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<td>Rule Citation</td>
<td>Rule Name</td>
<td>Date and Last Agency Action on the Rule</td>
<td>Agency Determination (150B-21.3A)(1)(a)</td>
<td>Implements or Conforms to Federal Regulation (150B-21.3A)(a)</td>
<td>Federal Regulation Citation</td>
<td>Public Comment Received (150B-21.3A)(c)(1)</td>
<td>Agency Determination Following Public Comment (150B-21.3A)(c)(2)</td>
<td>RRC Determination of Public Comments (150B-21.3A)(q)(2)</td>
<td>RRC Final Determination of Status of Rule for Report to APO (150B-21.3A)(f)(2)</td>
<td>OAH Next Steps</td>
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| 15A NCAC 27 | .0930        | CIVIL PENALTIES | Eff. August 1, 2000 | 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 27 .0110 TYPES OF CERTIFICATION

Commenter Name: Tim Mathis, AAA GREENE BROS. WELL DRLG.
Do I agree with the Agency's determination? No
I would determine this rule's classification as: Unnecessary
Do I want to submit a written comment on this rule? Yes
My comment type on this rule is: An objection to the rule
Do I want to enter a comment, or submit a file? Enter a comment

My Comment Text:
Rule: (d) A certified well contractor of the appropriate level must be present at all times when well contractor activities are being performed.
Comment: It is my opinion that his rule places undue burden on business owners. I feel it unnecessary to require a certified well contractor onsite at all times. As a business owner, I am ultimately responsible for all activities (good or bad) that occur on the job-site. Should a problem occur—intentional or not—I, as owner, must deal with the issue. While my certified employee may be the cause of a problem, I am ultimately the responsible party that must address it and correct it. Anyone who chooses to pursue any legal actions will direct them to the company owner regardless of who commits the wrongdoings.
This seems to be the case with any contractor activities state wide. Plumbers, Electricians and HVAC Contractors all work under one license and this should be the case with Well Contractors.

Commenter Name: Todd Muench, Parratt-Wolff, Inc.
Do I agree with the Agency's determination? Yes
I would determine this rule's classification as: undefined
Do I want to submit a written comment on this rule? Yes
My comment type on this rule is: Another type of comment
Do I want to enter a comment, or submit a file? Enter a comment

My Comment Text: Please consider adding a licensing classification for Monitoring Well Drillers. Other states have this designation such as Maryland with the Master Geotechnical Driller license. the classification would included auger, mud, fluid, wet rock coring, DPT and Sonic (all drilling methods) but eliminate the pump installation and electrical exam from the testing procedure.

Agency Response:
The agency’s final determination is “necessary with substantive public interest.” These comments will be considered during the readoption process.
COMMENTS AND RESPONSES FOR PERIODIC REVIEW OF EXISTING RULES
15A NCAC Subchapter 27, Well Contractor Certification Rules

15A NCAC 27 .0301 APPLICATION FOR CERTIFICATION

Commenter Name: Tim Mathis, AAA GREENE BROS. WELL DRLG.
Do I agree with the Agency’s determination? No
I would determine this rule's classification as: Unnecessary
Do I want to submit a written comment on this rule? Yes
My comment type on this rule is: An objection to the rule
Do I want to enter a comment, or submit a file? Enter a comment

My Comment Text:
Rule: The applicant must pass the examination within three consecutive attempts or within a one year period of time after application submittal, whichever expires first, or a new application shall be required

Comment: This section: "one year period of time after application submittal" needs to be revised to "one year from the Commissions approval of application."

Agency Response:
The agency’s final determination is “necessary with substantive public interest.” Comments will be considered during the readoption process.
COMMENTS AND RESPONSES FOR PERIODIC REVIEW OF EXISTING RULES
15A NCAC Subchapter 27, Well Contractor Certification Rules

15A NCAC 27 .0410  WELL CONTRACTOR EXAMINATIONS

Commenter Name: Tim Mathis, AAA GREENE BROS. WELL DRLG.
Do I agree with the Agency’s determination? No
I would determine this rule’s classification as: Unnecessary
Do I want to submit a written comment on this rule? Yes
My comment type on this rule is: An objection to the rule
Do I want to enter a comment, or submit a file? Enter a comment

My Comment Text: It is my opinion that requiring a closed book exam is a step in the wrong direction. In colleges and universities across the state, they are realizing that there will never be a time whenever "information" is not available. If we have a question, we can look in our books, internet, or call. Thus I do not agree with the new rule of "closed book" exams.

Commenter Name: Stephen Rice
Do I agree with the Agency's determination? Yes
I would determine this rule's classification as: undefined
Do I want to submit a written comment on this rule? Yes
My comment type on this rule is: Another type of comment
Do I want to enter a comment, or submit a file? Enter a comment

My Comment Text: The commission should return to the open book exams! There are no classes or programs to take to prepare for a closed book exam. Either return to open book or offer courses at local community colleges for this certification as all other industry provide, such as Electrical contractors, Construction contractors, and on. Thank you for your time in this matter!

Agency Response:
The agency’s final determination is “necessary with substantive public interest.” Comments will be considered during the readoption process.
15A NCAC 27 .0420 TIME AND PLACE OF EXAMINATION

Commenter Name: Tim Mathis, AAA GREENE BROS. WELL DRLG.
Do I agree with the Agency's determination? No
I would determine this rule's classification as: Necessary with substantive public interest
Do I want to submit a written comment on this rule? Yes
My comment type on this rule is: An objection to the rule
Do I want to enter a comment, or submit a file? Enter a comment

My Comment Text:
Rule: 15A NCAC 27 .0420 TIME AND PLACE OF EXAMINATION
An examination shall be given at least twice a year. Additional examinations may be scheduled by a representative(s) of the Commission. Information regarding the date, time, and place shall be made available upon request.

Comment: Exams need to be scheduled for the western part and also the eastern part of the state along with central North Carolina. It is very expensive to send an employee on a 5 hour drive to and from the exam site. (Gas, vehicle, motel, meals, etc.)

Commenter Name: Unknown
Do I agree with the Agency's determination? No
I would determine this rule's classification as: Necessary with substantive public interest
Do I want to submit a written comment on this rule? No
My comment type on this rule is: undefined
Do I want to enter a comment, or submit a file? undefined

Agency Response:
The agency's final determination is “necessary with substantive public interest.” Comments will be considered during the readoption process.
15A NCAC 27 .0440 EXAMINATION RESULTS AND ISSUANCE OF CERTIFICATES

Commenter Name: Tim Mathis, AAA GREENE BROS. WELL DRLG.
Do I agree with the Agency's determination? No
I would determine this rule's classification as: Unnecessary
Do I want to submit a written comment on this rule? Yes
My comment type on this rule is: An objection to the rule
Do I want to enter a comment, or submit a file? Enter a comment

My Comment Text:
Rule: An applicant who fails to pass an examination, and who is still eligible to retake the examination under their current application, shall be entitled to and notified of the privilege to review his or her examination, within six months of the applicant's failed exam, in the presence of one or more Commission members or its authorized representative.

Comment: If an applicant fails the exam and needs a review. The exam should be able to be taken the same day after the review session. The rule of having to wait a period of time between exam and review puts even more hardship on the employer. Because you have to send, pay wages, room and board for two different times.

Agency Response:
The agency’s final determination is “necessary with substantive public interest.” Comments will be considered during the readoption process.