

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC BOARD OF AGRICULTURE

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 02 NCAC 09B .0116

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*In (d), line 18, please verify whether the EPA Manual is still published by AOAC since you refer to obtaining it from an EPA website and it appears to be at no cost.*

*In either line 19 or 20 delete "online from" since they are repeated.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC BOARD OF AGRICULTURE

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 02 NCAC 48A .0200 REPEALS

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*Please add the full history note to these repeals, especially the effective date of the repeal.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

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Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC BOARD OF AGRICULTURE

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 02 NCAC 48A .0200 ADOPTIONS

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*Please add the effective date of these adoptions to the history note.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

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Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC BOARD OF AGRICULTURE

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 02 NCAC 48A .0242

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*At the end of items (1) – (5) and item (7) please change the semicolon to a period.*

*The general rule is that whether the divisions within a rule are paragraphs or items, there are no periods at the end of subdivisions (sub-paragraphs or sub-items) until the end of that paragraph or item and immediately before the next division at which time a period is needed. Until the end of the paragraph or item the sub-paragraph or sub-item is followed by a semicolon.*

*In (3) line 11 I do not recall seeing the term “nuc” used in these rules. If it is not used, perhaps you should consider deleting the term.*

*In (5), line 16, please change “to” to “for” to be consistent with the other rules.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

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## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC BOARD OF AGRICULTURE

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 02 NCAC 48A .0243

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*In (b) either put a period after "North Carolina" in line 6 and begin the next sentence with "other" from line 7 or delete "are performed" in line 7 to maintain parallel structure in the current sentence. One other alternative is to replace "and" with a semicolon after "Carolina."*

*In line 7 make "Rules ... Section" lowercase.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

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## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC BOARD OF AGRICULTURE

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 02 NCAC 48A .0244

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*The first sentence of (a) currently reads as a description of the process followed by inspectors. If you wish to make this a mandatory process then add "shall" after "inspectors" in line 4.*

*In (b) line 12 delete "is" after "in question is." Actually the entire "in question is" is unnecessary and could be deleted.*

*Since Rule .0254 also refers to the destruction of a beehive either in (c) of this rule simply refer to that rule – while deleting the substantive contents of (c) – or delete (c) altogether. Note that (c) of this rule contains an additional permitted manner of destruction not contained in .0254. If you wish to include that additional manner, you need to move it to that rule.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

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## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC BOARD OF AGRICULTURE

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 02 NCAC 48A .0245

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*In (a) line 4 change "beekeeper" to "beekeeper's."*

*In (b) line 7 please make "Rules ... Section" lowercase.*

*In (c) line 8 please change "may" to "shall" or set out the conditions that determine whether the apiarist shall charge the costs.*

*In (c) also specify whether or not the authorization for the apiarist to assess charges applies when the inspection is made for the reason set out in (a)*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

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## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC BOARD OF AGRICULTURE

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 02 NCAC 48A .0246

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*In (2)(b) line 33 please make "Rules ... Section" lowercase.*

*In (2)(d), page 2 line 3, please change the period to a semicolon.*

*The general rule is that whether the divisions within a rule are paragraphs or items, there are no periods at the end of subdivisions (sub-paragraphs or sub-items) until the end of that paragraph or item and immediately before the next division at which time a period is needed. Until the end of the paragraph or item the sub-paragraph or sub-item is followed by a semicolon.*

*In (2)(e), page 2 line 6, please make "Rules ... Section" lowercase.*

*In (3)(d) line 24 I believe "and accidental" should be "any accidental."*

*In (4) line 27 please make "Rules ... Section" lowercase.*

*In (5) line 29 make "Section" lowercase.*

*In (5) line 29 I would change "seizure" to "confiscation" since that is a term used in G.S. 106-639.*

*In line 31 either delete "without compensation to the owner" or cite the authority for that provision. Whether or not the owner is entitled to compensation seems to me a question outside the board's authority. The authority allowing confiscation implies that outcome although does not explicitly state that.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

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## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC BOARD OF AGRICULTURE

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 02 NCAC 48A .0247

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*In (a)(1) line 12 make "Section" lowercase.*

*In (a)(2) how is an official from a state where the bees were more than 60 days prior to their shipment to North Carolina, and prior to their move to another state, to provide a certification that they "were inspected within 60 days of the proposed date of entry into North Carolina" as required in (1) for their certification?*

*At the end of (b)(2) line 27 change the semicolon to a period.*

*The general rule is that whether the divisions within a rule are paragraphs or items, there are no periods at the end of subdivisions (sub-paragraphs or sub-items) until the end of that paragraph or item and immediately before the next division at which time a period is needed. Until the end of the paragraph or item the sub-paragraph or sub-item is followed by a semicolon.*

*At the end of (c) line 29 change the semicolon to a period.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

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## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC BOARD OF AGRICULTURE

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 02 NCAC 48A .0249

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*In (b) lines 7 and 8 please make "Rules ... Section" lowercase.*

*In (c) line 11 please make "Rules ... Section" lowercase.*

*In (d) line 13 please make "Rules ... Section" lowercase.*

*In (f) line 18 delete or define "complete."*

*In line 21 change "availability" to "available."*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

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## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC BOARD OF AGRICULTURE

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 02 NCAC 48A .0250

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

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*In (1)(a) line 6 I do not understand the meaning of "or operator." Either delete, clarify, or explain the meaning, please.*

*In (1)(d) and (e) if the disease is "suppressed by destruction of hives" as set out in (d), what would be left to re-inspect in (e)? Wouldn't (e) be addressing re-inspection just for hives where disease was "eradicated by fumigation" ((1)(d) lines 11 and 12)?*

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## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC BOARD OF AGRICULTURE

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 02 NCAC 48A .0251

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In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*In (a)(5) line 12 please make "Rules ... Section" lowercase.*

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## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC BOARD OF AGRICULTURE

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 02 NCAC 48A .0253

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In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*In line 12 either delete "without compensation to the owner" or cite the authority for that provision. Whether or not the owner is entitled to compensation seems to me a question outside the board's authority. The authority allowing confiscation implies that outcome although does not explicitly state that.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

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## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC BOARD OF AGRICULTURE

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 02 NCAC 48A .0254

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*In (b) line 6 make "Rule" and "Section" lowercase.*

*Paragraph (e) does not contain one of the publications set out in Rule .0244(c) for destroying beehives. Please verify what publications are acceptable and have them set out here and not in Rule .0244.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

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Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC BOARD OF AGRICULTURE

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 02 NCAC 48A .0256

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*In (a) line 6 change "and/or" to "and" or "or," most likely "and."*

*In (e) line 19 change "Regulation" to "rule" and note that it is lowercase.*

*It seems to me that you should also cite G.S. 106-639 as authority.*

*In (e) line 19 I would change "seizure" to "confiscation" since that is a term used in G.S. 106-639.*

*In line 20 either delete "without compensation to the owner" or cite the authority for that provision. Whether or not the owner is entitled to compensation seems to me a question outside the board's authority. The authority allowing confiscation implies that outcome although does not explicitly state that.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

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## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC BOARD OF AGRICULTURE

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 02 NCAC 48A .0257

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In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*In (a) line 5 make "Rules" and "Section" lowercase.*

*The general rule is that those terms (along with "title," "chapter," "subchapter," "paragraph," "item," or any of their sub-portions) are capitalized only when they refer to a specific rule or section such as "Rule .0257 in this section" or "Section .0200 of Subchapter 48A."*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

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## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC BOARD OF AGRICULTURE

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 02 NCAC 48A .0258

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*In line 5 it seems to me that the comma after "mellifera," is unnecessary and should be deleted.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

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Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC BOARD OF AGRICULTURE

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 02 NCAC 48A .0259

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In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*In line 5 make "Rules" and "Section" lowercase.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

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## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC BOARD OF AGRICULTURE

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 02 NCAC 48A .0261

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*For the same reasons cited in Rule .0256 I believe you should delete the term "abandoned" in line 4. There does not seem specific authority cited for the board to declare certain bees "abandoned." I do believe there is sufficient authority for the board to authorize the state apiarist to take possession of them. I would rewrite this rule as follows:*

*The State Apiarist, upon permission of the property owner or manager, may take possession and care for an apiary or honeybee colonies left untended on the property of another for a period of 12 months.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

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## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC BOARD OF AGRICULTURE

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 02 NCAC 48A .0262

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In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*In (b) line 9 specify who will secure the assistance, whether it is the division or some other or more specific agency or some other person.*

*In (c)(5) line 28 it seems to me that "on excess of" would read better as "in excess of" or perhaps even better, "exceeding," or "more than," or "greater than."*

*In lines 29 and 30 please make the same change, if any, to "in excess of" and in line 29 delete "extended" as unnecessary.*

*In (c)(6) either change "separate" to "annual" or delete the term.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

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## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC BOARD OF AGRICULTURE

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 02 NCAC 48A .0263

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In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*Please change the period at the end of (b)(1)(B) line 13 to a semicolon.*

*The general rule is that whether the divisions within a rule are paragraphs or items, there are no periods at the end of subdivisions (sub-paragraphs or sub-items) until the end of that paragraph or item and immediately before the next division. Until the end of the paragraph or item the sub-paragraph or sub-item is followed by a semicolon.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

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## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC BOARD OF AGRICULTURE

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 02 NCAC 48A .0264

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In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*In line 4 please make "Rules ... Section" lowercase.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

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## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC BOARD OF AGRICULTURE

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 02 NCAC 48A .0265

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In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*I would add G.S. 106-639 to this rule as authority.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

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Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC ALCOHOLIC BEVERAGE CONTROL COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 04 NCAC 02R .1302

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*In (a)(3) lines 16 and 17 either specify the standards for approving the SOPs or delete the approval authorization.*

*Beginning in (b)(3) line 35 make "Subparagraph" lowercase where it is not referring to a specific paragraph, i.e., lines 34 and 35 should read: "Subparagraph (10) of this paragraph." Please review the rule carefully for all circumstances of this needed change.*

*The general rule is that the terms "title," "chapter," "subchapter," "paragraph," "item," or any of their sub-portions are capitalized only when they refer to a specific rule or section, such as "Rule .0257 in this section" or "Section .0200 of Subchapter 48A," and are lowercase when not referring to a specific (portion of a) rule.*

*In (b)(8) page 3 the sub-sub-paragraphs (A) and (B) should have parentheses and no periods. Also at the end of (B) line 10 the period should be a semicolon.*

*The general rule is that whether the divisions within a rule are paragraphs or items, there are no periods at the end of subdivisions (sub-paragraphs or sub-items) until the end of that paragraph or item and immediately before the next division at which time a period is needed. Until the end of the paragraph or item the sub-paragraph or sub-item is followed by a semicolon.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC ALCOHOLIC BEVERAGE CONTROL COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 04 NCAC 02S .0101

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*In line 5 please make "Subchapter" lowercase.*

*The general rule is that the terms "title," "chapter," "subchapter," "paragraph," "item," or any of their sub-portions are capitalized only when they refer to a specific rule or section, such as "Rule .0257 in this section" or "Section .0200 of Subchapter 48A," and are lowercase when not referring to a specific (portion of a) rule.*

*Please delete the definition in (5) since it is found in G.S. 18B-101(12a). There is no authority to redefine a term already defined by the General Assembly.*

*Since there would be authority for the provisions in lines 33 – 36 and 1 and 2 on the next page, I would suggest that you could rewrite this definition in this fashion:*

*"Premises" means the same as defined in G.S. 18B-101(12a). A diagram attached ... employees are responsible. Permits shall authorize ... investigating agent."*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC ALCOHOLIC BEVERAGE CONTROL COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 04 NCAC 02S .0102

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*In (d)(8) lines 30 and 31 change "by virtue of a duly executed power of attorney" to "by a power of attorney."*

*Make the same change in (d)(12), page 2 line 6.*

*In (j), page 2 line 6, if the provisions of this rule apply to more than one terminal in an airport, then delete "the terminal of." If that is the meaning, then change "terminal" in (j)(1) to "airport." On the other hand if the restriction is to multiple locations within a single terminal then change "at the terminal" in line 6 to "within a single terminal" or similar language for clarity. In this case no change in (j)(1) is necessary.*

*In (j) lines 7 and 8 delete "the Commission recognizes ... [t]herefore" as unnecessary surplusage.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC ALCOHOLIC BEVERAGE CONTROL COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 04 NCAC 02S .0106

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*In (a) line 9 make "Section" lowercase.*

*In (f), page 2 line 16, please make "Rule ... [but not 'Rule .0102] ... Section" lowercase.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC ALCOHOLIC BEVERAGE CONTROL COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 04 NCAC 02S .0212

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*In (b) line 12 please make "Rule" lowercase.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC ALCOHOLIC BEVERAGE CONTROL COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 04 NCAC 02S .0232

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*In (a) line 8 please make "Rule" lowercase (two occurrences).*

*The same request applies in (e) line 20.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC ALCOHOLIC BEVERAGE CONTROL COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 04 NCAC 02S .0901

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*At the end of (a)(1)(D) line 12 change the period to a semicolon and add the word "and" after the semicolon.*

*The general rule is that whether the divisions within a rule are paragraphs or items, there are no periods at the end of subdivisions (sub-paragraphs or sub-items) until the end of that paragraph or item and immediately before the next division at which time a period is needed. Until the end of the paragraph or item the sub-paragraph or sub-item is followed by a semicolon.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC ALCOHOLIC BEVERAGE CONTROL COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 04 NCAC 02S .0903

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*In (b) line 14 make "Paragraph" lowercase.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC ALCOHOLIC BEVERAGE CONTROL COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 04 NCAC 02S .1006

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*In (b) line 19 please provide an introduction to sub-paragraphs (1) and (2) and what they constitute, require, or permit.*

*At the end of (b)(1)(F) change the period to a semicolon.*

*The general rule is that whether the divisions within a rule are paragraphs or items, there are no periods at the end of subdivisions (sub-paragraphs or sub-items) until the end of that paragraph or item and immediately before the next division at which time a period is needed. Until the end of the paragraph or item the sub-paragraph or sub-item is followed by a semicolon.*

*In (c) specify who is subject to the restrictions on advertising in this rule. The authority cited allows restrictions on advertising, but the restrictions differ as to the medium involved and who the advertiser is, e.g. whether it is a permittee or manufacturer or distributor, the type of permit, where the advertising takes place. For instance the changes in (c) certainly appear to exceed the statutorily allowed restrictions. But I believe when you rewrite the rule in the active voice this problem will be solved.*

*The same applies in (d) and (e)*

*I am going to recommend an objection to this rule based on ambiguity as to who is obligated under the provisions cited above. However if it was not the intent of the ABC Commission to impose any prohibitions outside of what is clearly allowed by the statutory authority, and the current practices reflect this, and the rule is rewritten to reflect this, I shall recommend that the RRC approve the rules as technical changes to bring the rule into conformity with practice.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC ALCOHOLIC BEVERAGE CONTROL COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 04 NCAC 02S .1008

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*In (a) and (b) change the periods at the end of the sub- and sub-sub-paragraphs to semicolons and otherwise follow the general rule concerning punctuation within paragraphs.*

*The general rule is that whether the divisions within a rule are paragraphs or items, there are no periods at the end of subdivisions (sub-paragraphs or sub-items) until the end of that paragraph or item and immediately before the next division at which time a period is needed. Until the end of the paragraph or item the sub-paragraph or sub-item is followed by a semicolon.*

*In (b)(1)(B), page 2 line 11 please make "Paragraph" lowercase.*

*In (b)(1)(D), page 2 line 25, change "may" to "shall" or specify the conditions or standards the commission shall use in deciding whether to grant the exception.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC ALCOHOLIC BEVERAGE CONTROL COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 04 NCAC 02S .1011

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*In (a) either delete "and it has been approved by the Commission," reference where the approval standards are found, or set out the standards here.*

*The same also applies to the last sentence in (c), lines 19 and 20.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: COMMISSION FOR PUBLIC HEALTH

RULE CITATION: 15A NCAC 13A .0116

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*On page 4, line 23, delete "as referred to below."*

*In 7A on your form, cite the session law, not the bill number.*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC HOME INSPECTOR LICENSURE BOARD

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 11 NCAC 08 .1303

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*In line 6 change the semicolon after "status;" to a comma or delete the semicolon. Be sure to observe formatting requirements for a change in punctuation.*

*On the other hand to avoid changing the hours when there is a statutory change or to avoid any inconsistencies if there is a statutory change not reflected in the rule you could change the last part of that sentence to "but not more than the hours required in G.S. 143-151.55" or similar language.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC HOME INSPECTOR LICENSURE BOARD

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 11 NCAC 08 .1326

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*In (a)(1) – (3) change the periods at the end of each sub-paragraph to semicolons. In line 16 add the word “and” after the semicolon.*

*The general rule is that whether the divisions within a rule are paragraphs or items, there are no periods at the end of subdivisions (sub-paragraphs or sub-items) until the end of that paragraph or item and immediately before the next division at which time a period is needed. Until the end of the paragraph or item the sub-paragraph or sub-item is followed by a semicolon.*

*In (b) line 22 make “Rule” lowercase.*

*The general rule is that the terms “title,” “chapter,” “subchapter,” “paragraph,” “item,” or any of their sub-portions are capitalized only when they refer to a specific rule or section, such as “Rule .0257 in this section” or “Section .0200 of Subchapter 48A,” and are lowercase when not referring to a specific (portion of a) rule.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC SHERIFFS' EDUCATION AND TRAINING STANDARDS  
COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 12 NCAC 10B .2004

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*In the history note move the amended effective date from "Eff." To "Amended Eff."*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC SHERIFFS' EDUCATION AND TRAINING STANDARDS  
COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 12 NCAC 10B .2007

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*In the history note why is the amendment effective date struck-through. I suspect you meant to underline it; please correct.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

TO: AGENCY CONTACTS FOR FALLS RESERVOIR RULES

RULE CITATION: 15A NCAC 02B – FALLS RESERVOIR RULES

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

There are many pages of technical change requests following this one. While most of them probably can be easily complied with and likely do not raise any issues, there may be some that are more problematical, including one that I'm sure raises a substantive issue.

If at all possible I would like for you to review these requests as quickly as possible and determine the ones that might require further discussion.

I would then like to meet with you concerning these questions, since I believe a face-to-face meeting might be easier and more productive. My schedule for the next week is quite open through Wednesday and somewhat flexible Thursday and Friday. If you would like to meet, please call me ASAP to schedule a time.

Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: N.C. ENVIRONMENTAL MANAGEMENT COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 15A NCAC 02B .0235

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*Nancy Pate informed me that the temporary rules submitted are identical to the permanent rules submitted. The technical changes requested in this and the following rules apply to both the temporary and permanent rules.*

*In (2) line 24 change "Rule" to "rule." This change needs to be made throughout these rules. Wherever the word "rule" does not include the numerical designation of a specific rule, then it needs to be lowercase. Only when it is referring to a specific rule is it capitalized.*

*In (4) line 34 reference is made to "within 12 months of the effective date of this Rule." Please put that phrase in italics and whenever the rule becomes effective insert the actual date in its place. Use this method wherever that phrase is used in these rules.*

*In (4)(a), page 2, at lines 5 and 24 there are sub-items (i) and (iii) but no (ii). I would suggest making the added (amendment) language in (i), lines 18 – 23, be (ii) since it suggests a new thought. Otherwise change (iii) to (ii).*

*Also please change the periods at the end of current (i) and (iii) lines 23 and 25 to semicolons.*

*In (7) page 3 line 13 there needs to be an introduction as to what the sub-items require or what their role or function in this rule is.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: N.C. ENVIRONMENTAL MANAGEMENT COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 15A NCAC 02B .0275

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*There does not seem to be a rule numbered .0274. If there is and if it is coming at a later date then you need to have that number "reserved for future codification." You may use that approach even if there is no such rule planned. If you are not reserving that number then this rule and all succeeding rules need to be renumbered. Note that if you renumber the rules you will need to go through all rules and verify and correct cross-references to the rules as currently numbered. (Nancy Pate could check with Dana about the best and easiest way to handle this – which I would assume would be the rule number "reservation.")*

*Beginning in the introductory paragraph the capitalized "Rule" is used in places within this rule without referring to a specific rule. Unless "rule" refers to a specific rule it should be lowercase. The same applies to the use of the term "Item" (or "Sub-Item"). Unless it refers to a specific, cited item number, then it should be lowercase. The first use of "Sub-Item" without referring to a particular one appears to be in (5)(f)(iii) page 8 line 14.*

*In line 5 delete or define "full."*

*In line 7 I believe the rule would read better as "maintain and" rather than "maintain or."*

*In (1) lines 26 – 28 are aspirational and unnecessary. However I will not request their deletion or recommend an objection. I am making this observation for the purpose of notifying you that some people might find this language objectionable.*

*At the end of (1) line 28 change the semicolon to a period.*

*In (2) page 1 lines 31 and 32 I do not understand the necessity for including the requirement: "For waters classified WS-V, the requirements of ... shall be applied," at least in its present location. Would not the requirements apply simply by virtue of the classification? If it is to be retained then logically it should follow "the retained requirements of Rules ... through .0216(a) – (e)" on page 2, lines 5 - 15.*

*In (3) page 2 line 23 specify the precise date, e.g. January 1, June 30, December 31 in 2021 when the reductions in nutrients must be achieved under Stage I. If that date would be "ten years from the effective date of this rule" as used elsewhere in these rules then you could put that phrase in italics and come back and insert the actual date (whatever that date is) after the rule is approved. This is similar to the request in the previous rule.*

*In the remaining rules where this occurs I shall simply refer to "Specify date" and indicate as closely as possible where the instance occurs.*

*In line (3) page 2 line 24 I would make the sentences beginning with “The objective of Stage II ...” a new paragraph. It would not need to be labeled.*

*In (3) line 27 move “by forty and seventy-seven percent” to line 25 after “a reduction” and move “respectively,” to line 26 after “and phosphorous.”*

*This Stage II goal of “forty and seventy-seven percent” reduction in nitrogen and phosphorus I assume to be a reduction from all sources. At the same time it seems to be the same as the goal in Rule .0280(5)(b) (page 2) for reduction from agricultural sources alone. Please review and verify.*

*For (3)(a) – (d), it seems to me that you should either refer to the definitions found in “Definitions,” Rule .0276, or delete the definitions here. Alternatively you could refer in .0275 to the definitions found here. You should not have two separate sets of definitions, even if they are identical.*

*In (4)(a) page 3 the language relating to goals in lines 5 – 10 (“with the objective ... Lower Falls Reservoir ... while also improving ... described in this Item”) is repetitive of Item (3), page 2 lines 21 - 24 and could be deleted.*

*In (4)(a) line 7 delete “at least” since this implies some vague goal beyond the specific goal specified in this sentence.*

*In (4)(a) line 8 specify the deadline date.*

*In (4)(b) page 3 lines 14 and 15 I believe the rule would be clearer if you moved “by 2041 to line 14 after “Falls Reservoir.”*

*In line 15 delete or define “incremental.” It seems to me that the entire phrase “with incremental progress ... in Sub-Item (5)(a)” is unnecessary and perhaps confusing.*

*In (4)(b) page 3 line 16 change the period at the end of the sentence to a semicolon and add the word “and” after the semicolon.*

*In (4)(c) lines 18 and 19 I am not recommending an objection to “and indefinitely beyond” as vague because I don’t believe it’s necessary. However you should consider deleting this language in case someone else, an RRC commissioner or rule opponent, should raise the issue. It is a word that could instantly raise issues.*

*In (5) page 3 line 22 change the period after “Rule” to a colon.*

*In (5)(a)(vii) page 4 line 7 the formatting of the change from “(v)” to “(vi)” is not correct. (We would hate to miss that in entering a rule into the code.)*

*In (5)(a)(viii) line 16 the formatting of the comma added after “strategy,” is not properly shown.*

*In that same line 16 either change “may” to “shall” or specify the conditions that determine whether or not Division shall make the notification.*

*At the end of (5)(a)(viii) line 21 change the period to a semicolon.*

*The first sentence in (5)(b) page 6 lines 11 – 16 is somewhat confusing and has (I believe) a misplaced modifier. It would help to delete the first clause in that sentence since it is not necessary and rewrite it. I would suggest something along the lines: “The Division, to address resulting uncertainties including ... loading effects of other regulations, shall report to the Commission ... in January 2016 and ... as necessary.”*

*In (5)(b)(i) line 19 please verify that “through (vi)” are the correct sub-items included.*

*In (5)(c) page 7 line 6 it seems to me that you are addressing “content required elsewhere under this Item [and not ‘Sub-item’].” Please review and verify.*

*In (5)(c)(ii) line 9 there is a reference to what appears to be a non-existent "Sub-Item (5)(h)."*

*In (5)(d) page 7 line 19 please verify that the reference to "Sub-Items (b) and (d)" is correct; at least (d) does not seem correct.*

*Please make the same verification in (e) line 20 and verify that you do not intend to include (5)(c) in this reference.*

*In (5)(f)(iii) page 8 line 15 the deletion (I assume) of "water" is not properly formatted.*

*In (5)(f)(iv) page 8 lines 20 and 24 it seems to me that "allowable loads" should be "loads."*

*In (6) page 8 line 31 it seems to me that "titled as follows" should be changed to "consists of the following rules" or "consists of the following rules titled as follows" or similar language.*

*In (6)(i), page 9 line 4, reference is made to a Rule .0283 which was never filed. Please delete this reference. If this rule is still in the process of rulemaking and is intended to be implemented, it can likely be added to this rule at such time as it is filed. At any rate there needs to be some indication that there is currently no rule .0283.*

*In (7) page 9 lines 6 and 8 it seems to me that "responsible for implementing" would be clearer and more accurate if it were changed to "required to implement."*

*In (7)(b) line 21 it seems to me that you should change "and where" to "for land where."*

*In line 22 there is a reference to "municipalities ... in ... (6)(a). There are no municipalities listed in (6)(a).*

*Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.*

*If you have any questions or problems concerning this request, please contact me.*

Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: N.C. ENVIRONMENTAL MANAGEMENT COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 15A NCAC 02B .0276

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*In (1) line 7 the inclusion of the period at the end of the sentence is not properly formatted. Please see the comments pertaining to the terms "active" and "reserve" allocations that are defined in .0279. It seems to me that it would be more appropriate to define them here along with "allocation." If not, then it would be appropriate, and should be done, to refer to "definitions for 'active' and 'reserve' allocations are contained in Rule .0279" or similar language.*

*Do you need a definition for "transport factor" found in (4) and (6)?*

*In "(43)" page 1 line 15 the change from "3" to "4" is not properly shown or formatted. You need to make the change (deletion and addition) to the parentheses with the included number. The same applies to "(54)," "(65)," "(76)," and "(54)(d)" in lines 15, 19, 22, and 29 and to (20) – (23) on page 2.*

*The above formatting change will be necessary in other rules in this submission. I shall mostly refer as closely as possible to the problem location and simply say "Formatting error."*

*In (4) the definition states that it applies to an allocation, load, or limit that is measured or predicted at "Falls Reservoir." However, in Rule .0280(7)(b)(vii) page 6 lines 28 – 30 the rule refers to nutrient loading "delivered to streams." The definition here and the wording in .0280 need to be harmonized. Or perhaps the standard "unless the context indicates otherwise" could be added to the introduction of this rule.*

*In (7) line 22 please verify that "development" means the same as the definition of "development" in (4) line 18.*

*In (10) – (13) it seems to me that you should either refer to the definitions found in .0275 or delete the definitions here. Alternatively you could refer in .0275 to the definitions found here. You should not have two separate sets of definitions, even if they are the same.*

*In order to avoid repeating the definition of "nitrogen" and having it in two different locations I would change (24) to "'Total nitrogen' means the same as 'nitrogen' defined in Item (17)" or similar language.*

*The same request would apply in (25).*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: N.C. ENVIRONMENTAL MANAGEMENT COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 15A NCAC 02B .0277

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*Beginning in (1) line 7 the capitalized "Rule" is used many places within this rule without referring to a specific rule. Unless "rule" refers to a specific rule it should be lowercase. The same applies to the use of the term "Item" (or "Sub-Item"). Unless it refers to a specific, cited item number, then it should be lowercase.*

*It also seems to me that you don't need to keep repeating "as defined in 15A NCAC 02B .0276" as you have in (2), lines 16 and 7, since most people concerned with these rules are going to be aware that terms such as "new development" are going to be defined.*

*In (2) line 19 change "captured under" to "set out in" or other less technical or less legal lingo language.*

*At the end of (3)(a) line 32 change the period to a semicolon.*

*In (3)(b) page 2 line 10 it seems to me that "comply this" should be "comply with this."*

*In (4) page 2 line 13 the deletion of "s" in "plans" is not properly formatted. The same applies to "governments" in the next line.*

*In (4)(a) page 2 line 31 change the period to a semicolon.*

*In (4)(b), page 3 line 14 it seems to me that you should either delete "management" or change it to "offset." Be consistent with your terms.*

*In line 15 change "achieves" to "achieve." The voice might be more obvious if you moved "onsite" to before "structural."*

*In (4)(b)(i) page 3 lines 19 and 22 reference is made to non-existent sub-items(3)(b)(iii) and (3)(d). (It appears these may be references to what is now at least (4)(d) on page 4.) Please correct. This also applies in (ii), (iii), and (iv), lines 25, 28, 29, and 32, and page 4 line 2.*

*Please verify that (4)(b)(i) and (ii) would not affect a project that included both less than one-half acre single/duplex residential property and less than 12,000 square feet commercial property, but the total property for the project exceeded either or both of those amounts.*

*In (4)(b)(iv), page 3 line 35, delete "the end of the baseline period," including the commas before and after.*

*In (4)(c), page 4 line 5, verify the reference to (4)(a). If this is correct, then "Rule" needs to be changed to "item." Please correct the formatting of the change to (4)(a) in line 5.*

*Correct the formatting of the change to (d) in line 25.*

*In page 5 correct the formatting of the changes to (e), line 1; "peak," line 13; the deletion of (vi), line 27; and (g), line 32.*

*In (5) page 6 line 10 the change from "(4)" to "(5)" is not properly formatted.*

*In (5) page 6 change "Item" to "Items" in lines 13, 16, 32, 36, and page 7 line 8.*

*In (5)(e) page 7 line 9 the inclusion of the period at the end of the sentence is not properly formatted.*

*The change to (6) in line 11 is not properly formatted.*

*In (6), page 7 introductory paragraph, please verify that the various cross-references are correct in lines 12, 14, 16, and 17.*

*In line 14 change "will" to "shall."*

*In (6)(b), page 7 line 27 the formatting of the inclusion of a semicolon after "watershed" at the end of the sub-item is not correctly made.*

*Please provide me the specific statutory cite for the provision in (6)(e), pages 7 and 8 lines 37 and 1, that requires local governments to comply with the Falls strategy for watersheds that are outside of the jurisdiction of these rules. On the other hand, perhaps I do not understand the geography and the scope of the watersheds and rules. If you inserted "but within the Falls Reservoir" or similar language after "monitored watershed" in line 37, would that express the intent of the rule? If so, please make that change.*

*Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.*

*If you have any questions or problems concerning this request, please contact me.*

Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: N.C. ENVIRONMENTAL MANAGEMENT COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 15A NCAC 02B .0278

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*In the introductory paragraph, lines 7 – 10, the rule allows “local governments three years to develop programs” but also “requires” them (line 8) “to begin” measures “to reduce nutrient loads.” These seem to be the same measures that are referred to in item (7).*

*In (7)(b), page 7 the rule (in conjunction with (7)(a)) allows a local government 36 months to submit a “load reduction program” for approval. At the same time it appears to require them within that same time to “begin implementation ... of measures to reduce nutrient loads” (line 7). This appears to be the same requirement as set out in the introductory paragraph.*

*The two paragraphs together raise the following question: Are the local governments required to implement a program before it is approved or are they allowed additional time after approval to implement it? It is also possible I am not reading the rule as intended. Please provide some specificity or clarity on this point or educate me on how to read the rule.*

*Beginning in line 5 the capitalized “Rule” is used many places within this rule without referring to a specific rule. Unless “rule” refers to a specific rule it should be lowercase. The same applies to the use of the term “Item” (or “Sub-Item”). Unless it refers to a specific, cited item number then it should be lowercase.*

*In lines 9 and 10 replace “within three years of the effective date of this Rule” with the actual deadline as explained earlier.*

*The same applies in (3)(a) lines 29 and 30.*

*Please review all the items, sub-items, and sub-sub-items in this rule. Periods within a sub- or sub-sub-item are acceptable. But there should be semicolons at the end of sub- and sub-sub-items, not periods, until you reach the end of the item, right before the beginning of the next item. This first occurs at the end of (3)(a), page 2 line 2.*

*In (3)(a), lines 30 – 32, are “lands developed subsequent to the baseline period and not subject to the ...new development program” “existing development” or some other defined term? If so, then please substitute that term. If not perhaps there needs to be more explanation here how to distinguish between the two.*

*In (3)(b), page 2 line 3, specify the date.*

*In lines 4 and 5, delete “as defined in ... .0275.”*

*In line 5 delete “concurrently.”*

*In line 6 it seems the deleted “program” should be restored.*

*In (3)(b)(i), page 2 line 10, change “provided that” to “if.”*

*Please provide me the specific authority for the provisions in (3)(b)(i) and (ii) that appear to require local governments to spend a certain amount of money each year. That seems to be exceeding any authority that I am aware of, although I do not know your authority from the General Assembly as well as I wish I did.*

*At the end of (3)(b)(ii) page 2 line 30 add “of this item.”*

*In (4), page 2 line 35, add “Stage I and Stage II” before “load reduction.” If that is not correct then clarify the requirement.*

*At the end of (4)(c), page 3 line 13, change “Rule” to “item.”*

*In (4)(g), page 3 line 32 change “developed lands” to “development” for consistency with the definitions.*

*In (4)(i), page 4 line 11, either delete “relative proportions or” or add what the “proportions” are proportions of or to and what they are relative to. As far as “magnitude of reductions” and “costs and efficiencies” in that line and the next it seems that “relative” is not necessary. If it is, then I believe the requirement needs some more explanatory language – but I could be mistaken.*

*In (4)(k)(ii), page 4 lines 20 and 21, delete “as defined in .0276.”*

*It appears that the first use of “Item” as a capitalized term without reference to a specific item is here in line 23.*

*In line 26 it appears that “through” is unnecessary and should be deleted.*

*In (4)(l), page 4 line 28, delete “at a minimum,” including both commas.*

*In (4), page 5, it seems to me the rule would read more logically and chronologically if (m) and (n) were switched – along with a corresponding change in line 9 to the reference to (n).*

*In (4)(o), page 5 line 25, delete or define “explicit.”*

*In (5), page 6 lines 11 and 12, either delete “including, but not limited to those” or specify the additional factors.*

*In (7)(a), page 6 line 30, specify the effective date.*

*In (7)(d), page 7 line 17, delete or define “affected.”*

*In (e), line 25, it appears that “report” should be plural.*

*In (f), line 29, specify the effective date.*

*In that same sub-item, lines 29 and 30, is it clear which accountings constitute “either accounting”? If not please clarify.*

*In line 30 I think it would be helpful to add the term “assigned” were inserted before “load reductions” – or whatever term is used to specify the load reductions that have been requested by the local government and set and approved by the EMC.*

*In (f), page 7 line 37 end the sentence after “Rule” (and change it to lowercase) and begin the next sentence with “If” rather than “should.”*

*Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.*

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: N.C. ENVIRONMENTAL MANAGEMENT COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 15A NCAC 02B .0279

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*In your previous rules the headings for most of the sub-items have been capitalized. They certainly were when they were just a few words. Please capitalize the headings in items (1) – (3). It also seems to me that for the sake of consistency you could and should change items (4) – (11) to capitalized headings such as (4) INITIAL DISCHARGE NUTRIENT ALLOCATIONS. ... (5) CHANGES IN NUTRIENT ALLOCATIONS.*

*Beginning in (3) line 13 the capitalized “Rule” is used many places within this rule without referring to a specific rule. Unless “rule” refers to a specific rule it should be lowercase. The same applies to the use of the term “Item” (or “Sub-Item”) as found in (4), page 2 line 1. Unless it refers to a specific, cited item number, then it should be lowercase.*

*Please review all the items, sub-items, and sub-sub-items in this rule. Periods within a sub- or sub-sub-item are acceptable. But there should be semicolons at the end of sub- and sub-sub-items, not periods, until you reach the end of the item, right before the beginning of the next item. This first occurs at the end of (3)(a)(iii), page 1 line 21.*

*In (3), line 13, I think that you should “definitions in Rule .0276 and the” before “following definitions.”*

*It seems to me that since “allocation” is defined in Rule .0276, it might be more appropriate to include the definitions of “active” (b) and “reserve” (g) within that definition.*

*In (4) page 2 line 1 the change showing the deletion of the the internal close and open parentheses in “Stage I) and (Stage II” is not properly formatted.*

*At the end of the first sentence in (4) line 2 either add an introduction for sub-items (a) – (d) or change the period to a colon.*

*In (5), page 2 line 35, add “in the Upper and Lower Falls Reservoir” – or whatever the proper jurisdiction(s) is(are) – at the end of line 35.*

*In (6), page 3 line 16, I believe it would add to the clarity of the rule if “future” were added after “establishes.”*

*it seems that in place of the term “limitations” there would be a defined term that could be used – perhaps “allocations.” If this is not the case, then you should define the term “limitations.*

*If (6)(c), page 3 lines 25 – 27, describe allocations established under (4), then it seems to me that it should be moved to that item. If it is not, then it is not clear where these allocations come from.*

*In (6)(d), page 3 line 30, it seems to me that “mass limitations” is another term for “allocations.” If so, please make that clear. If not, that is another reason for requiring a separate definition for “limitations.”*

*In (6)(d), page 4 line 3, make “Receipt” lowercase.*

*In line 6 there is the term “mass limitations” and “limitations” in lines 11, 13, 14 (three separate uses), and 16 as well.*

*I do not understand how to read or use the table in (7)(b), page 4 lines 23 – 26. If I add the average monthly permitted limits (allocations?) times 12 and divide by 12, then I, of course, far exceed the annual average limits. Is the monthly average not an average but an upper limit?*

*Once again in (7), page 4, we come across a rule addressing the undefined “limits,” mass or otherwise.*

*In (8), page 4 line 37, add “in the Upper Falls Reservoir” – or whatever the proper jurisdiction(s) is(are) – at the end of line 37. And change the period to a colon.*

*In (8)(a)(ii), page 5 line 12 make “Program” lowercase.*

*In (8)(d), page 5 line 30, delete “and to which this Rule would apply.” If this rule would not apply to any new wastewater discharge, then that contradicts the language in (8)(a), lines 1 and 2, at the top of the page.*

*In (9)(a), page 5 line 33, delete “as defined in this Rule.” Move “beyond its permitted flow” to line 32 after “discharge.”*

*In (9)(a)(ii), page 6 line 8, make “Program” lowercase.*

*In (9)(d), page 6 line 29, delete “in the Lower Falls ... applies.”*

*In (11)(a), page 8 line 1, delete “or all.”*

*In (11)(h), page 8 line 35, make “Program” lowercase.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: N.C. ENVIRONMENTAL MANAGEMENT COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 15A NCAC 02B .0280

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*Beginning in the introductory paragraph line 5 the capitalized "Rule" is used many places within this rule without referring to a specific rule. Unless "rule" refers to a specific rule it should be lowercase. The same applies to the use of the term "Item" (or "Sub-Item"). Unless it refers to a specific, cited item number, then it should be lowercase.*

*In (3), line 21, change "may' not" to "does' not."*

*In (4), page 2 line 1, change "within ten years of the effective date of this rule" to the effective date as requested and explained earlier.*

*In (5), page 2 line 23, delete "constraints."*

*There is a Stage II goal of "forty and seventy-seven percent" reduction in nitrogen and phosphorus set in Rule .0275(3). I assume that to be a reduction from all sources. At the same time it seems to be the same as the goal in (5)(b), page 2, of this rule for reduction from agricultural sources alone. Please review and verify. In page 2 line 29 would there be a separate 2006 "agricultural" baseline that this goal is to be achieved from?*

*In (5)(c), page 2, this portion of the rule seems to be replicated, or at least quite similar to the rule in (7)(b)(iii) at page 6. To the extent these rules are identical or dissimilar, the identical language should be removed and the differences emphasized.*

*In (5)(d), page 3 line 6, the comma after "item" is not properly formatted.*

*In line 14 delete "in the most recent version" and replace it with the specific identification of the latest version. If you desire you could also offer an alternative.*

*In line 18 I believe the rule would read better if you began a new paragraph (without any new label) with "The Commission may also consider ...."*

*In (6)(b), page 3 line 33, please verify whether it is sub-item (d) or (c) that is the proper reference.*

*In that same (b), line 33, the rule would read better and be more grammatically correct if "with the exception of ... this item, were moved to the next line after "Stage I."*

*In (6)(c)(i), page 4 line 16, the change from "these" to "the" is not properly formatted. In line 17 the change in "Yield" is not properly formatted. In line 19 "research" should be uppercase.*

*In that same (6)(c)(i) and(ii), lines 17 and 29, if the reference to the sub-item is correct, then "Sub-Item (6)(c)" should be changed to "this sub-item."*

*In (6)(d), page 5 lines 1 and 2, specify the effective date.*

*In line 3 verify whether the correct reference is (5)(e).*

*In (7)(b)(i), page 5 lines 32 and 33, change “loading. Submit” to “loading and submit.”*

*In (7)(b)(iii), page 6 line 8, change “watershed. Present” to “watershed and present.”*

*In (7)(b)(v), page 6 lines 20 and 21 insert the effective date.*

*In .0276(4) the definition states that it applies to an allocation, load, or limit that is measured or predicted at “Falls Reservoir.” However, in Rule .0280(7)(b)(vii) page 6 lines 28 – 30 the rule refers to nutrient loading “delivered to streams.” The definition here and the wording in .0280 need to be harmonized; refer to the changes requested for rule .0276.*

*It seems to me that the portion of (7)(b)(vii) beginning with “quantify” in line 30 should be a separate sub-item since this refers to “credits” while the previous lines were referring to an “accounting method” and had not mentioned credits.*

*And actually, aren’t those first four lines referred to above what is more broadly established and described in (7)(c) on the next page?*

*In (8) page 8 line 3 the rule refers to local advisory committees “required by “Sub-Item (5)(a) of this rule.” It does not appear to me that (5)(a) requires any local advisory committees. Please correct.*

*In (8)(c)(ii) page 9, (d), and back in Item (4) it needs to be made clear that the control strategies in (8) are not mandatory on any individual or operation at least during Stage I or the rule needs to be changed in (4) page 1 lines 35 – 37.*

*In (8)(d), page 9 line 12, delete “that meet the following requirements.” It is already there in lines 15 and 16.*

*In (8)(e) page 9 line 36 please correct the reference to the non-existent (5)(f). Should the two references be to (5)(a) and (b)?*

*Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.*

*If you have any questions or problems concerning this request, please contact me.*

Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: N.C. ENVIRONMENTAL MANAGEMENT COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 15A NCAC 02B .0281

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*Beginning in (1) line 7 the capitalized "Rule" is used many places within this rule without referring to a specific rule. Unless "rule" refers to a specific rule it should be lowercase. The same applies to the use of the term "Item" (or "Sub-Item"). Unless it refers to a specific, cited item number, then it should be lowercase.*

*In (3)(a) line 34 change the period to a semicolon.*

*Please review all the sub- and sub-sub-items in this rule. Periods within a sub-item are acceptable. But there should be semicolons at the end of sub- and sub-sub-items, not periods. The only period at the end of a sub-item or sub-sub-item should be after the last of them before the next item. There are frequent occurrences of this problem in this rule.*

*In (3)(b) page 2 line 6 change "Sub-Item (3)(a) of this Rule" to "Sub-Item (a) of this item."*

*It seems to me that logically and chronologically the "plan approval requirements" listed in Item (4) would not occur until after all the plan requirements were established. You should consider moving this item to after current Item (5) (or wherever else you choose). That would also help to compensate for the error in including two items "(5)," one on page 5 and the next on page 6.*

*In (4)(a) page 2 line 20 change "an net" to "a net."*

*In line 21 change "are shall" to "area shall."*

*At the end of (4)(a) page 2 line 28 change the period to a semicolon.*

*In (4)(b) page 3 line 8 it seems to me that you should either delete "management" or change it to "offset."*

*In line 9 change "achieves" to "achieve." The voice might be more obvious if you moved "onsite" to before "structural."*

*In (4)(b) page 3 in lines 12, 15, 16, 19, and 26 reference is made to non-existent Sub-Items (3)(b)(iii) [and (3)(d)] of this Rule." I suspect, but am not certain, you intend to refer to Sub-Item (4) "of this Item" but I am not certain. If the correct reference is to another part of the same item, refer to "this Item."*

*If the reference in (4)(b)(i) page 3 line 12 should be a reference to Item (4) I do not understand the need for any "exception." It seems to me that the applications in (i) and (iii) stand on their own and do not interfere with or contradict each other.*

*The same question applies in (4)(b)(ii) line 16.*

*At the end of (4)(b) page 3 line 26 change the period to a semicolon.*

*At the end of (4)(c) page 3 line 30 change the period to a semicolon.*

*In (4)(c) line 29 change “Rule” to “Item.” Also correct the formatting of the change in the reference..*

*In line 30 make “Section” lowercase.*

*In (4)(d), page 4 line 11, there is the first reference to an uppercase “Sub-Item” that should be lowercase. Please correct.*

*In (4)(e) page 4 line 25 delete “in the most recent version” and replace it with the specific identification of the latest version or use the same language and formulation as in (4)(g) page 5 lines 10 – 13.*

*Formatting errors: (5-b) page 5 line 21*

*(ai) line 27*

*(bii) page 6 line 3*

*(54) line 9*

*(98) page 7 line 21*

*“roads,” page 10 line 17*

*(iii), page 11 line 9*

*(78)(c)(ii), lines 17 and 20 – and verify the reference is correct*

*Current Item (9), pages 14 and 15 all the sub-item labels (c) – (j)*

*In (5) page 5 line 26 delete or define “associated.”*

*Specify date: Item (5) page 5 line 28*

*Item (5)(bii) page 6 line 3*

*Current Item (9)(b), page 13 line 29*

*(9)(g), page 14 line 25*

*(9)(j), page 15 line 8*

*Current (10), page 15 lines 17, 20, and 22*

*(12), page 15 line 35*

*In (5)(a) page 5 line 29 change “subsequent to the baseline” to “after 2006” or at least put “(2006)” after “baseline.”*

*In line 31 delete “post-baseline.”*

*Beginning on page 6 at line 9 it appears that the sub-items are improperly numbered. Item (4) is changed to (5) but there already was a change to an Item (5) on the previous page. This makes all the succeeding item numbers incorrect.*

*In (5)(c) page 6 line 24 it seems to me the reference to sub-item (4) should actually refer to “Sub-Items (a) and (b) of this item.”*

*In (5)(h) page 7 line 15 delete “early” as unnecessary.*

*In line 16 change “timeframes required by this Rule” to “the effective date of this rule” – actually use this as a placeholder and put in the effective date.*

*In line 19 delete “to date” and perhaps “implemented ... subsequent to the baseline period and” as well. If you followed the latter suggestion I would insert “implemented” before “load-reducing in the previous line 18.*

*In (5)(i) page 7 line 24 change “of” to “or” and also in (m) page 8 line 18.*

*In (k)(ii) line 36 make “Item” lowercase.*

*In (5)(m), page 8 line 20, add “equivalent” or other term after “provide.”*

*In (5)(m)(v), line 25 delete or define “per.”*

*In (5)(o), page 8 line 35 delete or define “explicit.”*

*In (5)(o)(iii), page 9 line 2, add a semicolon at the end of the line.*

*In (iv), line 3, delete “and” at the end of the line*

*In existing (6), page 9 lines 10 and 11, verify that Items (4) and (5) are the ones you intend to refer to.*

*In (6), lines 14, 16, and 18, the term “non-DOT” is used instead of the more frequently used “non-NCDOT.” Please use the same term consistently.*

*In (7)(c)(i), page 10 line 17, the formatting of the punctuation change in “roads,” is not correct. Also please verify in that same line that it is a “weight” and not a “weigh” station.*

*In (ii), lines 25 – 27, the words do not form a complete sentence. Please add “are” in line 26 before “expressed” or otherwise make it a sentence.*

*In (ii) line 34 change “the most recent version” to a specific version or offer an alternative such as “[a specific version] or the most recent version.”*

*In current (8)(d), page 12 line 8, the paragraph needs either an introduction to the sub-sub-items or change the period at the end of line 8 to a colon.*

*In existing (9)(a), page 13 line 27, verify that Item (9) is the item you intend to refer to.*

*On page 14 lines 11 and 18, verify that Item (4) is the item you intend to refer to.*

*In (9)(g), page 14 lines 26 and 27, the phrase “standards are meeting the lake” does not make sense to me. Please review and correct if necessary.*

*In existing (9)(i), page 15 line 6, verify that Item (8)(e) is the item you intend to refer to. The same applies in (9)(j) line 9.*

*In existing (11) page 15 line 30 make “Item” plural.*

*Please note that I have asked you to verify certain rule references based on my own questions concerning the reference. I have not made that request concerning all internal rule references. Since it appears likely that your rule items may change, at least from the second “Item (5)” in the rule, references to any item numbered (5) or higher need to be verified. There also may be additional references that are incorrect, which I have not questioned, based on the change in the item numbers. You need to review all references carefully to be sure of their accuracy.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: N.C. ENVIRONMENTAL MANAGEMENT COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 15A NCAC 02B .0282

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*Beginning in the introductory paragraph line 5 the capitalized "Rule" is used in places within this rule without referring to a specific rule. Unless "rule" refers to a specific rule it should be lowercase.*

*Please correct the formatting of the changes in the following lines:*

*(1)(a), line 17, "agricultural"*

*(1)(a), line 19, the sub-item number*

*(2)(c), page 2 line 11, the change in the item number from (3) to (c)*

*In (2)(c), page 2 lines 13 and 16, the changes in the sub-item numbers (i) and (ii)*

*Items (3) – (6), pages 2 and 3, the change in the item numbers*

*Please verify the cross-references throughout this rule. Especially examine:*

*(1)(d)(i) and (ii), references to non-existent sub-items*

*In (2)(a) line 35 make "Section" lowercase.*

*In (2)(b)(iii), page 2 line 10, change the period to a semicolon*

*In (3), page 2 line 21, make "Section" lowercase.*

*In (6), page 3 line 3, either correct the formatting of the punctuation change to "Section," or delete "which establishes ... payments," as unnecessary. At any rate "Section" needs to be lowercase.*

*In (7), page 3 line 11, correct the formatting of the change in "~~both rules~~."*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: N.C. ENVIRONMENTAL MANAGEMENT COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 15A NCAC 02B .0315

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*At the end of (a)(2)(A) – (C) add a semicolon after “North Carolina.” After the semicolon in (C) and the word “and.”*

*My understanding is that the purpose of (b) is to serve as a sort of index or shorthand way of looking up amendments. Please add the appropriate references at the end of (b)(1) – (27), such as “(as amended in (c) of this rule).” If you are missing any amendments in the rule and you have the language of the amendment, you may reinsert those without it’s being considered a substantial change.*

*In (q), page 4 line 26, please change “was amended” to “is amended.” You can make it past tense when you add the next amendment*

*line 28 please verify that the Class C NSW is not included in the reclassification as it is in the Class B NSW reclassification and vice-versa.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC ENVIRONMENTAL MANAGEMENT COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 15A NCAC 02D .0530

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*You need to add to the history note the amendment effective September 1, 2010.*

*Also the corrections from the last approved rule are not included. Please check with Dana on the best way to include them so they are picked up.*

*In (b)(1) – (4), including (b)(1)(A)(i) – (vi); and (t)(1) – (3) page 4, follow the general rule (which follows) for punctuating sub- and sub-sub-paragraphs.*

*The general rule is that whether the divisions within a rule are paragraphs or items, there are no periods at the end of subdivisions (sub-paragraphs or sub-items or subdivisions of them) until the end of that paragraph or item and immediately before the next division at which time a period is needed. Until the end of the paragraph or item the sub-paragraph or sub-item is followed by a semicolon.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC ENVIRONMENTAL MANAGEMENT COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 15A NCAC 02D .0531

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*You need to add to the history note the amendment effective September 1, 2010.*

*Also the corrections from the last approved rule are not included. Please check with Dana on the best way to include them so they are picked up.*

*In (a)(1) and (2), including (a)(1)(A)(i) – (v) follow the general rule (which follows) for punctuating sub- and sub-sub-paragraphs.*

*The general rule is that whether the divisions within a rule are paragraphs or items, there are no periods at the end of subdivisions (sub-paragraphs or sub-items or subdivisions of them) until the end of that paragraph or item and immediately before the next division at which time a period is needed. Until the end of the paragraph or item the sub-paragraph or sub-item is followed by a semicolon.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC ENVIRONMENTAL MANAGEMENT COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 15A NCAC 02D .0544

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*The general rule is that whether the divisions within a rule are paragraphs or items, there are no periods at the end of subdivisions (sub-paragraphs or sub-items or subdivisions of them) until the end of that paragraph or item and immediately before the next division at which time a period is needed. Until the end of the paragraph or item the sub-paragraph or sub-item is followed by a semicolon.*

*Please bring (b)(1)(F) and (b)(2) into compliance with this rule*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC ENVIRONMENTAL MANAGEMENT COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 15A NCAC 02D .1206

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*The general rule is that whether the divisions within a rule are paragraphs or items, there are no periods at the end of subdivisions (sub-paragraphs or sub-items or subdivisions of them) until the end of that paragraph or item and immediately before the next division at which time a period is needed. Until the end of the paragraph or item the sub-paragraph or sub-item is followed by a semicolon.*

*Please bring all the paragraphs and sub- and sub-sub-paragraphs into compliance with this rule. But note: the short headings of a sub-paragraph, such as (c)(6), page 2 line 24 "Visible Emissions." may be followed by a period.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC ENVIRONMENTAL COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 15A NCAC 02T .0113

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*In (a) line 4; (c), page 2 line 18; make "Subchapter" lowercase.*

*In (a)(1) – (16) change the periods at the end of each sub-paragraph to semicolons.*

*At the end of (a)(16) add the word "and" after the semicolon.*

*The general rule is that whether the subdivisions within a rule are paragraphs or items, there are no periods at the end of sub-paragraphs or sub-items until the end of that paragraph or item and immediately before the next subdivision. Until the end of the paragraph or item the sub-paragraph or sub-item is followed by a semicolon.*

*In (b), page 2 line 13, make "Rule" lowercase.*

*In line 15 change "state/NPDES" to "state NPDES."*

*In (c), page 2 line 17, make "Rule" lowercase; in line 18 make "Subchapter" lowercase.*

*In (d) and (e) the same applies to "Rule" and "Subchapter" as found in lines 20, 21, 23, 25, 27, and 28.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC ENVIRONMENTAL COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 15A NCAC 02T .0506

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*In (a) line 4 make "Irrigation" lowercase.*

*In (b) line 25 make "Treatment" lowercase.*

*In (d), page 2 line 1, make "County" lowercase.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC ENVIRONMENTAL COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 15A NCAC 02T .0915

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*Please provide a rule name on the rule original and copy.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC ENVIRONMENTAL COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 15A NCAC 02U .0101

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*I think it would be helpful to add more information to the rule title. I would label it "Purpose and Other Provisions" or similar language. I would also break the rules into paragraphs beginning with new, labeled paragraphs at lines 10, 12, 14, 15, and 16.*

*In line 7 and line 16 make "Subchapter" and "Chapter" lowercase.*

*At the end of line 7 the formatting of the deletion of "systems;" is not correct.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC ENVIRONMENTAL COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 15A NCAC 02U .0102

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*In line 4 and line 6 make "Subchapter" lowercase.*

*Delete the comma after "works," in line 5.*

*In line 5 make "Section" lowercase.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC ENVIRONMENTAL COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 15A NCAC 02U .0103

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*In lines 4 and 5 make "Subchapter" and "Rule" lowercase.*

*In (1) either delete or define "and beneficial." It is not helpful to the public to use the word being defined as part of the definition.*

*In (7) define "per."*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC ENVIRONMENTAL COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 15A NCAC 02U .0104

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*In lines 6 and 7 make "Subchapter" lowercase.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC ENVIRONMENTAL COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 15A NCAC 02U .0113

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*The general rule is that whether the subdivisions within a rule are paragraphs or items, there are no periods at the end of sub-paragraphs or sub-items until the end of that paragraph or item and immediately before the next subdivision. Until the end of the paragraph or item the sub-paragraph or sub-item is followed by a semicolon.*

*Please make the applicable corrections in (a).*

*In (a)(6) line 25 change "contravened" to "violated" or another term that is more consistently used in these rules.*

*In (8), lines 31 and 35, make "Subchapter" lowercase and change the comma following it in line 31 to a semicolon. Also change the comma after "Statues" (and change that to "Statutes"), line 31, and "department," line 32 to semicolons.*

*In (9), page 2 line 2, make "Subchapter" lowercase.*

*In (10), line 5, make "Subchapter" lowercase.*

*In (c), page 2 lines 11 and 12, make "Rule" lowercase.*

*In (e), page 2 lines 19 and 21, make "Rule" lowercase.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC ENVIRONMENTAL COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 15A NCAC 02U .0120

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*Based on the language in 02T .0120 and the deleted language in this rule, I would consider changing "historical consideration" in the title and line 24 of this rule to "compliance history" or similar more descriptive language.*

*In (d)(3), page 2 line 8, make "Subchapter" lowercase.*

*In (e), line 17, make "Property Ownership Documentation" lowercase.*

*In (e)(4), page 2 line 24 make "Subparagraph" lowercase.*

*At the end of (d), page 3 line 18, put a period.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC ENVIRONMENTAL COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 15A NCAC 02U .0202

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*The general rule is that whether the subdivisions within a rule are paragraphs or items, there are no periods at the end of sub-paragraphs or sub-items until the end of that paragraph or item and immediately before the next subdivision. Until the end of the paragraph or item the sub-paragraph or sub-item is followed by a semicolon.*

*Considering the general rule please review (b)(1) – (3) and replace the periods at the end of the sub-paragraphs with a semicolon and at the end of (3) the word “and” following the semicolon.*

*In (f), page 4 line 11, make “Property Ownership Documentation” lowercase.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC ENVIRONMENTAL COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 15A NCAC 02U .0301

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*In (a) line 4 and (b) line 20 make "Subchapter" lowercase.*

*In (c) line 32 make "Rule" lowercase.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC ENVIRONMENTAL COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 15A NCAC 02U .0401

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*In (b) and (c), lines 6 and 9, make "Turbidity" lowercase.*

*In (f) line 17 delete or define "completely."*

*In (g) lines 20 and 22 make "Subchapter" lowercase.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC ENVIRONMENTAL COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 15A NCAC 02U .0402

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*In (d), line 9, make "Turbidity" lowercase.*

*In (e), line 11, make "Turbidity" lowercase.*

*In (m), line 4, make "Subchapter" lowercase.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC ENVIRONMENTAL COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 15A NCAC 02U .0403

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*The general rule is that whether the subdivisions within a rule are paragraphs or items, there are no periods at the end of sub-paragraphs or sub-items until the end of that paragraph or item and immediately before the next subdivision. Until the end of the paragraph or item the sub-paragraph or sub-item is followed by a semicolon.*

*Please conform (c)(1) and (2) and (f)(1) – (3) to that general rule. At the end of (c)(2) and (f)(3) insert the word “and” after the semicolon.*

*In (c)(3), line 19, make “Subparagraph” lowercase.*

*In (i), page 2 line 11, change “but no” to “but in no.”*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC ENVIRONMENTAL COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 15A NCAC 02U .0501

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*The general rule is that whether the subdivisions within a rule are paragraphs or items, there are no periods at the end of sub-paragraphs or sub-items until the end of that paragraph or item and immediately before the next subdivision. Until the end of the paragraph or item the sub-paragraph or sub-item is followed by a semicolon.*

*Please review (a)(1) – (7), (a)(7)(A), and (b)(1) – (5) for compliance with this general rule and bring them into conformity.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC ENVIRONMENTAL COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 15A NCAC 02U .0601

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*In (c) line 8 it seems to me that "tanks with water from a potable water supply" should be changed to "potable water tanks." Otherwise it makes (b) unnecessary since a reclaimed water tank truck could never be filled with potable water.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC ENVIRONMENTAL COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 15A NCAC 02U .0701

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*In (a), lines 4 and 5, make "Subchapter" and "Rule" lowercase.*

*In (b), line 14, make "Rule" lowercase.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC ENVIRONMENTAL COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 15A NCAC 02U .0801

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*In (5), line 9, make "Subchapter" lowercase.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC ENVIRONMENTAL COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 15A NCAC 02U .0901

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*In (a), line 7; (c), line 28; and (i), line 12 and 13 make "Rules" and "Subchapter" lowercase.*

*The general rule is that whether the subdivisions within a rule are paragraphs or items, there are no periods at the end of sub-paragraphs or sub-items until the end of that paragraph or item and immediately before the next subdivision. Until the end of the paragraph or item the sub-paragraph or sub-item is followed by a semicolon.*

*Please conform (b)(1) to that rule.*

*In (j) line 16 make "Permittee" and "Paragraph" uppercase.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC ENVIRONMENTAL COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 15A NCAC 02U .1101

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*In (a)(2), line 12 make "Rules" and "Subchapter" lowercase.*

*In (b), line 9, make "Subchapter" lowercase.*

*The general rule is that whether the subdivisions within a rule are paragraphs or items, there are no periods at the end of sub-paragraphs or sub-items until the end of that paragraph or item and immediately before the next subdivision. Until the end of the paragraph or item the sub-paragraph or sub-item is followed by a semicolon.*

*Please make (b)(1) – (10) comply with that rule.*

*The same applies to (d)(1) and (2); (d)(1) – (2); (e)(1) – (4); and (e)(2)(A) – (C).*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC ENVIRONMENTAL COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 15A NCAC 02U .1401

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*The general rule is that whether the subdivisions within a rule are paragraphs or items, there are no periods at the end of sub-paragraphs or sub-items until the end of that paragraph or item and immediately before the next subdivision. Until the end of the paragraph or item the sub-paragraph or sub-item is followed by a semicolon.*

*Please conform (a)(1) – (4); (d)(1) and (2); (e)(1) and (2); and (f)(1) – (6) to that general rule.*

*In (a)(2), line 8; (a)(3) line 11; (a)(5) line 23; (b) line 26; (c) line 10; (d) lines 12 and 18; and (e)(3) page 3 lines 5 and 6 make “Rule,” “Paragraph,” “Subchapter,” and “Permittee lowercase.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

RULE CITATION: 15A NCAC 11 .1105

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Correctly underline and strikethrough. Never underline and strikethrough the same language.*

*In 6 on your form, the authority cited does not eliminate the requirement for consultation.*

*Give an explanation in 7B on your form.*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

RULE CITATION: 15A NCAC 11 .1106

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In 6 on your form, the authority cited does not eliminate the requirement for consultation.*

*Make the rule name on the form and rule match.*

*Write (d) as two sentences without any subparagraphs. As written, you do not have parallel construction.*

*Delete "or" from the end of (e)(1). A single list can never have both "and" and "or." Is it "(1)" or "(2) and (3)" or "(1) or (2)" and "(3):?" Deleting the "or" seems to give you what I think you mean.*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

RULE CITATION: 15A NCAC 11 .1423

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In 6 on your form, the authority cited does not eliminate the requirement for consultation.*

*Make the rule name on the form and rule match.*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

RULE CITATION: 15A NCAC 13A .0117

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In 6 on your form, explain the relevance of S.L. 2010-31 to your requirement to consult on this rule.*

*In 7A on your form, cite the session law, not the bill number.*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC SHERIFFS' EDUCATION AND TRAINING STANDARDS  
COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 12 NCAC 10B .2004

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*In the history note move the amended effective date from "Eff." To "Amended Eff."*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC SHERIFFS' EDUCATION AND TRAINING STANDARDS  
COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 14, 2010

RULE CITATION: 12 NCAC 10B .2007

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*In the history note why is the amendment effective date struck-through. I suspect you meant to underline it; please correct.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: BOARD OF COSMETIC ART EXAMINERS

RULE CITATION: 21 NCAC 14H .0105

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In (b), change "salon" to "shop."*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: BOARD OF COSMETIC ART EXAMINERS

RULE CITATION: 21 NCAC 14H .0107

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*On line 7, move the comma to after "door."*

*Change "cannot" to "shall not."*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: BOARD OF COSMETIC ART EXAMINERS

RULE CITATION: 21 NCAC 14H .0112

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In (c)(4), delete or define "direct."*

*In (e)(1), change "shall not" to "will not."*

*In (e)(2)(A), delete the "and" or the "or" at the end of line 22.*

*In (e)(2)(B), change "%" to "percent."*

*In (e)(3), define "immediately."*

*In (f) and (g), define "immediately."*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: BOARD OF COSMETIC ART EXAMINERS

RULE CITATION: 21 NCAC 14H .0120

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Begin (a): "As used in this Rule" if that is what you mean.*

*In (b)(2)(A), change "%" to "percent."*

*In (b)(2)(B), change "soal" to "soap." Correct the spelling of "fungicidal." Delete "is."*

*In (c)(3)(A), change "%" to "percent."*

*In (c)(3)(B), delete "and used."*

*In (d), change "sections a and b" to "Paragraphs (b) and (c)" or whatever you mean.*

*In (d)(1), delete or define "completely." Change "%" to "percent."*

*In (d)(2), change "section c number 1" to whatever paragraph or subparagraph you mean. It is obviously not (c)(1).*

*Be sure the rule you start with is exactly what was published in the Register. What you submitted was not.*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: BOARD OF COSMETIC ART EXAMINERS

RULE CITATION: 21 NCAC 14H .0121

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Move "or" from the end of (a)(3) to the end of (a)(7).*

*In (a)(6), change "%" to "percent."*

*In (a)(7), move "to perform any service" to the end of the Subparagraph. Delete "but not limited to."*

*In (a)(8), delete or define "specifically."*

*End (b)(5) with "or."*

*In (c), delete or define "direct."*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: BOARD OF COSMETIC ART EXAMINERS

RULE CITATION: 21 NCAC 14N .0103

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Write (b) in active voice telling who is to provide. Change "they" to singular terminology to be consistent with the singular noun.*

*In (b)(2), delete "necessary" as redundant.*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: BOARD OF COSMETIC ART EXAMINERS

RULE CITATION: 21 NCAC 14R .0101

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In (a), add "continuing education" before "credit."*

*Begin (b): "Continuing education."*

*In (g)(2), change "The licensee shall attach" to "Attached."*

*In (g)(2)(C), delete or define "Detailed." End it with a period.*

*End (g)(1)(H) with "and."*

*In (g), (3) and (4) are not appropriately part of the list. Delete the "(3)" and the "(4)," move the language to the margin, and write in paragraph form.*

*In what is now (g)(3), change "section g number 2" to "Subparagraph (g)(2)."*

*In (h), change "shall be" to "are." Delete "8 hours of."*

*In (i), define "CE."*

*Begin (k), (l) and (m) with "As used in this Subchapter" or whatever you mean.*

*In (k), add "a course that is" after "as."*

*In (l), add "a course that is" after "as." Change the comma after mail to "or." Change the comma after "DVD" to "with." If this does not result in what you intend, rewrite the sentence in clear English.*

*In (m), change "to" to "by" and delete "by."*

*Be sure you start with the rule as published in the Register.*

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

Robert A. Bryan, Jr.  
Commission Counsel

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: BOARD OF COSMETIC ART EXAMINERS

RULE CITATION: 21 NCAC 14R .0102

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In (a)(2), change "must include" to "includes." Delete "at least." There is no way to have more than 100 percent. Change each "%" to "percent."*

*Begin (a)(4) with "Providing."*

*In (a)(5), delete or define "detailed."*

*In (b)(1), delete the colon.*

*End (b)(2) with "of this Subchapter."*

*Begin (b)(5) with "Any curriculum."*

*In (e), change "is" to "shall be."*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: BOARD OF COSMETIC ART EXAMINERS

RULE CITATION: 21 NCAC 14R .0103

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Delete the comma on page 1, line 10.*

*End (e)(7) with "and."*

*In (f), change "section e" to "Paragraph (e)." Define "immediately." Delete the second sentence as adding nothing to what is already in the first. If for some reason you keep it, change "requirement" to "information." Change "section" to "paragraph."*

*In (g), delete or define "valid" and "fully." Change the last seven words to "process" or whatever you mean.*

*Begin (h) with "The." Change "licensees" to "licensed."*

*Delete all punctuation on page 1, line 34.*

*Add "and" to the end of (m)(6).*

*In (n), change "will be" to "are." Change "of all licensee" to "with the." Add "all licensed" before "attendees."*

*Write (p) in active voice telling who does what.*

*Be sure you start with the rule as published in the Register.*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS

RULE CITATION: 21 NCAC 08 ALL RULES

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Please send some type certification that these rules were not adopted prior to the end of the comment period (5:00 p.m., October 21, 2010).*

*Please rewrite the rules using 1.5 line spacing as required by the OAH rules.*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS

RULE CITATION: 21 NCAC 08A .0301

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In your history note, change "93-12(8c)" to "93-12." More items are authority than just (8c).*

*In (a), delete "shall." Change "21 NCAC 08" to "this Chapter."*

*In (b), change "21 NCAC 08" to "this Chapter."*

*In (b)(8), tell by whom accepted.*

*In (b)(38), delete each "but are not limited to" as unnecessary.*

*In (b)(39), delete each "but is not limited to."*

*Rewrite (c) to clarify what you mean. Add "by that date" after "cancellation" if that is what you mean. If you mean "on the next business day," move the clause about the post office until after the clause about a private delivery service. If you mean something else, please make that clear.*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS

RULE CITATION: 21 NCAC 08A .0309

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In (a)(1), delete "shall." Change "include" to "includes."*

*In (b), change "shall be" to "is."*

*In (d), change "discretion" to "determination."*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS

RULE CITATION: 21 NCAC 08C .0126

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In (c), change "in the discretion of the presiding office if" to "if the presiding office determines that."*

*On line 11, delete "of this Rule."*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS

RULE CITATION: 21 NCAC 08F .0103

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Make (b)(5) a separate paragraph (c). It is not correctly a part of the list in (b). Re-designate the remaining paragraphs.*

*In (e), change "shall be" to "are."*

*In (f), delete "of the."*

*In (k), change "will be" to "are."*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS

RULE CITATION: 21 NCAC 08F .0105

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In (a), change "shall be required to" to "must."*

*In (c)(1), delete "be required to."*

*Rewrite (c)(4) something like: "Credit for passage of a section of the examination is valid for an 18-month period beginning on the date the section is taken."*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS

RULE CITATION: 21 NCAC 08F .0302

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Delete (a) since it purports to repeat the statute but does not accurately do so. It is not necessary.*

*In (c), delete "With regard to Paragraph (a)(1)."*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS

RULE CITATION: 21 NCAC 08F .0401

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*On line 14, change the period to a colon.*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS

RULE CITATION: 21 NCAC 08F .0410

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In (a), delete each "shall." Delete "other courses as required by the Board as follows:."*

*In (b), change "shall be" to "is." Change "the above" to "Paragraph (a) of this Rule."*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS

RULE CITATION: 21 NCAC 08J .0101

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In (b)(1) and (2), delete or define each "properly."*

*In your history note, change "93-112(8b)" to "93-12(8b)." Add "93B-15."*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS

RULE CITATION: 21 NCAC 08J .0108

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In (e) and (f), change "shall remain" to "remains."*

*In (h), change each "may" to "shall" or set out the standards to be used in making the decision.*

*In (i), change "21 NCAC 08J .0108(b) and (c)" to "Paragraphs (b) and (c) of the is Rule." In the last two sentences, change "shall be" to "is."*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS

RULE CITATION: 21 NCAC 08J .0109

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Cite the session law in 7A on your form.*

*Rewrite the rule as follows: "Notice pursuant to G.S. 93-10(c)(3) shall be made on a form supplied by the Board." The rest just repeats the statute and is unnecessary.*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS

RULE CITATION: 21 NCAC 08J .0111

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In your history note, "57C-1" and "57C-2" are not correct citations to statutes. Cite the correct pertinent statutes.*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS

RULE CITATION: 21 NCAC 08K .0105

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*No statute cited in you history note is authority for this rule. Delete all the listed statutes and cite correct authority.*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS

RULE CITATION: 21 NCAC 08M .0106

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In (c)(1), delete "upon conditions as the Board may deem appropriate" as meaningless in this context.*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS

RULE CITATION: 21 NCAC 08N .0206

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*On line 5, delete or define "fully."*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS

RULE CITATION: 21 NCAC 08N .0215

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In (b), end (1) and (2) with semicolons. End (3) with a semicolon and "and." End (4) with a period.*

*In (c), tell what you mean by "such cases." Remove the commas before and after "if practicable."*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS

RULE CITATION: 21 NCAC 08N .0302

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In (e) and (f), change "shall be held" to "is."*

*In (f)(3), change "administrative code" to "rules."*

*Please submit a copy of your documentation of the need to collect social security numbers as required by G.S. 132-1.10(b)(1).*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS

RULE CITATION: 21 NCAC 08N .0307

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In (b), delete each "considered."*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS

RULE CITATION: 21 NCAC 08N .0402

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Delete "or" at the end (b)(2)(A).*

*In (b), change "shall be considered to be" to "is."*

*In (b)(4), delete or define "specifically." Add a comma after "Bylaws."*

*In (c), change "shall be considered to be" to "is." Define "immediate family" and "close relatives."*

*In (d), change "shall be considered to be" to "is."*

*Begin (e): "For purposes of this Rule" if that is what you mean.*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS

RULE CITATION: 21 NCAC 08N .0409

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In (b), change "adopted" to "incorporated."*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: APPRAISAL BOARD

RULE CITATION: 21 NCAC 57A .0204

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In (b) and (d), change ".0204(a)" to "Paragraph (a) of this Rule."*

*In (d), change ".0204(b)" of this section" to "Paragraph (b) of this Rule."*

*In (f), if "satisfactorily" and "successfully" mean the same thing, then only use one of the words. If they mean something different, explain the difference.*

*In (g), delete "but are not limited to."*

*On page 2, line 18, change each "shall be" to "are." On line 24, change "will" to "shall."*

*In (h), change "cannot" to "shall not."*

*In (i), verify that when you use the word "section" that you mean "Section .0200" and not "rule" (.0204).*

*In (j), change each "will be" to "is."*

*Add "93B-15" to your history note.*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: APPRAISAL BOARD

RULE CITATION: 21 NCAC 57A .0206

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In (a), delete or define "proper."*

*On lines 11 and 12, change "may" to "shall" or set out the standards the Board will use in making its decision.*

*On line 14, change "will" to "shall."*

*In (e), change "will be" to "is."*

*Either rewrite (e) to be completely consistent with G.S. 93B-15 or add a new paragraph consistent with G.S. 93B-15.*

*Add "93B-15" to your history note.*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: APPRAISAL BOARD

RULE CITATION: 21 NCAC 57A .0405

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In (c), change "shall be" to "is."*

*In (e), delete "at a minimum."*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: APPRAISAL BOARD

RULE CITATION: 21 NCAC 57A .0410

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Change "93E-2-3" to "93E-2-4."*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: APPRAISAL BOARD

RULE CITATION: 21 NCAC 57C .0101

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In (a), change the first "shall be" to "is."*

*In (b), change "shall not be" to "is not."*

*In (d), change the first "shall be" to "is."*

*Begin line 18 with "the."*

*In (f), change "shall be" to "are."*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: APPRAISAL BOARD

RULE CITATION: 21 NCAC 57D .0101

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In (9) and (10), delete or define "full."*

*Delete (12) as unnecessary. There is nothing else required by this rule than what is in the list.*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: APPRAISAL BOARD

RULE CITATION: 21 NCAC 57D .0102

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In (a), change "may" to "shall" or set out the standards to be used in making the decision.*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: APPRAISAL BOARD

RULE CITATION: 21 NCAC 57D .0201

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In (c), change "may" to "shall" or set out the standards for making the decision. Change each "and/or" to "and" or "or" as appropriate. Delete "under the provisions hereinafter set forth" as unnecessary.*

*In (e), change "shall have" to "has."*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: APPRAISAL BOARD

RULE CITATION: 21 NCAC 57D .0202

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In (c), change "shall be" to "is."*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: APPRAISAL BOARD

RULE CITATION: 21 NCAC 57D .0204

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Change "shall be" to "are."*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: APPRAISAL BOARD

RULE CITATION: 21 NCAC 57D .0303

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In (d), change "shall be" to "is."*

*In (d)(1), (2) and (4), delete or define "proper."*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: APPRAISAL BOARD

RULE CITATION: 21 NCAC 57D .0306

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Delete "At a minimum."*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: APPRAISAL BOARD

RULE CITATION: 21 NCAC 57D .0308

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Change "2-8(i)" to "93E-2-8(i)."*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: APPRAISAL BOARD

RULE CITATION: 21 NCAC 57D .0401

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Change (a) through (c) to (1) through (3).*

*Be sure to start with the rule as published in the Register. This rule was published correctly.*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: STATE TREASURER

RULE CITATION: ALL RULES - 20 NCAC 03 .0112 AND 20 NCAC 09 .0602

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In 2 on your forms, add the rule name.*

*In 4 on your forms, correct your adoption dates. The rules must be adopted by the agency before they are submitted to the Rules Review Commission. The adoption date is not the same as the effective date.*

*In 6 on your form, there does not appear to be anything in G.S. 159-6 to exempt your agency from the requirement to consult. Correct your form.*

*Complete 7B on your forms.*

*Your introductory statement says that you have made changes in the rules since the rules were published in the Register, but no changes are identified in the text of the rules. Either correct the introductory sentence or identify the changes.*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: STATE TREASURER / LOCAL GOVERNMENT COMMISSION

RULE CITATION: 20 NCAC 03 .0112

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*It appears that the Local Government Commission is the agency with the authority to adopt this rule. If the Local Government Commission did, in fact, propose and adopt this rule change, please correct your form.*

*Correctly underline and strikethrough. The smallest unit that may be changed is a whole word.*

*In (c)(4), delete "but not limited to."*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: STATE TREASURER / CAPITAL FACILITIES FINANCE AGENCY

RULE CITATION: 20 NCAC 09 .0602

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*It appears that the North Carolina Capital Facilities Finance Agency is the agency with the authority to adopt this rule. If the Capital Facilities Finance Agency did, in fact, propose and adopt this rule change, please correct your form.*

*In (a), delete "shall be required." Add "is required of" and tell who the fee is required of to the end of the sentence.*

*In (b), change "shall be" to "is" and tell whom the fee is required of.*

*Write (c) in active voice telling who will bill.*

*In (d), change "will" to "shall."*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: WILDLIFE RESOURCES COMMISSION

RULE CITATION: 15A NCAC 10B, 10C & 10D ALL RULES

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Please date all forms and rules as required by 26 NCAC 02C .0103(c).*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: WILDLIFE RESOURCES COMMISSION

RULE CITATION: 15A NCAC 10B .0203

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Correct your "amended eff." dates in your history note. You may want to look at what is currently in the Administrative Code.*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: WILDLIFE RESOURCES COMMISSION

RULE CITATION: 15A NCAC 10B .0301

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Please request that OAH renumber the rules in Section .0300 as your notice in the Register says you plan to do. You realize this will affect rule numbering in other rules, do you not?*

*On line 4, delete "shall."*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: WILDLIFE RESOURCES COMMISSION

RULE CITATION: 15A NCAC 10C .0205

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*On page 6, line 4, delete or define "conspicuously."*

*On page 14, line 4, spell out "Road." Do the same on lines 10 and 21, and on page 15, lines 16 and 19.*

*On page 16, line 28, delete or define "conspicuously."*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: WILDLIFE RESOURCES COMMISSION

RULE CITATION: 15A NCAC 10D .0103

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In (h)(6)(F), spell out "September" and "February."*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: STATE PERSONNEL COMMISSION

RULE CITATION: 25 NCAC 01 ALL RULES

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Send some type documentation that the Governor has approved these rules as required by G.S. 126-4.*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: STATE PERSONNEL COMMISSION

RULE CITATION: 25 NCAC 01E .0103

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*On line 6, change "additional hours" to "time." Define "overtime period."*

*On line 7, change "additional time" to "time outside their normal schedule."*

*Delete or define "originally charged."*

*Change "cannot" to "shall not."*

*Change "additional work time" to "time outside the normal schedule."*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: STATE PERSONNEL COMMISSION

RULE CITATION: 25 NCAC 01E .0203

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Correctly underline, strike through and highlight. Language should never be both underlined and struck through.*

*Add "with changes" to your introductory sentence.*

*Add line numbers.*

*In the third sentence, delete "shall."*

*Write the fourth sentence in active voice telling who may adjust the rate.*

*Make the first paragraph (a) and the second (b) as was published in the Register.*

*Delete "In addition."*

*Write the last sentence in active voice. Change "considered for" to "given." Change ".1801-.1809" to ".1801 through .1809."*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: STATE PERSONNEL COMMISSION

RULE CITATION: 25 NCAC 01E .1801

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Add "with changes" to your introductory sentence.*

*In (a), delete or define "qualified."*

*In (b), delete "level" to match your definition.*

*Correctly underline and strike through. There is no highlighting in adoptions. For rules with changes, only underline and strike through changes since publication.*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: APPRAISAL BOARD

AGENCY: STATE PERSONNEL COMMISSION

RULE CITATION: 25 NCAC 01E .1802

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Add "with changes" to your introductory sentence.*

*Correctly underline and strike through.*

*Begin the rule: "As used in this Section:" and change (a) through (f) to (1) through (6).*

*In each item, change your dash to "means." Begin the next word with a lower case letter.*

*Arrange your items in alphabetical order.*

*In (a), delete or define "chosen." Rather than "chosen profession," do you not really mean "the position for which the applicant is applying? As written, the experience does not have to be related to the position, only to the applicant's current profession.*

*In (b), change "appointed/elected" to "appointed or elected."*

*In (c), delete "level."*

*In (d), change each "and/or" to "and" or "or" as appropriate. Replace the slash with "or." You probably want to replace the first "and/or" with a comma and also add a comma after "certifications." Delete or define "significantly." Delete or define "specialized."*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: STATE PERSONNEL COMMISSION

RULE CITATION: 25 NCAC 01E .1803

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Change "this policy" to "the Rules in this Section."*

*Change "will be expected to" to "shall."*

*Change "should" to "shall" or "may."*

*On line 12, add a comma after "why."*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: STATE PERSONNEL COMMISSION

RULE CITATION: 25 NCAC 01E .1806

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In (a), change "will be" to "is." Change "policy" to "rules adopted by the State Personnel Commission" or whatever you mean.*

*End each paragraph with a period.*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: STATE PERSONNEL COMMISSION

RULE CITATION: 25 NCAC 01E .1807

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Change "will carryover" to "carries over."*

*Change each "can" to "shall."*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: STATE PERSONNEL COMMISSION

RULE CITATION: 25 NCAC 01E .1808

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*End Paragraph (a) with a period.*

*In (b), change "cannot" to "shall not."*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: STATE PERSONNEL COMMISSION

RULE CITATION: 25 NCAC 01E .1809

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Delete "as allowed by the" and "policy."*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: STATE PERSONNEL COMMISSION

RULE CITATION: 25 NCAC 01J .0614

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Begin the rule: "As used in this Subchapter" or whatever you mean.*

*Change (a) through (i) to (1) through (9) and make other conforming changes.*

*Change each dash to "means" and begin the next word with a lower case letter.*

*In current (a)(2), change the slash to "or."*

*Delete "or" at the end of (b)(1).*

*Delete the colon on page 1, line 20.*

*In (f), change "effective date of this Section" to "October 1, 1995" since the effective date is now known. It is presumed that you mean the 1995 date and not February 1, 1976, the "real" effective date of Section .0600. Change "in the event that" to "if."*

*Delete "or" at the end of (f)(1).*

*In (g), delete "considered."*

*In (h), delete "or" from the end of all Subparagraphs except (7).*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: STATE PERSONNEL COMMISSION

RULE CITATION: 25 NCAC 01J .0615

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*On page 1, line 14, delete "or."*

*Make the paragraph beginning on page 1, line 19, a separate Paragraph (b). Make the paragraph beginning in line 26 a separate Paragraph (c). Redesignate the remaining paragraphs.*

*On page 1, line 20, delete or define "specific."*

*On page 1, line 23, delete "under no circumstances." Change "is it" to "it is not."*

*In current (b), tell what the list is or write in paragraph form.*

*In (b)(1), delete or define "immediate."*

*Begin line numbering with "1" on every page.*

*Delete line 55 and make each remaining subparagraph a separate paragraph.*

*In (c)(2), change each "shall not be" to "are not." Delete or define "specifically."*

*In (c)(4), change "shall include" to "includes."*

*End (c)(4)(B) with a semicolon.*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: STATE PERSONNEL COMMISSION

RULE CITATION: 25 NCAC 01N .0601

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*This rule does not accurately describe what this set of rules does. Change it to read something like: "The Rules in this Section set requirements for agencies with regard to nursing mothers."*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: STATE PERSONNEL COMMISSION

RULE CITATION: 25 NCAC 01N .0603

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Change "will" to "shall."*

*Change "rule" to "Section."*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: STATE PERSONNEL COMMISSION

RULE CITATION: 25 NCAC 01N .0604

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In (1), change "should" to "shall" or delete the sentence as not a requirement. Define "adequate."*

*In (2), delete "The agency shall provide time to express breast milk" as redundant.*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: STATE PERSONNEL COMMISSION

RULE CITATION: 25 NCAC 01N .0605

DEADLINE FOR RECEIPT: Tuesday, December 14, 2010

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Change "shall be" to "is."*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel