

**RULES REVIEW COMMISSION MEETING
MINUTES
November 19, 2015**

The Rules Review Commission met on Thursday, November 19, 2015, in the Commission Room at 1711 New Hope Church Road, Raleigh, North Carolina. Commissioners present were: Danny Earl Britt, Jr., Bobby Bryan, Anna Choi, Margaret Currin, Jeanette Doran, Garth Dunklin, Jay Hemphill, Jeff Hyde, Jeff Poley, and Stephanie Simpson.

Staff members present were Commission Counsels Abigail Hammond, Amber Cronk May, Amanda Reeder, and Jason Thomas; and Julie Brincefield, Alex Burgos, and Dana Vojtko.

The meeting was called to order at 10:03 a.m. with Chairman Dunklin presiding.

Chairman Dunklin introduced Campbell Law School student Ann Heath.

OAH Chief Administrative Law Judge, the Honorable Julian Mann, III, addressed the Commission, and introduced Court of Appeals Judge, the Honorable Robert N. Hunter, Jr.

Judge Hunter addressed the Commission, and administered the oath of office to new Commissioner Danny Earl Britt, Jr.

Chairman Dunklin read into the record the following statement of economic interest for:

Danny Earl Britt, Jr., which stated there was no actual conflict of interest. However, there is the potential for a conflict of interest because he is the owner and Managing Partner of The Britt Law Firm, PC. Should any employees or partners of the aforesaid firm, or any of the firm's current or former clients, come before the Commission for official action, Mr. Britt should exercise appropriate caution in the performance of his public duties. This could include recusing himself to the extent that those interests would influence or could reasonably appear to influence his actions.

Chairman Dunklin read the notice required by G.S. 138A-15(e) and reminded the Commission members that they have a duty to avoid conflicts of interest and the appearances of conflicts of interest.

APPROVAL OF MINUTES

Chairman Dunklin asked for any discussion, comments, or corrections concerning the minutes of the October 15, 2015 meeting. There were none and the minutes were approved as distributed.

FOLLOW UP MATTERS

Environmental Management Commission

15A NCAC 02B .0227 and .0311 – The rules were withdrawn at the request of the agency. No action was required by the Commission.

Property Tax Commission

17 NCAC 11 .0216 and .0217 – The agency responded by letter, and will address the objections by publishing a Notice of Text in the North Carolina Register. No action was required by the Commission.

Board of Massage and Bodywork Therapy

21 NCAC 30 .1001, .1002, .1003, .1004, .1005, .1006, .1007, .1008, .1009, .1010, .1011, .1012, .1013, .1014, and .1015 - There has been no response by the agency on these Rules pursuant to G.S. 150B-21.12, therefore no action was required by the Commission.

LOG OF FILINGS (PERMANENT RULES)

Child Care Commission

10A NCAC 09 .2006 and .2007 were unanimously approved.

The Commission voted to extend the period of review for 10A NCAC 09 .2001, .2002, .2003, .2004, and .2005 in accordance with G.S. 150B-21.10. They did so in response to a request from the Child Care Commission to extend the period of review in order to address Staff Opinions.

Board of Cosmetic Art Examiners

The rules were withdrawn at the request of the agency. No action was required by the Commission.

Onsite Wastewater Contractors and Inspectors Certification Board

All rules were unanimously approved.

Prior to the discussion of the rules from the Onsite Wastewater Contractors and Inspectors Certification Board, Commissioner Choi recused herself and did not participate in any discussion or vote concerning the rules because her law firm provides legal representation to the Board, including consultation on rulemaking.

Board of Pharmacy

21 NCAC 46 .1417 was unanimously approved.

Veterinary Medical Board

21 NCAC 66 .0108 was unanimously approved.

Building Code Council

All rules were unanimously approved.

LOG OF RULES (TEMPORARY RULES)

Environmental Management Commission

All rules were unanimously approved.

EXISTING RULES REVIEW

DHHS – Division of Health Service Regulation

10A NCAC 14J - The Commission unanimously approved the report as submitted by the agency.

Commission for Public Health

10A NCAC 46 – The Commission unanimously approved the report as submitted by the agency.

10A NCAC 48 – The Commission unanimously approved the report as submitted by the agency.

Department of Labor

13 NCAC 15 – The Commission unanimously approved the report as submitted by the agency.

13 NCAC 20 – The Commission unanimously approved the report as submitted by the agency.

Department of Environmental Quality, transferred to Department of Natural and Cultural Resources

15A NCAC 12H – The Commission unanimously approved the report as submitted by the agency.

Board of Agriculture

02 NCAC 37 - As reflected in the attached letter, the Commission voted to schedule readoption of these Rules pursuant to G.S. 150B-21.3A(c)(2) no later than March 31, 2017.

Prior to the discussion of the rules from the Board of Agriculture, Commissioner Hemphill recused himself and did not participate in any discussion or vote concerning the readoption date for rules because of the potential appearance of a conflict of interest.

Soil and Water Conservation

02 NCAC 59C – As reflected in the attached letter, the Commission voted to schedule readoption of these Rules pursuant to G.S. 150B-21.3A(c)(2) no later than March 31, 2017.

02 NCAC 59E – As reflected in the attached letter, the Commission voted to schedule readoption of these Rules pursuant to G.S. 150B-21.3A(c)(2) no later than March 31, 2017.

02 NCAC 59F – As reflected in the attached letter, the Commission voted to schedule readoption of these Rules pursuant to G.S. 150B-21.3A(c)(2) no later than March 31, 2017.

02 NCAC 59G – As reflected in the attached letter, the Commission voted to schedule readoption of these Rules pursuant to G.S. 150B-21.3A(c)(2) no later than March 31, 2017.

Prior to the discussion of the rules from the Soil and Water Conservation, Commissioner Hemphill recused himself and did not participate in any discussion or vote concerning the readoption date for rules because of the potential appearance of a conflict of interest.

Board of Agriculture

02 NCAC 60 – As reflected in the attached letter, the Commission voted to schedule readoption of these rules pursuant to G.S. 150B-21.3A(c)(2) no later than March 31, 2017.

Prior to the discussion of the rules from the Board of Agriculture, Commissioner Hemphill recused himself and did not participate in any discussion or vote concerning the readoption date for rules because of the potential appearance of a conflict of interest.

Environmental Management Commission

15A NCAC 02B – As reflected in the attached letter, the Commission voted to schedule readoption of these Rules pursuant to G.S. 150B-21.3A(c)(2) no later than October 31, 2019.

15A NCAC 02H – As reflected in the attached letter, the Commission voted to schedule readoption of these Rules pursuant to G.S. 150B-21.3A(c)(2) no later than October 31, 2019.

15A NCAC 02T – As reflected in the attached letter, the Commission voted to schedule readoption of these Rules pursuant to G.S. 150B-21.3A(c)(2) no later than October 31, 2019.

15A NCAC 02U – As reflected in the attached letter, the Commission voted to schedule readoption of these Rules pursuant to G.S. 150B-21.3A(c)(2) no later than October 31, 2019.

Prior to the discussion of the rules from the Environmental Management Commission, Commissioner Hemphill recused himself and did not participate in any discussion or vote concerning the readoption date for rules because of the potential appearance of a conflict of interest.

Water Pollution Control System Operator Certification Commission

15A NCAC 08 - As reflected in the attached letter, the Commission voted to schedule readoption of these Rules pursuant to G.S. 150B-21.3A(c)(2) no later than November 30, 2018.

Water Treatment Facility Operators Certification Board

15A NCAC 18D – As reflected in the attached letter, the Commission voted to schedule readoption of these Rules pursuant to G.S. 150B-21.3A(c)(2) no later than November 30, 2018.

Department of Transportation

19A NCAC 06 - As reflected in the attached letter, the Commission voted to schedule readoption of these Rules pursuant to G.S. 150B-21.3A(c)(2) no later than December 31, 2017.

Board of Employee Assistance Professionals

21 NCAC 11 - As reflected in the attached letter, the Commission voted to schedule readoption of these Rules pursuant to G.S. 150B-21.3A(c)(2) no later than January 31, 2017.

Respiratory Care Board

21 NCAC 61 - As reflected in the attached letter, the Commission voted to schedule readoption of these Rules pursuant to G.S. 150B-21.3A(c)(2) no later than December 31, 2016.

Commissioner Currin was not present during the vote.

Social Work Certification & Licensure Board

21 NCAC 63 - As reflected in the attached letter, the Commission voted to schedule readoption of these Rules pursuant to G.S. 150B-21.3A(c)(2) no later than February 28, 2017.

Prior to the discussion of the rules from the Social Work Certification & Licensure Board, Commissioner Choi recused herself and did not participate in any discussion or vote concerning the readoption date for rules because her law firm provides legal representation to the Board, including consultation on rulemaking.

Commissioner Currin was not present during the vote.

COMMISSION BUSINESS

Commissioners and Commission Counsel discussed consistency in review of rules pursuant to G.S. 150B-2(8a)d.

Commissioners and Commission Counsel amended 26 NCAC 05 .0211 to reflect all waivers granted by the Rules Review Commission thus far.

At 11:07 a.m., Chairman Dunklin ended the public meeting of the Rules Review Commission and called the meeting into closed session pursuant to G.S. 143-318.11(a)(3) to discuss the lawsuit filed by the State Board of Education against the Rules Review Commission.

The Commission came out of closed session and reconvened at 12:03 p.m.

The meeting adjourned at 12:03 p.m.

The next regularly scheduled meeting of the Commission is Thursday, December 17th at 10:00 a.m.

There is a digital recording of the entire meeting available from the Office of Administrative Hearings /Rules Division.

Respectfully Submitted,

Alexander Burgos, Paralegal

Minutes approved by the Rules Review Commission:

Garth Dunklin, Chair

DRAFT

November 2015

Rules Review Commission
Meeting
Please Print Legibly

Name	Agency
Derek Wagner	Agriculture
Carey Kullif	DHSR
B. M. Smith	NCDOI - NCBCC
Jonathan Loftis	NCVMB
Thomas Mickey	NCVMB
Bethany Burgeon	NC DOJ
Jane Gilchrist	NC DOL
Nadine Pfeiffer	DHSR
Jennifer Everett	DEQ
Elizabeth Kirk	NCBMBT
Clint Panton	NCBOP
Micki Lilly	NC Social Work Board
Steven Webb	NCHBA
PAIGE WORSHAM	NCACC
Julie Woosley	NCDEQ
Ann Preston	NCDEQ
Bob MARTIN	NC DPH
Jay Frick	DEQ
STEVE REID	DEQ
DEBRA ALSTON	NCDE
Isabel Villa-Francia	NCAFL

November 2015

Rules Review Commission
Meeting
Please Print Legibly

[illegible]



STATE OF NORTH CAROLINA
OFFICE OF ADMINISTRATIVE HEARINGS

Mailing address:
6714 Mail Service Center
Raleigh, NC 27699-6714

Street address:
1711 New Hope Church Rd
Raleigh, NC 27609-6285

November 19, 2015

Christina L. Waggett, Rulemaking Coordinator
Department of Agriculture & Consumer Services,
1001 Mail Service Center
Raleigh, North Carolina 27699-1001

Re: Readoption pursuant to G.S. 150B-21.3A(c)(2)g of **02 NCAC 37, 59, 60**

Dear Mrs. Waggett:

Attached to this letter are the rules subject to readoption pursuant to the periodic review and expiration of existing rules as set forth in G.S. 150B-21.3A(c)(2)g. After consultation with your agency, this set of rules was discussed at the November 19, 2015 Rules Review Commission meeting regarding the scheduling of these rules for readoption. Pursuant to G.S. 150B-21.3A(d)(2), the rules identified on the attached printout shall be readopted by the agency no later than March 31, 2017.

Please note that the rules set forth in 02 NCAC 59D and 02 NCAC 59H are not subject to this readoption date. 02 NCAC 59D and 02 NCAC 59H are scheduled for a separate periodic review date of January 2017.

If you have any questions regarding the Commission's action, please let me know.

Sincerely,

A handwritten signature in blue ink that reads "Abigail M. Hammond".

Abigail M. Hammond
Commission Counsel

cc: Tina Hlabse

Administration
919/431-3000
fax: 919/431-3100

Rules Division
919/431-3000
fax: 919/431-3104

Judges and
Assistants
919/431-3000
fax: 919/431-3100

Clerk's Office
919/431-3000
fax: 919/431-3100

Rules Review
Commission
919/431-3000
fax: 919/431-3104

Civil Rights
Division
919/431-3036
fax: 919/431-3103

An Equal Employment Opportunity Employer

Generated 11/5/2015 at 12:16 PM

RRC DETERMINATION PERIODIC RULE REVIEW

July 01, 2015 through June 30, 2016

Agriculture, Board of

Total: 58

RRC Determination: Necessary with substantive public interest

Rule	Determination	APO Review Date
02 NCAC 37 .0201	Necessary with substantive public interest	September 19, 2015
02 NCAC 37 .0203	Necessary with substantive public interest	September 19, 2015
02 NCAC 60B .0101	Necessary with substantive public interest	September 19, 2015
02 NCAC 60B .0201	Necessary with substantive public interest	September 19, 2015
02 NCAC 60B .0202	Necessary with substantive public interest	September 19, 2015
02 NCAC 60B .0205	Necessary with substantive public interest	September 19, 2015
02 NCAC 60B .0302	Necessary with substantive public interest	September 19, 2015
02 NCAC 60B .0401	Necessary with substantive public interest	September 19, 2015
02 NCAC 60B .0402	Necessary with substantive public interest	September 19, 2015
02 NCAC 60B .0603	Necessary with substantive public interest	September 19, 2015
02 NCAC 60B .0604	Necessary with substantive public interest	September 19, 2015
02 NCAC 60B .0605	Necessary with substantive public interest	September 19, 2015
02 NCAC 60B .0701	Necessary with substantive public interest	September 19, 2015
02 NCAC 60B .0702	Necessary with substantive public interest	September 19, 2015
02 NCAC 60B .0804	Necessary with substantive public interest	September 19, 2015
02 NCAC 60B .0805	Necessary with substantive public interest	September 19, 2015
02 NCAC 60B .0901	Necessary with substantive public interest	September 19, 2015
02 NCAC 60B .1003	Necessary with substantive public interest	September 19, 2015
02 NCAC 60B .1004	Necessary with substantive public interest	September 19, 2015
02 NCAC 60B .1005	Necessary with substantive public interest	September 19, 2015
02 NCAC 60B .1006	Necessary with substantive public interest	September 19, 2015
02 NCAC 60B .1007	Necessary with substantive public interest	September 19, 2015
02 NCAC 60B .1008	Necessary with substantive public interest	September 19, 2015
02 NCAC 60B .1009	Necessary with substantive public interest	September 19, 2015
02 NCAC 60B .1010	Necessary with substantive public interest	September 19, 2015
02 NCAC 60B .1011	Necessary with substantive public interest	September 19, 2015
02 NCAC 60B .1012	Necessary with substantive public interest	September 19, 2015
02 NCAC 60B .1013	Necessary with substantive public interest	September 19, 2015
02 NCAC 60B .1014	Necessary with substantive public interest	September 19, 2015
02 NCAC 60B .1015	Necessary with substantive public interest	September 19, 2015
02 NCAC 60B .1016	Necessary with substantive public interest	September 19, 2015
02 NCAC 60B .1017	Necessary with substantive public interest	September 19, 2015
02 NCAC 60B .1018	Necessary with substantive public interest	September 19, 2015
02 NCAC 60B .1019	Necessary with substantive public interest	September 19, 2015
02 NCAC 60B .1020	Necessary with substantive public interest	September 19, 2015

02 NCAC 60B .1021	Necessary with substantive public interest	September 19, 2015
02 NCAC 60B .1022	Necessary with substantive public interest	September 19, 2015
02 NCAC 60B .1023	Necessary with substantive public interest	September 19, 2015
02 NCAC 60B .1024	Necessary with substantive public interest	September 19, 2015
02 NCAC 60B .1025	Necessary with substantive public interest	September 19, 2015
02 NCAC 60B .1026	Necessary with substantive public interest	September 19, 2015
02 NCAC 60B .1027	Necessary with substantive public interest	September 19, 2015
02 NCAC 60B .1028	Necessary with substantive public interest	September 19, 2015
02 NCAC 60B .1029	Necessary with substantive public interest	September 19, 2015
02 NCAC 60B .1030	Necessary with substantive public interest	September 19, 2015
02 NCAC 60B .1031	Necessary with substantive public interest	September 19, 2015
02 NCAC 60B .1032	Necessary with substantive public interest	September 19, 2015
02 NCAC 60C .0101	Necessary with substantive public interest	September 19, 2015
02 NCAC 60C .0102	Necessary with substantive public interest	September 19, 2015
02 NCAC 60C .0201	Necessary with substantive public interest	September 19, 2015
02 NCAC 60C .0202	Necessary with substantive public interest	September 19, 2015
02 NCAC 60C .0203	Necessary with substantive public interest	September 19, 2015
02 NCAC 60C .0204	Necessary with substantive public interest	September 19, 2015
02 NCAC 60C .0205	Necessary with substantive public interest	September 19, 2015
02 NCAC 60C .0206	Necessary with substantive public interest	September 19, 2015
02 NCAC 60C .0207	Necessary with substantive public interest	September 19, 2015
02 NCAC 60C .0208	Necessary with substantive public interest	September 19, 2015
02 NCAC 60C .0209	Necessary with substantive public interest	September 19, 2015

**RRC DETERMINATION
PERIODIC RULE REVIEW
July 01, 2015 through June 30, 2016
Soil and Water Conservation Commission
Total: 12**

RRC Determination: Necessary with substantive public interest

Rule	Determination	APO Review Date
<u>02 NCAC 59C .0303</u>	Necessary with substantive public interest	September 19, 2015
<u>02 NCAC 59E .0101</u>	Necessary with substantive public interest	September 19, 2015
<u>02 NCAC 59E .0102</u>	Necessary with substantive public interest	September 19, 2015
<u>02 NCAC 59E .0103</u>	Necessary with substantive public interest	September 19, 2015
<u>02 NCAC 59E .0104</u>	Necessary with substantive public interest	September 19, 2015
<u>02 NCAC 59E .0105</u>	Necessary with substantive public interest	September 19, 2015
<u>02 NCAC 59F .0106</u>	Necessary with substantive public interest	September 19, 2015
<u>02 NCAC 59G .0101</u>	Necessary with substantive public interest	September 19, 2015
<u>02 NCAC 59G .0102</u>	Necessary with substantive public interest	September 19, 2015
<u>02 NCAC 59G .0103</u>	Necessary with substantive public interest	September 19, 2015
<u>02 NCAC 59G .0104</u>	Necessary with substantive public interest	September 19, 2015
<u>02 NCAC 59G .0105</u>	Necessary with substantive public interest	September 19, 2015



STATE OF NORTH CAROLINA
OFFICE OF ADMINISTRATIVE HEARINGS

Mailing address:
6714 Mail Service Center
Raleigh, NC 27699-6714

Street address:
1711 New Hope Church Rd
Raleigh, NC 27609-6285

November 19, 2015

Jennifer Everett, Rulemaking Coordinator
Department of Environmental Quality
1601 Mail Service Center
Raleigh, North Carolina 27699-1601

Re: Readoption pursuant to G.S. 150B-21.3A(c)(2)g of **15A NCAC 02B, 02H, 02T, 02U**

Dear Ms. Everett:

Attached to this letter are the rules subject to readoption pursuant to the periodic review and expiration of existing rules as set forth in G.S. 150B-21.3A(c)(2)g. After consultation with your agency, this set of rules was discussed at the November 19, 2015 Rules Review Commission meeting regarding the scheduling of these rules for readoption. Pursuant to G.S. 150B-21.3A(d)(2), the rules identified on the attached printout shall be readopted by the agency no later than October 31, 2019.

If you have any questions regarding the Commission's action, please let me know.

Sincerely,

A handwritten signature in blue ink that reads "Abigail M. Hammond".

Abigail M. Hammond
Commission Counsel

Administration
919/431-3000
fax: 919/431-3100

Rules Division
919/431-3000
fax: 919/431-3104

Judges and
Assistants
919/431-3000
fax: 919/431-3100

Clerk's Office
919/431-3000
fax: 919/431-3100

Rules Review
Commission
919/431-3000
fax: 919/431-3104

Civil Rights
Division
919/431-3036
fax: 919/431-3103

An Equal Employment Opportunity Employer

Generated 11/5/2015 at 4:08 PM

**RRC DETERMINATION
PERIODIC RULE REVIEW
July 01, 2014 through January 30, 2015
Environmental Management Commission
Total: 373**

RRC Determination: Necessary with substantive public interest

Rule	Determination	APO Review Date
15A NCAC 02B .0101	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0103	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0104	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0106	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0108	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0110	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0201	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0202	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0203	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0204	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0205	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0206	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0208	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0211	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0212	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0214	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0215	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0216	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0218	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0219	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0220	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0221	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0222	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0223	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0224	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0225	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0226	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0227	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0228	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0229	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0230	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0231	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0232	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0233	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0234	Necessary with substantive public interest	December 20, 2014

<http://rats.Reports/RR/periodicRuleReview.pl?sType=RRCDetermination&sDetermination=Necessary%20with%20substantive%20public%20interest&bCo...> 2/9

15A NCAC 02B .0307	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0308	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0309	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0310	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0311	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0312	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0313	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0314	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0315	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0316	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0317	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0402	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0403	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0404	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0406	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0407	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0501	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0502	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0503	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0504	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0505	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0506	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0508	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0601	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0602	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0603	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0604	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0605	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0606	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0607	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0608	Necessary with substantive public interest	December 20, 2014
15A NCAC 02B .0609	Necessary with substantive public interest	December 20, 2014
15A NCAC 02H .0101	Necessary with substantive public interest	December 20, 2014
15A NCAC 02H .0102	Necessary with substantive public interest	December 20, 2014
15A NCAC 02H .0103	Necessary with substantive public interest	December 20, 2014
15A NCAC 02H .0105	Necessary with substantive public interest	December 20, 2014
15A NCAC 02H .0106	Necessary with substantive public interest	December 20, 2014
15A NCAC 02H .0107	Necessary with substantive public interest	December 20, 2014
15A NCAC 02H .0108	Necessary with substantive public interest	December 20, 2014
15A NCAC 02H .0109	Necessary with substantive public interest	December 20, 2014
15A NCAC 02H .0111	Necessary with substantive public interest	December 20, 2014
15A NCAC 02H .0112	Necessary with substantive public interest	December 20, 2014
15A NCAC 02H .0113	Necessary with substantive public interest	December 20, 2014
15A NCAC 02H .0114	Necessary with substantive public interest	December 20, 2014
15A NCAC 02H .0115	Necessary with substantive public interest	December 20, 2014
15A NCAC 02H .0116	Necessary with substantive public interest	December 20, 2014
15A NCAC 02H .0117	Necessary with substantive public interest	December 20, 2014
15A NCAC 02H .0118	Necessary with substantive public interest	December 20, 2014

[illegible]

11/5/2015

RRC Determination - Periodic Rule Review

15A NCAC 02U .0901	Necessary with substantive public interest	December 20, 2014
15A NCAC 02U .1101	Necessary with substantive public interest	December 20, 2014
15A NCAC 02U .1401	Necessary with substantive public interest	December 20, 2014



STATE OF NORTH CAROLINA
OFFICE OF ADMINISTRATIVE HEARINGS

Mailing address:
6714 Mail Service Center
Raleigh, NC 27699-6714

Street address:
1711 New Hope Church Rd
Raleigh, NC 27609-6285

November 19, 2015

Jennifer Everett, Rulemaking Coordinator
Department of Environmental Quality
1601 Mail Service Center
Raleigh, North Carolina 27699-1601

Re: Readoption pursuant to G.S. 150B-21.3A(c)(2)g of **15A NCAC 08**

Dear Ms. Everett:

Attached to this letter are the rules subject to readoption pursuant to the periodic review and expiration of existing rules as set forth in G.S. 150B-21.3A(c)(2)g. After consultation with your agency, this set of rules was discussed at the November 19, 2015 Rules Review Commission meeting regarding the scheduling of these rules for readoption. Pursuant to G.S. 150B-21.3A(d)(2), the rules identified on the attached printout shall be readopted by the agency no later than November 30, 2018.

If you have any questions regarding the Commission's action, please let me know.

Sincerely,

A handwritten signature in blue ink that reads "Abigail M. Hammond".

Abigail M. Hammond
Commission Counsel

Administration
919/431-3000
fax: 919/431-3100

Rules Division
919/431-3000
fax: 919/431-3104

Judges and
Assistants
919/431-3000
fax: 919/431-3100

Clerk's Office
919/431-3000
fax: 919/431-3100

Rules Review
Commission
919/431-3000
fax: 919/431-3104

Civil Rights
Division
919/431-3036
fax: 919/431-3103

An Equal Employment Opportunity Employer

Generated 11/12/2015 at 2:24 PM

RRC DETERMINATION PERIODIC RULE REVIEW July 01, 2014 through June 30, 2016

Water Pollution Control System Operator Certification Commission

Total: 23

RRC Determination: Necessary with substantive public interest

Rule	Determination	APO Review Date
<u>15A NCAC 08F .0203</u>	Necessary with substantive public interest	July 26, 2015
<u>15A NCAC 08F .0401</u>	Necessary with substantive public interest	July 26, 2015
<u>15A NCAC 08F .0405</u>	Necessary with substantive public interest	July 26, 2015
<u>15A NCAC 08F .0406</u>	Necessary with substantive public interest	July 26, 2015
<u>15A NCAC 08F .0407</u>	Necessary with substantive public interest	July 26, 2015
<u>15A NCAC 08F .0501</u>	Necessary with substantive public interest	July 26, 2015
<u>15A NCAC 08F .0502</u>	Necessary with substantive public interest	July 26, 2015
<u>15A NCAC 08F .0503</u>	Necessary with substantive public interest	July 26, 2015
<u>15A NCAC 08F .0504</u>	Necessary with substantive public interest	July 26, 2015
<u>15A NCAC 08F .0505</u>	Necessary with substantive public interest	July 26, 2015
<u>15A NCAC 08F .0506</u>	Necessary with substantive public interest	July 26, 2015
<u>15A NCAC 08G .0102</u>	Necessary with substantive public interest	July 26, 2015
<u>15A NCAC 08G .0201</u>	Necessary with substantive public interest	July 26, 2015
<u>15A NCAC 08G .0204</u>	Necessary with substantive public interest	July 26, 2015
<u>15A NCAC 08G .0301</u>	Necessary with substantive public interest	July 26, 2015
<u>15A NCAC 08G .0302</u>	Necessary with substantive public interest	July 26, 2015
<u>15A NCAC 08G .0304</u>	Necessary with substantive public interest	July 26, 2015
<u>15A NCAC 08G .0306</u>	Necessary with substantive public interest	July 26, 2015
<u>15A NCAC 08G .0307</u>	Necessary with substantive public interest	July 26, 2015
<u>15A NCAC 08G .0505</u>	Necessary with substantive public interest	July 26, 2015
<u>15A NCAC 08G .0701</u>	Necessary with substantive public interest	July 26, 2015
<u>15A NCAC 08G .0801</u>	Necessary with substantive public interest	July 26, 2015
<u>15A NCAC 08G .0803</u>	Necessary with substantive public interest	July 26, 2015



STATE OF NORTH CAROLINA
OFFICE OF ADMINISTRATIVE HEARINGS

Mailing address:
6714 Mail Service Center
Raleigh, NC 27699-6714

Street address:
1711 New Hope Church Rd
Raleigh, NC 27609-6285

November 19, 2015

Jennifer Everett, Rulemaking Coordinator
Department of Environmental Quality
1601 Mail Service Center
Raleigh, North Carolina 27699-1601

Re: Readoption pursuant to G.S. 150B-21.3A(c)(2)g of **15A NCAC 18D**

Dear Ms. Everett:

Attached to this letter are the rules subject to readoption pursuant to the periodic review and expiration of existing rules as set forth in G.S. 150B-21.3A(c)(2)g. After consultation with your agency, this set of rules was discussed at the November 19, 2015 Rules Review Commission meeting regarding the scheduling of these rules for readoption. Pursuant to G.S. 150B-21.3A(d)(2), the rules identified on the attached printout shall be readopted by the agency no later than November 30, 2018.

If you have any questions regarding the Commission's action, please let me know.

Sincerely,

A handwritten signature in blue ink that reads "Abigail M. Hammond".

Abigail M. Hammond
Commission Counsel

Administration
919/431-3000
fax: 919/431-3100

Rules Division
919/431-3000
fax: 919/431-3104

Judges and
Assistants
919/431-3000
fax: 919/431-3100

Clerk's Office
919/431-3000
fax: 919/431-3100

Rules Review
Commission
919/431-3000
fax: 919/431-3104

Civil Rights
Division
919/431-3036
fax: 919/431-3103

An Equal Employment Opportunity Employer

Generated 11/12/2015 at 2:25 PM

**RRC DETERMINATION
PERIODIC RULE REVIEW
July 01, 2014 through June 30, 2016**

**Water Treatment Facility Operators Certification Board
Total: 9**

RRC Determination: Necessary with substantive public interest

Rule	Determination	APO Review Date
15A NCAC 18D .0105	Necessary with substantive public interest	July 26, 2015
15A NCAC 18D .0201	Necessary with substantive public interest	July 26, 2015
15A NCAC 18D .0203	Necessary with substantive public interest	July 26, 2015
15A NCAC 18D .0205	Necessary with substantive public interest	July 26, 2015
15A NCAC 18D .0206	Necessary with substantive public interest	July 26, 2015
15A NCAC 18D .0307	Necessary with substantive public interest	July 26, 2015
15A NCAC 18D .0308	Necessary with substantive public interest	July 26, 2015
15A NCAC 18D .0309	Necessary with substantive public interest	July 26, 2015
15A NCAC 18D .0701	Necessary with substantive public interest	July 26, 2015



STATE OF NORTH CAROLINA
OFFICE OF ADMINISTRATIVE HEARINGS

Mailing address:
6714 Mail Service Center
Raleigh, NC 27699-6714

Street address:
1711 New Hope Church Rd
Raleigh, NC 27609-6285

November 19, 2015

Helen Landi, Rulemaking Coordinator
Department of Transportation
1501 Mail Service Center
Raleigh, North Carolina 27699-150

Re: Readoption pursuant to G.S. 150B-21.3A(c)(2)g of **19A NCAC 06**

Dear Ms. Landi:

Attached to this letter are the rules subject to readoption pursuant to the periodic review and expiration of existing rules as set forth in G.S. 150B-21.3A(c)(2)g. After consultation with your agency, this set of rules was discussed at the November 19, 2015 Rules Review Commission meeting regarding the scheduling of these rules for readoption. Pursuant to G.S. 150B-21.3A(d)(2), the rules identified on the attached printout shall be readopted by the agency no later than December 31, 2017.

If you have any questions regarding the Commission's action, please let me know.

Sincerely,

A handwritten signature in blue ink that reads "Abigail M. Hammond".

Abigail M. Hammond
Commission Counsel

Administration
919/431-3000
fax: 919/431-3100

Rules Division
919/431-3000
fax: 919/431-3104

Judges and
Assistants
919/431-3000
fax: 919/431-3100

Clerk's Office
919/431-3000
fax: 919/431-3100

Rules Review
Commission
919/431-3000
fax: 919/431-3104

Civil Rights
Division
919/431-3036
fax: 919/431-3103

An Equal Employment Opportunity Employer

Generated 11/19/2015 at 3:16 PM

**RRC DETERMINATION
PERIODIC RULE REVIEW
January 01, 2014 through April 30, 2016
Transportation, Department of
Total: 31**

RRC Determination: Necessary with substantive public interest

Rule	Determination	APO Review Date
<u>19A NCAC 06B .0402</u>	Necessary with substantive public interest	October 24, 2015
<u>19A NCAC 06B .0405</u>	Necessary with substantive public interest	October 24, 2015
<u>19A NCAC 06B .0406</u>	Necessary with substantive public interest	October 24, 2015
<u>19A NCAC 06B .0410</u>	Necessary with substantive public interest	October 24, 2015
<u>19A NCAC 06B .0411</u>	Necessary with substantive public interest	October 24, 2015
<u>19A NCAC 06B .0413</u>	Necessary with substantive public interest	October 24, 2015
<u>19A NCAC 06C .0107</u>	Necessary with substantive public interest	October 24, 2015
<u>19A NCAC 06C .0108</u>	Necessary with substantive public interest	October 24, 2015
<u>19A NCAC 06C .0109</u>	Necessary with substantive public interest	October 24, 2015
<u>19A NCAC 06C .0110</u>	Necessary with substantive public interest	October 24, 2015
<u>19A NCAC 06C .0111</u>	Necessary with substantive public interest	October 24, 2015
<u>19A NCAC 06C .0112</u>	Necessary with substantive public interest	October 24, 2015
<u>19A NCAC 06C .0123</u>	Necessary with substantive public interest	October 24, 2015
<u>19A NCAC 06C .0124</u>	Necessary with substantive public interest	October 24, 2015
<u>19A NCAC 06C .0125</u>	Necessary with substantive public interest	October 24, 2015
<u>19A NCAC 06C .0126</u>	Necessary with substantive public interest	October 24, 2015
<u>19A NCAC 06C .0127</u>	Necessary with substantive public interest	October 24, 2015
<u>19A NCAC 06C .0129</u>	Necessary with substantive public interest	October 24, 2015
<u>19A NCAC 06C .0134</u>	Necessary with substantive public interest	October 24, 2015
<u>19A NCAC 06C .0301</u>	Necessary with substantive public interest	October 24, 2015
<u>19A NCAC 06C .0304</u>	Necessary with substantive public interest	October 24, 2015
<u>19A NCAC 06C .0401</u>	Necessary with substantive public interest	October 24, 2015
<u>19A NCAC 06C .0403</u>	Necessary with substantive public interest	October 24, 2015
<u>19A NCAC 06C .0408</u>	Necessary with substantive public interest	October 24, 2015
<u>19A NCAC 06C .0502</u>	Necessary with substantive public interest	October 24, 2015
<u>19A NCAC 06C .0503</u>	Necessary with substantive public interest	October 24, 2015
<u>19A NCAC 06C .0703</u>	Necessary with substantive public interest	October 24, 2015
<u>19A NCAC 06C .0704</u>	Necessary with substantive public interest	October 24, 2015
<u>19A NCAC 06C .0705</u>	Necessary with substantive public interest	October 24, 2015
<u>19A NCAC 06C .0706</u>	Necessary with substantive public interest	October 24, 2015
<u>19A NCAC 06D .0203</u>	Necessary with substantive public interest	October 24, 2015



STATE OF NORTH CAROLINA
OFFICE OF ADMINISTRATIVE HEARINGS

Mailing address:
6714 Mail Service Center
Raleigh, NC 27699-6714

Street address:
1711 New Hope Church Rd
Raleigh, NC 27609-6285

November 19, 2015

Barden Culbreth, Rulemaking Coordinator
Employee Assistance Professionals
Randolph E. Cloud & Assoc
Post Office Box 10972
Raleigh, North Carolina 27605

Re: Readoption pursuant to G.S. 150B-21.3A(c)(2)g of **21 NCAC 11**

Dear Mr. Culbreth:

Attached to this letter are the rules subject to readoption pursuant to the periodic review and expiration of existing rules as set forth in G.S. 150B-21.3A(c)(2)g. After consultation with your agency, this set of rules was discussed at the November 19, 2015 Rules Review Commission meeting regarding the scheduling of these rules for readoption. Pursuant to G.S. 150B-21.3A(d)(2), the rules identified on the attached printout shall be readopted by the agency no later than January 31, 2017.

If you have any questions regarding the Commission's action, please let me know.

Sincerely,


Abigail M. Hammond
Commission Counsel

Administration
919/431-3000
fax: 919/431-3100

Rules Division
919/431-3000
fax: 919/431-3104

Judges and
Assistants
919/431-3000
fax: 919/431-3100

Clerk's Office
919/431-3000
fax: 919/431-3100

Rules Review
Commission
919/431-3000
fax: 919/431-3104

Civil Rights
Division
919/431-3036
fax: 919/431-3103

An Equal Employment Opportunity Employer

Generated 11/9/2015 at 2:23 PM

**RRC DETERMINATION
PERIODIC RULE REVIEW
July 01, 2015 through June 30, 2016
Employee Assistance Professionals, Board of
Total: 4**

RRC Determination: Necessary with substantive public interest

Rule	Determination	APO Review Date
21 NCAC 11 .0104	Necessary with substantive public interest	September 19, 2015
21 NCAC 11 .0108	Necessary with substantive public interest	September 19, 2015
21 NCAC 11 .0111	Necessary with substantive public interest	September 19, 2015
21 NCAC 11 .0112	Necessary with substantive public interest	September 19, 2015



STATE OF NORTH CAROLINA
OFFICE OF ADMINISTRATIVE HEARINGS

Mailing address:
6714 Mail Service Center
Raleigh, NC 27699-6714

Street address:
1711 New Hope Church Rd
Raleigh, NC 27609-6285

November 19, 2015

William L. Croft, Rulemaking Coordinator
Respiratory Care Board
125 Edinburgh South Drive, Suite 100
Cary, North Carolina 27511

Re: Readoption pursuant to G.S. 150B-21.3A(c)(2)g of **21 NCAC 61**

Dear Mr. Croft:

Attached to this letter are the rules subject to readoption pursuant to the periodic review and expiration of existing rules as set forth in G.S. 150B-21.3A(c)(2)g. After consultation with your agency, this set of rules was discussed at the November 19, 2015 Rules Review Commission meeting regarding the scheduling of these rules for readoption. Pursuant to G.S. 150B-21.3A(d)(2), the rules identified on the attached printout shall be readopted by the agency no later than December 31, 2016.

If you have any questions regarding the Commission's action, please let me know.

Sincerely,

A handwritten signature in blue ink that reads "Abigail M. Hammond". The signature is fluid and cursive.

Abigail M. Hammond
Commission Counsel

Administration
919/431-3000
fax: 919/431-3100

Rules Division
919/431-3000
fax: 919/431-3104

Judges and
Assistants
919/431-3000
fax: 919/431-3100

Clerk's Office
919/431-3000
fax: 919/431-3100

Rules Review
Commission
919/431-3000
fax: 919/431-3104

Civil Rights
Division
919/431-3036
fax: 919/431-3103

An Equal Employment Opportunity Employer

11/5/2015

RRC Determination - Periodic Rule Review

Generated 11/5/2015 at 12:20 PM

**RRC DETERMINATION
PERIODIC RULE REVIEW
July 01, 2014 through June 30, 2016
Respiratory Care Board
Total: 1**

RRC Determination: Necessary with substantive public interest

Rule	Determination	APO Review Date
<u>21 NCAC 61 .0202</u>	Necessary with substantive public interest	August 22, 2015



STATE OF NORTH CAROLINA
OFFICE OF ADMINISTRATIVE HEARINGS

Mailing address:
6714 Mail Service Center
Raleigh, NC 27699-6714

Street address:
1711 New Hope Church Rd
Raleigh, NC 27609-6285

November 19, 2015

Micki Lilly, Rulemaking Coordinator
Social Work, Certification & Licensure Board
Post Office Box 1043
Asheboro, North Carolina 27204

Re: Readoption pursuant to G.S. 150B-21.3A(c)(2)g of 21 NCAC 63

Dear Ms. Lilly:

Attached to this letter are the rules subject to readoption pursuant to the periodic review and expiration of existing rules as set forth in G.S. 150B-21.3A(c)(2)g. After consultation with your agency, this set of rules was discussed at the November 19, 2015 Rules Review Commission meeting regarding the scheduling of these rules for readoption. Pursuant to G.S. 150B-21.3A(d)(2), the rules identified on the attached printout shall be readopted by the agency no later than February 28, 2017.

If you have any questions regarding the Commission's action, please let me know.

Sincerely,

A handwritten signature in blue ink that reads "Abigail M. Hammond".

Abigail M. Hammond
Commission Counsel

Administration
919/431-3000
fax: 919/431-3100

Rules Division
919/431-3000
fax: 919/431-3104

Judges and
Assistants
919/431-3000
fax: 919/431-3100

Clerk's Office
919/431-3000
fax: 919/431-3100

Rules Review
Commission
919/431-3000
fax: 919/431-3104

Civil Rights
Division
919/431-3036
fax: 919/431-3103

An Equal Employment Opportunity Employer

Generated 11/5/2015 at 12:21 PM

**RRC DETERMINATION
PERIODIC RULE REVIEW
July 01, 2014 through June 30, 2016
Social Work Certification and Licensure Board
Total: 5**

RRC Determination: Necessary with substantive public interest

Rule	Determination	APO Review Date
<u>21 NCAC 63 .0102</u>	Necessary with substantive public interest	September 19, 2015
<u>21 NCAC 63 .0204</u>	Necessary with substantive public interest	September 19, 2015
<u>21 NCAC 63 .0211</u>	Necessary with substantive public interest	September 19, 2015
<u>21 NCAC 63 .0401</u>	Necessary with substantive public interest	September 19, 2015
<u>21 NCAC 63 .0505</u>	Necessary with substantive public interest	September 19, 2015