						
15A NCAC 18D .0305	13-23 NCR 1928		14-06 NCR 468	*						
15A NCAC 18D .0307	13-23 NCR 1928		14-06 NCR 468	S/L						
15A NCAC 18D .0308	13-23 NCR 1928		14-06 NCR 468	S/L						
15A NCAC 18D .0309	13-23 NCR 1928		14-06 NCR 468	S/L						
15A NCAC 18D .0403	13-23 NCR 1928		14-06 NCR 468	S/L						
15A NCAC 18D .0701	13-23 NCR 1928		14-06 NCR 468	S/L						
15A NCAC 26C .0001	11-19 NCR 1408		14-06 NCR 468	S/L						
15A NCAC 26C .0002	11-19 NCR 1408		14-06 NCR 468	S/L						
15A NCAC 26C .0003	11-19 NCR 1408		14-06 NCR 468	S/L						
15A NCAC 26C .0004	11-19 NCR 1408		14-06 NCR 468	S/L						
15A NCAC 26C .0005	11-19 NCR 1408		14-06 NCR 468	S/L						
15A NCAC 26C .0006	11-19 NCR 1408		14-06 NCR 468	S/L						

CUMULATIVE INDEX (Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
Land Resources/Land Quality/Sedimentation Control Commission										
15A NCAC 26C .0007	11-19 NCR 1408									
15A NCAC 04B 0106	12-20 NCAC 1817		13-09 NCR 760	*	Approve	08/19/99	*			
15A NCAC 04B 0107	12-20 NCAC 1817		13-09 NCR 760	*	Approve	08/19/99	*			
15A NCAC 04B 0126	14-07 NCR 520									
15A NCAC 04B 0127	12-20 NCAC 1817		13-09 NCR 760	*	Approve	08/19/99				
15A NCAC 04C 0107	13-12 NCR 943		13-19 NCR 1651	*						
Marine Fisheries Commission										
15A NCAC 03	11-11 NCR 881									
15A NCAC 03	11-20 NCR 1537									
15A NCAC 03	11-26 NCR 1985									
15A NCAC 03	13-14 NCR 1113									
15A NCAC 03	13-17 NCR 1377									
15A NCAC 03H 0101	13-14 NCR 1113	14-01 NCR 18	14-06 NCR 443	*						
15A NCAC 03H 0103	12-23 NCR 2089									
15A NCAC 03H 0103	13-14 NCR 1113	14-01 NCR 18	14-06 NCR 443	*						
15A NCAC 03I 0101	13-14 NCR 1113	14-01 NCR 18	14-06 NCR 443	*						
15A NCAC 03I 0105	13-14 NCR 1113	14-04 NCR 323	14-06 NCR 443	*						
15A NCAC 03I 0105	13-14 NCR 1113	14-01 NCR 18	14-06 NCR 443	*						
15A NCAC 03I 0106	13-14 NCR 1113	14-01 NCR 18	14-06 NCR 443	*						
15A NCAC 03I 0107	N/A		N/A	N/A	Approve	06/17/99		14-05 NCR 402		
15A NCAC 03I 0114	13-14 NCR 1113	14-01 NCR 18	14-06 NCR 443	*						
15A NCAC 03I 0120	13-14 NCR 1113	14-01 NCR 18	14-06 NCR 443	*						
15A NCAC 03J 0103		13-08 NCR 739								
15A NCAC 03J 0103	13-14 NCR 1113	14-01 NCR 18	14-06 NCR 443	*						
15A NCAC 03J 0104	13-14 NCR 1113	14-01 NCR 18	14-06 NCR 443	*						
15A NCAC 03J 0110	13-14 NCR 1113	14-01 NCR 18	14-06 NCR 443	*						
15A NCAC 03J 0202	11-07 NCR 407		11-11 NCR 888	*						
15A NCAC 03J 0301	13-14 NCR 1113	14-01 NCR 18	14-06 NCR 443	*						

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
15A NCAC 03J .0302	13-14 NCR 1113	14-01 NCR 18	14-06 NCR 443	*						
15A NCAC 03J .0305	13-14 NCR 1113	14-01 NCR 18	14-06 NCR 443	*						
15A NCAC 03K .0101	13-14 NCR 1113	14-01 NCR 18	14-06 NCR 443	*						
15A NCAC 03K .0105	13-14 NCR 1113	14-01 NCR 18	14-06 NCR 443	*						
15A NCAC 03K .0106	13-14 NCR 1113	14-01 NCR 18	14-06 NCR 443	*						
15A NCAC 03K .0202	13-14 NCR 1113	14-01 NCR 18	14-06 NCR 443	*						
15A NCAC 03K .0502	13-14 NCR 1113	14-01 NCR 18	14-06 NCR 443	*						
15A NCAC 03L .0102	11-07 NCR 407		11-11 NCR 888	†						
15A NCAC 03L .0201	13-14 NCR 1113	14-01 NCR 18	14-06 NCR 443	*						
15A NCAC 03L .0206	13-14 NCR 1113	14-01 NCR 18	14-06 NCR 443	†						
15A NCAC 03M .0202	13-14 NCR 1113	14-01 NCR 18	14-06 NCR 443	*						
15A NCAC 03M .0301	13-14 NCR 1113	14-01 NCR 18	14-06 NCR 443	*						
15A NCAC 03M .0501	13-14 NCR 1113	13-08 NCR 739	14-06 NCR 443	*						
15A NCAC 03M .0503	13-14 NCR 1113	14-01 NCR 18	14-06 NCR 443	†						
15A NCAC 03M .0504	13-14 NCR 1113	14-01 NCR 18	14-06 NCR 443	*						
15A NCAC 03M .0506		13-22 NCR 1865								
15A NCAC 03M .0507	13-10 NCR 803									
15A NCAC 03M .0507	13-14 NCR 1113	14-01 NCR 18	14-06 NCR 443	*						
15A NCAC 03M .0511	13-14 NCR 1113	14-01 NCR 18	14-06 NCR 443	*						
15A NCAC 03M .0513	11-26 NCR 1976		12-05 NCR 418	*						
15A NCAC 03M .0513	13-14 NCR 1113	14-01 NCR 18								
		14-04 NCR 323	14-06 NCR 443	*						
15A NCAC 03M .0513	13-19 NCR 1666									
15A NCAC 03M .0515	12-23 NCR 2089		13-03 NCR 303	*						
15A NCAC 03M .0515	13-14 NCR 1113	14-01 NCR 18	14-06 NCR 443	*						
15A NCAC 03M .0516	13-14 NCR 1113	14-01 NCR 18	14-06 NCR 443	*						
15A NCAC 03O .0101	13-14 NCR 1113	14-01 NCR 18	14-06 NCR 443	*						

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Role-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
15A NCAC 030 .0102	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 030 .0103	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 030 .0104	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 030 .0105	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 030 .0106	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 030 .0107	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 030 .0108	13:14 NCR 1113	14:01 NCR 18								
		14:04 NCR 323	14:06 NCR 443	*						
15A NCAC 030 .0109	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 030 .0110	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 030 .0111	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 030 .0201	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 030 .0301	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 030 .0302	13:14 NCR 1113	14:01 NCR 18								
		14:04 NCR 323	14:06 NCR 443	*						
15A NCAC 030 .0303	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 030 .0304	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 030 .0305	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 030 .0306	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 030 .0307	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 030 .0308	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 030 .0309	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 030 .0310	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 030 .0401	13:14 NCR 1113	13:18 NCR 1553	14:06 NCR 443	*						
15A NCAC 030 .0402	13:14 NCR 1113	13:18 NCR 1553	14:06 NCR 443	*						
15A NCAC 030 .0403	13:14 NCR 1113	13:18 NCR 1553	14:06 NCR 443	*						
15A NCAC 030 .0404	13:14 NCR 1113	13:18 NCR 1553	14:06 NCR 443	*						
15A NCAC 030 .0405	13:14 NCR 1113	13:18 NCR 1553	14:06 NCR 443	*						

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
15A NCAC 030 .0406	13-14 NCR 1113	13-18 NCR 1553	14-06 NCR 443	*						
15A NCAC 03P .0101	N/A		N/A	N/A	Approve	07/15/99			14-06 NCR 490	
15A NCAC 03P .0102	N/A		N/A	N/A	Approve	07/15/99			14-06 NCR 490	
15A NCAC 03Q .0106	N/A		N/A	N/A	Approve	06/17/99			14-05 NCR 402	
15A NCAC 03Q .0107	11-26 NCR 1985		13-13 NCR 1043	*	Approve	05/20/99			14-04 NCR 330	
Parks and Recreation Commission										
15A NCAC 12A .0001	12-13 NCR 1097									
15A NCAC 12A .0004	12-13 NCR 1097									
15A NCAC 12A .0005	12-13 NCR 1097									
15A NCAC 12B .0101	12-13 NCR 1097									
15A NCAC 12B .0104	12-13 NCR 1097									
15A NCAC 12B .0106	12-13 NCR 1097									
15A NCAC 12B .0203	12-13 NCR 1097									
15A NCAC 12B .0401	12-13 NCR 1097									
15A NCAC 12B .0402	12-13 NCR 1097									
15A NCAC 12B .0501	12-13 NCR 1097									
15A NCAC 12B .0602	12-13 NCR 1097									
15A NCAC 12B .0701	12-13 NCR 1097									
15A NCAC 12B .0702	12-13 NCR 1097									
15A NCAC 12B .0802	12-13 NCR 1097									
15A NCAC 12B .1001	12-13 NCR 1097									
15A NCAC 12B .1004	12-13 NCR 1097									
15A NCAC 12B .1102	12-13 NCR 1097									
15A NCAC 12B .1201	12-13 NCR 1097									
Water Pollution Control System Operators Certification Commission										
15A NCAC 08E	11-26 NCR 1976									
15A NCAC 08F	11-26 NCR 1976									

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
Waste Management										
Public Notice - Seaboard Chemical Corporation										
Well Contractors Certification Commission										
15A NCAC 27 .0101	13.10 NCR 803	13.12 NCR 988	13.21 NCR 1788	*						
15A NCAC 27 .0110	13.10 NCR 803	13.12 NCR 988	13.21 NCR 1788	*	Object	08/19/99				
15A NCAC 27 .0201	13.10 NCR 803	13.12 NCR 988	13.21 NCR 1788	*	Object	08/19/99				
15A NCAC 27 .0301	13.10 NCR 803	13.12 NCR 988	13.21 NCR 1788	*	Object	08/19/99				
15A NCAC 27 .0401	13.10 NCR 803	13.12 NCR 988	13.21 NCR 1788	*	Approve	08/19/99	*			
15A NCAC 27 .0410	13.10 NCR 803	13.12 NCR 988	13.21 NCR 1788	*	Object	08/19/99				
15A NCAC 27 .0420	13.10 NCR 803	13.12 NCR 988	13.21 NCR 1788	*	Object	08/19/99				
15A NCAC 27 .0430	13.10 NCR 803	13.12 NCR 988	13.21 NCR 1788	*	Object	08/19/99				
15A NCAC 27 .0440	13.10 NCR 803	13.12 NCR 988	13.21 NCR 1788	*	Approve	08/19/99	*			
15A NCAC 27 .0501	13.10 NCR 803	13.12 NCR 988	13.21 NCR 1788	*	Approve	08/19/99				
15A NCAC 27 .0510	13.10 NCR 803	13.12 NCR 988	13.21 NCR 1788	*	Approve	08/19/99	*			
15A NCAC 27 .0520	13.10 NCR 803	13.12 NCR 988	13.21 NCR 1788	*	Approve	08/19/99				
15A NCAC 27 .0601	13.10 NCR 803	13.12 NCR 988	13.21 NCR 1788	*						
15A NCAC 27 .0701	13.10 NCR 803	13.12 NCR 988	13.21 NCR 1788	*	Object	08/19/99				
15A NCAC 27 .0801	13.10 NCR 803	13.12 NCR 988	13.21 NCR 1788	*						
15A NCAC 27 .0810	13.10 NCR 803	13.12 NCR 988	13.21 NCR 1788	*	Object	08/19/99				
15A NCAC 27 .0820	13.10 NCR 803	13.12 NCR 988	13.21 NCR 1788	*	Object	08/19/99				
15A NCAC 27 .0830	13.10 NCR 803	13.12 NCR 988	13.21 NCR 1788	*	Approve	08/19/99	*			
15A NCAC 27 .0840	13.10 NCR 803	13.12 NCR 988	13.21 NCR 1788	*	Object	08/19/99				
15A NCAC 27 .0901	13.10 NCR 803	13.12 NCR 988	13.21 NCR 1788	*	Approve	08/19/99	*			
15A NCAC 27 .0910	13.10 NCR 803	13.12 NCR 988	13.21 NCR 1788	*	Approve	08/19/99	*			
15A NCAC 27 .0920	13.10 NCR 803	13.12 NCR 988	13.21 NCR 1788	*	Approve	08/19/99	*			

14:01 NCR 3

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
15A NCAC 27 .0930	13 10 NCR 803	13 12 NCR 988	13 21 NCR 1788	*	Approve	08/19/99				
Wildlife Resources Commission										
15A NCAC 10B .0105	13 07 NCR 595	13 07 NCR 595	13 12 NCR 948	*	Object	04/15/99	*		14:04 NCR 330	
15A NCAC 10B .0109	N/A		N/A	N/A	Approve	05/20/99			14:05 NCR 402	
15A NCAC 10B .0113	13 08 NCR 625	13 19 NCR 1666	13 12 NCR 948	*	Approve	06/17/99	*		14:02 NCR 84	
15A NCAC 10B .0115	13 18 NCR 1502		13 22 NCR 1842	*	Approve	04/15/99	*			
15A NCAC 10B .0202	13 08 NCR 625	13 19 NCR 1666	13 12 NCR 948	*	Approve	04/15/99	*		14:02 NCR 84	
15A NCAC 10B .0203	13 08 NCR 625	13 19 NCR 1666	13 12 NCR 948	*	Approve	04/15/99	*		14:05 NCR 402	
15A NCAC 10B .0204	N/A		N/A	N/A	Approve	06/17/99			14:02 NCR 84	
15A NCAC 10B .0205	13 08 NCR 625	13 19 NCR 1666	13 12 NCR 948	*	Approve	04/15/99	*			
15A NCAC 10B .0209	13 08 NCR 625	13 19 NCR 1666	13 12 NCR 948	*	Approve	04/15/99			14:02 NCR 84	
15A NCAC 10B .0212	13 08 NCR 625	13 19 NCR 1666	13 12 NCR 948	*	Object	04/15/99	*		14:04 NCR 330	
15A NCAC 10B .0302	13 08 NCR 625	13 19 NCR 1666	13 12 NCR 948	*	Approve	05/20/99	*		14:02 NCR 84	
15A NCAC 10B .0403	13 23 NCR 1928				Approve	04/15/99				
15A NCAC 10C .0107	13 08 NCR 625		13 12 NCR 948	*	Approve	04/15/99	*		14:02 NCR 84	
15A NCAC 10C .0205	13 08 NCR 625	13 19 NCR 1666	13 12 NCR 948	*	Approve	04/15/99			14:02 NCR 84	
15A NCAC 10C .0305	13 08 NCR 625	13 19 NCR 1666	13 12 NCR 948	*	Approve	04/15/99	*		14 02 NCR 84	
15A NCAC 10C .0401	13 08 NCR 625	13 19 NCR 1666	13 12 NCR 948	*	Approve	04/15/99			14:02 NCR 84	
15A NCAC 10C .0501	13 14 NCR 1113		13 20 NCR 1737	*	Approve	08/19/99	*			
15A NCAC 10C .0502	13 14 NCR 1113		13 20 NCR 1737	*	Approve	08/19/99	*			
15A NCAC 10C .0503	13 14 NCR 1113		13 20 NCR 1737	*	Approve	08/19/99				
15A NCAC 10D .0102	13 08 NCR 625	13 19 NCR 1666	13 12 NCR 948	*	Approve	04/15/99			14:02 NCR 84	
15A NCAC 10D .0102	13 19 NCR 1609									
15A NCAC 10D .0103	13 08 NCR 625	13 19 NCR 1666	13 12 NCR 948	*	Approve	04/15/99	*		14:02 NCR 84	
15A NCAC 10D .0103	13 19 NCR 1609	14 07 NCR 551	14 01 NCR 6	*						
15A NCAC 10F .0201	NA		N/A	N/A	Approve	03/18/99			14:01 NCR 48	
15A NCAC 10F .0300	13 14 NCR 1113									

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
15A NCAC 10F 0300	14-01 NCR 5									
15A NCAC 10F 0303	12-19 NCR 1763									
15A NCAC 10F 0303	14-02 NCR 79									
15A NCAC 10F 0310	13-07 NCR 595	13-15 NCR 1231	13-11 NCR 905	L	Approve	02/18/99	*		13-24 NCR 2037	
15A NCAC 10F 0317	13-08 NCR 625		13-14 NCR 1116	*	Approve	04/15/99			14-02 NCR 84	
15A NCAC 10F 0321	13-13 NCR 1040	13-19 NCR 1666	13-19 NCR 1666	L	Approve	08/19/99				
15A NCAC 10F 0323	13-13 NCR 1040	13-19 NCR 1666	13-19 NCR 1666	L	Approve	08/19/99				
15A NCAC 10F 0330	13-03 NCR 269	13-07 NCR 595	13-07 NCR 595	S/L	Approve	04/15/99			14-02 NCR 84	
15A NCAC 10F 0330	13-11 NCR 855	13-15 NCR 1217	13-15 NCR 1231	L	Approve	04/15/99			14-02 NCR 84	
15A NCAC 10F 0333	14-02 NCR 79									
15A NCAC 10F 0339	13-13 NCR 1040	13-19 NCR 1666	13-19 NCR 1666	L	Approve	08/19/99				
15A NCAC 10F 0339	13-23 NCR 1928									
15A NCAC 10F 0342	13-07 NCR 585	13-15 NCR 1231	13-11 NCR 905	L	Approve	02/18/99	*		13-24 NCR 2037	
15A NCAC 10F 0353	14-02 NCR 79									
15A NCAC 10F 0354	14-02 NCR 79									
15A NCAC 10F 0355	14-04 NCR 272									
15A NCAC 10F 0359	12-19 NCR 1763									
15A NCAC 10F 0367	13-14 NCR 1113	13-19 NCR 1666	13-19 NCR 1666	L	Approve	08/19/99				14-02 NCR 75

FINAL DECISION LETTERS

Voting Rights Act

Voting Rights Act

Voting Rights Act

FORESTERS, BOARD OF REGISTRATION FOR

21 NCAC 20 0101

21 NCAC 20 0103

21 NCAC 20 0104

21 NCAC 20 0105

13-19 NCR 1695

13-19 NCR 1695

13-19 NCR 1695

13-19 NCR 1695

*

*

*

*

13-23 NCR 1942

13-23 NCR 1942

13-23 NCR 1942

13-23 NCR 1942

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
21 NCAC 20 .0106		13.19 NCR 1695	13.23 NCR 1942	*						
21 NCAC 20 .0117		13.19 NCR 1695	13.23 NCR 1942	*						
21 NCAC 20 .0120		13.19 NCR 1695	13.23 NCR 1942	*						
21 NCAC 20 .0122		13.19 NCR 1695	13.23 NCR 1942	*						
21 NCAC 20 .0123		13.19 NCR 1695	13.23 NCR 1942	*						
GENERAL CONTRACTORS LICENSING BOARD										
21 NCAC 12 .0202	13.22 NCR 1821		14.06 NCR 474	*						
21 NCAC 12 .0204		13.06 NCR 568	13.13 NCR 1048	*	Approve	05/20/99			14-04 NCR 330	
21 NCAC 12 .0204	13.22 NCR 1821		14.06 NCR 474	*						
21 NCAC 12 .0205	13.22 NCR 1821		14.06 NCR 474	*						
21 NCAC 12 .0209	13.22 NCR 1821		14.06 NCR 474	*						
21 NCAC 12 .0307	13.22 NCR 1821		14.06 NCR 474	*						
21 NCAC 12 .0402	13.22 NCR 1821		14.06 NCR 474	*						
21 NCAC 12 .0405	13.22 NCR 1821		14.06 NCR 474	*						
21 NCAC 12 .0410	13.22 NCR 1821		14.06 NCR 474	*						
21 NCAC 12 .0503	11.28 NCR 2117									
21 NCAC 12 .0504	11.28 NCR 2117									
21 NCAC 12 .0504	13.13 NCR 1040									
21 NCAC 12 .0901	13.22 NCR 1821		13.18 NCR 1524	*						
21 NCAC 12 .0902	11.28 NCR 2117		13.24 NCR 2015	*						
21 NCAC 12 .0905	11.28 NCR 2117		14.06 NCR 474	*						
21 NCAC 12 .0906	11.28 NCR 2117									
21 NCAC 12 .0907	11.28 NCR 2117									
21 NCAC 12 .0907	13.22 NCR 1821		14.06 NCR 474	*						
21 NCAC 12 .0908	11.28 NCR 2117									
21 NCAC 12 .0909	11.28 NCR 2117									
21 NCAC 12 .0910	11.28 NCR 2117									

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				

21 NCAC 12 .0911 11.28 NCR 2117

21 NCAC 12 .0912 11.28 NCR 2117

GEOLOGISTS, BOARD FOR LICENSING OF

21 NCAC 21 .0501 14.05 NCR 372

21 NCAC 21 .0514 14.05 NCR 372

21 NCAC 21 .0515 14.05 NCR 372

21 NCAC 21 .1101 14.05 NCR 372

21 NCAC 21 .1102 14.05 NCR 372

GOVERNOR'S EXECUTIVE ORDERS

Number 152 - Eff. 05/21/99

Number 153 - Eff. 05/28/99

Number 154 - Eff. 07/14/99

Number 155 - Eff. 07/20/99

Number 156 - Eff. 07/20/99

Number 157 - Eff. 08/13/99

Number 158 - Eff. 08/30/99

GOVERNOR, OFFICE OF

9 NCAC 05G .0101

9 NCAC 05G .0102

9 NCAC 05G .0103

9 NCAC 05G .0104

14.03 NCR 245

14.03 NCR 245

14.03 NCR 245

14.03 NCR 245

HEALTH AND HUMAN SERVICES

Aging

10 NCAC 22 10.23 NCR 2956

Blind/State Rehabilitation Council, Commission for the

10 NCAC 19G .0823

10 NCAC 19G .0827

13.17 NCR 1378

13.17 NCR 1378

*

*

Return to agency 07/15/99

14.01 NCR 1
14.02 NCR 72
14.06 NCR 426
14.07 NCR 510
14.07 NCR 510
14.07 NCR 510
14.07 NCR 510

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				

Child Day Care Commission

10 NCAC 03U 0102	12-21 NCR 1873		14-03 NCR 154	*						
10 NCAC 03U 0705	11-14 NCR 1108		11-27 NCR 2054	*						
10 NCAC 03U 2000	12-21 NCR 1873									
10 NCAC 03U 2501	12-21 NCR 1873		14-03 NCR 154	*						
10 NCAC 03U 2502	12-21 NCR 1873		14-03 NCR 154	*						
10 NCAC 03U 2510	12-21 NCR 1873		14-03 NCR 154	L						
10 NCAC 03U 2804	12-21 NCR 1873		14-03 NCR 154	*						
10 NCAC 03U 2811	12-21 NCR 1873		14-03 NCR 154	S						

Controller, Office of

10 NCAC 01B 0418	13-14 NCR 1109		13-22 NCR 1823	*	Approve	07/15/99	*		14-06 NCR 490	
10 NCAC 01B 0419	13-14 NCR 1109		13-22 NCR 1823	*	Approve	07/15/99	*		14-06 NCR 490	
10 NCAC 01B 0420	13-14 NCR 1109		13-22 NCR 1823	*	Approve	07/15/99	*		14-06 NCR 490	
10 NCAC 01B 0501	14-07 NCR 518									
10 NCAC 01B 0502	14-07 NCR 518									

Facility Services

Abbreviated Notice of Temporary Rule-Making

10 NCAC 03R 1613	13-14 NCR 1119	14-04 NCR 279	*							14-04 NCR 264
10 NCAC 03R 1615	13-14 NCR 1119	14-04 NCR 279	*							
10 NCAC 03R 1713	13-14 NCR 1119	14-04 NCR 279	*							
10 NCAC 03R 1714	13-14 NCR 1119	14-04 NCR 279	*							
10 NCAC 03R 1715	13-14 NCR 1119	14-04 NCR 279	*							
10 NCAC 03R 1912	13-14 NCR 1119	14-04 NCR 279	*							
10 NCAC 03R 1913	13-14 NCR 1119	14-04 NCR 279	*							
10 NCAC 03R 1914	13-14 NCR 1119	14-04 NCR 279	*							
10 NCAC 03R 2113	13-14 NCR 1119	14-04 NCR 279	*							
10 NCAC 03R 2713	13-14 NCR 1119	14-04 NCR 279	*							

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
10 NCAC 03R 2715		13 14 NCR 1119	14 04 NCR 279	*						
10 NCAC 03R 4203		13 14 NCR 1119	14 04 NCR 279	*						
10 NCAC 03R 6001	11 22 NCR 1704									
10 NCAC 03R 6112		12 15 NCR 1431 Temp Expired 04/15/99	13 02 NCR 178	S/L/SE	Object Object Returned to Acy	10/22/98 12/17/98 04/15/99				
10 NCAC 03R 6201		13 14 NCR 1119	14 03 NCR 130	*						
10 NCAC 03R 6202		13 14 NCR 1119	14 03 NCR 130	*						
10 NCAC 03R 6203		13 14 NCR 1119	14 03 NCR 130	*						
10 NCAC 03R 6204		14 04 NCR 314		*						
10 NCAC 03R 6205		13 14 NCR 1119	14 03 NCR 130	*						
10 NCAC 03R 6206		13 14 NCR 1119	14 03 NCR 130	*						
10 NCAC 03R 6207		13 14 NCR 1119	14 03 NCR 130	*						
10 NCAC 03R 6208		13 14 NCR 1119	14 03 NCR 130	S/L/SE						
10 NCAC 03R 6209		13 14 NCR 1119	14 03 NCR 130	S/L/SE						
10 NCAC 03R 6210		14 04 NCR 314		S/L/SE						
10 NCAC 03R 6211		13 14 NCR 1119	14 03 NCR 130	S/L/SE						
10 NCAC 03R 6212		13 14 NCR 1119	14 03 NCR 130	S/L/SE						
10 NCAC 03R 6213		13 14 NCR 1119	14 03 NCR 130	*						
10 NCAC 03R 6214		13 14 NCR 1119	14 03 NCR 130	*						
10 NCAC 03R 6215		13 14 NCR 1119	14 03 NCR 130	*						
10 NCAC 03R 6216		13 14 NCR 1119	14 03 NCR 130	*						
10 NCAC 03R 6217		13 14 NCR 1119	14 03 NCR 130	*						
10 NCAC 03R 6218		13 14 NCR 1119	14 03 NCR 130	*						
10 NCAC 03R 6219		13 14 NCR 1119	14 03 NCR 130	*						
10 NCAC 03R 6220		13 14 NCR 1119	14 03 NCR 130	S/L/SE						
10 NCAC 03R 6221		13 14 NCR 1119	14 03 NCR 130	S/L/SE						
		14 04 NCR 314								

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
10 NCAC 03R 6222		13 14 NCR 1119	14 03 NCR 130	S/L/SE						
10 NCAC 03R 6223		13 14 NCR 1119	14 03 NCR 130	*						
10 NCAC 03R 6224		13 14 NCR 1119	14 03 NCR 130	S/L/SE						
10 NCAC 03R 6225		13 14 NCR 1119	14 03 NCR 130	*						
10 NCAC 03R 6226		13 14 NCR 1119	14 03 NCR 130	S/L/SE						
10 NCAC 03R 6227		13 14 NCR 1119	14 03 NCR 130	*						
10 NCAC 03R 6228		13 14 NCR 1119	14 03 NCR 130	S/L/SE						
10 NCAC 03R 6229		13 14 NCR 1119	14 03 NCR 130	S/L/SE						
10 NCAC 03R 6230		13 14 NCR 1119	14 03 NCR 130	*						
10 NCAC 03R 6231		13 14 NCR 1119	14 03 NCR 130	*						
10 NCAC 03R 6232		13 14 NCR 1119	14 03 NCR 130	*						
10 NCAC 03R 6233		13 14 NCR 1119	14 03 NCR 130	S/L/SE						
10 NCAC 03R 6234		13 14 NCR 1119	14 03 NCR 130	S/L/SE						
10 NCAC 03R 6235		13 14 NCR 1119	14 03 NCR 130	*						
10 NCAC 03R 6236		13 14 NCR 1119	14 03 NCR 130	*						
10 NCAC 03R 6237		13 14 NCR 1119	14 03 NCR 130	*						
10 NCAC 03R 6238		13 14 NCR 1119	14 03 NCR 130	*						
10 NCAC 03R 6239		13 14 NCR 1119	14 03 NCR 130	*						
10 NCAC 03R 6240		13 14 NCR 1119	14 03 NCR 130	*						
10 NCAC 03R 6241		13 14 NCR 1119	14 03 NCR 130	*						
10 NCAC 03S 0108	12 24 NCR 2194		14 05 NCR 374	*						
10 NCAC 03S 0109	12 24 NCR 2194		14 05 NCR 374	*						
10 NCAC 03S 0207	12 24 NCR 2194		14 05 NCR 374	*						
10 NCAC 03S 0208	12 24 NCR 2194		14 05 NCR 374	*						
10 NCAC 03S 0209	12 24 NCR 2194		14 05 NCR 374	*						
10 NCAC 03S 0210	12 24 NCR 2194		14 05 NCR 374	*						
10 NCAC 03S 0211	12 24 NCR 2194		14 05 NCR 374	*						

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Role	Other
					Action	Date				
10 NCAC 03S 0213	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC 03S 0214	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC 03S 0307	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC 03S 0308	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC 03S 0407	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC 03S 0408	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC 03S 0506	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC 03S 0507	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC 03S 0508	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC 03S 0509	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC 03S 0510	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC 03S 0511	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC 03S 0614	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC 03S 0615	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC 03S 0616	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC 03S 0617	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC 03S 0618	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC 03S 0619	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC 03S 0706	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC 03S 0707	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC 03S 0806	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC 03S 0807	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC 03S 0808	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC 03S 0901	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC 03S 0902	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC 03S 0903	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC 03S 0904	12-24 NCR 2194		14-05 NCR 374	*						

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
10 NCAC 03S .1001	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC 03S .1002	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC 03S .1003	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC 03S .1004	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC 03S .1005	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC 03S .1006	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC 03S .1101	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC 03S .1201	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC 03S .1202	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC 03S .1203	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC 03S .1204	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC 03S .1205	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC 03S .1206	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC 03S .1207	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC 03S .1301	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC 03S .1302	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC 03S .1303	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC 03S .1401	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC 03S .1501	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC 03S .1601	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC 03S .1701	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC 03S .1702	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC 03S .1801	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC 03S .1802	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC 03S .1803	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC 03S .1804	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC 03S .1805	12-24 NCR 2194		14-05 NCR 374	*						

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
10 NCAC 03S 1806	12.24 NCR 2194		14.05 NCR 374	*						
10 NCAC 03S 1901	12.24 NCR 2194		14.05 NCR 374	*						
10 NCAC 03S 1902	12.24 NCR 2194		14.05 NCR 374	*						
10 NCAC 03S 1903	12.24 NCR 2194		14.05 NCR 374	*						
10 NCAC 03S 2001	12.24 NCR 2194		14.05 NCR 374	*						
10 NCAC 03S 2002	12.24 NCR 2194		14.05 NCR 374	*						
10 NCAC 03S 2101	12.24 NCR 2194		14.05 NCR 374	*						
10 NCAC 03S 2102	12.24 NCR 2194		14.05 NCR 374	*						
10 NCAC 03S 2103	12.24 NCR 2194		14.05 NCR 374	*						
10 NCAC 03S 2104	12.24 NCR 2194		14.05 NCR 374	*						
10 NCAC 03S 2105	12.24 NCR 2194		14.05 NCR 374	*						
10 NCAC 03S 2106	12.24 NCR 2194		14.05 NCR 374	*						
Health Services, Commission for										
15A NCAC 16A 1104	13.14 NCR 1114		14.01 NCR 12	*						
15A NCAC 16A 1106	13.14 NCR 1114		14.01 NCR 12	*						
15A NCAC 19A .0401	13.11 NCR 855	13.24 NCR 2034	13.24 NCR 2004	*						
15A NCAC 19A .0401	13.22 NCR 1818	13.24 NCR 2034	13.24 NCR 2004	*						
15A NCAC 19A .0401	14.06 NCR 483	14.06 NCR 483								
15A NCAC 19A .0404	13.11 NCR 855		13.24 NCR 2004	*						
15A NCAC 19A .0404	13.22 NCR 1818		13.24 NCR 2004	*						
15A NCAC 19A .0406	13.11 NCR 855		13.24 NCR 2004	*						
15A NCAC 19A .0406	13.22 NCR 1818		13.24 NCR 2004	*						
15A NCAC 19A .0502	13.11 NCR 855	13.13 NCR 1059	13.24 NCR 2004	*						
15A NCAC 19A .0502	13.22 NCR 1818		13.24 NCR 2004	*						
15A NCAC 21F 1201	14.03 NCR 126	14.06 NCR 483								
15A NCAC 21F 1202	14.03 NCR 126	14.06 NCR 483								
15A NCAC 21F 1203	14.03 NCR 126	14.06 NCR 483								

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status			Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date					
15A NCAC 21F .1204	14 03 NCR 126	14 06 NCR 483									
15A NCAC 21H .0110	12 20 NCR 1822		13 07 NCR 591	S	Extended Rev.	01/21/99					
15A NCAC 21H .0111	12 20 NCR 1822				Agcy Withdrew	02/02/99					
15A NCAC 21H .0113	12 20 NCR 1822		13 07 NCR 591	S	Approve	01/21/99	*			13 22 NCR 1868	
15A NCAC 21H .0314	14 03 NCR 126		13 07 NCR 591	*	Approve	01/21/99				13 22 NCR 1868	
15A NCAC 21I .0102	14 04 NCR 272	14 06 NCR 483									
15A NCAC 21I .0103	14 04 NCR 272										
15A NCAC 21J .0102	14 04 NCR 272										
15A NCAC 21J .0103	14 04 NCR 272										
15A NCAC 23 .0201	13 22 NCR 1820		14 02 NCR 80	+							
15A NCAC 23 .0202	13 22 NCR 1820	13 18 NCR 1555	14 02 NCR 80	S/L							
15A NCAC 23 .0204	13 22 NCR 1820		14 02 NCR 80	*							
15A NCAC 23 .0501	13 22 NCR 1820		14 02 NCR 80	+							
15A NCAC 24A .0402	14 03 NCR 126	14 06 NCR 483									
15A NCAC 24A .0403	14 03 NCR 126	14 06 NCR 483									
15A NCAC 26C	13 22 NCR 1820										
15A NCAC 26C .0101	13 22 NCR 1820		14 01 NCR 12	*							
15A NCAC 26C .0102	13 22 NCR 1820		14 01 NCR 12	+							
15A NCAC 26C .0103	13 22 NCR 1820		14 01 NCR 12	*							
15A NCAC 26C .0104	13 22 NCR 1820		14 01 NCR 12	+							
15A NCAC 26C .0105	13 22 NCR 1820		14 01 NCR 12	*							
15A NCAC 26C .0106	13 22 NCR 1820		14 01 NCR 12	*							
15A NCAC 26C .0107	13 22 NCR 1820		14 01 NCR 12	*							
Medical Assistance											
10 NCAC 26B .0113	14 01 NCR 4	14 04 NCR 319									
10 NCAC 26D .0110	12 06 NCR 444		12 21 NCR 1875	*							
10 NCAC 26H .0101	11 14 NCR 1108										

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
10 NCAC 26H .0102	11.14 NCR 1108									
10 NCAC 26H .0212	12.09 NCR 827 Temp Expired 7/31/98 12.13 NCR 733									
10 NCAC 26H .0213	11.26 NCR 1997									
10 NCAC 26H .0213	12.09 NCR 827									
	13.08 NCR 733									
10 NCAC 26H .0304	13.03 NCR 316		13.08 NCR 668	S/L	Object	12/17/98 01/21/99	*		13.22 NCR 1868	
10 NCAC 26H .0304	14.05 NCR 394									
10 NCAC 26H .0401	13.02 NCR 248		13.12 NCR 947	*	Approve	02/18/99	*		13.24 NCR 2037	
10 NCAC 26I .0101	13.02 NCR 175		13.07 NCR 588	*						
10 NCAC 26K .0106	12.05 NCR 337									
10 NCAC 26K .0106	12.06 NCR 444		12.21 NCR 1875	*						
10 NCAC 26M .0203	12.05 NCR 337									
10 NCAC 26M .0204	12.06 NCR 444		13.01 NCR 5	*						Extend. Com. Period 13.05 NCR 435
10 NCAC 26M .0301		14.04 NCR 319								
10 NCAC 26M .0302		14.04 NCR 319								
10 NCAC 26M .0303		14.04 NCR 319								
10 NCAC 26M .0304		14.04 NCR 319								
10 NCAC 26M .0305		14.04 NCR 319								
10 NCAC 50A .0604	12.06 NCR 444		12.21 NCR 1875	*						
10 NCAC 50B .0101	14.07 NCR 545									
10 NCAC 50B .0102		13.18 NCR 1526								
10 NCAC 50B .0202	12.06 NCR 444		12.21 NCR 1875	*						
10 NCAC 50B .0302	13.02 NCR 175		13.10 NCR 806	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 50B .0305		14.03 NCR 246								
10 NCAC 50B .0311	13.03 NCR 268									

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
10 NCAC 50B .0311	14-07 NCR 545	14-07 NCR 545								
10 NCAC 50B .0313	13-02 NCR 175		13-10 NCR 806	*	Approve	02/18/99	*		13-24 NCR 2037	
10 NCAC 50B .0313		13-18 NCR 1526								
10 NCAC 50B .0403	14-07 NCR 545	14-07 NCR 545								
10 NCAC 50B .0408	14-07 NCR 545	14-07 NCR 545								
Medical Care Commission										
10 NCAC 03D 1500	11-23 NCR 1779									
10 NCAC 42B 1201	14-05 NCR 370									
10 NCAC 42B .1212	14-05 NCR 370									
10 NCAC 42B .1213	14-05 NCR 370									
10 NCAC 42B 1214	14-05 NCR 370									
10 NCAC 42B 1215	14-05 NCR 370									
10 NCAC 42B 1707	14-05 NCR 370									
10 NCAC 42B 1803	14-05 NCR 370									
10 NCAC 42B .2013	14-05 NCR 370									
10 NCAC 42B .2014	14-05 NCR 370									
10 NCAC 42B .2501	14-05 NCR 370									
10 NCAC 42B .2502	14-05 NCR 370									
10 NCAC 42B .2503	14-05 NCR 370									
10 NCAC 42C .2005	14-05 NCR 370									
10 NCAC 42C .2012	14-05 NCR 370									
10 NCAC 42C .2013	14-05 NCR 370									
10 NCAC 42C .2014	14-05 NCR 370									
10 NCAC 42C .2207	14-05 NCR 370									
10 NCAC 42C .2214	14-05 NCR 370									
10 NCAC 42C .2501	14-05 NCR 370									
10 NCAC 42C .2505	14-05 NCR 370									

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
10 NCAC 42C .2506	14-05 NCR 370									
10 NCAC 42C .2703	14-05 NCR 370									
10 NCAC 42C .3401	14-05 NCR 370									
10 NCAC 42C .3402	14-05 NCR 370									
10 NCAC 42C .3701	14-05 NCR 370									
10 NCAC 42C .3703	14-05 NCR 370									
10 NCAC 42C .3801	14-05 NCR 370									
10 NCAC 42C .3802	14-05 NCR 370									
10 NCAC 42C .3803	14-05 NCR 370									
10 NCAC 42C .3804	14-05 NCR 370									
10 NCAC 42C .3805	14-05 NCR 370									
10 NCAC 42C .3806	14-05 NCR 370									
10 NCAC 42C .3807	14-05 NCR 370									
10 NCAC 42C .3808	14-05 NCR 370									
10 NCAC 42C .3809	14-05 NCR 370									
10 NCAC 42C .3810	14-05 NCR 370									
10 NCAC 42C .3901	14-05 NCR 370									
10 NCAC 42C .3902	14-05 NCR 370									
10 NCAC 42C .3903	14-05 NCR 370									
10 NCAC 42D .1301	14-05 NCR 370									
10 NCAC 42D .1302	14-05 NCR 370									
10 NCAC 42D .1303	14-05 NCR 370									
10 NCAC 42D .1401	14-05 NCR 370									
10 NCAC 42D .1402	14-05 NCR 370									
10 NCAC 42D .1407	14-05 NCR 370									
10 NCAC 42D .1412	14-05 NCR 370									
10 NCAC 42D .1413	14-05 NCR 370									

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
10 NCAC 42D 1414	14 05 NCR 370									
10 NCAC 42D 1415	14 05 NCR 370									
10 NCAC 42D 1416	14 05 NCR 370									
10 NCAC 42D 1503	14 05 NCR 370									
10 NCAC 42D 1605	14 05 NCR 370									
10 NCAC 42D 1804	14 05 NCR 370									
10 NCAC 42D 1813	14 05 NCR 370									
10 NCAC 42D 1832	14 05 NCR 370									
10 NCAC 42D 1833	14 05 NCR 370									
10 NCAC 42D 1901	14 05 NCR 370									
10 NCAC 42D 1902	14 05 NCR 370									
10 NCAC 42D 1903	14 05 NCR 370									
10 NCAC 42D 1904	14 05 NCR 370									
10 NCAC 42D 1905	14 05 NCR 370									
10 NCAC 42D 1906	14 05 NCR 370									
10 NCAC 42D 1907	14 05 NCR 370									
10 NCAC 42D 1908	14 05 NCR 370									
10 NCAC 42D 1909	14 05 NCR 370									
10 NCAC 42D 1910	14 05 NCR 370									
10 NCAC 42D 2001	14 05 NCR 370									
10 NCAC 42D 2002	14 05 NCR 370									
10 NCAC 42D 2003	14 05 NCR 370									
10 NCAC 42D 2004	14 05 NCR 370									
10 NCAC 42D 2005	14 05 NCR 370									
10 NCAC 42D 2006	14 05 NCR 370									
10 NCAC 42D 2007	14 05 NCR 370									
10 NCAC 42D 2008	14 05 NCR 370									

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
10 NCAC 42D .2009	14 05 NCR 370									
10 NCAC 42D .2010	14 05 NCR 370									
10 NCAC 42D .2011	14 05 NCR 370									
10 NCAC 42D .2101	14 05 NCR 370									
10 NCAC 42D .2102	14 05 NCR 370									
Mental Health, Developmental Disabilities and Substance Abuse Services										
10 NCAC 14V .0802	12 20 NCR 1820	13 22 NCR 1853	13 22 NCR 1853	*						
10 NCAC 14V .0803	12 20 NCR 1820	13 22 NCR 1853	13 22 NCR 1853	*						
10 NCAC 14V .0804	12 20 NCR 1820	13 22 NCR 1853	13 22 NCR 1853	*						
10 NCAC 14V .0805	12 20 NCR 1820	13 22 NCR 1853	13 22 NCR 1853	*						
10 NCAC 14V .3600	14 07 NCR 518									
10 NCAC 14V .3800	12 20 NCR 1820									
10 NCAC 14V .4000	12 20 NCR 1820									
10 NCAC 14V .4301	12 19 NCR 1762		13 07 NCR 586	*	Approve	01/21/99	*		13 22 NCR 1868	
10 NCAC 14V .4302	12 19 NCR 1762		13 07 NCR 586	*	Object	01/21/99	*		13 24 NCR 2037	
10 NCAC 14V .4303	12 19 NCR 1762		13 07 NCR 586	*	Approve	02/18/99	*		13 22 NCR 1868	
10 NCAC 14V .4304	12 19 NCR 1762		13 07 NCR 586	*	Approve	01/21/99	*		13 22 NCR 1868	
10 NCAC 14V .4305	12 19 NCR 1762		13 07 NCR 586	*	Approve	01/21/99	*		13 22 NCR 1868	
10 NCAC 14V .4306	12 19 NCR 1762		13 07 NCR 586	*	Approve	01/21/99	*		13 22 NCR 1868	
10 NCAC 14V .5000	12 20 NCR 1820		13 07 NCR 586	*	Approve	01/21/99	*		13 22 NCR 1868	
10 NCAC 45G .0410	13 23 NCR 1947	13 23 NCR 1947								
10 NCAC 45H .0205	11 19 NCR 1762	12 24 NCR 2223	13 05 NCR 487	*						
Secretary of Health and Human Services										
10 NCAC 14V .7000	14 07 NCR 518									
10 NCAC 14V .7006		12 01 NCR 31	12 07 NCR 511	*						
10 NCAC 14V .7201	13 05 NCR 436	Temp Expired 03/28/98	13 13 NCR 1042	*						

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
10 NCAC 14V .7202	13.05 NCR 436		13.13 NCR 1042	*						
10 NCAC 14V .7203	13.05 NCR 436		13.13 NCR 1042	*						
10 NCAC 14V .7204	13.05 NCR 436		13.13 NCR 1042	*						
10 NCAC 14V .7205	13.05 NCR 436		13.13 NCR 1042	*						
Social Services Commission										
10 NCAC 24	14.06 NCR 427									
10 NCAC 29C .0103		13.06 NCR 566	13.19 NCR 1611	*	Approve	07/15/99			14.06 NCR 490	
10 NCAC 41E .0401	12.11 NCR 919		13.05 NCR 438	*						
10 NCAC 41E .0403	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41E .0404	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41E .0405	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41E .0406	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41E .0501	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41E .0502	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41E .0503	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41E .0504	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41E .0505	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41E .0506	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41E .0507	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41E .0508	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41E .0509	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41E .0510	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
			13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
10 NCAC 41E .0511	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41E .0512	12.11 NCR 919		13.11 NCR 857	*						
10 NCAC 41E .0513	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41E .0514	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41E .0515	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41E .0516	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41E .0517	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41E .0518	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41E .0601	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41E .0602	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41E .0603	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41E .0604	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41E .0605	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41E .0606	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41E .0701	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41E .0702	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41E .0703	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41E .0704	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41G .0501	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41G .0502	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	

CUMULATIVE INDEX (Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
10 NCAC 41G .0504	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41G .0505	12.11 NCR 919		13.11 NCR 857	*						
10 NCAC 41G .0506	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41G .0507	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41G .0508	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41G .0509	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41G .0510	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41G .0511	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41G .0512	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41G .0513	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41G .0601	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41G .0602	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41G .0603	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41G .0604	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41G .0605	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41G .0606	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41G .0701	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41G .0702	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41G .0703	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41G .0704	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
			13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
10 NCAC 41G .0705	12.11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41G .0706	12.11 NCR 919		13:11 NCR 857	*						
			13:05 NCR 438	*						
10 NCAC 41G .0707	12.11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0708	12.11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0801	12.11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0802	12.11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0803	12.11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0804	12.11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0805	12.11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0806	12.11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0807	12.11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0808	12.11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0809	12.11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0902	12.11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1001	12.11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1002	12.11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1004	12.11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1005	12.11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1006	12.11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1007	12.11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1008	12.11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
			13:05 NCR 438	*						

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
10 NCAC 41G .1009	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
			13.05 NCR 438	*						
10 NCAC 41G .1010	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
			13.05 NCR 438	*						
10 NCAC 41G .1011	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
			13.05 NCR 438	*						
10 NCAC 41G .1012	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
			13.05 NCR 438	*						
10 NCAC 41G .1013	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
			13.05 NCR 438	*						
10 NCAC 41G .1101	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
			13.05 NCR 438	*						
10 NCAC 41G .1102	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
			13.05 NCR 438	*						
10 NCAC 41G .1103	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
			13.05 NCR 438	*						
10 NCAC 41G .1104	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
			13.05 NCR 438	*						
10 NCAC 41G .1105	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
			13.05 NCR 438	*						
10 NCAC 41G .1106	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
			13.05 NCR 438	*						
10 NCAC 41G .1201	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
			13.05 NCR 438	*						
10 NCAC 41G .1202	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
			13.05 NCR 438	*						
10 NCAC 41G .1203	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
			13.05 NCR 438	*						
10 NCAC 41G .1204	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
			13.05 NCR 438	*						
10 NCAC 41G .1205	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
			13.05 NCR 438	*						
10 NCAC 41G .1206	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
			13.05 NCR 438	*						
10 NCAC 41G .1207	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
			13.05 NCR 438	*						
10 NCAC 41G .1208	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
			13.05 NCR 438	*						
10 NCAC 41G .1301	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
			13.05 NCR 438	*						

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
10 NCAC 41G .1302	12-11 NCR 919		13-05 NCR 438	*						
10 NCAC 41G .1303	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99			13-24 NCR 2037	
10 NCAC 41G .1304	12-11 NCR 919		13-05 NCR 438	*	Approve	02/18/99			13-24 NCR 2037	
10 NCAC 41G .1305	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99			13-24 NCR 2037	
10 NCAC 41G .1306	12-11 NCR 919		13-05 NCR 438	*	Approve	02/18/99			13-24 NCR 2037	
10 NCAC 41G .1307	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99			13-24 NCR 2037	
10 NCAC 41G .1308	12-11 NCR 919		13-05 NCR 438	*	Approve	02/18/99			13-24 NCR 2037	
10 NCAC 41G .1309	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99			13-24 NCR 2037	
10 NCAC 41G .1402	12-11 NCR 919		13-05 NCR 438	*	Approve	02/18/99			13-24 NCR 2037	
10 NCAC 41H .0100	10-17 NCR 2228		13-11 NCR 857	*	Approve	02/18/99			13-24 NCR 2037	
10 NCAC 41H .0102	10-17 NCR 2228		13-11 NCR 857	*	Approve	02/18/99			13-24 NCR 2037	
10 NCAC 41R .0101	12-11 NCR 919		13-05 NCR 438	*	Approve	02/18/99			13-24 NCR 2037	
10 NCAC 41R .0102	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99			13-24 NCR 2037	
10 NCAC 41R .0103	12-11 NCR 919		13-05 NCR 438	*	Approve	02/18/99			13-24 NCR 2037	
10 NCAC 41R .0104	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99			13-24 NCR 2037	
10 NCAC 41R .0105	12-11 NCR 919		13-05 NCR 438	*	Approve	02/18/99			13-24 NCR 2037	
10 NCAC 41R .0106	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99			13-24 NCR 2037	
10 NCAC 41R .0107	12-11 NCR 919		13-05 NCR 438	*	Approve	02/18/99			13-24 NCR 2037	
10 NCAC 41S .0101	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99			13-24 NCR 2037	
				*	Object	02/18/99	*		13-24 NCR 2037	
10 NCAC 41S .0102	12-11 NCR 919		13-05 NCR 438	*	Approve	02/18/99			13-24 NCR 2037	
10 NCAC 41S .0201	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99			13-24 NCR 2037	

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
10 NCAC 41S .0202	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99	*		13.24 NCR 2037	
10 NCAC 41S .0203	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99	*		13.24 NCR 2037	
10 NCAC 41S .0204	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99	*		13.24 NCR 2037	
10 NCAC 41S .0301	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99	*		13.24 NCR 2037	
10 NCAC 41S .0302	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41S .0303	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41S .0304	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41S .0305	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41S .0306	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41S .0307	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41S .0401	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41S .0402	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41S .0403	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41S .0404	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41S .0405	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41S .0406	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41S .0407	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99	*		13.24 NCR 2037	
10 NCAC 41S .0501	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41S .0502	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41S .0503	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99	*		13.24 NCR 2037	
			13.11 NCR 857	*	Approve	02/18/99	*		13.24 NCR 2037	

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
10 NCAC 41S .0504	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41S .0505	12.11 NCR 919		13.11 NCR 857	*						
10 NCAC 41S .0506	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41S .0601	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41S .0602	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41S .0603	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41S .0604	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41S .0605	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41S .0606	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41S .0607	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41S .0608	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41S .0609	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41S .0610	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41S .0611	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41S .0612	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41S .0613	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41S .0613		14.04 NCR 321	13.05 NCR 438	*	Approve	02/18/99	*		13.24 NCR 2037	
10 NCAC 41S .0614	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41S .0615	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41S .0701	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41S .0702	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
10 NCAC 41S .0703	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
			13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41S .0704	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Object	02/18/99				
				*	Approve	02/18/99	*		13.24 NCR 2037	
10 NCAC 41S .0705	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41S .0706	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41S .0707	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99	*		13.24 NCR 2037	
10 NCAC 41S .0708	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41S .0709	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41S .0710	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41S .0711	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41S .0712	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41S .0713	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41T .0101	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99	*		13.24 NCR 2037	
10 NCAC 41T .0102	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41T .0103	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99	*		13.24 NCR 2037	
10 NCAC 41T .0104	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99	*		13.24 NCR 2037	
10 NCAC 41T .0105	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41T .0106	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41T .0201	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99	*		13.24 NCR 2037	
10 NCAC 41T .0202	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99	*		13.24 NCR 2037	
10 NCAC 41T .0203	12.11 NCR 919		13.05 NCR 438	*						
				*	Approve	02/18/99	*		13.24 NCR 2037	

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
10 NCAC 41T .0204	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99			13-24 NCR 2037	
			13-05 NCR 438	*						
10 NCAC 41T .0205	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99			13-24 NCR 2037	
			13-05 NCR 438	*						
10 NCAC 41T .0206	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99			13-24 NCR 2037	
			13-05 NCR 438	*						
10 NCAC 42A	14-06 NCR 427		13-11 NCR 857	*	Approve	02/18/99			13-24 NCR 2037	
10 NCAC 42E	14-06 NCR 427									
10 NCAC 42V	14-06 NCR 427									
10 NCAC 42Z	14-06 NCR 427									
10 NCAC 47B	14-07 NCR 519									
Vocational Rehabilitation Services										
10 NCAC 20A .0101	14-07 NCR 519									
10 NCAC 20A .0102	14-07 NCR 519									
10 NCAC 20B .0102	14-07 NCR 519									
10 NCAC 20B .0103	14-07 NCR 519									
10 NCAC 20B .0105	14-07 NCR 519									
10 NCAC 20B .0108	14-07 NCR 519									
10 NCAC 20B .0201	14-07 NCR 519									
10 NCAC 20B .0202	14-07 NCR 519									
10 NCAC 20B .0203	14-07 NCR 519									
10 NCAC 20B .0204	14-07 NCR 519									
10 NCAC 20B .0206	14-07 NCR 519									
10 NCAC 20B .0208	14-07 NCR 519									
10 NCAC 20B .0210	14-07 NCR 519									
10 NCAC 20B .0217	14-07 NCR 519									
10 NCAC 20B .0224		13-17 NCR 1379	14-05 NCR 392	*						
10 NCAC 20B .0225	14-07 NCR 519									
10 NCAC 20B .0228		13-17 NCR 1379	14-05 NCR 392	*						

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
10 NCAC 20C .0101	14:07 NCR 519									
10 NCAC 20C .0120	14:07 NCR 519									
10 NCAC 20C .0122	14:07 NCR 519									
10 NCAC 20C .0123	14:07 NCR 519									
10 NCAC 20C .0201	14:07 NCR 519									
10 NCAC 20C .0202	14:07 NCR 519									
10 NCAC 20C .0203	14:07 NCR 519									
10 NCAC 20C .0204	14:07 NCR 519									
10 NCAC 20C .0205	14:07 NCR 519									
10 NCAC 20C .0206	14:07 NCR 519									
10 NCAC 20C .0301	14:07 NCR 519									
10 NCAC 20C .0302	14:07 NCR 519									
10 NCAC 20C .0303	14:07 NCR 519									
10 NCAC 20C .0304	14:07 NCR 519									
10 NCAC 20C .0305	14:07 NCR 519									
10 NCAC 20C .0306	14:07 NCR 519									
10 NCAC 20C .0307	14:07 NCR 519									
10 NCAC 20C .0308	14:07 NCR 519									
10 NCAC 20C .0310	14:07 NCR 519									
10 NCAC 20C .0311	14:07 NCR 519									
10 NCAC 20C .0313	14:07 NCR 519									
10 NCAC 20C .0314	14:07 NCR 519									
10 NCAC 20C .0315	14:07 NCR 519									
10 NCAC 20C .0316	14:07 NCR 519									
10 NCAC 20C .0401	14:07 NCR 519									
10 NCAC 20C .0408	14:07 NCR 519									
10 NCAC 20C .0502	14:07 NCR 519									

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Role	Other
					Action	Date				
10 NCAC 20C .0601	14-07 NCR 519									
10 NCAC 20C .0603	14-07 NCR 519									
10 NCAC 20C .0604	14-07 NCR 519									
10 NCAC 20D .0101	14-07 NCR 519									
10 NCAC 20D .0201	14-07 NCR 519									
10 NCAC 20D .0301	14-07 NCR 519									
HOUSING FINANCE AGENCY										
24 NCAC 01H .0103	13-22 NCR 1822		14-02 NCR 82	*						
INSURANCE										
11 NCAC 06	12-09 NCR 744									
11 NCAC 12	12-09 NCR 744									
11 NCAC 12 .1702	14-02 NCR 78		14-06 NCR 433	*						
11 NCAC 13	12-09 NCR 744									
11 NCAC 13 .0514	14-02 NCR 78		14-06 NCR 433	*						
11 NCAC 13 .0518	14-02 NCR 78		14-06 NCR 433	*						
11 NCAC 14	12-09 NCR 744									
11 NCAC 15	12-09 NCR 744									
11 NCAC 16	12-09 NCR 744									
11 NCAC 17	12-09 NCR 744									
11 NCAC 20	12-09 NCR 744									
11 NCAC 21	12-09 NCR 744									
JUSTICE										
Criminal Justice Education and Training Standards Commission										
12 NCAC 09B .0107	13-14 NCR 1110		13-19 NCR 1611	*	Ext. Review Return to Agency Approve	06/17/99 07/15/99 06/17/99			14-05 NCR 402	
12 NCAC 09B .0109	13-14 NCR 1110		13-19 NCR 1611	*	Approve	06/17/99	*		14-05 NCR 402	
12 NCAC 09B .0110	13-14 NCR 1110		13-19 NCR 1611	*	Approve	06/17/99	*		14-05 NCR 402	
12 NCAC 09B .0112	13-14 NCR 1110		13-19 NCR 1611	*	Approve	06/17/99	*		14-05 NCR 402	

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
12 NCAC 09B 0113	13,14 NCR 1110		13,19 NCR 1611	*	Ext. Review Return to Agency Approve	06/17/99 07/15/99 06/17/99			14.05 NCR 402	
12 NCAC 09B 0115	13,14 NCR 1110		13,19 NCR 1611	*	Object Return to Agency Object	06/17/99 07/15/99 06/17/99	*			
12 NCAC 09B 0201	13,14 NCR 1110		13,19 NCR 1611	*	Return to Agency Object Return to Agency	06/17/99 07/15/99 06/17/99				
12 NCAC 09B 0202	13,14 NCR 1110		13,19 NCR 1611	*	Return to Agency Object Return to Agency	06/17/99 07/15/99 06/17/99				
12 NCAC 09B 0203	13,14 NCR 1110		13,19 NCR 1611	*	Return to Agency Object Return to Agency	06/17/99 07/15/99 06/17/99				
12 NCAC 09B 0204	13,14 NCR 1110		13,19 NCR 1611	*	Return to Agency Object Return to Agency	06/17/99 07/15/99 06/17/99				
12 NCAC 09B 0205	13,14 NCR 1110		13,19 NCR 1611	S/L	Return to Agency Object Return to Agency	06/17/99 07/15/99 06/17/99				
12 NCAC 09B 0206	13,14 NCR 1110		13,19 NCR 1611	*	Return to Agency Object Return to Agency	06/17/99 07/15/99 06/17/99			14.05 NCR 402	
12 NCAC 09B 0207	13,14 NCR 1110		13,19 NCR 1611	*	Return to Agency Object Return to Agency	06/17/99 07/15/99 06/17/99			14.05 NCR 402	
12 NCAC 09B 0208	13,14 NCR 1110		13,19 NCR 1611	*	Return to Agency Object Return to Agency	06/17/99 07/15/99 06/17/99				
12 NCAC 09B 0226	13,14 NCR 1110		13,19 NCR 1611	*	Return to Agency Object Return to Agency	06/17/99 07/15/99 06/17/99				
12 NCAC 09B 0227	13,14 NCR 1110		13,19 NCR 1611	*	Return to Agency Object Return to Agency	06/17/99 07/15/99 06/17/99				
12 NCAC 09B 0228	13,14 NCR 1110		13,19 NCR 1611	S	Return to Agency Object Return to Agency	06/17/99 07/15/99 06/17/99				
12 NCAC 09B 0232	13,14 NCR 1110		13,19 NCR 1611	S	Return to Agency Object Return to Agency	06/17/99 07/15/99 06/17/99				
12 NCAC 09B 0233	13,14 NCR 1110		13,19 NCR 1611	S	Return to Agency Object Return to Agency	06/17/99 07/15/99 06/17/99				
12 NCAC 09B 0302	13,14 NCR 1110		13,19 NCR 1611	*	Return to Agency Object Return to Agency	06/17/99 07/15/99 06/17/99	*		14.05 NCR 402	
12 NCAC 09B 0303	13,14 NCR 1110		13,19 NCR 1611	*	Return to Agency Object Return to Agency	06/17/99 07/15/99 06/17/99	*		14.05 NCR 402	
12 NCAC 09B 0304	13,14 NCR 1110		13,19 NCR 1611	*	Return to Agency Object Return to Agency	06/17/99 07/15/99 06/17/99	*		14.05 NCR 402	
12 NCAC 09B 0305	13,14 NCR 1110		13,19 NCR 1611	*	Return to Agency Object Return to Agency	06/17/99 07/15/99 06/17/99	*		14.05 NCR 402	
12 NCAC 09B 0312	13,14 NCR 1110		13,19 NCR 1611	*	Return to Agency Object Return to Agency	06/17/99 07/15/99 06/17/99				
12 NCAC 09B 0403	13,14 NCR 1110		13,19 NCR 1611	*	Return to Agency Object Return to Agency	06/17/99 07/15/99 06/17/99			14.05 NCR 402	
12 NCAC 09B 0404	13,14 NCR 1110		13,19 NCR 1611	*	Return to Agency Object Return to Agency	06/17/99 07/15/99 06/17/99			14.05 NCR 402	
12 NCAC 09B 0405	13,14 NCR 1110		13,19 NCR 1611	*	Return to Agency Object Return to Agency	06/17/99 07/15/99 06/17/99			14.05 NCR 402	

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
12 NCAC 09B .0406	13.14 NCR 1110		13.19 NCR 1611	S	Approve	06/17/99	*		14.05 NCR 402	
12 NCAC 09B .0407	13.14 NCR 1110		13.19 NCR 1611	*	Approve	06/17/99			14.05 NCR 402	
12 NCAC 09B .0414	13.14 NCR 1110		13.19 NCR 1611	*	Approve	06/17/99	*		14.05 NCR 402	
12 NCAC 09B .0415	13.14 NCR 1110		13.19 NCR 1611	*	Approve	06/17/99			14.05 NCR 402	
12 NCAC 09C .0211	13.14 NCR 1110		13.19 NCR 1611	*	Approve	06/17/99			14.05 NCR 402	
12 NCAC 09C .0212	13.14 NCR 1110		13.19 NCR 1611	*	Object Return to Agency	06/17/99 07/15/99				
12 NCAC 09C .0213	13.14 NCR 1110		13.19 NCR 1611	*	Object Return to Agency	06/17/99 07/15/99				
12 NCAC 09C .0403	13.14 NCR 1110		13.19 NCR 1611	*	Object Return to Agency	06/17/99 07/15/99			14.05 NCR 402	
12 NCAC 09E .0107	13.14 NCR 1110		13.19 NCR 1611	*	Approve	06/17/99			14.05 NCR 402	
Private Protective Services Board										
12 NCAC 07D .0807	13.14 NCR 1110		14.07 NCR 523	*						
12 NCAC 07D .1201	11.10 NCR 818		12.14 NCR 1263	*	Object	11/19/98				
12 NCAC 07D .1202	11.10 NCR 818		12.14 NCR 1263	*	Object	11/19/98				
12 NCAC 07D .1301	11.16 NCR 1268		12.14 NCR 1263	*	Object	11/19/98				
12 NCAC 07D .1302	11.16 NCR 1268		12.14 NCR 1263	*	Object	11/19/98				
12 NCAC 07D .1303	11.16 NCR 1268		12.14 NCR 1263	*	Object	11/19/98				
12 NCAC 07D .1304	11.16 NCR 1268		12.14 NCR 1263	*	Object	11/19/98				
12 NCAC 07D .1305	11.16 NCR 1268		12.14 NCR 1263	*	Object	11/19/98				
12 NCAC 07D .1306	11.16 NCR 1268		12.14 NCR 1263	*	Object	11/19/98				
12 NCAC 07D .1307	11.16 NCR 1268		12.14 NCR 1263	*	Object	11/19/98				
Sheriffs' Education and Training Standards Commission										
12 NCAC 10B .0103	13.14 NCR 1110		13.19 NCR 1637	S	Object Return to Agency	06/17/99 07/15/99				
12 NCAC 10B .0502	13.14 NCR 1110		13.19 NCR 1637	L	Object	06/17/99				
12 NCAC 10B .0505	13.14 NCR 1110		13.19 NCR 1637	*	Approve	06/17/99			14.05 NCR 402	
12 NCAC 10B .0506	13.14 NCR 1110		13.19 NCR 1637	*	Approve	06/17/99			14.05 NCR 402	
12 NCAC 10B .0507	13.14 NCR 1110		13.19 NCR 1637	*	Approve	06/17/99			14.05 NCR 402	

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Role Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
12 NCAC 10B .0508	13.14 NCR 1110		13.19 NCR 1637	*	Approve	06/17/99			14.05 NCR 402	
12 NCAC 10B .0509	13.14 NCR 1110		13.19 NCR 1637	*	Approve	06/17/99			14.05 NCR 402	
12 NCAC 10B .0601	13.14 NCR 1110		13.19 NCR 1637	S/L	Object	06/17/99				
12 NCAC 10B .0606	13.14 NCR 1110									
12 NCAC 10B .0607	13.14 NCR 1110									
12 NCAC 10B .0703	13.14 NCR 1110		13.19 NCR 1637	S/L	Approve	06/17/99	*		14.05 NCR 402	
12 NCAC 10B .0908	13.14 NCR 1110		13.19 NCR 1637	S/L	Approve	06/17/99			14.05 NCR 402	
12 NCAC 10B .1002	13.14 NCR 1110		13.19 NCR 1637	*	Approve	06/17/99			14.05 NCR 402	
12 NCAC 10B .1401	13.14 NCR 1110		13.19 NCR 1637	S	Approve	06/17/99			14.05 NCR 402	
12 NCAC 10B .1402	13.14 NCR 1110		13.19 NCR 1637	S	Approve	06/17/99	*		14.05 NCR 402	
12 NCAC 10B .1403	13.14 NCR 1110		13.19 NCR 1637	S	Approve	06/17/99	*		14.05 NCR 402	
12 NCAC 10B .1404	13.14 NCR 1110		13.19 NCR 1637	S	Approve	06/17/99	*		14.05 NCR 402	
12 NCAC 10B .1405	13.14 NCR 1110		13.19 NCR 1637	S	Approve	06/17/99	*		14.05 NCR 402	
12 NCAC 10B .1406	13.14 NCR 1110		13.19 NCR 1637	S	Approve	06/17/99			14.05 NCR 402	
LABOR										
13 NCAC 01A .0100	14.07 NCR 519									
13 NCAC 01B .0100	14.07 NCR 519									
13 NCAC 01B .0200	14.07 NCR 519									
13 NCAC 01B .0300	14.07 NCR 519									
13 NCAC 01B .0400	14.07 NCR 519									
13 NCAC 01B .0500	14.07 NCR 519									
13 NCAC 01B .0600	14.07 NCR 519									
13 NCAC 01C .0100	14.07 NCR 519									
13 NCAC 01C .0200	14.07 NCR 519									
13 NCAC 01C .0300	14.07 NCR 519									
13 NCAC 01C .0400	14.07 NCR 519									
13 NCAC 01C .0500	14.07 NCR 519									

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				

Boiler and Pressure Vessel Division

13 NCAC 13.0406 13:03 NCR 269 13:08 NCR 685 *

13 NCAC 13.0409 13:03 NCR 269 13:08 NCR 685 *

Occupational Safety and Health

*Verbatim Adoption Federal Standards

13 NCAC 07A.0401 14:02 NCR 78

13 NCAC 07A.0900 11:11 NCR 881

13 NCAC 07F.1103 11:03 NCR 106

13 NCAC 07F.0101 14:02 NCR 78

13 NCAC 07F.0201 11:03 NCR 106

13 NCAC 07F.0204 14:02 NCR 78

13 NCAC 07F.0301 11:03 NCR 106

13 NCAC 07F.0410 14:02 NCR 78

13 NCAC 07F.0601 13:02 NCR 176

13 NCAC 07F.0602 13:02 NCR 176

13 NCAC 07F.0603 13:02 NCR 176

13 NCAC 07F.0604 13:02 NCR 176

13 NCAC 07F.0605 13:02 NCR 176

13 NCAC 07F.0606 13:02 NCR 176

Retaliatory Employment Discrimination

13 NCAC 19.0101 N/A N/A

Wage and Hour Division

13 NCAC 12.0501 13:03 NCR 268

13 NCAC 12.0801 13:03 NCR 268

13 NCAC 12.0802 13:03 NCR 268

LANDSCAPE ARCHITECTS, BOARD OF

21 NCAC 26.0101 14:05 NCR 373

14:07 NCR 517

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
21 NCAC 26.0104		12.08 NCR 730	Temp Expired 07/12/98							
21 NCAC 26.0104	14.05 NCR 373									
21 NCAC 26.0105		12.08 NCR 730	Temp Expired 07/12/98							
21 NCAC 26.0105	14.05 NCR 373									
21 NCAC 26.0302		12.08 NCR 730	Temp Expired 07/12/98							
21 NCAC 26.0506		12.08 NCR 730	Temp Expired 07/12/98							
21 NCAC 26.0507		12.08 NCR 730	Temp Expired 07/12/98							
21 NCAC 26.0508		12.08 NCR 730	Temp Expired 07/12/98							
21 NCAC 26.0509		12.08 NCR 730	Temp Expired 07/12/98							
MEDICAL BOARD										
21 NCAC 32	13.06 NCR 538									
21 NCAC 32B	11.18 NCR 1369									
21 NCAC 32B	12.04 NCR 245									
21 NCAC 32O 0118	11.18 NCR 1369		13.08 NCR 709	*						
21 NCAC 32O 0119	11.18 NCR 1369		13.08 NCR 709	*						
21 NCAC 32O 0120	11.18 NCR 1369		13.08 NCR 709	*						
21 NCAC 32O 0121	11.18 NCR 1369		13.08 NCR 709	*						
21 NCAC 32R 0101	14.03 NCR 127									
21 NCAC 32R 0102	14.03 NCR 127									
21 NCAC 32R 0103	14.03 NCR 127									
21 NCAC 32R 0104	14.03 NCR 127									
MORTUARY SCIENCE, BOARD OF										
21 NCAC 34C	12.09 NCR 745									
MUNICIPAL INCORPORATIONS PETITION										
NURSING, BOARD OF										
21 NCAC 36.0213	13.22 NCR 1821		14.02 NCR 82	*						
21 NCAC 36.0227	14.07 NCR 521									

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				

21 NCAC 36 .0404 14.07 NCR 521
 21 NCAC 36 .0701 14.07 NCR 521
 21 NCAC 36 .0702 14.07 NCR 521
 21 NCAC 36 .0703 14.07 NCR 521
 21 NCAC 36 .0704 14.07 NCR 521
 21 NCAC 36 .0705 14.07 NCR 521

NURSING HOME ADMINISTRATORS, BOARD OF EXAMINERS FOR

21 NCAC 37D .0202 14.05 NCR 398
 21 NCAC 37E .0102 14.05 NCR 398
 21 NCAC 37F .0102 14.05 NCR 398
 21 NCAC 37G .0102 14.05 NCR 398
 21 NCAC 37G .0201 14.05 NCR 398
 21 NCAC 37H .0102 14.05 NCR 398

PHARMACY, BOARD OF

21 NCAC 46 .1317 13.22 NCR 1821
 21 NCAC 46 .1413 13.22 NCR 1821
 21 NCAC 46 .1414 13.22 NCR 1821
 21 NCAC 46 .1508 13.22 NCR 1821
 21 NCAC 46 .1601 13.22 NCR 1821
 21 NCAC 46 .1608 12.24 NCR 2203
 21 NCAC 46 .1609 12.24 NCR 2203
 21 NCAC 46 .1804 12.03 NCR 168
 21 NCAC 46 .1810 13.22 NCR 1821
 21 NCAC 46 .1813 13.22 NCR 1821

14.06 NCR 480 *
 14.06 NCR 480 *
 12.07 NCR 527 *
 12.09 NCR 797 *
 13.02 NCR 246 SE
 14.06 NCR 480 *

State Budget
 Object
 Object
 Object
 Approve

14.04 NCR 330

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
21 NCAC 46 .1814	13.22 NCR 1821		14.06 NCR 480	*						
21 NCAC 46 .1815		13.11 NCR 910	13.22 NCR 1848 13.24 NCR 2016	*	Approve	08/19/99	*			
21 NCAC 46 .1816	13.22 NCR 1821		14.06 NCR 480	*						
21 NCAC 46 .2103	12.03 NCR 168		12.07 NCR 527	*						
			12.09 NCR 797	*						
21 NCAC 46 .2301	12.03 NCR 168		12.07 NCR 527	*						
			12.09 NCR 797	*						
21 NCAC 46 .2306	12.24 NCR 2203		13.04 NCR 419	*	Object	11/19/98				
21 NCAC 46 .2506	12.24 NCR 2203		13.04 NCR 419	*	Object	12/17/98				
PHYSICAL THERAPY EXAMINERS										
21 NCAC 48F .0102	14.06 NCR 489	14.06 NCR 489								
PLUMBING, HEATING AND FIRE SPRINKLER CONTRACTORS, EXAMINERS OF										
21 NCAC 50 .0106	12.07 NCR 509									
21 NCAC 50 .0202	12.07 NCR 509									
21 NCAC 50 .0301	14.06 NCR 429									
21 NCAC 50 .0304	14.06 NCR 429									
21 NCAC 50 .0306	14.06 NCR 429									
21 NCAC 50 .0310	14.06 NCR 429									
21 NCAC 50 .0402	14.06 NCR 429									
21 NCAC 50 .0404	14.06 NCR 429									
21 NCAC 50 .0406	14.06 NCR 429									
21 NCAC 50 .0407	14.06 NCR 429									
21 NCAC 50 .0412	14.06 NCR 429									
21 NCAC 50 .0505	14.06 NCR 429									
21 NCAC 50 .0506	12.07 NCR 509	12.07 NCR 557	Temp Expired 06/28/98							
21 NCAC 50 .0506	14.06 NCR 429									
21 NCAC 50 .0508	14.06 NCR 429									

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
21 NCAC 50 1101	14-06 NCR 429									
21 NCAC 50 1102	14-06 NCR 429									
21 NCAC 50 1201	12-07 NCR 509									
21 NCAC 50 1201	14-06 NCR 429									
21 NCAC 50 1202	14-06 NCR 429									
21 NCAC 50 1203	14-06 NCR 429									
21 NCAC 50 1204	14-06 NCR 429									
21 NCAC 50 1205	12-07 NCR 509									
21 NCAC 50 1205	14-06 NCR 429									
21 NCAC 50 1206	12-07 NCR 509									
21 NCAC 50 1206	14-06 NCR 429									
21 NCAC 50 1207	14-06 NCR 429									
21 NCAC 50 1208	14-06 NCR 429									
21 NCAC 50 1209	14-06 NCR 429									
21 NCAC 50 1210	12-07 NCR 509									
21 NCAC 50 1210	14-06 NCR 429									
21 NCAC 50 1211	14-06 NCR 429									
21 NCAC 50 1212	12-07 NCR 509									
21 NCAC 50 1212	14-06 NCR 429									
21 NCAC 50 1213	14-06 NCR 429									
21 NCAC 50 1214	14-06 NCR 429									
21 NCAC 50 1302	12-07 NCR 509									
PSYCHOLOGY BOARD										
21 NCAC 54 1611	12-05 NCR 338		13-13 NCR 1050							
21 NCAC 54 1612	12-05 NCR 338									
21 NCAC 54 1613	12-05 NCR 338									
21 NCAC 54 1901	13-21 NCR 1784									

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
21 NCAC 54.2006	12:05 NCR 338									
21 NCAC 54.2010	12:05 NCR 338									
21 NCAC 54.2104	12:05 NCR 338		13.13 NCR 1050							
21 NCAC 54.2301	12:05 NCR 338									
21 NCAC 54.2302	12:05 NCR 338									
21 NCAC 54.2303	12:05 NCR 338									
21 NCAC 54.2304	12:05 NCR 338									
21 NCAC 54.2305	12:05 NCR 338									
21 NCAC 54.2306	12:05 NCR 338									
21 NCAC 54.2307	12:05 NCR 338									
21 NCAC 54.2308	12:05 NCR 338									
21 NCAC 54.2309	12:05 NCR 338									
21 NCAC 54.2310	12:05 NCR 338									
21 NCAC 54.2311	12:05 NCR 338									
21 NCAC 54.2312	12:05 NCR 338									
21 NCAC 54.2313	12:05 NCR 338									
21 NCAC 54.2314	12:05 NCR 338									
21 NCAC 54.2401	12:05 NCR 338									
21 NCAC 54.2402	12:05 NCR 338									
21 NCAC 54.2501	12:05 NCR 338									
21 NCAC 54.2502	12:05 NCR 338									
21 NCAC 54.2503	12:05 NCR 338									
21 NCAC 54.2504	12:05 NCR 338									
21 NCAC 54.2505	12:05 NCR 338									
21 NCAC 54.2601	12:05 NCR 338									
21 NCAC 54.2602	12:05 NCR 338									
21 NCAC 54.2704	12:05 NCR 338		13.13 NCR 1050							

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
21 NCAC 54 .2705	12:05 NCR 338									
21 NCAC 54 .2706	12:05 NCR 338		13:13 NCR 1050	*						
21 NCAC 54 .2801	12:05 NCR 338		13:13 NCR 1050	*						
21 NCAC 54 .2802	12:05 NCR 338		13:13 NCR 1050	*						
21 NCAC 54 .2803	12:05 NCR 338		13:13 NCR 1050	*						
21 NCAC 54 .2804	12:05 NCR 338		13:13 NCR 1050	*						
21 NCAC 54 .2805	12:05 NCR 338		13:13 NCR 1050	*						
21 NCAC 54 .2806	12:05 NCR 338		13:13 NCR 1050	*						
21 NCAC 54 .2807	12:05 NCR 338		13:13 NCR 1050	*						
PUBLIC EDUCATION										
16 NCAC 06B .0108		13:13 NCR 1061	13:18 NCR 1503	*	Approve	07/15/99			14:06 NCR 490	
16 NCAC 06C .0100	14:06 NCR 428									
16 NCAC 06C .0102			13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0103			13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0200	14:06 NCR 428									
16 NCAC 06C .0202			13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0205			13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0205			13:24 NCR 2008	*						
16 NCAC 06C .0206			13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0207			13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0300	14:06 NCR 428									
16 NCAC 06C .0301			13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0302			13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0303			13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0304			13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0305			13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0306			13:18 NCR 1503	*	Return to Agency	07/15/99				

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
16 NCAC 06C .0307			13.18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0308			13.18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0309			13.18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0311			13.18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0312			13.18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0313			13.18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0400	14.06 NCR 428									
16 NCAC 06C .0501			13.18 NCR 1503	*	Object	07/15/99				
					Approve	08/19/99				
16 NCAC 06D .0103		12.22 NCR 2010	13.18 NCR 1503	*	Approve	07/15/99	*		14.06 NCR 490	
		Temp Expired 02/09/99								
16 NCAC 06D .0103			13.24 NCR 2008	S						
16 NCAC 06D .0210			13.18 NCR 1503	*	Approve	07/15/99	*		14.06 NCR 490	
16 NCAC 06D .0301			13.18 NCR 1503	*	Approve	07/15/99			14.06 NCR 490	
16 NCAC 06D .0302			13.18 NCR 1503	*	Approve	07/15/99			14.06 NCR 490	
16 NCAC 06D .0303			13.18 NCR 1503	*	Approve	07/15/99			14.06 NCR 490	
16 NCAC 06D .0304			13.24 NCR 2008	S						
16 NCAC 06D .0305			13.18 NCR 1503	*	Approve	07/15/99	*		14.06 NCR 490	
16 NCAC 06D .0501			13.24 NCR 2008	S						
16 NCAC 06D .0502			13.24 NCR 2008	S						
16 NCAC 06D .0503			13.24 NCR 2008	S						
16 NCAC 06D .0504			13.24 NCR 2008	S						
16 NCAC 06D .0505			13.24 NCR 2008	S						
16 NCAC 06D .0506			13.24 NCR 2008	S						
16 NCAC 06D .0507			13.24 NCR 2008	S						
16 NCAC 06E .0202			13.18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06E .0202	14.06 NCR 428									
16 NCAC 06E .0301		13.05 NCR 523								
16 NCAC 06E .0301			13.18 NCR 1503	*	Approve	07/15/99			14.06 NCR 490	

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
16 NCAC 06G .0202			13.18 NCR 1503	*	Approve	07/15/99			14-06 NCR 490	
16 NCAC 06G .0308			13.18 NCR 1503	*	Approve	07/15/99			14-06 NCR 490	
16 NCAC 06G .0309			13.18 NCR 1503	*	Approve	07/15/99			14-06 NCR 490	
16 NCAC 06G .0311		12.22 NCR 2010	13.18 NCR 1503	*	Approve	07/15/99	*		14-06 NCR 490	
		Temp Expired 02/09/99								
16 NCAC 06G .0502			13.18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06G .0502	14-06 NCR 428									
16 NCAC 06H .0101			13.18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06H .0103			13.18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06H .0103	14-06 NCR 428									
16 NCAC 06H .0105			13.18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06H .0106			13.18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06H .0106	14-06 NCR 428									
16 NCAC 06H .0107			13.18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06H .0107	14-06 NCR 428									
16 NCAC 06H .0108			13.18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06H .0109			13.18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06H .0110			13.18 NCR 1503	*	Return to Agency	07/15/99				

REAL ESTATE COMMISSION

24 NCAC 58A .0107	14-06 NCR 429
21 NCAC 58A .0109	14-06 NCR 429
21 NCAC 58A .0110	14-06 NCR 429
21 NCAC 58A .0113	14-06 NCR 429
21 NCAC 58A .0114	14-06 NCR 429
21 NCAC 58A .0301	14-06 NCR 429
21 NCAC 58A .0302	14-06 NCR 429
21 NCAC 58A .0303	14-06 NCR 429
21 NCAC 58A .0304	14-06 NCR 429

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
21 NCAC 58A .0401	14-06 NCR 429									
21 NCAC 58A .0402	14-06 NCR 429									
21 NCAC 58A .0403	14-06 NCR 429									
21 NCAC 58A .0404	14-06 NCR 429									
21 NCAC 58A .0406	14-06 NCR 429									
21 NCAC 58A .0503	14-06 NCR 429									
21 NCAC 58A .0505	14-06 NCR 429									
21 NCAC 58A .0601	14-06 NCR 429									
21 NCAC 58A .1402	14-06 NCR 429									
21 NCAC 58A .1703	14-06 NCR 429									
21 NCAC 58A .1708	14-06 NCR 429									
21 NCAC 58B .0101	14-06 NCR 429									
21 NCAC 58B .0102	14-06 NCR 429									
21 NCAC 58C .0105	14-06 NCR 429									
21 NCAC 58C .0106	14-06 NCR 429									
21 NCAC 58C .0107	14-06 NCR 429									
21 NCAC 58C .0207	14-06 NCR 429									
21 NCAC 58C .0213	14-06 NCR 429									
21 NCAC 58C .0214	14-06 NCR 429									
21 NCAC 58C .0217	14-06 NCR 429									
21 NCAC 58C .0218	14-06 NCR 429									
21 NCAC 58C .0302	14-06 NCR 429									
21 NCAC 58C .0304	14-06 NCR 429									
21 NCAC 58C .0305	14-06 NCR 429									
21 NCAC 58C .0306	14-06 NCR 429									
21 NCAC 58C .0307	14-06 NCR 429									
21 NCAC 58C .0310	14-06 NCR 429									

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
21 NCAC 58C .0312	14.06 NCR 429									
21 NCAC 58E .0102	14.06 NCR 429									
21 NCAC 58E .0202	14.06 NCR 429									
21 NCAC 58E .0204	14.06 NCR 429									
21 NCAC 58E .0205	14.06 NCR 429									
21 NCAC 58E .0304	14.06 NCR 429									
21 NCAC 58E .0310	14.06 NCR 429									
21 NCAC 58E .0412	14.06 NCR 429									
21 NCAC 58E .0515	14.06 NCR 429									
REVENUE										
17 NCAC 04B .0102	N/A		13.08 NCR 690	N/A						
17 NCAC 04B .0104	N/A		13.08 NCR 690	N/A						
17 NCAC 04B .0105	N/A		13.08 NCR 690	N/A						
17 NCAC 04B .0106	N/A		13.08 NCR 690	N/A						
17 NCAC 04B .0107	N/A		13.08 NCR 690	N/A						
17 NCAC 04B .0301	N/A		13.08 NCR 690	N/A						
17 NCAC 04B .0302	N/A		13.08 NCR 690	N/A						
17 NCAC 04B .0306	N/A		13.08 NCR 690	N/A						
17 NCAC 04B .0308	N/A		13.08 NCR 690	N/A						
17 NCAC 04B .0309	N/A		13.08 NCR 690	N/A						
17 NCAC 04B .0310	N/A		13.08 NCR 690	N/A						
17 NCAC 04B .0311	N/A		13.08 NCR 690	N/A						
17 NCAC 04B .0312	N/A		13.08 NCR 690	N/A						
17 NCAC 04B .0403	N/A		13.08 NCR 690	N/A						
17 NCAC 04B .0405	N/A		13.08 NCR 690	N/A						
17 NCAC 04B .2902	N/A		13.08 NCR 690	N/A						
17 NCAC 04B .4301	N/A		13.08 NCR 690	N/A						

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
17 NCAC 04B .4302	N/A		13.08 NCR 690	N/A						
17 NCAC 04E .0102	N/A		13.08 NCR 690	N/A						
17 NCAC 04E .0103	N/A		13.08 NCR 690	N/A						
17 NCAC 04E .0201	N/A		13.08 NCR 690	N/A						
17 NCAC 04E .0202	N/A		13.08 NCR 690	N/A						
17 NCAC 04E .0203	N/A		13.08 NCR 690	N/A						
17 NCAC 04E .0302	N/A		13.08 NCR 690	N/A						
17 NCAC 04E .0703	N/A		13.08 NCR 690	N/A						
17 NCAC 04F .0005	N/A		13.08 NCR 690	N/A						
17 NCAC 05C .0102			12.14 NCR 1285	*						
17 NCAC 05C .0703			12.14 NCR 1285	*						
17 NCAC 06B .0105	N/A		13.08 NCR 694	N/A						
17 NCAC 06B .0118	N/A		13.09 NCR 762	N/A	Object Object Approve	12/17/98 03/18/99 04/15/99	*		14.02 NCR 84	
17 NCAC 07B .0124	N/A		13.08 NCR 695	N/A						
17 NCAC 07B .0125	N/A		13.08 NCR 695	N/A						
17 NCAC 07B .2101	N/A		13.09 NCR 767	N/A						
17 NCAC 09K .0601	N/A		13.08 NCR 695	N/A						
SECRETARY OF STATE										
18 NCAC 06 .1212		13.14 NCR 1151								
18 NCAC 06 .1304		13.14 NCR 1151								
18 NCAC 06 .1502		13.14 NCR 1151								
18 NCAC 06 .1802		12.07 NCR 534 Temp Expired 06/28/98	12.14 NCR 1312	*						
18 NCAC 06 .1803		12.07 NCR 534 Temp Expired 06/28/98	12.14 NCR 1312	*						
18 NCAC 10 .0101	13.09 NCR 759	13.14 NCR 1153 13.18 NCR 1556								
18 NCAC 10 .0201	13.09 NCR 759	13.14 NCR 1153 13.18 NCR 1556								

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
18 NCAC 10 0301	13.09 NCR 759	13.14 NCR 1153 13.18 NCR 1556								
18 NCAC 10 0302	13.09 NCR 759	13.14 NCR 1153								
18 NCAC 10 0303	13.09 NCR 759	13.14 NCR 1153								
18 NCAC 10 0304	13.09 NCR 759	13.14 NCR 1153								
18 NCAC 10 0305	13.09 NCR 759	13.14 NCR 1153 13.18 NCR 1556								
18 NCAC 10 0306		13.18 NCR 1556								
18 NCAC 10 0307		13.18 NCR 1556								
18 NCAC 10 0401	13.09 NCR 759	13.14 NCR 1153 13.18 NCR 1556								
18 NCAC 10 0402	13.09 NCR 759	13.14 NCR 1153 13.18 NCR 1556								
18 NCAC 10 0501	13.09 NCR 759	13.14 NCR 1153 13.18 NCR 1556								
SPEECH AND LANGUAGE PATHOLOGISTS AND AUDIOLOGIST, BOARD OF EXAMINERS										
21 NCAC 64 0303	11.23 NCR 1780									
STATE PERSONNEL COMMISSION										
25 NCAC 01B 0354	13.05 NCR 436		13.09 NCR 773	*						
25 NCAC 01B 0414		13.18 NCR 1560	13.22 NCR 1850	*						
25 NCAC 01B 0434		13.18 NCR 1560	13.22 NCR 1850	*						
25 NCAC 01B 0437	13.05 NCR 436		13.09 NCR 773	*						
25 NCAC 01C 0214		13.18 NCR 1560	13.22 NCR 1850	*						
25 NCAC 01D 2516		11.13 NCR 1062 Temp Expired	11.19 NCR 1429	*						
25 NCAC 01D 2517		12.09 NCR 835	Temp Expired 07/31/98							
25 NCAC 01H 0602	13.05 NCR 436		13.09 NCR 773	*						
25 NCAC 01H 0605	13.05 NCR 436		13.09 NCR 773	*						
25 NCAC 01H 0606	13.05 NCR 436		13.09 NCR 773	*						
25 NCAC 01H 0503	13.05 NCR 436		13.09 NCR 773	*						
25 NCAC 01J 0506		13.18 NCR 1560	13.22 NCR 1850	*						
25 NCAC 01J 0512	13.05 NCR 436		13.09 NCR 773	*						
25 NCAC 01J 0603	13.05 NCR 436		13.09 NCR 773	*						

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				

25 NCAC 01J .0603

13.18 NCR 1560

13.22 NCR 1850

*

TRANSPORTATION

Highways, Division of

19A NCAC 02D .0415 13.08 NCR 626

19A NCAC 02E .0201 14.03 NCR 126

19A NCAC 02E .0202 14.03 NCR 126

19A NCAC 02E .0203 14.03 NCR 126

19A NCAC 02E .0206 14.03 NCR 126

19A NCAC 02E .0207 14.03 NCR 126

19A NCAC 02E .0208 14.03 NCR 126

19A NCAC 02E .0209 14.03 NCR 126

19A NCAC 02E .0210 14.03 NCR 126

19A NCAC 02E .0211 14.03 NCR 126

19A NCAC 02E .0212 14.03 NCR 126

19A NCAC 02E .0213 14.03 NCR 126

19A NCAC 02E .0214 14.03 NCR 126

19A NCAC 02E .0215 14.03 NCR 126

19A NCAC 02E .0221 13.04 NCR 361

19A NCAC 02E .0222 13.04 NCR 361

19A NCAC 02E .0224 14.03 NCR 126

19A NCAC 02E .0225 14.03 NCR 126

19A NCAC 02E .0602 14.03 NCR 126

19A NCAC 02E .0603 14.03 NCR 126

19A NCAC 02E .0604 14.03 NCR 126

Motor Vehicles, Division of

19A NCAC 03G .0203 14.07 NCR 520

Approve 04/15/99

14.02 NCR 84

*

14.01 NCR 48

Approve 03/18/99

14.01 NCR 48

CUMULATIVE INDEX

(Updated through September 24, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
19A NCAC 03G 0205	14-07 NCR 520									
19A NCAC 03G 0206	14-07 NCR 520									
19A NCAC 03G 0207	14-07 NCR 520									
19A NCAC 03G 0209	14-07 NCR 520									
19A NCAC 03G 0213	14-07 NCR 520									
19A NCAC 03I 0100	11-19 NCR 1413									
19A NCAC 03I 0200	11-19 NCR 1413									
19A NCAC 03I 0207	13-16 NCR 1258		13-22 NCR 1843	*	Approve	07/15/99			14-06 NCR 490	
19A NCAC 03I 0300	11-19 NCR 1413									
19A NCAC 03I 0301	13-16 NCR 1258		13-22 NCR 1843	*	Approve	07/15/99			14-06 NCR 490	
19A NCAC 03I 0302	13-16 NCR 1258		13-22 NCR 1843	*	Approve	07/15/99			14-06 NCR 490	
19A NCAC 03I 0307	13-16 NCR 1258		13-22 NCR 1843	*	Object Approve	07/15/99 08/19/99	*			
19A NCAC 03I 0400	11-19 NCR 1413									
19A NCAC 03I 0401	13-16 NCR 1258		13-22 NCR 1843	*	Approve	07/15/99			14-06 NCR 490	
19A NCAC 03I 0402	13-16 NCR 1258		13-22 NCR 1843	*	Object Approve	07/15/99 08/19/99	*			
19A NCAC 03I 0500	11-19 NCR 1413									
19A NCAC 03I 0501	13-16 NCR 1258		13-22 NCR 1843	*	Approve	07/15/99			14-06 NCR 490	
19A NCAC 03I 0600	11-19 NCR 1413									
19A NCAC 03I 0601	13-16 NCR 1258		13-22 NCR 1843	*	Approve	07/15/99			14-06 NCR 490	
19A NCAC 03I 0700	11-19 NCR 1413									
19A NCAC 03I 0701	13-16 NCR 1258		13-22 NCR 1843	*	Approve	07/15/99			14-06 NCR 490	
19A NCAC 03I 0800	11-19 NCR 1413									
19A NCAC 03I 0804	13-16 NCR 1258		13-22 NCR 1843	*	Object Approve	07/15/99 08/19/99	*			

VETERINARY MEDICAL BOARD

21 NCAC 66 0207	12-23 NCR 2089
21 NCAC 66 0208	12-23 NCR 2089



Statement of Ownership, Management, and Circulation

(Required by 39 U.S.C. 3685)

1. Publication Title <i>North Carolina Register</i>	2. Publication No. <table border="1"><tr><td>0</td><td>1</td><td>6</td><td>-</td><td>7</td><td>2</td><td>7</td></tr></table>	0	1	6	-	7	2	7	3. Filing Date <i>09-15-99</i>
0	1	6	-	7	2	7			
4. Issue Frequency <i>twice a month</i>	5. No. of Issues Published Annually <i>24</i>	6. Annual Subscription Price <i>\$ 195</i>							

7. Complete Mailing Address of Known Office of Publication (Street, City, County, State, and ZIP+4) (Not Printer)
*Office of Administrative Hearings, Rules Division
424 N. Blount Street, Raleigh, NC 27601*

8. Complete Mailing Address of Headquarters or General Business Office of Publisher (Not Printer)
Same as #7

9. Full Names and Complete Mailing Addresses of Publisher, Editor, and Managing Editor (Do Not Leave Blank)
Publisher (Name and Complete Mailing Address)
*Office of Administrative Hearings
424 N. Blount Street, Raleigh, NC 27601*

Editor (Name and Complete Mailing Address)
Office of Administrative Hearings

Managing Editor (Name and Complete Mailing Address)
Same as above

10. Owner (If owned by a corporation, its name and address must be stated and also immediately thereafter the names and addresses of stockholders owning or holding 1 percent or more of the total amount of stock. If not owned by a corporation, the names and addresses of the individual owners must be given. If owned by a partnership or other unincorporated firm, its name and address as well as that of each individual must be given. If the publication is published by a nonprofit organization, its name and address must be stated.) (Do Not Leave Blank.)

Full Name	Complete Mailing Address
<i>state government publication</i>	

11. Known Bondholders, Mortgagees, and Other Security Holders Owning or Holding 1 Percent or More of Total Amount of Bonds, Mortgages, or Other Securities. If none, check here. ☐ None

Full Name	Complete Mailing Address
<i>state government publication</i>	

12. For completion by nonprofit organizations authorized to mail at special rates. The purpose, function, and nonprofit status of this organization and the exempt status for federal income tax purposes: (Check one)

- ☐ Has Not Changed During Preceding 12 Months
☐ Has Changed During Preceding 12 Months
(If changed, publisher must submit explanation of change with this statement)

13. Publication Name <i>North Carolina Register</i>		14. Issue Date for Circulation Data Below <i>September 1, 1999</i>	
15. Extent and Nature of Circulation		Average No. Copies Each Issue During Preceding 12 Months	Actual No. Copies of Single Issue Published Nearest to Filing Date
a. Total No. Copies (Net Press Run)		<i>520</i>	<i>520</i>
b. Paid and/or Requested Circulation (1) Sales Through Dealers and Carriers, Street Vendors, and Counter Sales (Not Mailed)		<i>0</i>	<i>0</i>
(2) Paid or Requested Mail Subscriptions (Include Advertisers' Proof Copies/Exchange Copies)		<i>492</i>	<i>492</i>
c. Total Paid and/or Requested Circulation (Sum of 15b(1) and 15b(2))		<i>492</i>	<i>492</i>
d. Free Distribution by Mail (Samples, Complimentary, and Other Free)		<i>0</i>	<i>0</i>
e. Free Distribution Outside the Mail (Carriers or Other Means)		<i>0</i>	<i>0</i>
f. Total Free Distribution (Sum of 15d and 15e)		<i>0</i>	<i>0</i>
g. Total Distribution (Sum of 15c and 15f)		<i>492</i>	<i>492</i>
h. Copies Not Distributed (1) Office Use, Leftovers, Spoiled		<i>28</i>	<i>28</i>
(2) Return from News Agents		<i>0</i>	<i>0</i>
i. Total (Sum of 15g, 15h(1), and 15h(2))		<i>520</i>	<i>520</i>
Percent Paid and/or Requested Circulation (15c / 15g x 100)		<i>100%</i>	<i>100%</i>

16. This Statement of Ownership will be printed in the *10-1-99* issue of this publication. ☐ Check box if not required to publish.

17. Signature and Title of Editor, Publisher, Business Manager, or Owner

Date

Molly Masich
9-7-99

I certify that all information furnished on this form is true and complete. I understand that anyone who furnishes false or misleading information on this form or who omits material or information requested on the form may be subject to criminal sanctions (including fines and imprisonment) and/or civil sanctions (including multiple damages and civil penalties).

Instructions to Publishers

- Complete and file one copy of this form with your postmaster on or before October 1, annually. Keep a copy of the completed form for your records.
- Include in items 10 and 11, in cases where the stockholder or security holder is a trustee, the name of the person or corporation for whom the trustee is acting. Also include the names and addresses of individuals who are stockholders who own or hold 1 percent or more of the total amount of bonds, mortgages, or other securities of the publishing corporation. In item 11, if none, check box. Use blank sheets if more space is required.
- Be sure to furnish all information called for in item 15, regarding circulation. Free circulation must be shown in items 15d, e, and f.
- If the publication had second-class authorization as a general or requester publication, this Statement of Ownership, Management, and Circulation must be published; it must be printed in any issue in October or the first printed issue after October, if the publication is not published during October.
- In item 16, indicate date of the issue in which this Statement of Ownership will be printed.
- Item 17 must be signed.

Failure to file or publish a statement of ownership may lead to suspension of second-class authorization.

Name

Address

City

State

Zip

Place
Stamp
Here

Office of Administrative Hearings

P.O. Drawer 27447
Raleigh, NC 27611-7447

**NORTH CAROLINA REGISTER
ORDER FORM**

☐ Please enter my subscription for the *North Carolina Register* to start with the _____ issue.
(\$195.00/year subscription. N.C. subscribers please add sales tax.)

☐ Renew *North Carolina Register*

☐ Check Enclosed

☐ Please bill me

Please make check payable to Office of Administrative Hearings

Name

Address

City

State

Zip

CHANGE OF ADDRESS

1. Present Address

Name _____

Address _____

City _____

State _____

Zip _____

2. New Address

Name _____

Address _____

City _____

State _____

Zip _____

Office of Administrative Hearings

P.O. Drawer 27447

Raleigh, North Carolina 27611-7447

Periodicals Postage

Paid in Raleigh, NC

USPS 016727

***** 3-DIGIT 275

UNIV. OF NORTH CAROLINA
LAW LIBRARY CB# 3385
VAN HECKE-WETTACH 064-A
CHAPEL HILL NC 27599-