

**G.S. 150B-21.3A Report for 15A NCAC 02L, GROUNDWATER CLASSIFICATION AND STANDARDS**

Agency - Environmental Management Commission

Comment Period - July 21 - September 27, 2017

Date Submitted to APO - February 19, 2018

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(e)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
SUBCHAPTER 2L - GROUNDWATER CLASSIFICATION AND STANDARDS	SECTION .0100 - GENERAL CONSIDERATIONS	15A NCAC 02L .0101	AUTHORIZATION	Amended Eff. August 1, 1989	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 02L .0102	DEFINITIONS	Amended Eff. October 1, 1993	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 02L .0103	POLICY	Amended Eff. November 4, 1993	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 02L .0104	RESTRICTED DESIGNATION (RS)	Amended Eff. October 1, 1993	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 02L .0106	CORRECTIVE ACTION	Amended Eff. October 29, 1998	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 02L .0107	COMPLIANCE BOUNDARY	Amended Eff. October 1, 1993	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 02L .0108	REVIEW BOUNDARY	Eff. August 1, 1989	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 02L .0109	DELEGATION	Amended Eff. October 1, 1993	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 02L .0110	MONITORING	Amended Eff. October 1, 1993	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 02L .0111	REPORTS	Amended Eff. October 1, 1993	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 02L .0112	ANALYTICAL PROCEDURES	Amended Eff. October 1, 1993	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 02L .0113	VARIANCE	Amended Eff. October 1, 1993	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 02L .0114	NOTIFICATION REQUIREMENTS	Eff. October 1, 1993	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		SECTION .0200 - CLASSIFICATIONS AND GROUNDWATER QUALITY STANDARDS	15A NCAC 02L .0201	GROUNDWATER CLASSIFICATIONS	Amended Eff. October 1, 1993	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action
		15A NCAC 02L .0202	GROUNDWATER QUALITY STANDARDS	Amended Eff. April 1, 2013	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .0300 - ASSIGNMENT OF UNDERGROUND WATER CLASSIFICATIONS	15A NCAC 02L .0301	CLASSIFICATIONS: GENERAL	Amended Eff. August 1, 1989	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		15A NCAC 02L .0302	STATEWIDE	Amended Eff. August 1, 1989	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		15A NCAC 02L .0303	BROAD RIVER BASIN	Eff. December 30, 1983	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		15A NCAC 02L .0304	CAPE FEAR RIVER BASIN	Eff. December 30, 1983	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		15A NCAC 02L .0305	CATAWBA RIVER BASIN	Eff. December 30, 1983	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		15A NCAC 02L .0306	CHOWAN RIVER BASIN	Eff. December 30, 1983	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note

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		15A NCAC 02L .0307	FRENCH BROAD RIVER BASIN	Eff. December 30, 1983	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		15A NCAC 02L .0308	HIWASSEE RIVER BASIN	Eff. December 30, 1983	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		15A NCAC 02L .0309	LITTLE TENNESSEE RIVER BASIN	Eff. December 30, 1983	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		15A NCAC 02L .0310	SAVANNAH RIVER BASIN	Eff. December 30, 1983	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		15A NCAC 02L .0311	LUMBER RIVER BASIN	Eff. December 30, 1983	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		15A NCAC 02L .0312	NEUSE RIVER BASIN	Eff. December 30, 1983	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		15A NCAC 02L .0313	NEW-WATAUGA RIVER BASIN	Eff. December 30, 1983	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		15A NCAC 02L .0314	PASQUOTANK RIVER BASIN	Eff. December 30, 1983	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		15A NCAC 02L .0315	ROANOKE RIVER BASIN	Eff. December 30, 1983	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		15A NCAC 02L .0316	TAR PAMLICO RIVER BASIN	Eff. December 30, 1983	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		15A NCAC 02L .0317	WHITE OAK RIVER BASIN	Eff. December 30, 1983	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		15A NCAC 02L .0318	YADKIN-PEE DEE RIVER BASIN	Eff. December 30, 1983	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		15A NCAC 02L .0319	RECLASSIFICATION	Amended Eff. August 1, 1989	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	<b>SECTION .0400 - RISK-BASED ASSESSMENT AND CORRECTIVE ACTION FOR PETROLEUM UNDERGROUND STORAGE TANKS</b>	15A NCAC 02L .0401	PURPOSE AND SCOPE	Amended Eff. December 1, 2005	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 280	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 02L .0402	DEFINITIONS	Eff. December 1, 2005	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 280	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 02L .0403	RULE APPLICATION	Amended Eff. December 1, 2005	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 280	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 02L .0404	REQUIRED INITIAL ABATEMENT ACTIONS BY RESPONSIBLE PARTY	Amended Eff. December 1, 2005	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 280	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 02L .0405	REQUIREMENTS FOR LIMITED SITE ASSESSMENT	Amended Eff. December 1, 2005	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 280	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 02L .0406	DISCHARGE OR RELEASE CLASSIFICATIONS	Amended Eff. December 1, 2005	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 280	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt

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		15A NCAC 02L .0407	RECLASSIFICATION OF RISK LEVELS	Amended Eff. December 1, 2005	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 280	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 02L .0408	ASSESSMENT AND REMEDIATION PROCEDURES	Amended Eff. December 1, 2005	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 280	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 02L .0409	NOTIFICATION REQUIREMENTS	Amended Eff. December 1, 2005	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 280	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 02L .0410	DEPARTMENTAL LISTING OF DISCHARGES OR RELEASES	Amended Eff. December 1, 2005	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 280	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 02L .0411	ESTABLISHING MAXIMUM SOIL CONTAMINATION CONCENTRATIONS	Amended Eff. December 1, 2005	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 280	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 02L .0412	ANALYTICAL PROCEDURES FOR SOIL SAMPLES	Amended Eff. December 1, 2005	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 280	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 02L .0413	ANALYTICAL PROCEDURES FOR GROUNDWATER SAMPLES	Amended Eff. December 1, 2005	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 280	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 02L .0414	REQUIRED LABORATORY CERTIFICATION	Amended Eff. December 1, 2005	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 280	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 02L .0415	DISCHARGES OR RELEASES FROM OTHER SOURCES	Amended Eff. December 1, 2005	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 280	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 02L .0416	ELIGIBILITY OF SITES TO CONTINUE REMEDIATION UNDER RULES EXISTING BEFORE THE EFFECTIVE DATE OF 15A NCAC 02L .0115	Amended Eff. December 1, 2005	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		15A NCAC 02L .0417	ESTABLISHING CLEANUP REQUIREMENTS FOR SITES ELIGIBLE TO CONTINUE REMEDIATION UNDER RULES EXISTING BEFORE THE EFFECTIVE DATE OF 15A NCAC 02L .0115	Amended Eff. December 1, 2005	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	<b>SECTION .0500 – RISK-BASED ASSESSMENT AND CORRECTIVE ACTION FOR PETROLEUM RELEASES FROM ABOVEGROUND STORAGE TANKS AND SOURCES</b>	15A NCAC 02L .0501	PURPOSE AND SCOPE	Eff. March 1, 2016	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 02L .0502	DEFINITIONS	Eff. March 1, 2016	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 02L .0503	RULE APPLICATION	Eff. March 1, 2016	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 02L .0504	REQUIRED INITIAL RESPONSE AND ABATEMENT ACTIONS BY RESPONSIBLE PARTY	Eff. March 1, 2016	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 02L .0505	REQUIREMENTS FOR LIMITED SITE ASSESSMENT	Eff. March 1, 2016	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 02L .0506	DISCHARGE OR RELEASE CLASSIFICATIONS	Eff. March 1, 2016	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 02L .0507	RECLASSIFICATION OF RISK LEVELS	Eff. March 1, 2016	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 02L .0508	ASSESSMENT AND REMEDIATION PROCEDURES	Eff. March 1, 2016	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 02L .0509	NOTIFICATION REQUIREMENTS	Eff. March 1, 2016	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt

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		15A NCAC 02L .0510	DEPARTMENTAL LISTING OF DISCHARGES OR RELEASES	Eff. March 1, 2016	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 02L .0511	ESTABLISHING MAXIMUM SOIL CONTAMINATION CONCENTRATIONS	Eff. March 1, 2016	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 02L .0512	ANALYTICAL PROCEDURES FOR SOIL SAMPLES	Eff. March 1, 2016	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 02L .0513	ANALYTICAL PROCEDURES FOR GROUNDWATER SAMPLES	Eff. March 1, 2016	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 02L .0514	REQUIRED LABORATORY CERTIFICATION	Eff. March 1, 2016	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 02L .0515	DISCHARGES OR RELEASES FROM OTHER SOURCES	Eff. March 1, 2016	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt