

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Environmental Management Commission

RULE CITATION: 15A NCAC 02H .0804

DEADLINE FOR RECEIPT: Thursday, December 11, 2025

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

(a): Consider consolidating this language, if appropriate. Would the following not be accurate?

~~“Commercial Laboratories shall obtain Certification for Parameter Methods and Field Parameter Methods used to generate data that will be reported by the client to the State in accordance with the rules of this Section. Municipal and Industrial Laboratories shall obtain Certification for Parameter Methods and Field Parameter Methods used to generate data that will be reported to the State in accordance with the rules of this Section. Commercial Laboratories shall obtain Certification for Field Parameter Methods used to generate data that will be reported by the client to the State in accordance with the rules of this Section. Municipal and Industrial laboratories shall obtain Certification for Field Parameter Methods used to generate data that will be reported to the State in accordance with the rules of this Section.”~~

(b): Can you please point me to the “Parameter Method” or the “analytical method ... from the sources listed in Rule .0805(a)(1)” used for Total Nitrogen testing?

(b)(29): Add a semi-colon after “Nitrogen, Total”.

(d): Can you please point me to the “Parameter Method” or the “analytical method ... from the sources listed in Rule .0805(a)(1)” used for Pharmaceutical Pollutants testing?

(d)(20): Does “Pharmaceutical Pollutants” need a definition? Is this term used elsewhere in your Rules or statutes?

(d)(20): Add a semi-colon after “Pharmaceutical Pollutants”.

History Note, page 5, line 5: The period should be changed to a semi-colon.

Christopher S. Miller
Commission Counsel

Date submitted to agency: December 3, 2025

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Christopher S. Miller
Commission Counsel

Date submitted to agency: December 3, 2025

1 15A NCAC 02H .0804 is amended as published in 40:03 NCR 290 as follows:

2

3 **15A NCAC 02H .0804 PARAMETERS FOR WHICH CERTIFICATION MAY BE REQUESTED**

4 (a) Commercial Laboratories shall obtain Certification for Parameter Methods used to generate data that will be
5 reported by the client to the State in accordance with the rules of this Section. Municipal and Industrial Laboratories
6 shall obtain Certification for Parameter Methods used to generate data that will be reported to the State in accordance
7 with the rules of this Section. Commercial Laboratories shall obtain Certification for Field Parameter Methods used
8 to generate data that will be reported by the client to the State in accordance with the rules of this Section. Municipal
9 and Industrial laboratories shall obtain Certification for Field Parameter Methods used to generate data that will be
10 reported to the State in accordance with the rules of this Section.

11 (b) Inorganics: Each of the inorganic, physical characteristic, and microbiological analytes listed in this Paragraph
12 shall be considered a certifiable parameter. Analytical methods shall be determined from the sources listed in Rule
13 .0805(a)(1) of this Section. One or more analytical methods or Parameter Methods may be listed with a laboratory's
14 certified Parameters. Certifiable inorganic, physical characteristic, and microbiological Parameters are as follows:

- 15 (1) Acidity;
- 16 (2) Alkalinity;
- 17 (3) Biochemical Oxygen Demand;
- 18 (4) Bromide;
- 19 (5) Carbonaceous Biochemical Oxygen Demand;
- 20 (6) Chemical Oxygen Demand;
- 21 (7) Chloride;
- 22 (8) Chlorine, Free Available;
- 23 (9) Chlorine, Total Residual;
- 24 (10) Chlorophyll;
- 25 (11) Coliform, Fecal;
- 26 (12) Coliform, Total;
- 27 (13) Color;
- 28 (14) Conductivity/Specific Conductance;
- 29 (15) Cyanide;
- 30 (16) Dissolved Organic Carbon;
- 31 (17) Dissolved Oxygen;
- 32 (18) Enterococci;
- 33 (19) Escherichia Coliform (E. coli);
- 34 (20) Flash Point;
- 35 (21) Fluoride;
- 36 (22) Hardness, Total;
- 37 (23) Ignitability;

1 (24) Surfactants as Methylene Blue Active Surfactants;
2 (25) Nitrogen, Ammonia;
3 (26) Nitrogen, Nitrite plus Nitrate;
4 (27) Nitrogen, Nitrate;
5 (28) Nitrogen, Nitrite;
6 (29) Nitrogen, Total
7 (29)(30) Nitrogen, Total Kjeldahl;
8 (30)(31) Oil and Grease;
9 (31)(32) Orthophosphate;
10 (32)(33) Paint Filter Liquids;
11 (33)(34) pH;
12 (34)(35) Phenols;
13 (35)(36) Phosphorus, Total;
14 (36)(37) Residue, Settleable;
15 (37)(38) Residue, Total;
16 (38)(39) Residue, Total Dissolved;
17 (39)(40) Residue, Total Suspended;
18 (40)(41) Residue, Volatile;
19 (41)(42) Salinity;
20 (42)(43) Salmonella;
21 (43)(44) Silica;
22 (44)(45) Sulfate;
23 (45)(46) Sulfide;
24 (46)(47) Sulfite;
25 (47)(48) Temperature;
26 (48)(49) Total Organic Carbon;
27 (49)(50) Turbidity;
28 (50)(51) Vector Attraction Reduction: Option 1;
29 (51)(52) Vector Attraction Reduction: Option 2;
30 (52)(53) Vector Attraction Reduction: Option 3;
31 (53)(54) Vector Attraction Reduction: Option 4;
32 (54)(55) Vector Attraction Reduction: Option 5;
33 (55)(56) Vector Attraction Reduction: Option 6;
34 (56)(57) Vector Attraction Reduction: Option 7;
35 (57)(58) Vector Attraction Reduction: Option 8; and
36 (58)(59) Vector Attraction Reduction: Option 12.

1 (c) Metals: Each of the metals listed in this Paragraph shall be considered a certifiable Parameter. One or more
2 Parameter Methods shall be listed with a laboratory's certified Parameters. Analytical methods shall be determined
3 from the sources listed in Rule .0805(a)(1) of this Section. Certifiable metals are as follows:

- 4 (1) Aluminum;
- 5 (2) Antimony;
- 6 (3) Arsenic;
- 7 (4) Barium;
- 8 (5) Beryllium;
- 9 (6) Boron;
- 10 (7) Cadmium;
- 11 (8) Calcium;
- 12 (9) Chromium, Hexavalent (Chromium VI);
- 13 (10) Chromium, Total;
- 14 (11) Chromium, Trivalent (Chromium III);
- 15 (12) Cobalt;
- 16 (13) Copper;
- 17 (14) Hardness, Total (Calcium + Magnesium);
- 18 (15) Iron;
- 19 (16) Lead;
- 20 (17) Lithium;
- 21 (18) Magnesium;
- 22 (19) Manganese;
- 23 (20) Mercury;
- 24 (21) Molybdenum;
- 25 (22) Nickel;
- 26 (23) Potassium;
- 27 (24) Phosphorus;
- 28 (25) Selenium;
- 29 (26) Silica;
- 30 (27) Silver;
- 31 (28) Sodium;
- 32 (29) Strontium;
- 33 (30) Thallium;
- 34 (31) Tin;
- 35 (32) Titanium;
- 36 (33) Vanadium; and
- 37 (34) Zinc.

1 (d) Organics: Each of the organic Parameters listed in this Paragraph shall be considered a certifiable Parameter. One
2 or more Parameter Methods shall be listed with a laboratory's certified Parameters. Analytical methods shall be
3 determined from the sources listed in Rule .0805(a)(1) of this Section. Certifiable organic Parameters are as follows:

- 4 (1) 1,2-Dibromoethane (EDB); 1,2-Dibromo-3-chloro-propane (DBCP); 1,2,3-Trichloropropane
5 (TCP);
- 6 (2) Acetonitrile;
- 7 (3) Acrolein, Acrylonitrile;
- 8 (4) Adsorbable Organic Halides;
- 9 (5) Base/Neutral and Acid Organics;
- 10 (6) Benzidines;
- 11 (7) Chlorinated Acid Herbicides;
- 12 (8) Chlorinated Hydrocarbons;
- 13 (9) Chlorinated Phenolics;
- 14 (10) Explosives;
- 15 (11) Extractable Petroleum Hydrocarbons;
- 16 (12) Haloethers;
- 17 (13) N-Methylcarbamates;
- 18 (14) Nitroaromatics and Isophorone;
- 19 (15) Nitrosamines;
- 20 (16) Nonhalogenated Volatile Organics;
- 21 (17) Organochlorine Pesticides;
- 22 (18) Organophosphorus Pesticides;
- 23 (19) Per- and polyfluoroalkyl substances (PFAS);
- 24 (20) Pharmaceutical Pollutants
- 25 (20)(21) Phenols;
- 26 (21)(22) Phthalate Esters;
- 27 (22)(23) Polychlorinated Biphenyls;
- 28 (23)(24) Polynuclear Aromatic Hydrocarbons;
- 29 (24)(25) Purgeable Aromatics;
- 30 (25)(26) Purgeable Halocarbons;
- 31 (26)(27) Purgeable Organics;
- 32 (27)(28) Total Organic Halides;
- 33 (28)(29) Total Petroleum Hydrocarbons – Diesel Range Organics;
- 34 (29)(30) Total Petroleum Hydrocarbons – Gasoline Range Organics; and
- 35 (30)(31) Volatile Petroleum Hydrocarbons.

37 *History Note: Authority G.S. 143-215.3(a)(1); 143- 215.3(a)(10);*

1 *Eff. February 1, 1976;*
2 *Amended Eff. November 2, 1992; December 1, 1984;*
3 *Temporary Amendment Eff. October 1, 2001;*
4 *Amended Eff. August 1, 2002;*
5 *Readopted Eff. July 1, 2019.*
6 *Amended Eff. January 1, 2026; September 1, 2024.*