



**STATE OF NORTH CAROLINA  
OFFICE OF ADMINISTRATIVE HEARINGS**

December 16, 2021

Anna Hayworth  
Soil and Water Conservation Commission  
**Sent via email only to: [cpinyan@brookspierce.com](mailto:cpinyan@brookspierce.com)**

Re: Extension of the Period of Review for 02 NCAC 59A .0101, .0102, .0103, .0104, .0201, .0202, .0203, .0204, .0301, and .0302

Dear Ms. Hayworth:

At its meeting this morning, the Rules Review Commission extended the period of review for the above-captioned rules in accordance with G.S. 150B-21.10. They did so in response to a request from the agency to extend the period of review in order to allow the Commission additional time to address technical change requests.

Pursuant to G.S. 150B-21.13, when the Commission extends the period of review, it is required to approve or object to rules or call a public hearing on the same within 70 days.

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

Sincerely,

Amber May  
Commission Counsel

Cc: Vernon Cox and Phillip Reynolds

**Donald R. van der Vaart**, Director  
Chief Administrative Law Judge

**Fred G. Morrison, Jr.**  
Senior Administrative Law Judge

**Linda T. Worth**  
Deputy Director

*An Equal Employment Opportunity Employer*

1711 New Hope Church Road, Raleigh, NC 27609  
Telephone: (984) 236-1850 | Facsimile: (984) 236-1871  
[www.oah.nc.gov](http://www.oah.nc.gov)



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OFFICE OF ADMINISTRATIVE HEARINGS**

December 16, 2021

Jennifer Everett  
Environmental Management Commission  
**Sent via email only to: [Jennifer.Everett@ncdenr.gov](mailto:Jennifer.Everett@ncdenr.gov)**

Re: Extension of the Period of Review for 15A NCAC 02L .0202

Dear Ms. Everett:

At its meeting this morning, the Rules Review Commission extended the period of review for the above-captioned rule in accordance with G.S. 150B-21.10. They did so in response to a request from the agency to extend the period in order to allow additional time to address the requested technical changes.

Pursuant to G.S. 150B-21.13, when the Commission extends the period of review, it is required to approve or object to rules or call a public hearing on the same within 70 days.

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

Sincerely,

Amber May  
Commission Counsel

**Donald R. van der Vaart**, Director  
Chief Administrative Law Judge

**Fred G. Morrison, Jr.**  
Senior Administrative Law Judge

**Linda T. Worth**  
Deputy Director

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**STATE OF NORTH CAROLINA  
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December 16, 2021

Richard Jones, Chairman  
State Board of Examiners of Electrical Contractors  
**Sent via email only: [Richard.Jones@bryantdurham.com](mailto:Richard.Jones@bryantdurham.com)**

Re: Objection to Rule 21 NCAC 18B .0308.

Dear Mr. Jones:

At its meeting this morning, the Rules Review Commission objected to the above-captioned temporary Rule in accordance with G.S. 150B-21.1(b).

The Rules Review Commission objected to 21 NCAC 18B .0308 for lack of statutory authority. Specifically, the Commission found that the State Board of Examiners of Electrical Contractors did not have authority under G.S. 87-1.1 to limit the percentage of plumbing, heating, or fire sprinkler contracting work in any bid submitted pursuant to that statute.

Please respond to this letter in accordance with the provisions of G.S. 150B-21.1(b1) or (b2). If you have any questions regarding the Rule Review Commission's action, please let me know.

Sincerely,

Brian Liebman  
Commission Counsel

cc: Nick Fountain and Reed Fountain, Rulemaking Coordinators

**Donald Robert van der Vaart**, Director  
Chief Administrative Law Judge

**Fred G. Morrison, Jr.**  
Senior Administrative Law Judge

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December 16, 2021

Clinton Pinyan  
Board of Pharmacy  
**Sent via email only to: [cpinyan@brookspierce.com](mailto:cpinyan@brookspierce.com)**

Re: Extension of the Period of Review for 21 NCAC 46 .1417 and .1816

Dear Mr. Pinyan:

At its meeting this morning, the Rules Review Commission extended the period of review for the above-captioned rules in accordance with G.S. 150B-21.10. They did so in response to a request from the agency to extend the period of review in order to allow the Board an opportunity to review the letter sent by CVS dated December 8, 2021.

Pursuant to G.S. 150B-21.13, when the Commission extends the period of review, it is required to approve or object to rules or call a public hearing on the same within 70 days.

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

Sincerely,

Amber May  
Commission Counsel

Cc: Jay Campbell

**Donald R. van der Vaart**, Director  
Chief Administrative Law Judge

**Fred G. Morrison, Jr.**  
Senior Administrative Law Judge

**Linda T. Worth**  
Deputy Director

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December 16, 2021

William H. Eubanks, Chairman  
State Board of Examiners of Plumbing, Heating, and Fire Sprinkler Contractors  
**Sent via email only: [weubanks@ec.rr.com](mailto:weubanks@ec.rr.com)**

Re: Objection to Rule 21 NCAC 50 .0415.

Dear Mr. Eubanks:

At its meeting this morning, the Rules Review Commission objected to the above-captioned temporary Rule in accordance with G.S. 150B-21.1(b).

The Rules Review Commission objected to 21 NCAC 50 .0415 for lack of statutory authority. Specifically, the Commission found that the State Board of Examiners of Plumbing, Heating, and Fire Sprinkler Contractors did not have authority under G.S. 87-1.1 to limit the percentage of electrical contracting work in any bid submitted pursuant to that statute.

Please respond to this letter in accordance with the provisions of G.S. 150B-21.1(b1) or (b2). If you have any questions regarding the Rule Review Commission's action, please let me know.

Sincerely,

Brian Liebman  
Commission Counsel

cc: Reed Fountain, Rulemaking Coordinator

**Donald Robert van der Vaart**, Director  
Chief Administrative Law Judge

**Fred G. Morrison, Jr.**  
Senior Administrative Law Judge

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